

# Who appoints a deacon to his ministry?

Deacon Anthony Gooley

*The Deacon receives office by a decree of the bishop. Directory 8*

*In his decree of appointment, the bishop shall ascribe duties to the deacon which are congruent with his personal abilities, his celibate or married state, his formation, age, and with his spiritually valid aspirations. The territory in which his ministry is to be exercised or those to whom he is to minister should be clearly specified. The decree must also indicate whether the office conferred is to be discharged on a partial or full-time basis and the priest, who has the "cura animarum" where the deacon's ministry is exercised, must be named. Directory 8*

*It is for the bishops alone, since they rule and have charge of the particular Churches "as Vicars and legates of Christ", to confer ecclesiastical office on each deacon according to the norm of law. Directory 40*

## A decree of appointment

We will consider here what the Directory on the Ministry and Life of Permanent Deacons has to say about appointments in paragraph 8.

The directory is very clear on this point that the deacons appointment comes from the bishop. It comes from him because it "is based on participation in the bishop's ministry conferred by the Sacrament of Holy Orders" (Directory 8). This would seem to rule out the possibility that he could be appointed to a position in a parish by a priest or appointed to a ministry within an agency of the diocese by a lay leader of that agency. However, a deacon can be appointed to a parish or an agency of the diocese by the bishop. The implications of this will be explored further later.

A decree of appointment need only be a duly notarised and dated letter signed by the bishop to the deacon.

The decree requires some specific content

- ✓ Duties ascribed to the deacon
- ✓ The territory (parish or diocese normally) in which the ministry will take place
- ✓ Or those to whom he is to minister e.g. migrants and refugees, youth, university students and staff at N. university etc some of which are listed in sections 39-40 of the Directory
- ✓ Whether he will have a part time or full time appointment e.g. he may be appointed two days a week to a diocesan agency and the remainder of his time in a parish or if he is in full time or part time secular employment he may be appointed for a defined number of hours per week to a parish or other ministry
- ✓ The *cura animarum* literally the care of souls is the term which designates who has ultimate responsibility for the pastoral and spiritual welfare of the people in this territory and canonical responsibilities for the parish or place. This is the parish priest if he is appointed to a parish.

Although not specified here in paragraph 8 a letter of appointment normally specifies a period of time for which the appointment is made, commencing on a particular date and concluding on a particular date. The bishop has the authority to renew the appointment or to make a new appointment at the end of the period nominated or for a just reason and after a process terminate an appointment before the nominated time has been completed.

## When should a letter of appointment be provided?

The decree of appointment should accompany ordination. The Directory states clearly that “For the good of the deacon and to prevent improvisation, ordination should be accompanied by a clear investiture of pastoral responsibility. (Directory 40)

Since this is the requirement it presumes that the bishop and his advisors know the deacon well and have begun to discern with him potential ministry appointments. “In conferring such office, careful attention should be given to both the pastoral needs and the personal, family (in the case of married deacons), and professional situation of permanent deacons” (Directory 40). Notice that the pastoral needs of the diocese are one area requiring careful consideration and the other is the personal, family and professional situation of the deacon. That is those who advise the bishop need to have in mind a pastoral vision for the ministry of deacons in the local Church and know the situation, capabilities and aspirations of the deacon.

## Knowing the deacons

The bishop should know his deacons and those who are in formation. According to the Norms the bishop is the one ultimately responsible for their discernment and formation (#19) while ordinarily exercising this duty through the assistants who have been chosen, nevertheless he will he commit himself, as far as is possible, to knowing personally those who are preparing for diaconate (Norms 19).

Since the bishop has responsibility for their appointment, usually through the means of a clergy appoints advisory group, he and his advisors should know the skills, qualifications, capacities and hopes for ministry of each deacon. In a number of places throughout the Directory the direct relationship between the bishop and the deacons is emphasised and not only in relation to appointments.



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## Sacred Ministry

Two of the key reasons that the relationship between bishop and deacon is emphasised relate to the nature of the appointment itself. Only the bishop can appoint because he is appointing a deacon to share in the exercise of the episcopal ministry. He is appointing a deacon to share in the sacred ministry established by Christ for building up the Church. As a matter of faith, Catholics believe the sacred ministry is essential for the life of the Church. The bishop is not making a secular appointment or giving a deacon a job or employment. He is apportioning a share in the sacred ministry for the pastoral care of the diocese, or a particular group within it, to a deacon.

It does not matter whether the deacon is being appointed to the full time leadership of a parish community, or chaplaincy in a school or university, or to the pastoral care of a specific group such as migrants or youth or a diocesan agency. He is not receiving an offer of employment but a share in the apostolic ministry.

It is interesting to reflect on what the Directory has to say about the canonical right and benefits of deacons in a diocese forming an association. The Directory recommends that deacons should avoid associations which: “...under the guise of representation, organize deacons into a form of trade(s) unions or pressure groups, thus reducing the sacred ministry to a secular profession or trade, are completely irreconcilable with the clerical state. The

same is true of any form of association which would prejudice the direct and immediate relationship between every deacon and his bishop.” (Directory 11)

The two key points in number eleven are concerned with avoiding any appearance of a relationship that might be construed as employment and anything that might obscure the direct relationship between bishop and deacon. In a ruling in 1990 the Council for the Interpretation of Legislative Texts reinforced this view that appointment is not employment when it categorically stated that clergy sustentation may not be regarded as wages or salary as the result of some contract of employment.

The points above relate also to priests therefore there is a concern with precedent if deacons were to be regarded as employed by agencies of a diocese and not appointed by a bishop. If clergy are employees of a diocese with no more bond to the ministry of the local church than a lay employee, then their employment/ministry could be terminated or they could assert their rights in industrial and civil courts. This scenario would fundamentally distort the nature of sacred ministry.

A deacon (or priest) may be appointed to any number of different ministry placements during his time in active ministry. He may be appointed as a campus minister in a Catholic school to take advantage of the great pastoral opportunity that such schools represent, he may be appointed to a welfare agency of a diocese, or to an agency which supports the work of a diocese but in all cases it must be the bishop who appoints. In all cases it must be certain that he holds a diocesan appointment.

## Conclusion

It would seem that only the bishop can appoint a deacon. In addition the appointment cannot have the appearance or reality of an offer of employment or employment contract. Appointments must be seen as a participation in the apostolic ministry as would the appointment of a presbyter. Appointment by the bishop alone highlights the faith of the Catholic Church that ordained ministry is a participation in the apostolic ministry which Christ willed his Church to have. Appointment is not primarily an administrative and juridic act, even though it must also have these elements, but one that embodies the relational dimension of ministries in communion for the good of the whole Church. An appointment is recognition of the gift of diaconal grace and the specific gifts of a deacon in the life of the local Church to further the pastoral vision and meet the pastoral needs which have been discerned in the diocese.



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