

Cannon Law and the Catholic Cemeteries

Q: Does Cannon Law even mention Catholic Cemeteries?

Yes, the Cannon Law of the Catholic Church very specifically mentions Catholic Cemeteries in several areas. From the very earliest days The Church has had a strong relationship with its cemeteries. Starting with the Resurrection from the Tomb, to the use of the catacombs as a worship space, to the burial of Saints and martyrs in the early churches the faithful Christians have always been closely tied to its sacred burial grounds.

According to Church law (Canon 1180), no one is obliged to be buried in a Catholic Cemetery. One may choose any cemetery for burial unless prohibited by law. However, a Catholic Cemetery as the final resting place for Catholics has a long and rich tradition in the Church.

Q: Why is this so?

There are two primary reasons. The first is the Christian belief that the human body is the Temple of the Holy Spirit while on earth. As such, the remains of that body must be treated with dignity and respect. The second reason that Christians treated the bodies of the faithful departed so reverently is the belief that the body-in some form- will be reunited with the soul with the second coming of Jesus. The Church, because of these beliefs, codified how this reverence of the body should take place and the fact that the remains of the faithful departed should be buried or entombed in the sacred space of the Catholic Cemeteries.

Q: What is meant by Sacred Space in the Catholic Cemeteries?

By Cannon Law, The Church recognizes two places that are permanently consecrated (a special type of blessing) by the Ordinary (Bishop) of a Diocese. The places are considered unique and special to the Diocese. The first place is the parish church in which the Celebration of the Eucharist takes place and many of the sacraments are received. It is the obvious center of the faith for most Catholics. The only other place in the Diocese to receive a permanent blessing is the Catholic Cemetery. As mentioned above the Church has always had strong ties to the cemetery and because of the belief in the resurrection and reuniting of the body and soul, the cemeteries have been set aside as special places for the faithful departed. This blessing or dedication is one of the things that separate Catholic Cemeteries from all other cemeteries.

Q: What about Cremation?

In Cannon 1176 paragraph 3 it is written; “The church earnestly recommends that the pious custom of burying the bodies of the dead be observed; it does not, however, forbid cremation unless it has been chosen for reasons which are contrary to Christian teaching.”

The church has a long history with cremation, most of the time forbidding its use as a disposition of the body. In the early days of The Church those opposed to Christianity would destroy the bodies of the faithful departed by mutilation and cremation as their “proof” that the soul and body could never be reunited. As a reaction to this the Canon Law of The Church forbade cremation except in extreme emergencies such as the plagues in Europe in the Middle Ages.

During Vatican II it was determined that many cremations were done because of local customs, financial considerations or lack of burial ground and not as an anti-Christian statement. Therefore the law of the church was changed in 1963 to reflect the legitimate use of cremation. The Church still recommends the burial of the full corporeal remains in imitation of The Burial of Jesus. What remains of the body after cremation are not ashes or remains but are the bones from the faithful departed and as such **MUST** be buried or entombed and may not be scattered or separated in any manner.