

THE QUESTION OF GOVERNANCE AND MINISTRY FOR WOMEN¹

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The possibility of formal governance and ministry for women hinges on their admission to the clerical state, which is demonstrably possible by their readmission to the diaconate. Historical exegesis supports the Catholic Church's present ability to ordain women deacons, and recent official discussion suggests that the readmission of women to the ordained diaconate may be on the horizon. This article parses the terms "governance" and "ministry" and provides some conclusions about the ways the terms have been used recently.

WHEN FATHER MARCO VALENTINI, on March 2, 2006, rose to ask his bishop a question, he may not have expected the answer he received. The 39-year-old priest told his bishop, and the other assembled priests of his diocese, that he had recent and positive experience of the ministry of women—both married and religious—to priests in crisis. It set him to thinking, he said: why not put women side by side with men in the governance of the Church? Every church decision is taken from the male point of view, Father Valentini continued, but women work at the charismatic level through prayer and at the practical level as well. Recall, he said, how Catherine of Siena brought the pope back to Rome. Perhaps, Valentini continued, women's point of view at the institutional level could help not only priests in difficulty, but all priests in decision making.

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¹ This article is based on papers delivered during Great Women of the Spirit Week at Regis University, Denver, Colorado, March 23, 2006, and the Annual Meeting of Voice of the Faithful of Long Island, April 22, 2006.

More simply put: why not include women in the ministry and governance of the Church?

This little story is perhaps not unusual. Priests and deacons around the world have been speaking with their parishioners and among themselves, and they have been asking their bishops this very question: Why is it that women cannot have a greater role in the governance and ministry of the Church?

It is a worldwide question, but the difference in this particular case is that the priest who asked it, Father Marco Valentini, is a parochial vicar of the Church of San Girolamo a Corviale, in Rome; his bishop is Pope Benedict XVI.²

The format of the meeting Valentini attended on March 2, 2006—the pope’s traditional meeting with the priests in his diocese at the beginning of Lent—allowed 15 priests to present questions that Benedict then answered one by one. Valentini’s question stood out, as he stood out among the people and the priests of Rome. There are 2.8 million people, 335 parishes, and over 5,000 priests in the diocese of Rome. Whatever lottery allowed Valentini to even ask his question is only slightly short of miraculous.

Pope Benedict answered another young priest’s question just before he addressed Valentini’s. After commenting on the priest’s youth—at 79 the pope was more than twice Father Valentini’s age—Benedict responded at length. His response includes two key concepts: “governance” and “ministry”:

In response to the assistant pastor of San Girolamo—I see that he too is very young—who spoke about how much women do in the Church, also on behalf of priests. I am only able to underscore how the special prayer for priests in the first Canon, the Roman Canon, always makes a great impression on me. “*Nobis quoque*

² “Sintesi degli interventi dei sacerdoti romani ricevuti in udienza dal Papa,” Vatican, Friday, March 3, 2006 (ZENIT.org). Pubblichiamo di seguito la sintesi degli interventi dei sacerdoti che hanno preso la parola nel corso dell’udienza di Benedetto XVI al Clero della Diocesi di Roma, tenutasi il 2 marzo. . . .

“Don Marco Valentini, vicario parrocchiale di san Girolamo a Corviale (Settore Ovest, XXXI Prefettura), ha pronunciato un intervento ispirato alla conoscenza avuta di una madre di famiglia e di alcune suore impegnate nel recupero di sacerdoti in crisi. ‘Tale esperienza mi ha fatto pensare—ha detto—: perché non affiancare anche la donna al governo della Chiesa? Del resto il suo punto di vista nelle decisioni da prendere è diverso da quello maschile. La donna spesso lavora a livello carismatico con la preghiera o a livello pratico, come ha fatto santa Caterina da Siena che ha riportato il Papa a Roma. Perciò, occorrerebbe rilanciarne il ruolo anche a livello istituzionale e vedere il punto di vista della donna che è diverso da quello maschile, per aiutare non solo i sacerdoti in difficoltà, ma tutti i presbiteri quando devono prendere decisioni impegnative’” (<http://www.zenit.org/italian/visualizza.php?sid=7281> [accessed February 27, 2007]).

peccatoribus.” In this realistic humility of us priests, precisely as sinners, we pray that the Lord will help us to be his servants. In this prayer of the priest, and only in it, seven women appear who surround him.³ They demonstrate how women believers help us on our way. Certainly everyone of us has this experience. Thus, the Church owes an enormous debt of gratitude to women. And you have correctly emphasized that, at a charismatic level, women do so much, I would dare say, for the governance of the Church, beginning with the sisters of the great Fathers of the Church,⁴ such as Saint Ambrose, to the great women of the Middle Ages—Saint Hildegard, Saint Catherine of Siena, then Saint Teresa of Avila—up to Mother Teresa. I would say this charismatic work certainly is distinct from ministry in the strict sense of the word, but it is a genuine and deep participation in the governance of the Church. How is it possible to imagine the governance of the Church without this contribution, which sometimes becomes very visible, as when Saint Hildegard criticized the bishops, or when Saint Brigid and Saint Catherine of Siena admonished and obtained the return of the Popes to Rome? It [the contribution of women] is always a crucial factor, without which the Church cannot live. However, you rightly say: we want to see even more clearly, in a ministerial way, women in the governance of the Church. I would say this is precisely the question. The priestly ministry from the Lord is, as we know, reserved to men, inasmuch as priestly ministry is governance in the profound sense that, in fact, it is the Sacrament that governs the Church. This is the decisive point. It is not the man who does something, but the priest faithful to his mission who governs, in the sense that it is the Sacrament, that is, through the Sacrament it is Christ himself who governs [:] whether through the Eucharist or the other sacraments, it is always Christ who presides. However, it is proper to ask whether in this ministerial service—notwithstanding the fact that here Sacrament and charism are one and the same track [*binario*] on which the Church realizes itself—it is not possible to offer more space, more positions of responsibility to women.⁵

³ Here Benedict refers to the optional list of women martyrs in the Commemoration of the Dead, which comes after the consecration: “For ourselves, too, we ask some share in the fellowship of your apostles and martyrs, with John the Baptist, Stephen, Matthias, Barnabas, (Ignatius, Alexander, Marcellinus, Peter, Felicity, Perpetua, Agatha, Lucy, Agnes, Cecilia, Anastasia) and all the saints.” The priest then continues: “Though we are sinners, we trust in your mercy and love. Do not consider what we truly deserve, but grant us your forgiveness.”

⁴ In the text supplied by ZENIT and the Vatican (see nn. 5 and 6 below), Benedict says, “cominciando dalle suore, dalle sorelle dei grandi Padri della Chiesa.” In using the word “suore” (religious sisters), Benedict seems to have misspoken and then immediately corrected himself with “sorelle” (blood sisters). Thus my translation omits as unintended the reference to religious sisters antecedent to the reference to sisters of church fathers.

⁵ My translation. “Discorso improvvisato da Benedetto XVI al Clero romano: I temi dell’incontro: vita, famiglia e formazione dei sacerdoti,” March 2, 2006, reported by ZENIT on March 3, 2006: <http://www.zenit.org/italian/visualizza.php?sid=7283> (accessed February 4, 2007):

Il 2 marzo 2006, nell’Aula della Benedizione del Palazzo Apostolico Vaticano, Benedetto XVI ha incontrato il Clero della Diocesi di Roma per il tradizionale appuntamento di inizio Quaresima. Di seguito riportiamo il testo improvvisato—in due tempi—dal Papa in risposta alle considerazioni dei sacerdoti romani intervenuti.

These 400 off-the-cuff words in the original Italian, as transcribed by the ZENIT News Agency and published on the Vatican Web site,⁶ are Benedict's first direct comments on the matter. Yet the length and depth of his reply indicates the energy surrounding the simple question he repeated, Why not have women in ministry and governance?

Why not? Benedict repeated his partial litany of women who have served the Church: Hildegard, Catherine of Siena, Teresa of Avila, and Mother Teresa. Their service was indeed ministry in the broader sense, but when speaking to the future for women, Benedict more likely used "ministry" in its technical sense. So, too, with "governance." Since the usual path to governance and ministry in the Catholic Church is by ordination, Benedict's apparent agreement that women can, or at least should, have greater share in governance and ministry is surprising.

What is not surprising is his restatement of the objections to the ordination of women to priesthood. However, even prescinding from ordination to priesthood, the pope still allowed that there might be more "space" for women: "più spazio, più posizioni di responsabilità alle donne." That is, he asked: why not allow women to minister and share governance in the Church?

... Rispondo ora al vice Parroco di san Girolamo—vedo che è anche molto giovane—che ci parla di quanto fanno le donne nella Chiesa, anche proprio per i sacerdoti. Posso solo sottolineare che mi fa sempre grande impressione, nel primo Canone, quello Romano, la speciale preghiera per i sacerdoti: "Nobis quoque peccatoribus". Ecco, in questa umiltà realistica dei sacerdoti noi, proprio come peccatori, preghiamo il Signore perché ci aiuti ad essere suoi servi. In questa preghiera per il sacerdote, proprio solo in questa, appaiono sette donne che circondano il sacerdote. Esse si mostrano proprio come le donne credenti che ci aiutano nel nostro cammino. Ognuno ha certamente questa esperienza. E così la Chiesa ha un grande debito di ringraziamento per le donne. E giustamente Lei ha sottolineato che, a livello carismatico, le donne fanno tanto, oserei dire, per il governo della Chiesa, cominciando dalle suore, dalle sorelle dei grandi Padri della Chiesa, come sant'Ambrogio, fino alle grandi donne del medioevo—santa Ildegarda, santa Caterina da Siena, poi santa Teresa d'Avila—e fino a Madre Teresa. Direi che questo settore carismatico certamente si distingue dal settore ministeriale nel senso stretto della parola, ma è una vera e profonda partecipazione al governo della Chiesa. Come si potrebbe immaginare il governo della Chiesa senza questo contributo, che talvolta diventa molto visibile, come quando santa Ildegarda critica i Vescovi, o come quando santa Brigida e santa Caterina da Siena ammoniscono e ottengono il ritorno dei Papi a Roma? Sempre è un fattore determinante, senza il quale la Chiesa non può vivere. Tuttavia, giustamente Lei dice: vogliamo vedere anche più visibilmente in modo ministeriale le donne nel governo della Chiesa. Diciamo che la questione è questa. Il ministero sacerdotale dal Signore è, come sappiamo, riservato agli uomini, in quanto il ministero sacerdotale è governo nel senso profondo che, in definitiva, è il Sacramento che governa la Chiesa. Questo è il punto decisivo. Non è l'uomo che fa qualcosa, ma il sacerdote fedele alla sua missione governa, nel senso che è il Sacramento, cioè mediante il Sacramento è Cristo stesso che governa, sia tramite l'Eucaristia che negli altri Sacramenti, e così sempre Cristo presiede. Tuttavia, è giusto chiedersi se anche nel servizio ministeriale—nonostante il fatto che qui Sacramento e carisma siano il binario unico nel quale si realizza la Chiesa—non si possa offrire più spazio, più posizioni di responsabilità alle donne.

⁶ http://212.77.1.245/news_services/bulletin/news/18065.php?index=18065&po_date=03.03.2006&lang=it (accessed February 4, 2007).

The terms under discussion that day are clearly “ministry” and “governance.” Technically speaking, each requires ordination, but not necessarily priestly ordination.

GOVERNANCE

“Governance” has a particular meaning in canon law and in theology. Generally speaking, the “power of governance” is vested by the Church in the clergy. However, among what are called the “triple *munera*” or the “triple offices” of the Church—the teaching office, the sanctifying office, and the governing office—there is no section in canon law specifically directed at the governing office of the Church, or governance.

The section in canon law that considers governance is “*de potestate regiminis*” (“on the power of governance”). This terminology does not correspond to the terminology of Vatican II, which speaks to “the power of jurisdiction” or, simply, “jurisdiction.” Neither does the section on the power of governance speak to the governing office.

Canon law clearly holds that women cannot *participate* in governance although women may be consulted and cooperate in it. In 1994 the bishops of the United States issued a statement, entitled “Strengthening the Bonds of Peace,” in which they wrote: “An important issue for women is how to have a voice in the governance of the Church to which they belong and which they serve with love and generosity. This can be achieved in at least two ways that are consistent with church teaching: through consultation and through cooperation in the exercise of authority.”⁷ The key words here are “consultation” and “cooperation” in the exercise of authority. Neither implies authority, or power, or jurisdiction, or governance for the laity. Hence neither implies authority, or power, or jurisdiction, or governance for women—all of whom are lay persons—in the Church at large.

A footnote to this passage in the U.S. bishops’ 1994 statement reiterated the provisions of Canon 129 of the 1983 Code of Canon Law, which states who can exercise the power of governance:

1. Those who have received sacred orders are qualified, according to the norm of the prescripts of the law, for the power of governance, which exists in the Church by divine institution and is also called the power of jurisdiction.

⁷ National Conference of Catholic Bishops, *Strengthening the Bonds of Peace: A Pastoral Reflection on Women in the Church and in Society* (Washington: United States Catholic Conference, 1995). Susan Muto of Duquesne University was the principal writer of the document. The ad hoc Committee on Women in Society and in the Church of the then-National Conference of Catholic Bishops was headed by Bishop Joseph L. Imesch of Joliet, Illinois; the head of the committee was Bishop John Snyder of St. Augustine, Florida. Bishop William J. Levada, now cardinal prefect of the CDF, served on the committee. On May 13, 2005, he was appointed to the CDF by Pope Benedict XVI, with whom he had worked closely at the CDF in the early 1980s.

2. Lay members of the Christian faithful can cooperate in the exercise of this same power according to the norm of law.

Valentini's question was about women in the governance of the Church, and Benedict replied: "You rightly say: 'we want to see even more visibly, in a ministerial way, women in the governance of the church.' I would say this is exactly the question."⁸

The organizational relationships of the Church are described by canon law. Canon 129 and the question of who can exercise the power of governance is critical to the present discussion, because the operative word in this canon, relative to the laity and the power of governance, is "cooperate." Laity—and all women are lay persons—can *cooperate* in governance, but only the ordained can hold the power of governance.⁹

It is well to recall that the 1983 revision of the 1917 Code of Canon Law found two competing schools of canonists considering what came to be canon 129. The text of canon 129 in the 1981 *Plenaria* on proposed revisions to the Code was this: "Lay members of the Christian faithful can participate in the exercise of this same power according to the norm of law." That is, a draft of the canon allowed lay persons to "participate" (*"partem habere"*). But, of the two schools of thought, the "Roman" school gave way to the more conservative wording of the "Munich" school, which was proposed by then-Cardinal Joseph Ratzinger. So "participate" was replaced by "cooperate."¹⁰ The language proposed by Cardinal Ratzinger and accepted by the *Plenaria*, and now in the Code of Canon law, however, is the same as the language Pope Benedict used on March 2, 2006, referring to the possible role of women in the Church.

The pope does not intend to ordain women priests and bishops, but he clearly spoke to the possibility of governance and ministry for women.

⁸ Benedict XVI, "Discorso improvvisato."

⁹ This restriction applies to church governance in the ordinary sense. Abbesses and religious superiors hold the power of governance or the power of jurisdiction within their orders or institutes. There and only there is exception made for a lay person (i.e., a religious brother) to have some jurisdiction over a cleric (i.e., an ordained member of a religious institute) and only in nonclerical matters. Monastic prioresses and territorial abbesses retain additional authority within their properties.

¹⁰ "With the exception of a comma, the final wording of para. 1 in (what eventually became) canon 129 is exactly the wording that Cardinal Ratzinger had previously proposed" (Elizabeth McDonough, "Jurisdiction Exercised by Non-Ordained Members in Religious Institutes," *Canon Law Society of America Proceedings of the Annual Convention* 58 [1996] 292–307, at 294 n. 4). McDonough refers to Cardinal Ratzinger's *animadversiones* and suggested text of December 22, 1980, in *Congregatio Plenaria*.

While governance and ministry are presently restricted to the clergy, Benedict answered that both might be possible for women.

WOMEN DEACONS

The only way Benedict can technically include women in formal governance and ministry is by restoring women to the ordained diaconate, which he has both the power and authority to do. Two ecumenical councils agreed to by all Christendom—Nicaea (325) and Chalcedon (451)—speak to the ordination of women to the diaconate.¹¹ Canon 19 of the Council of Nicaea describes the Paulianist women ministers as deaconesses, but counts them among the laity because they did not receive the laying on of hands, and says they must be both rebaptized and reordained.¹² Canon 15 of the Council of Chalcedon assumes the ordination of deaconesses and lowered the allowable age of ordination candidates from 60 to 40: “A woman shall not be ordained as a deaconess below the age of forty.”¹³

Some local councils restricted what apparently continued for some time as the common practice of ordaining women deacons. Copious published research presents epigraphical, literary, and liturgical evidence of this tradition continuing even to the eleventh century in both East and West, such that the fact of women deacons is not an historical unknown.¹⁴

The power of the church to call women to diaconal orders has been recently contested, but this contention does not override the prior determinations of councils. As late as the eleventh century the right of a diocesan ordinary to ordain women deacons was confirmed, as in the 1017 letter of Pope Benedict VIII to the bishop of Porto in Portugal, which confirms that diocesan ordinary’s privileges: “We concede and confirm to

¹¹ The ecumenical councils generally agreed to by all Christendom (except for the Oriental Orthodox, who recognize only the first three, and the Assyrian Church of the East, which recognizes only the first two) are: Nicaea (325), Constantinople (381), Ephesus (430), Chalcedon (451), Constantinople (553), Constantinople (680), and Nicaea (787).

¹² “But if any have formerly been numbered among the clergy, if in fact they seem blameless and without reproach, when they have been rebaptized, let them be ordained by the bishop of the Catholic Church. . . . And likewise, concerning the deaconesses . . . the same pattern should be observed” (Council of Nicaea, canon 19, quoted in Kevin Madigan and Carolyn Osiek, *Ordained Women in the Catholic Church: A Documentary History* (Baltimore: Johns Hopkins University, 2005) 117–18).

¹³ Ibid. 121–22.

¹⁴ See, e.g., Roger Gryson, *The Ministry of Women in the Early Church*, trans. Jean Laporte and Mary Louise Hall (Collegeville, Minn.: Liturgical 1976); Aimé George Martimort, *Deaconesses: An Historical Study*, trans. K. D. Whitehead (San Francisco: Ignatius, 1986); Ute Eisen, *Women Officeholders in Early Christianity: Epigraphical and Literary Studies*, pref. Gary Macy, trans. Linda M. Maloney (Collegeville, Minn.: Liturgical, 2000); and Madigan and Osiek, *Ordained Women*.

you and to your successors in perpetuity every episcopal ordination (*ordinationem episcopalem*), not only of presbyters but also of deacons or deaconesses (*diaconissis*) or subdeacons.”¹⁵

That is, the episcopal right of a diocesan ordinary to ordain (not “appoint” or “bless”) women deacons in his own diocese was confirmed by a pope. The fact that women deacons or deaconesses are listed ahead of subdeacons supports the notion that they were ordained to major orders.

The East presents even more recent evidence. In addition to the deep history regarding women deacons in the West, some churches in “imperfect communion” with the Catholic Church—some Orthodox and Oriental Orthodox churches—never wholly abandoned the practice of ordaining women deacons, at least monastic women deacons.¹⁶ They generally continued the practice well into the 11th century, and, in some places, into the 19th century.

¹⁵ Madigan and Osiek, *Ordained Women* 147. Their footnote states that the letter comes from Migne, PL 139.1921 and is also reproduced in *Monumenta de viduis diaconissis virginibusque tractantia*, ed. Josephine Mayer, Florilegium patristicum 42 (Bonn: Peter Hanstein, 1938) 52, and that Pope Leo IX later reconfirmed this concession (PL 143–602).

¹⁶ See John Paul II, Apostolic Letter for the Fourth Centenary of the Union of Brest, November 12, 1995: “Real, if imperfect communion, already present between Catholics and Orthodox in their ecclesial life, reaches perfection in all that we ‘consider the highest point of the life of grace, *martyria* unto death, the truest communion possible with Christ who shed his Blood, and by that sacrifice brings near those who once were far off (cf. *Eph* 2:13),” citing John Paul II, *Ut unum sint* no. 84, http://www.vatican.va/holy_father/john_paul_ii/apost_letters/documents/hf_jp-ii_apl_19951112_iv-cent-union-brest_en.html (accessed February 5, 2007). Paul VI, in his historic letter of February 8, 1971, to Patriarch Athenagoras, described the Orthodox Churches as being in “almost complete communion” with the Church of Rome: “Nous rappelions qu’entre notre Eglise et les vénérables Eglises orthodoxes existait déjà une communion presque totale, bien qu’elle ne soit pas encore parfaite, résultant de notre commune participation au mystère du Christ et de son Eglise” (http://www.vatican.va/holy_father/paul_vi/letters/1971/documents/hf_p-vi_let_19710208_patriarca-athenagoras_fr.html [accessed February 5, 2007]). See also, John Paul II, Wednesday general audience address for Week of Prayer for Christian Unity, January 17, 1979: “La Chiesa cattolica ha instaurato in questi ultimi tempi fraterni rapporti con tutte le altre Chiese e Comunità ecclesiali, rapporti che vogliamo continuare e approfondire con fiducia e con speranza. Con le Chiese ortodosse d’Oriente il dialogo della carità ci ha fatto riscoprire una comunione quasi piena, anche se ancora imperfetta. È motivo di conforto vedere come questo nuovo atteggiamento di comprensione non si limiti solamente ai maggiori responsabili delle Chiese, ma penetri gradualmente nelle Chiese locali, poiché il cambiamento dei rapporti sul piano locale è indispensabile per ogni ulteriore progresso” (http://www.vatican.va/holy_father/john_paul_ii/audiences/1979/documents/hf_jp-ii_aud_19790117_it.html [accessed February 20, 2007]). The Congregation of the Doctrine of the Faith, in its June 30, 2000, “Note on the Expression ‘Sister Churches,’” eschewed the term “sister Churches” when referring to Orthodox Churches in relation to the Church of Rome; see http://www.vatican.va/roman_curia/

In our century, the Holy Synod of the Orthodox Church of Greece voted in October 2004 to restore women's monastic diaconate, specifically to assist in the liturgy and to minister to ill sisters. But some synod members asked about a nonmonastic ministerial female diaconate as well, to provide for needs outside the monastery.¹⁷

The Catholic Church and the Armenian Apostolic Church recognize each others' sacraments and apostolic succession. The Armenian Apostolic Church already ordains women deacons, at least three of whom belong to a religious order and run an orphanage in Lebanon.¹⁸

These Churches, the Orthodox Church of Greece and the Armenian Apostolic Church, speak to Benedict's suggestion that women can be more fully incorporated into the (ordained) ministry of the Catholic Church. The synod fathers of the Orthodox Church of Greece asked for active women deacons, and the ordained women deacons of the Armenian Apostolic Church already live the active charism of "ministry" to the people of God in the technical sense Benedict refers to.

THE PROBLEM OF HISTORY

The problem of history arises in considering women in governance and ministry in the contemporary Catholic Church, particularly in the Latin Church. The Eastern Churches mentioned above are in what the Catholic Church calls "imperfect communion" with it. Yet, given that these Eastern Churches have common history with the Catholic Church and, based on that history, are ordaining women in their traditions, it would seem that the Catholic Church can do the same. That is, these Churches look back to the same Scripture, the same liturgies, and the same historical materials as the Catholic Church does, and they ordain, or say they will ordain, women deacons. But common history and ancestry has not been persuasive, at least in the Catholic Church.

There has been some contemporary discussion and a few official docu-

congregations/cfaith/documents/rc_con_cfaith_doc_20000630_chiese-sorelle_en.html (accessed February 5, 2007).

¹⁷ See Athens News Agency, "Archbishop Christodoulos to Postpone Vatican Visit," October 11, 2004, <http://www.greeknewsonline.com/modules.php?name=News&file=article&sid=2087> (accessed February 5, 2007); and Phyllis Zagano, "Grant Her Your Spirit: The Restoration of the Female Diaconate in the Orthodox Church of Greece," *America* 192.4 (February 7, 2005) 18–21; translated and published as "Ortodosse all'altare," *Adista* 16 (February 26, 2005).

¹⁸ The orphanage, Birds' Nest, is located in Jbeil (Byblos), Lebanon, and is headed by Armenian Archmaindrit Paren Vartanian. The deaconesses there belong to the St. Gayane sisterhood. For a history of Armenian women deacons see Abel Oghlukian, *The Deaconess in the Armenian Church: A Brief Survey* (New Rochelle, N.Y.: St. Nersess Armenian Seminary, 1994).

ments regarding the restoration of the female diaconate in the Catholic Church. A September 2001 Notification on the diaconal ordination of women from the Congregation for the Doctrine of the Faith, the Congregation for Divine Worship and the Discipline of the Sacraments, and the Congregation for Clergy directed at the bishops of Germany stated that “it is not licit to enact initiatives which, in some way, aim to prepare [women] candidates for diaconal ordination.”¹⁹ In essence, the Notification argued that women should not be prepared for diaconal ordination because the signers to the Notification did not wish to ordain women to the diaconate. It made no doctrinal determination.

The Notification was followed in 2002 by a 72-page document on the diaconate published by the International Theological Commission (ITC) of the Congregation for the Doctrine of the Faith (CDF) when both were headed by Cardinal Joseph Ratzinger. As such, the 2002 ITC document is the highest-level, contemporary, official document that addresses the question of women deacons. Entitled “Le Diaconat: Évolution et perspectives” and officially published only in French, the document actually left open the possibility of the restoration of the female diaconate in the Catholic Church. One point of consideration within the document was history: how interpret the historical evidence for women deacons? Perhaps predictably, the ITC did not interpret the historical evidence of women deacons in the most positive light. The ITC’s exact words are:

Regarding the ordination of women to the diaconate, it should be noted that two important points emerge from what has been set forth here: 1) the deaconesses

¹⁹ Notificazione delle Congregazioni per la Dottrina della Fede, per il Culto Divino e la Disciplina dei Sacramenti, per il Clero, 17.09.2001, <http://www.ratzinger.it/documenti/notificazionedonnediacono.htm> (accessed February 5, 2007):

“1. Da taluni Paesi sono pervenute ai nostri Dicasteri alcune segnalazioni di programmazione e di svolgimento di corsi, direttamente o indirettamente finalizzati all’ordinazione diaconale delle donne. Si vengono così a determinare aspettative carenti di solida fondatezza dottrinale e che possono generare, pertanto, disorientamento pastorale.

“2. Poiché l’ordinamento ecclesiale non prevede la possibilità di una tale ordinazione, non è lecito porre in atto iniziative che, in qualche modo, mirino a preparare candidate all’Ordine diaconale.

“3. L’autentica promozione della donna nella Chiesa, in conformità al costante Magistero ecclesiastico, con speciale riferimento a quello di Sua Santità Giovanni Paolo II, apre altre ampie prospettive di servizio e di collaborazione.

“4. Le Congregazioni sottoscritte—nell’ambito delle proprie competenze—si rivolgono, pertanto, ai singoli Ordinari affinché vogliano spiegare ai propri fedeli ed applicare diligentemente la suindicata direttiva.

“Questa Notificazione è stata approvata dal Santo Padre, il 14 settembre 2001.” The signers were Cardinals Joseph Ratzinger, Jorge Arturo Medina Estévez, and Dario Castrillón Hoyos, at the time prefects of the Congregations for the Doctrine of the Faith, Divine Worship and the Sacraments, and Clergy, respectively.

mentioned in the ancient tradition of the Church—as suggested by their rite of institution and the functions they exercised—are not purely and simply the same as deacons; 2) The unity of the sacrament of order, in the clear distinction between the ministries of the bishop and the priest on the one hand and the ministry of the deacon on the other, is strongly underscored by ecclesial tradition, above all in the doctrine of Vatican Council II and the postconciliar teaching of the Magisterium. In the light of these elements, supported by the evidence of the present historical-theological research, it will be up to the ministry of discernment, which the Lord has established in his Church, to speak authoritatively on this question.²⁰

The ITC, therefore, concluded that (1) its interpretation of history does not support a historical argument for women deacons, (2) the sacrament of order clearly distinguishes between the ministries of the bishop and priest and those of the deacon, and (3) the “ministry of discernment”—essentially the magisterium—will have to make the decision on women deacons. How long it will take for “the ministry of discernment, which the Lord has established in his Church, to speak authoritatively” on women deacons is unclear, especially since it appears that the ordinary magisterium (Pope Benedict VIII) and the extraordinary magisterium (Councils of Nicaea and Chalcedon) have already made determinations, each within the *consensus fidelium*. If the churches in “imperfect communion” (the Orthodox Church of Greece and the Armenian Apostolic Church) are added to the mix, then their bishops, too, might be seen—at least in theory—to contribute to the ordinary universal magisterium in concert with the Latin bishops who have called for women deacons, including the late Cardinal Basil Hume,²¹ Cardinal Carlo Maria Martini,²² and Bishop Roger J. Vangheluwe of Bruges.²³

²⁰ “Le Diaconat,” *La documentation catholique* 23 (January 19, 2003) 58–107, at 107 (my translation). The commission maintains the singular “order” found in *Catéchisme de l’Église catholique*. The English language canon law (cc. 1008–1054) uses “orders,” and the *Catechism of the Catholic Church* (chap. 3, no. 6) uses “holy orders.” The original ITC document was also published in Italian as “Il diaconato: Evoluzione e prospettive,” *Civiltà Cattolica* 154 (2003) I/253–336. For a discussion of this document, see Phyllis Zagano, “Catholic Women Deacons: Present Tense,” *Worship* 77 (2003) 386–408.

²¹ See Janine Hourcade, *Les diaconesses dans l’Eglise d’hier et de demain* (Saint-Maurice: Saint-Augustin, 2001) 21, citing *Il Regno*, July 19, 1985.

²² Martini called for “l’ordinazione delle donne al diaconato, almeno . . .” at the European bishops’ synod in 1999. See Sandro Magister, “*Vade retro, Concilio*,” *L’Espresso* February 17, 2000. Others assumed to support the notion at the time were Timothy Radcliffe, O.P., then-Master of the Order of Preachers; Cardinal Karl Lehmann, bishop of Mainz; John R. Quinn, retired archbishop of San Francisco; and Cardinal Pierre Eyt, archbishop of Bordeaux (d. 2001). Hume died a few months before this synod.

²³ Vangheluwe asked for women deacons during his 2003 *ad limina* meetings. See John L. Allen, Jr., “Belgian Bishop Asks Vatican to Consider Female Deacons,” *National Catholic Reporter*, November 28, 2003.

Further, Bartholomew, Ecumenical Patriarch of Constantinople, has confirmed the possibility of returning to the “ancient tradition of the Church” of ordaining women to the diaconate.²⁴

While the question as examined by the ITC was first returned to John Paul II for definitive pronouncement, it now rests with Benedict XVI.

The ITC’s first objection rests in the interpretation of history. Benedict knows well the pitfalls of history and the illusion of objectivity. In 1988 when, as prefect of the CDF, Benedict spoke in St. Peter’s Lutheran Church in New York City, he said that the attempt of the historical-critical method to instill scientific precision on scriptural exegesis calls itself into question as shown by the Heisenberg Uncertainty Principle:²⁵

Now, if the natural science model is to be followed without hesitation, then the importance of the Heisenberg principle should be applied to the historical-critical method as well. Heisenberg has shown that the outcome of a given experiment is heavily influenced by the point of view of the observer. So much is this the case that both observer’s questions and observations continue to change themselves in the natural course of events. When applied to the witness of history, this means that interpretation can never be just a simple reproduction of history’s being, “as it was.” The word “interpretation” gives us a clue to the question itself: every exegesis requires an “inter” an entering in and a being “inter” or between things; this is the involvement of the interpreter himself. Pure objectivity is an absurd abstraction. It is not the uninvolved who comes to knowledge; rather, interest itself is a requirement for the possibility of coming to know.²⁶

²⁴ “Bartholomew said that there were no canonical reasons why women could not be ordained deacons in the Orthodox Church” (National Conference of Catholic Bishops, “News about the Eastern Churches and Ecumenism,” *SEIA Newsletter on the Eastern Churches and Ecumenism* 5 [February 1996] 1, reporting from “Genève: Visite du Patriarcat oecuménique en Suisse,” *Service Orthodoxe de Presse* 204 [January 1996] 3).

²⁵ The principle states that observation alters the reality being observed. Werner Heisenberg’s collaborator Niels Bohr termed this the Heisenberg Indeterminacy Principle and developed a complementary theory that reality has a dual nature, wave and particle, and that we can perceive only one side of that nature at a time. Together these theories are known as the Copenhagen Interpretation and form the foundation for quantum theory.

²⁶ Cardinal Joseph Ratzinger, “Biblical Interpretation in Crisis: On the Question of the Foundations and Approaches of Exegesis Today,” Erasmus Lecture for the Rockford Institute Center on Religion and Society, St. Peter’s Lutheran Church, New York, January 27, 1988, http://www.catholicculture.org/docs/doc_view.cfm?recnum=5989&longdesc (accessed February 4, 2007). Toward the end of the lecture, Ratzinger cited Thomas Aquinas: “The duty of every good interpreter is to contemplate not the words, but the *sense* of the words” (Thomas Aquinas, *Super Evangelium S. Matthaeum lectura*, ed. Raphaelis Cai [Turin: Marieti, 1951] 358, no. 2321; see Maximino Arias Reyero, *Thomas von Aquin als Exeget: Die Prinzipien seiner Schriftdeutung und seine Lehre von den Schriftsinnen* [Einsiedeln: Johannes, 1971] 161).

While Benedict's 1988 lecture was directed at excesses of the historical-critical method of scriptural exegesis, the question of objectivity applies to the question of women deacons as well. If, as Benedict posits, "Pure objectivity is an absurd abstraction," then the historical premise of the ITC document, even if true, does not hold. For, as Valentini might remind us, the history of women deacons in the ITC document is read through the lens of the ITC's (all male) drafting committee.

History is not normative in either direction relative to the restoration of the female diaconate, for it is impossible to create an essentially revisionist history and impose it on current theology. Hence, independent of disputed interpretations, history alone cannot determine the essential question regarding women deacons: is there a need for the restoration of the female diaconate in the Church today? The real question is the meaning of "ministry," as it is most narrowly defined, and the needs of the Church.

MINISTRY

It is most important not to confuse ecclesial ministries with states of life within the Church. States of life are particular ways of living the Christian life, and in the Catholic Church all persons are either seculars or religious. Within each category—"secular" and "religious"—there are both clerics and lay persons. So individuals might be secular clerics, or secular lay persons, or religious clerics, or religious lay persons. Individuals of each of these descriptors may also participate in various Church ministries. In the ordained ministries of bishop, priest, and deacon, there are both secular and religious clerics. In the nonordained ministries of acolyte, lector, and lay ecclesial minister, there are also both secular and religious lay persons. This discussion centers on the entrance of both religious and lay women to the clerical state, and on the need for ordained female diaconal ministry.

Permanent deacons, who may be seculars or religious, are foremost the ministers of charity. Benedict's response to Valentini, read in light of his emphasis on the works of charity—the charismatic ministry—as the heart of the Church's mission, points the whole Church in the direction of the diaconate. In his first encyclical, *Deus caritas est* (God Is Love),²⁷ a 15,000-word, carefully crafted discourse on the root, nature, and function of Christian love from the personal and interpersonal to the institutional levels, Benedict clearly stated that the works of charity are at the heart of the Church's function.

Benedict spoke directly of the ministry of charity in part 2 of the encyclical, where he made it quite clear that responsibility for the ministry of

²⁷ Benedict XVI, *Deus caritas est* (December 25, 2005), http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est_en.html (accessed February 5, 2007).

charity in a particular church rests with the diocesan ordinary. He cited the rite of episcopal ordination,²⁸ canon law, and the new *Directory for the Pastoral Ministry of Bishops* in support of his point. Benedict quotes the *Directory*: “the duty of charity [is] a responsibility incumbent upon the whole Church and upon each Bishop in his Diocese.”²⁹

Two related concepts cannot be overlooked: (1) the freedom and duty of a diocesan ordinary to act in his diocese and (2) the ministries of charity carried out by women worldwide. The link is inescapable. If a bishop wishes to expand the works of charity in his diocese, he has an expert and experienced cadre of persons willing to minister—in the technical sense of the word—to the poor and the needy and the sick and the imprisoned. In fact, these persons are already living the *kenosis* that diaconal work requires. They are in all likelihood as prepared for ordination as any or are willing to be prepared, but they are women.³⁰ At least in the past 200 years and until very recently the preponderance of the women serving in non-ordained diaconal roles in ecclesial structures, particularly in the parishes, have been apostolic religious, whose numbers and service in developed countries are presently eclipsed by secular women lay ecclesial ministers. As of 2005, of the approximately 30,000 paid lay ecclesial ministers in the United States 64 percent are secular women, 16 percent are women religious, and 20 percent are secular and religious men.³¹ In short, 80 percent of the lay ecclesial ministers in the United States are women. There are no studies that specifically track how many of these women lay ecclesial ministers are wives of deacons and so may have already completed diaconal

²⁸ “In the rite of Episcopal ordination . . . [the bishop] promises expressly to be, in the Lord’s name, welcoming and merciful to the poor and to all those in need of consolation and assistance” (*Deus caritas est* no. 32, citing *Pontificale Romanum, De ordinatione episcopi* no. 43).

²⁹ *Ibid.*, citing Congregation for Bishops, *Directory for the Pastoral Ministry of Bishops: Apostolorum successores* (Vatican City: Vatican, 2004) 212–19, nos. 193–98; http://www.vatican.va/roman_curia/congregations/cbishops/documents/rc_con_cbishops_doc_20040222_apostolorum-successores_it.html (accessed February 4, 2007).

³⁰ While Benedict named only four women in the entire encyclical—Louise de Marillac (1591–1660), patroness of social workers who founded the Company of the Daughters of Charity, Teresa of Calcutta (1910–1997), foundress of the Missionaries of Charity, Mary the Mother of Jesus, and Elizabeth, her cousin—the subject of women’s ministry permeates the document. See Phyllis Zagano, “The Revisionist History of Benedict XVI,” *Harvard Divinity Bulletin* 34:2 (2006) 72–77.

³¹ There are over 30,000 lay ministers, mostly female, in the United States. This number reflects only those paid lay ministers working over 20 hours per week. In 1990 approximately 40 percent of lay ecclesial ministers were women religious. That number dropped to 28 percent in 1997 and 16 percent in 2005. See David DeLambo, *Lay Parish Ministers: A Study of Emerging Leadership* (New York: National Pastoral Life Center, 2005) 19, 44.

training alongside their husbands. Given the general decline of apostolic communities of women religious—at least in developed countries—the question of whether women religious would wish to be ordained is effectively moot, although the development of an institute of women religious that is either mixed lay and clerical (i.e., including women deacons) or wholly clerical (i.e., only women deacons) is quite conceivable.³²

Whether the female diaconate would best be initially revived within religious institutes or orders, as in the Armenian Apostolic Church and the Orthodox Church of Greece, or as an ordained vocation open to all women, secular and religious, is hard to determine. Since deacons are mostly unpaid part-time ministers, women deacons would have to find a means for subsistence, whether by full-time ecclesial or secular employment, by personal retirement funds, or by membership in a religious institute or order. In this last case, the institute or order would expect their religious deacon to work full-time either for the diocese, the parish, or in a ministry of the institute or order. Other than at schools, orphanages, and hospitals, this latter option might mirror the situation of permanent deacons who today are employed in other than diocesan or parochial ministry, and who exercise their liturgical ministries in locales separate from their places of employment, typically in their own or nearby parishes as assigned by their bishops.

Even so, it is reasonable to surmise that, given Benedict's understanding of the current situation in the Church and in the world, he might choose to ordain women deacons sooner rather than later. The ancient order need not be restored worldwide immediately. Rather, it is possible that individual bishops could—and possibly should—restore it in their individual dioceses as need arises.

Individual bishops could look to women deacons precisely because the bishop's responsibility, as Benedict reminded them, is to charity. It appears that individual bishops could revive the order, given that ecumenical councils and popes have confirmed the ability of bishops to ordain women deacons. No higher authority exists in the Church, despite the negative indications of the 2001 Notification and the 2002 ITC document. Currently, the answer to the question of ordaining women seems to rest in the power of the episcopate, that is, in the power of the bishop to minister to his diocese. But perhaps the answer should rather rest in the recognition of episcopal autonomy rather than in lower-level discussion about the history of women deacons such as we find in these two recent documents.

³² Phyllis Zagano, "Women Religious, Women Deacons?" *Review for Religious* 60 (2001) 230–44. See also Vatican II, Decree on the Appropriate Renewal of Religious Life (*Perfectae caritatis*), and Paul VI, *Sacrum diaconatus ordinem* no. 32, which provides for deacons within religious institutes. Anecdotally, at least, women religious in developing countries show a great interest in ordination to the diaconate.

Should a bishop choose to ordain a woman deacon (I have already established that he *can*), the question here examined—that of governance and ministry for women in the Catholic Church—would begin to be answered. Diaconal ministry includes ministry of the Word, the liturgy, and charity, so restoration of the ancient tradition of ordained women deacons in the Catholic Church would restore women to greater and more public means of engaging in formal, ordained ministry.

The neuralgic issues of the ministry of the Word and of the liturgy in general are somewhat obvious, as well as conjoined. While these ministries take on many forms, the most public and perhaps most contentious regarding women involve preaching during liturgies, particularly during the liturgy of the Eucharist. Canon 767 restricts the homily to “*sacerdoti aut diacono*,” that is, to bishops, priests, and deacons. An interpretation of canon 767.1 by the Pontifical Council on Interpretation of Legislative Texts (May 26, 1987) apparently overrides the dispensary power of the diocesan ordinary as specified in canon 87, and states that he cannot allow others to preach. While women do offer “reflections” at liturgies, ordained women deacons would preach—deliver a homily—formally and legally.³³

And what would women deacons preach about? If women were restored to the ancient order of the diaconate, they would participate not only in the ministry of charity but also in its governance. That is, among the specific governing functions that could accrue to women deacons would be the

³³ There is deep ecclesiastical traction against preaching by lay persons. Typically, the presider is to preach: “The homily should ordinarily be given by the priest celebrant” (Sacred Congregation for Divine Worship, *General Instruction of the Roman Missal*, trans. International Commission on English in the Liturgy [Washington: United States Catholic Conference, 1977] 42); lay persons may preach at masses for children, according to the Sacred Congregation for Divine Worship (Directory for Masses with Children [October 22, 1973] no. 24, <http://www.catholicliturgy.com/index.cfm/FuseAction/DocumentContents/Index/2/SubIndex/11/DocumentIndex/477> [accessed February 6, 2007]). Later, eight dicasteries reiterated the prohibition against lay preaching: “The homily . . . must be reserved to the sacred minister, priest or deacon, to the exclusion of the nonordained faithful, even if these should have responsibilities as ‘pastoral assistants’ or catechists in whatever type of community or group. This exclusion is not based on the preaching ability of sacred ministers nor their theological preparation, but on that function which is reserved to them in virtue of having received the sacrament of holy orders” (Congregation for the Clergy, “Some Questions Regarding Collaboration of Nonordained Faithful in Priests’ Sacred Ministry” [August 15, 1997] no. 3, *Origins* 27 [1997] 397–409, at 404). In 1987 the Pontifical Commission for the Authentic Interpretation of the Code of Canon Law responded negatively when asked if the diocesan bishop could dispense from the requirements of canon 767.1, which reserves the homily to the priest or deacon. See John P. Beal, James A. Coriden, and Thomas J. Green, ed., *New Commentary on the Code of Canon Law* (New York: Paulist, 2000) 929.

legal and canonical financial oversight of the Church's treasure. That is part of the ancient ministry of the diaconate.

Often the ministry of charity by women indicates the hands-on ministry, the actual one-by-one charity of personalism Dorothy Day spoke of. But there are large sums of money involved in the Church's charity, and, technically speaking, only ordained persons can have authority over it. When Benedict spoke about "more space" for women in governance, this might indeed be one of the functions he was thinking about.

Another function for women that he may have been thinking about is women cardinals. The new Code of Canon Law requires priestly ordination for appointment, and subsequent ordination to episcopal rank if the cardinal-select is not already a bishop.³⁴ Cardinals can request they not be made bishops, and there is a long history of cardinal-deacons. Canon 231.2 of the 1917 Code of Canon Law provides for cardinals who are deacons. A return to the older tradition, perhaps through a simple derogation from the current law, would allow women deacons to be chosen as cardinals.³⁵

WHICH WAY TO THE FUTURE?

In a public meeting with journalists and others the day or so after his 1988 talk at St. Peter's Church in New York, Cardinal Ratzinger, then prefect of the CDF, agreed that the God of philosophy is neither male nor female, and the God of theology is both. When pressed on the question of restoring the ancient tradition of ordained women deacons in the Catholic Church, he said it was "under study."³⁶

That study had begun soon after the diaconate was formally restored as a permanent order in 1972 by Paul VI,³⁷ who asked the ITC to take up the question. (Ratzinger had been appointed to the ITC in 1969, and became its president in 1982.) The answer—reportedly in 1974—came in the affir-

³⁴ Canon 351.

³⁵ Cardinal Giacomo Antonelli, papal secretary of state from 1848–1876, is widely considered the last lay cardinal, although he received orders up to the diaconate. See Frank J. Coppa, *Cardinal Giacomo Antonelli and Papal Politics in European Affairs* (Albany: State University of New York, 1989).

³⁶ This event is recounted in Phyllis Zagano, "Catholic Women Deacons: Present Tense," *Worship* 77 (2003) 386–408. I was the questioner.

³⁷ Vatican II's *Lumen gentium* initiated the restoration of the permanent diaconate: "It may well be possible in the future to restore the diaconate as a proper and permanent rank of the hierarchy" (no. 29). See also Pope Paul VI's *motu proprio Sacrum diaconatus ordinem* (June 18, 1967), which permitted episcopal conferences to request permission of the Holy See to ordain celibate and married men as permanent deacons: http://www.vatican.net/holy_father/paul_vi/motu_proprio/documents/hf_p-vi_motu-proprio_19670618_sacrum-diaconatus_en.html (accessed February 6, 2007). The U.S. National Conference of Catholic Bishops made that request in April 1968, and the first U.S. deacons were ordained in May and June 1971. The permanent diaconate was universally restored by Paul VI's *motu proprio*

mative but was never promulgated. Commission member Cipriano Vagaggini found that women deacons were ordained by the bishop in the presence of the presbyterate and within the sanctuary by the imposition of hands; Vagaggini published his positive historical analysis of women deacons in an Italian journal two years later.³⁸ Meanwhile, the ITC, under Ratzinger's leadership, labored for another 28 years before publishing a document that was, at best, ambiguous.

When in 2002 the ITC finally presented a document on the diaconate—the document addressed earlier—it argued against the apparent original findings as published by Vagaggini. Even so, any determination about the restoration of the female diaconate belongs to the magisterium and, since the possibility of an affirmative determination has been demonstrated, one could realistically expect the magisterium to act affirmatively.

Logically, the decision of the magisterium—essentially of Benedict XVI—must be either affirmative or postponed. In the CDF's declaration *Inter insigniores* (October 15, 1976), neither of the two objections to women deacons was raised to the ordination of women as priests.³⁹ The “*in persona Christi*” or the “iconic” argument (one must physically resemble the maleness of Christ in order to represent him), and the argument from “authority” (Jesus chose only male apostles) do not apply to the diaconate.

Even so, there has been cross-over argumentation from the argument against priestly ordination for women to the argument against diaconal ordination for women. But the iconic argument represents a naïve physicalism that reduces Christ's humanity to maleness and ignores the overwhelming fact that God became human in Christ.⁴⁰ The iconic argument of *Inter insigniores* remains troubling—and insulting. But Ratzinger's public response in 1988, that the God of philosophy is neither male nor female, and the God of theology is both, evicts the iconic argument from the mix.

Ad pascendum (August 15, 1972) http://www.vatican.net/holy_father/paul_vi/motu_proprio/documents/hf_p-vi_motu-proprio_19720815_ad-pascendum_it.html (accessed February 6, 2007).

³⁸ Cipriano Vagaggini, “*L'ordinazione della diaconesse nella tradizione grèca e bizantina*,” *Orientalia Christiana Periodica* 40 (1974) 146–89, at 151. The suppression of the first commission study is mentioned in Peter Hebblethwaite, *Paul VI: The First Modern Pope* (New York: Paulist, 1993) 640.

³⁹ CDF, *Inter insigniores*, October 15, 1976, <http://www.cin.org/users/james/files/inter.htm> (accessed February 27, 2007).

⁴⁰ “Let it be plainly stated that women are icons of Christ, *imago Christi*, in every essential way. There is a natural resemblance between women and Jesus Christ in terms of a common humanity and participation in divine grace. To teach otherwise is a pernicious error that vitiates the power of baptism. The naïve physicalism that reduces resembling Christ to being male is so deviant from Scripture and so theologically distorted as to be dangerous to the faith itself” (Elizabeth A. Johnson, “Responses to Rome,” *Commonweal* 123.2 [January 26 1996] 11–12, at 11).

In fact the iconic argument disappeared 18 years after *Inter insigniores* with John Paul II's *Ordinatio sacerdotalis* (May 22, 1994), which retained only the argument from authority: "I declare that the Church has no authority whatsoever to confer priestly ordination on women and that this judgment is to be definitively held by all the Church's faithful."⁴¹

The present discussion, however, involves the diaconate. Does the Church have the power and the authority to ordain women deacons? Each of these two contemporary documents, *Inter insigniores* and *Ordinatio sacerdotalis*, about the ordination of women concerns priesthood. The former specifically leaves the discussion of the diaconate aside; the latter does not address the diaconate at all.

If the iconic argument has been dropped, then the argument from authority must be examined in full. Christ clearly had female helpers, but they are not named among the Twelve. However, it is quite clear that the community of believers called forth those now considered the first deacons, who then received the laying on of hands from the apostles (Acts 6:1–6). Therefore, the choice of deacons is up to the Church, to be confirmed by the successors to the apostles.

Romans 16:1–2 and 1 Timothy 3:11 both testify to the fact of women in the earliest stages of the diaconate.⁴² In fact, Scripture names Phoebe, deacon and patron of the church at Cenchreae (Rom 16:1–2). Other female co-workers of Paul are named: Tryphaena, Tryphosa, and Persis (Rom 16:12); Euodia and Syntyche (Phil 4:2–3); Mary (Rom 16:6); and Junia, "a notable apostle" (Rom 16:7).

CONCLUSIONS

Independent of the discussion about women priests, it would seem that today the Church has both the authority—and the power—to ordain women deacons.

The terms Benedict XVI used on March 2, 2006, in Rome are quite clear. The pope, the principal teacher of the Church, has said that women may be able to enter into church governance and ministry. Strictly speaking, each requires ordination, but not necessarily priestly ordination.

In a German television interview broadcast August 13, 2006, Benedict repeated that women could not become priests because Christ chose only male apostles, but he seems to have indicated that canon law might change

⁴¹ John Paul II, *Ordinatio sacerdotalis* (May 22 1994) no. 4, http://www.vatican.va/holy_father/john_paul_ii/apost_letters/documents/hf_jp-ii_apl_22051994_ordinatio-sacerdotalis_en.html (accessed February 27, 2007).

⁴² The 1 Timothy text is contemporaneously understood to indicate women deacons. See Jennifer H. Steifel, "Women Deacons in 1 Timothy: A Linguistic and Literary Look at 'Women Likewise . . . ' (1 Tim 3.11)," *New Testament Studies* 41 (1995) 442–57.

to allow women more power. The pope essentially reiterated his comments of March 2, 2006, adding: “But there’s a juridical problem: according to Canon Law the power to take legally binding decisions is limited to Sacred Orders. So there are limitations from this point of view but I believe that women themselves, with their energy and strength, with their superiority, with what I’d call their ‘spiritual power,’ will know how to make their own space. And we will have to try and listen to God so as not to stand in their way.”⁴³

The Web site for Benedict’s diocese of Rome states that there are 1,740 secular priests and 3,650 religious priests, for a total of 5,390 priests in the diocese. These numbers probably include the cardinal vicar general and the nine auxiliary bishops. The Web site also lists 88 deacons, but nowhere does it indicate how many secular or religious women serve the diocese.

But as recently as February 14, 2007, Benedict said, “many women were also chosen to number among the disciples . . . [women] who played an active role in the context of Jesus’ mission”; he added that Paul’s “well-known exhortation: ‘Women should keep silence in the Churches’ (1 Cor 14:34) is instead to be considered relative.”⁴⁴

It would seem that the sense of Benedict’s words and his sense of history will eventually, if not immediately, enhance the Church’s perspectives of both ministry and governance by the restoration of the female diaconate to the Catholic Church. At least that seems to be the direction of his comments.

⁴³ Benedict XVI’s interview with Bayerische Rundfunk, Deutsche Welle, ZDF, and Vatican Radio at his summer residence at Castelgandolfo on August 5, 2006 was conducted in German and translated by the Vatican: <http://www.dw-world.de/dw/article/0,2144,2129951,00.html> (accessed February 4, 2007). See also “Pope Says Church Not a String of ‘Nos,’” *New York Times*, August 13, 2006.

⁴⁴ In the first Christian communities, Benedict noted, “the female presence was . . . not in any way secondary.” St. Paul “begins with the fundamental principle according to which among the baptized ‘there is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female.’” Moreover, “the Apostle accepts as normal the fact that a woman can ‘prophesy’ in the Christian community (1 Cor 11:5), that is, speak openly under the influence of the Spirit, as long as it is for the edification of the community and done in a dignified manner.” Therefore, Benedict said, Paul’s subsequent assertion that “‘women should keep silence in the Churches’ is instead to be considered relative” (*va piuttosto relativizzata*) and the problem of the contradictory indications should be left to the exegetes. Benedict’s catechesis at the audience on February 14, 2007, was first posted by the Vatican Information Service as “Women Did Not Abandon Jesus,” http://212.77.1.245/news_services/press/vis/dinamiche/c0_en.htm. That posting—and translation—has now disappeared and been replaced by the official Vatican translation: “Women at the Service of the Gospel,” http://www.vatican.va/holy_father/benedict_xvi/audiences/2007/documents/hf_ben-xvi_aud_20070214_en.html (accessed March 30, 2007), which is essentially correct, if rather wooden. For the original dispatch see http://www.catholicweb.com/media_index.cfm?fuseaction=view_article&partnerid=24&article_id=3031 (accessed March 30, 2007). I have used the official translation.