

Article



Women Deacons and Service at the Altar

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#### **Abstract**

What did women ordained to the diaconate do during the celebration of Eucharist? What were they forbidden to do? Why? This article reviews papal edicts as well as local episcopal, synodal/conciliar, and canonical restrictions against women's participation in the liturgy, the liturgical responsibilities of Western deacons, and concludes, noting contemporaneous discussion regarding women's altar service. The analysis demonstrates that the liturgical tasks of women ordained as deacons were eventually forbidden all women, whose "impure" state required that they be kept distant from the sacred.

#### Keywords

altar service, diaconate, Gelasius, liturgy, women deacons

Hardly anyone, however, now knows what ministerial service women deacons fulfilled in the clerical office at that time. But there are those who say that they used to minister to those women who were candidates for baptism, since it was not right for the eyes of men to look upon these women when they were being disrobed, since when they were being baptized they were already well developed sexually. But others say that it was permitted for these women to approach even the holy altar and to go about the [duties] of the male deacons much like them. But they have been prevented by later Fathers both from ascending to this and from pursuing the [duties] of this ministerial service because of the involuntary flow of their menses. But that the holy altar was accessible long ago also to women is something that has been inferred from many other things, and especially from the epitaph that the great Gregory the Theologian has composed for his sister.

-Matthew Blastares1

 Matthew Blastares, Syntagma Canonum columns 1173–76 (Migne, PL 144), trans. Steven D. Smith. Macrina (324–379) is venerated as a deacon in the Orthodox liturgical calendar.

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The liturgy, and doing so with the permission of their bishops? Did they proclaim the gospel? Did they serve at the altar? Did they touch the sacred? Byzantine monk Matthew Blastares' fourteenth-century summary above manages to give a glimpse of the remembered duties of women deacons, particularly in places where Greek rites were celebrated.

Blastares notes that it appears that women assisted at baptisms and performed the functions of male deacons at the altar. Historians agree that women deacons assisted female catechumens at their baptisms. But what about altar service? Did women deacons touch the sacred? Blastares says "it was permitted for these women to approach even the holy altar and to go about the [tasks] of the male deacons much like them." Did they? Did they not? Blastares' view from Thessalonica identifies the central problem regarding women at the altar: impurity.

#### The Deacon at Mass: Historical Context

What were the deacon's tasks within the liturgy in the early church? One source regarding the functions of deacons in the Roman Mass is Joseph Jungmann's 1948 *Missarum Sollemnia*.<sup>4</sup> The deacon's significant role in the early iterations of the Roman Rite focused on the dialogue with the people and included chanting the Gospel, handling the paten and the chalice, filling the latter with wine and adding water, and purifying the sacred vessels after communion. Depending on the time and place, the deacon assisted with the distribution of the Eucharist.

<sup>2. &</sup>quot;Ordained" is a challenged term in discussions about women in the diaconate. Most scholars agree that women were ordained as deacons, and many agree that the many extant liturgies present formulae that meet the criteria of sacramental ordination today. One of the first comprehensive reviews of then-known liturgies is Jean Morin, Commentarius de sacris ecclesiae ordinationibus secundum antiquos et recentiores latinos, graecos, syros et babylonios in tres partes distinctus (1655/1695; Farnborough: Gregg, 1969). Morin determined that diaconal ordinations of women and men met the criteria for sacramental ordination established by the Council of Trent: they were called "ordinations" and performed in the sanctuary at the altar by the bishop, who laid hands on the candidates and placed the stole around his or her neck, and gave each the chalice from which each drank. Nearly one hundred years later, Jean Pien disagreed: Tractatus Praeliminarius De Ecclesiae Diaconissis; in Acta Sanctorum, ed. J. Bollandus et al., September 1, i–xxviii (Antwerp: Bernard Albert Vander Plasch, 1746). The same discussion continues, with some writers arguing that it is impossible to sacramentally ordain a woman for various reasons, including that women cannot image Christ, the Risen Lord.

<sup>3. &</sup>quot;Καὶ εἰς τὸ ἄγιον θυσιαστήριον ἐφεῖτο ταύταις εἰσέρχεσθαι, καὶ τὰ τῶν διακόνων ἀνδρῶν παραπλησίως αὐτοῖς μετιέναι." Syntagma Canonum, col. 1173D.

<sup>4.</sup> Joseph A. Jungmann, *The Mass of the Roman Rite: Its Origins and Development (Missarum Sollemnia)*, trans. Francis A. Brunner (New York: Benziger, 1950).

Jungmann reports that, as in the East, in the short-lived Gallic liturgy the fore-Mass concludes with the two-part prayer for the church, the prayer for the faithful and the prayer for the catechumens, each introduced by the deacon, at least in its final stage.<sup>5</sup> Also, it is the deacon who invites all to receive a blessing just before communion. However, the Gallican Mass was overtaken by the Roman liturgy, the beginnings of which are virtually unknown. Coincidentally, by the third century, the Greek liturgy was apparently being translated to Latin.

As the form of the Roman liturgy solidified, with parts assumed from Greek liturgy, the role of the deacon remained the same. As attested to in the oldest books of the Roman Mass, it was the place of the deacon to read (or chant) the Gospel.<sup>6</sup> Even so, by the seventh century it is obvious that the most formal services included actions that would be unusual, even unseemly, for a woman to perform. For example, seventh- and eighth-century papal stational masses became increasingly complex. By the eighth century the liturgy for them included courtly actions for the deacons: seven deacons on horseback preceded the pope; the two deacons of the Mass kissed the hands of the pope and helped him walk in entrance, at the offertory, and when distributing the Eucharist; and, before reading or chanting the Gospel, the deacon kissed the pope's foot.

Other eighth-century diaconal tasks are less unusual and, viewed through contemporary eyes, are clearly suited to women as well as to men: the two deacons of the Mass dress the altar, while the archdeacon accepts the offerings of bread and wine from the people; the archdeacon elevates the chalice after the consecration, initiates the kiss of peace, oversees the fraction rites, and makes whatever announcements are necessary for those not communicating, who would then be departing the service. The pope and the archdeacon initiate the distribution of the Eucharist and the deacons assist. The final diaconal task, appointed by the archdeacon to one of the deacons, is to intone the *Ite missa est*.<sup>7</sup>

At least two of these tasks given to deacons could easily be performed by women deacons: dressing the altar and distributing the Eucharist, particularly the Blood of Christ. However, each task involves touching, if not the sacred directly, at least things that would touch or contain the sacred: altar linens and sacred vessels. By this time traction had built in ecclesiastical circles against such activities on the part of women.

# Early Papal, Episcopal, and Synodal Edicts

Early on, local legislations defined women away from the altar. Canon 44 of the fourth-century Synod of Laodicea in Phyrigia Pacatania (present-day Sicily) states plainly: "Women may not go near the altar." Whether the canon or canons of this synod are contemporary to it or are later additions as some have suggested, canon 13 of Braga I (561), canon 4 of Tours II (567), and canon 42 of the *Capitula Martini* or

<sup>5.</sup> Jungmann, The Mass of the Roman Rite, 47.

<sup>6.</sup> Jungmann, The Mass of the Roman Rite, 60.

<sup>7.</sup> Jungmann, *The Mass of the Roman Rite*, 67–73. See *Ordo Rom*. I, n. 8: *sustentantes eum*. (also nos. 13f. and 20).

Braga III (after 561) seem related to that canon.<sup>8</sup> These canons substantiate the fact that small numbers of bishops in assembly in the fifth and sixth centuries, both in Greek and Latin territories, wished to keep women away from the sacred. The documented attempts to keep women away from the altar substantiate the fact that in some places and times women were in fact serving at the altar, perhaps (as Blastares points out) even performing at least some of the liturgical tasks of male deacons. Extant letters, one from the fifth-century Pope Gelasius (d. 496) and another jointly signed by Gallic bishops Licinius, Melanius, and Eustochius early in the sixth century, condemn the practice of women performing duties at the altar, which they restrict to men. While some scholars argue these as evidence of female priests,<sup>9</sup> or at least of women performing liturgical duties of priests, it is more likely that the complaints are against women deacons taking up the liturgical duties of male deacons.

To be clear: contemporaneously, there is also evidence of the women deacons of some heretical groups performing liturgical tasks otherwise thought to be restricted to male deacons or priests. In the Syrian Monophysite and Nestorian churches, women deacons served as lectors, and were permitted to anoint ill women and to bring them the Eucharist, in addition to their performing works of charity. For our purposes here, the most important liturgical tasks deacons were permitted to perform, in addition to proclaiming the Gospel, were to add water to the wine at the celebration of Eucharist, and to distribute the Eucharist; these latter involve touching the sacred or at least touching sacred vessels. While the Catholic Church of the fourth and fifth centuries seems to have been closed to women performing these tasks, especially within Eastern churches, there remains negative evidence that Catholic women deacons performed similar altar service in the Latin rites. That is, there is significant evidence that touching sacred linens and vessels is forbidden to women, ordained or not.

# Pope Gelasius

During the fifth century, Pope Gelasius' four-and-a-half-year papacy focused on orthodoxy, and his complaints about women ministers seem to be centered on practices in

- 8. L. J. Johnson, ed., Worship in the Early Church: An Anthology of Early Sources (Collegeville, MN: Liturgical, 2010), 2:298–302 at 302. These synodal canons are inherited in both Greek and Latin.
- Georgio Otranto, "Note sul sacerdozio femminile nell'antichita in margine a una testomonianza di Gelasio I," *Vetera Christianorum* 19 (1982): 341–60; trans. with commentary by Mary Ann Rossi, "Priesthood, Precedent, and Prejudice," *Journal of Feminist Studies in Religion* 7, no.1 (1991): 74–93.
- 10. P. H. Lafontaine, "Le sexe masculine: condition l'accession aux orders aux IVe et Ve siecles," Revue de l'Université d'Ottawa 31 (1961): 137–82 at 160–61. Lafontaine cites many works of J. S. Assemani, Francois Nau, and J.-B. Chabot. In general, Lafontaine argues against all evidence of the sacramental ordinations of women and seeks to place all female sacred activity as outside the Church.
- 11. Similar legislation addresses the rights and duties of abbesses in relation to their jurisdictional authority and proclaiming the gospel, but this article focuses on the question of women touching the sacred because of their ritual impurity.

Sicily and in southern Italy (Lucania, now Basilicata; and Bruttium, now Calabria). Gelasius condemned the apparently accepted practice of women's liturgical service in his *Letter to the Bishops of Lucania*:

With impatience, we have heard that divine things have undergone such contempt that women are encouraged to serve at the sacred altars, and that all tasks entrusted to the service of men are performed by a sex for which these [tasks] are not appropriate.<sup>12</sup>

It is possible that these were practices solely among Greek Catholics, whose monasteries were especially plentiful in these areas in these times. However, these may also have been practices among Latin Catholics.

Gelasius continued the attempts of his predecessor Felix to separate from the Eastern praxis and claim authority over practices within Western territories. Their theological argument arose from the Eastern insistence on a single divine nature of Christ; Gelasius' book on the topic is *De duabus in Christo naturis*. The fact that Felix, and later Gelasius, had contentious relations with Eastern beliefs lends itself to the assumption that they similarly attempted to assert control over Eastern liturgical practices.

Independent of whether the liturgical practices Gelasius complained about were evidenced solely in Greek monasteries, these practices had nothing to do with his theological arguments. The question therefore arises: Why would Gelasius be so opposed to women deacons doing what men deacons did, especially within their own monasteries? Were his objections merely assertions of power, specifically power over Eastern practices? Or, did his ban evidence a deeper concern, even prejudice?

<sup>12. &</sup>quot;Impatienter audivimus, tantum divinarum rerum subiisse despectum, ut feminae sacris altaribus ministrare firmentur, cunctaque non nisi viorum famulatatui deputata sexum, cui non competent, exhibere." J. D. Mansi, Sacrorum conciliorum nova et amplissima collectio (Paris, 1901), 8:44, cap. 26. Otranto, and therefore Rossi, consider "ministrare" to mean "celebrate Eucharist," while Gryson takes a more restrained view. See Roger Gryson, The Ministry of Women in the Early Church, trans. J. Laporte and M. L. Hall (Collegeville, MN: Liturgical, 1976), 105. Madigan and Osiek quarrel with Otranto's translation, and, translating from the Thiel compilation, combine Gelasius' words with other evidence to find female presbyters in southern Italy. They do not consider the possibility that women ordained as deacons were performing this "ministrare" solely as men deacons did and should do, and that some men deacons were celebrating Eucharist. "We have heard to our distress that contempt of divine things has reached such a state that women are encouraged to serve at sacred altars (ministrare sacris altaribus) and to perform all the other tasks that are assigned only to the service of men and for which they [women] are not appropriate." See Women in the Early Church, ed. and trans. Kevin Madigan and Carolyn Osiek (Baltimore: Johns Hopkins University Press, 2005), 186–88. Lawrence Johnson's translation differs slightly: "It has disturbed us to hear that disrespect for sacred things has reached such a point that even women are allowed to serve (ministrare) at the sacred altars and that an incompetent sex has been entrusted to the service of men only." See Johnson, Worship in the Early Church, 3:153 citing Epistolae Romanorum Pontificium, ed. A Thiel (Bamberg, 1868), 451–52. Gelasius allowed in certain cases for acolytes and subdeacons to be directly ordained as presbyters.

### Gallic Bishops

Gelasius' complaint was directed at the territories of southern Italy, but women were apparently also serving at the altar elsewhere in the West because objections to women at the altar arose in Gaul. In the early sixth century, the bishops of Tours, Rennes, and Angiers jointly wrote to two Breton priests condemning the priests' practice of allowing women to "hold the chalices and presume to administer the blood of Christ to the people of God." Their main complaint was that "silly little women of this sort (*huiuscemodi mulierculae*) not pollute the divine sacraments by illicit assistance." <sup>13</sup>

The Gallic letter is important in that it points to practices in a notably Latin region of the Christian world. Aside from the fact that the two Breton priests traveled with women ministers ("conhospitae"), these women ministers, apparently, performed a function or functions accepted by the congregations they served. It is entirely possible that they were also ordained as deacons. That their altar service was accepted speaks volumes to the reception of women in ministry at that time.

Important to the considerations here is the terminology used by the three bishops. They jointly wish to protect the sacraments from female "pollution." The mere fact that women were touching the sacred vessels containing the blood of Christ was enough to create a joint episcopal letter certifying women as unclean.

# Conciliar, Synodal, and Canonical Restrictions against Women

Late in the sixth century, the previously mentioned canon 42 of the *Capitula Martini* (after 561) states, "Women are not permitted to enter the sanctuary." Such seems to eliminate the possibility of *any* women entering the sanctuary, ordained or not and for any reason. Given that this collection of canons comes from both Greek and Western sources, it is apparent that the reduced place of women in the church was solidifying.<sup>14</sup>

Further, the so-called "impurity" of women seems the basis for additional local canons. At some point between 561 and 605, the diocesan synod of Auxerre (now Burgundy, France) ruled that "Women are not to receive the Eucharist with an uncovered hand" (canon 36) and "Women are not to touch the Lord's pall" (canon 37).<sup>15</sup>

Even so, women continued to be ordained as deacons East and West. However, Western legislation increasingly focused on liturgical tasks forbidden not only to

<sup>13. &</sup>quot;Letter of Three Gallic Bishops," in Madigan and Osiek, *Women in the Early Church*, 188–90. The anger against women at the altar evidenced in the letter is redoubled by the three bishops' complaints that the women in question were *conhospitae*, who, celibately or not, lived and traveled with the priests as they set up portable altars in homes across the countryside.

Johnson, Worship in the Early Church, 4:168–9, citing Opera Omnia, ed. C. W. Barlow, Papers and Monographs of the American Academy in Rome (New Haven, 1950), 12:124ff.

L. Duchesne, Christian Worship: Its Origins and Evolution (New York: E. & J. B. Young, 1903), 224–25, Auxerre C. 36: "Non licet mulieri nuda manu eucharistism accipere." Also, Johnson, Worship in the Early Church, 4:159–61.

women ordained as deacons, but to women in general. The specific tasks of concern involved touching sacred linens and vessels, therefore expanding to a situation where all women (ordained as deacons or not) were forbidden to distribute the Eucharist. The various surviving laws regarding women deacons and women in general demonstrate that some local councils forbade ongoing practices. The fact that these condemnations needed to be repeated in various territories century after century perhaps indicates that women continued to minister at the altar and to administer the chalice.

One complicating factor regarding women and diaconal liturgical tasks is the duty of the deacon to proclaim the Gospel. As the female diaconate receded into monastic life, various regulations also forbade abbesses certain other jurisdictional duties: they were forbidden to bless, absolve, teach, or judge; they could read the Gospel at Matins, but not during Mass. 16 For example, in the eighth century, Frankish authorities wrote to Pope Zachary (r. 741–752) asking if nuns could read the Gospel at Mass. The answer was no. "Nevertheless," Zachary wrote, "as we have heard to our dismay, divine worship has fallen into such disdain that women have presumed to serve at the sacred altars, and that the female sex, to whom it does not belong, perform all the things that are assigned exclusively to men."17 Zachary's complaint is remarkably like that of Gelasius. Did Zachary copy Gelasius' words? Or, is Zachary confirming that the fifth-century practices of women ordained as deacons lasted at least to his own eighth century? Further, is Zachary confirming that the practices Gelasius railed against, which could be read as restricted to Greek churches in southern Italy, were by this time practiced in Latin territories as well? Does Zachary here give additional evidence that women were ordained as deacons and performed diaconal liturgical tasks?

If so, by the early ninth century, Haito (763–836), bishop of Basel from 807 to 823, 18 published a local law stating that "women should have no access to the altar and

<sup>16.</sup> J. H. Martin points to John Teutonicas' gloss on Gratian's canon Sacratas. Gratian has written that women cannot be ordained presbyters or deacons, but "but he adds that women called deaconesses were blessed so that they could perform some function which was not open to other layfolk." Martin proposes that Teutonicas' gloss on Sacratas "suggests that it was the power to read the Gospels or homilies at a Matins service." See J. H. Martin, "The Ordination of Women and the Theologians in the Middle Ages," in A History of Women and Ordination, ed. Bernard Cooke and Gary Macy (Latham, MD: Scarecrow, 2002), 1:46, citing Glossa ordinaria on Decretum, causa 27, q. 1, c. 23 v. Ordinari (Ferrario and Franzino, 1:1973).

<sup>17. &</sup>quot;Nihilominus impatienter audivimus tantum sacrarum return subiisse despectum, ut feminae sacris altaribus ministrare ferantur, et cuncta quae non nisi virorum famulatui deputata sunt, serum cui non competit exbibere." Epistola 7, Zachariae Papae Ad Pipinum Majorem Domus, Itemque Ad Episcopos, Abbates, et Proceres Francorum (Migne, PL 89.933C, Jaffe, 2277 (1750), "Gaudio magno," 1:266; trans. in Eisen, Women Officeholders, 133–34); quoted in Macy, The Hidden History of Women's Ordination: Female Clergy in the Medieval West (Oxford: Oxford University Press, 2008), at 62 and 189n65 at 62 and 189n65 (hereafter referenced as Macy).

<sup>18.</sup> Haito entered the Abbey of Reichenau at the age of five and became its abbot and coincidentally bishop of Basel at 43. He was a confidant of Charlemagne and spent his entire life at the abbey.

are not to join in any ministry of the altar, even if dedicated to God."<sup>19</sup> Neither were women to touch altar linens.<sup>20</sup> Coincidentally, in 789, the General Admonition of Charlemagne had chastised abbesses who blessed people and consecrated as nuns women who entered their monasteries.<sup>21</sup>

## Council of Paris

Among the various local councils concerned about women deacons is the ninth-century Council of Paris, which specifically complained that some bishops were allowing women to function in the liturgy and blamed those bishops for the "inlicitus accessus feminarum." The council presented additional evidence that Western women, perhaps women ordained as deacons, continued to perform the liturgical tasks of male deacons. These texts of the 829 Council of Paris give excellent illustration to the situation in the ninth century:

In some provinces, in contradiction to the divine law and to canonical instruction, women betake themselves into the altar area and impudently take hold of the sacred vessels, hold out the priestly garments to the priest, and what is still worse, more indecent and unfitting than all this—they give the people the body and blood of the lord and do other things which in themselves are indecent.<sup>23</sup>

- 19. That is, even if these women are dedicated to God (as nuns). Monumenta Germaniae Historica, Legum Sectio 2 Capitularia regum Francorum (Hanover, 1883), vol. 1 (Quarto-Ausgabe), 55, 364, quoted in H. van der Meer, Women Priests in the Catholic Church? (Philadelphia: Temple University Press, 1973), 95, 184n37.
- 20. "Sexto decimo, ut unusquisque hoc provideat, ut mulieres ad altare non accedant, nee ipsae Deo dicatae in ullo ministerio altaris intermisceantur. Quad si pallae altaris lavandae sunt, a clericis abstrahantur et ad cancellos feminis tradantur et ibidem repetantur; similiter a presbyteris, cum oblata ab eisdem mulieribus offeruntur, ibidem accipiantur et ad altare deferantur." Haito of Basle, *Capitula ecclesiastica*, c. 16, in Alfred Boretius, ed., *Capitularia regum Frankorum*, MGH (Hannover: Hahn, 1883), 1:364; quoted in Macy at 62 and 189n66.
- 21. "Auditum est, aliquas abbatis contra morem sanctae Dei ecclesiae benedictionis cum manus inpositione et signaculo sanctae cruds super capita virorum dare, necnon et velare virgines cum benedictione sacerdotali. Quad omnino vobis, sanctissimi patres, in vestris parrochiis interdicendum esse scitote." C. 76 in Boretius, *Capitularia*, 60. See Hochstetler, *Conflict of Traditions*, 101–2; in Macy at 85 and 200–201n180.
- 22. Cap. 45, Concilium Parrisiense A. 829, Albert Werminghoff, Concilia aevi Karolini (742–842), Teil 2 (Hannover, 1908), 639–40.
- 23. "Quidam nostrorum verorum virorum relatu, quidam etiam visu didicimus in quibusdam provintiis contra legem divinam canonicamque institutionem feminas sanctis altaribus se ultro ingerere sacrataque vasa inpudenter contingere et indumenta sacerdotalia praesbyteris administrare et, quad his maius, indecentius ineptiusque est, corpus et sanguinem Domini populis porrigere et alia quaeque, quae ipso dictu turpia sunt, exercere." Council of Paris, 829, c. 45, in Albert Werminghoff, ed., Concilia *aevi Karolini (742–84–2)*, MGH, Condlia 2,1 (Hannover: Hahn, 1907), 639; translation by van der Meer, *Women Priests*, 95; in Macy at 62 and 189n68.

What other things would be "indecent"? Would the women have been chanting the Gospel? Would the women have been commingling the water and the wine for the celebration of Eucharist? Would the women be receiving the sacred Eucharist with an "uncovered hand" or be touching the pall, acts so decried by the sixth-century synod of Auxerre?<sup>24</sup>

The 829 *relatio* of the bishops to the Frankish emperor Hludowicum repeats the admonitions of the Council of Paris—women may not handle sacred vessels or vestments, nor distribute the Eucharist—and states, "Therefore, we have sought to prevent this, so that further liberties are not taken. But that women must not enter the altar area is written in the Council of Chalcedon and in the decrees of the Pope Gelasius." Two points are illustrative here: first, that Gelasius is still, four centuries later, referred to as the authority on the matter and, second, those bishops who did not allow women to function at the altar seem to be a minority.

## Southern Italy

Women in fact could and did carry the Eucharist. The early church's practice of sending women deacons with the Eucharist to ill or otherwise homebound women continued at least among the Greek churches in the south of Italy. At some point in the late ninth century, most probably between 877 and 886, Photios, patriarch of Constantinople, replied to Leo, bishop of Calabria, who had asked how to approach a pastoral need. That is, Leo wanted to know how to provide ministry to ill women, specifically in the form of bringing them the Eucharist. Photios replied that Leo ought to choose noble women, either chaste older women or virgins "worthy of being received into the diaconate and of being received into the rank of deacons." 26

The letter of Photios is important in many respects, given that he is the Eastern equivalent of Gratian; his compilation of law is considered the source of Greek ecclesiastical law.

## Misogyny and Clerical Celibacy

Law regulates, but sometimes it works to overcome practice. In the West, an unmistakable pattern of increasing misogyny combined to force the elimination of two practices: clerical

<sup>24.</sup> Johnson, Worship in the Early Church, 4:159–61.

<sup>25.</sup> Quoted in van der Meer, Women Priests 95, 184n36. Canon 15 of the Council of Chalcedon sets the age for the "laying on of hands" for a deaconess at 40, but does not specify her duties or restrictions.

<sup>26.</sup> Ep. 297, 4; in Photios, *Photii patriarchae Constaninopolitani epistulae et amphilochia*, ed. B. Laourdas and L. G. Westerink, Bibliotheca Scriptorum Graecorum et Romanorum Teubneriana (Leipzig: BSB B.G. Teubner, 1983), 3:166. Called St. Photios the Great in the Greek Church, he was patriarch from 858 to 867 and again from 877 to 886. See V. Karras, "Female Deacons in the Byzantine Church," *Church History* 73 (2004): 272–315 at 278, https://doi.org/10.1017/s000964070010928x. Karras also points out that typically the masculine *diakonos* was used to signify women ordained as deacons in the East (280n36).

marriage and women (ordained or not) near the altar. Why? The uncleanness of women argues in two directions: for clerical celibacy and against women serving at the altar.

In the eleventh century, Peter Damien, precursor to the canonists and others who decry the very existence of the female gender, describes women as "appetizing flesh of the devil." Soon, the Second Lateran Council (1139) made it quite clear that women were a cause, if not the sole cause, of masculine impurity, decreeing,

Those in the orders of subdeacon and above who have taken wives or concubines are to be deprived of their position and ecclesiastical benefice. For since they ought to be in fact and in name temples of God, vessels of the Lord and sanctuaries of the holy Spirit, it is unbecoming that they give themselves up to marriage and impurity.<sup>28</sup>

The view of women's impurity is well entrenched in twelfth-century thought. Touching a woman rendered a man unclean. The canonist Paucapalea decried the defilement of menstruation, a view of female blood shared by law professor Rufinus of Bologna regarding menstruation and by Cardinal Sicard of Cremona, a canonist, regarding childbirth.<sup>29</sup>

As the church moved to create universal laws, fewer and fewer women were ordained as deacons. Obviously, an "impure" individual could not be associated with the sacred in any way. As the female diaconate became increasingly restricted to monasteries, fewer and fewer women were ordained to service by diocesan bishops. However, Otto, bishop of Lucca from 1138 to 1146, did maintain a female diaconate, as ecclesial controversy and politics made it difficult if not impossible for the pope to interfere in local church practices of the day. But what did these women ordained as deacons do?<sup>30</sup> Did they serve at the altar or otherwise touch the sacred? Could they have done so?

<sup>27.</sup> Gary Macy, "Impasse Passé: Conjugating a Tense Past," Proceedings of the Catholic Theological Society of America, 64 (2009): 1–20 at 10–11, citing Anne Barstow, Married Priests and the Reforming Papacy: The Eleventh-Century Debates, Texts and Studies in Religion 12 (New York: Edwin Mellon, 1982), 60–61. See also Barstow, Married Priests, 47–104; Dyan Elliott, "The Priest's Wife: Female Erasure and the Gregorian Reform," in Medieval Religion: New Approaches, ed. Constance Berman (New York: Routledge, 2005), 102–22 at 136–45.

<sup>28.</sup> Second Lateran Council, canon 6, in Norman P. Tanner, ed., *Decrees of the Ecumenical Councils* (Washington, D.C.: Georgetown University Press, 1990), 1:198.

<sup>29.</sup> Macy, "Impasse Passé," 11, citing Stephen of Tournai, *Distinctio, Summa des Stephanus Tornacensis über das Decretum Gratiani*, ed. Johann von Schulte (Giessen Verlag von Emil Roth, 1891), 11, Engl. trans. by Macy; and Rufinus of Bologna *Distinctio 5, c. 1, Rufinus von Bologna (Magister Rufinus): Summa Decretorum*, ed. Heinrich Singer (1902; Paderborn: Scientia Verlag Aalen, 1963), 16. The Engl. trans. of Rufinus, by Ida Raming, is found in Raming, *The Priestly Office of Women: God's Gift to a Renewed Church*, trans. Bernard Cooke and Gary Macy, vol. 2 of *A History of Women and Ordination* (New York: Scarecrow, 2004), 104n84. See also Macy 11n35, 26, 27.

 <sup>&</sup>quot;Ottone": "Durante il suo governo, a Lucca esisteva sempre l'ufficio delle Diaconesse, cessato ormai ovunque." Umberto Nicolai, *I Vescovi di Luca* (Luca: Tipografia Bicchelli, 1966), 17. See Marcia Colish, "Otto of Lucca, Author of the Summa sententiarum?" in

In the thirteenth century, additional negative commentary about the status of women supports the continuing discussion against married clergy, and coincidentally continues to argue against women in the diaconate, or performing any altar service. Henricus de Segusio (Hostiensis), a cardinal and professor of law, states quite plainly: "The sex of women is naturally worse." Bernard of Botone adds his assertion of the innate stupidity of women against the background of the growing restrictions against women at the altar, ordained or not.<sup>31</sup>

#### The Cursus Honorum

The historical progressions of local laws against women performing altar service must also be read against the continued development of the *cursus honorum*, a ranking of ministers, which, following the eleventh-century reforms, became a standard practice until the 1972 apostolic letter of Paul VI, *Ministeria Quaedam*. Generally, following the *cursus honorum*, no one could begin the steps toward the presbyterate unless he was qualified. Since women were not qualified to "advance" to the presbyterate, the beginnings of the demise of women deacons appears in the *cursus honorum* in *bas relief*.

While there is really no evidence of sequential appointment to ordained ministries in post-apostolic writings (Didache, I Clement) or in the second century (Ignatius of Antioch, Justin Martyr),<sup>32</sup> evidence of the nascent *cursus honorum* appears by the third century in North Africa (Cyprian) and Rome (Cornelius' appointments) and begins to solidify in the patristic period (Council of Sardica, 343). By this time, however, the episcopacy was being populated by former deacons, not priests, who had been chosen and appointed as bishops; letters of Gelasius and writings of Pelagius evidence the interlacing of the orders such that progression is necessary, although Gelasius allowed in certain cases for acolytes and subdeacons to be directly ordained as presbyters.<sup>33</sup>

There is significant evidence, especially in Rome, of problematic relations between deacons and priests,<sup>34</sup> and by the tenth-century *Pontificale romano-germanicum*, the *cursus honorum* is solidified: psalmist, doorkeeper, lector, exorcist, acolyte, subdeacon,

Discovery and Distinction in the Early Middle Ages: Studies in Honor of John J. Contreni, ed. Cullen Chandler and Steven A. Sofferahn (Kalamazoo: Medieval Institute, 2013), 58–79

<sup>31. &</sup>quot;What is lighter than smoke? A breeze. What [is lighter] than a breeze? The wind. What [is lighter] than the wind? A woman. What [is lighter] than a woman. Nothing!" Macy, "Impasse Passé," 13, citing Raming, *Auschluss*, 149n102; English translation in Raming, *Priestly Office*, 155n102.

<sup>32.</sup> John H. St. Gibaut, *The Cursus Honorum: A Study of the Origins and Evolution of Sequential Ordination* (New York: Peter Lang, 2000), 19–30. Ignatius does not always write of deacons, priests, and bishops in the same sequential order.

<sup>33.</sup> Gibaut, *The Cursus Honorum*, 98, citing *Collectio canonum* of Anselm of Lucca, the *Collectio canonum* of Deusdedit, Ivo's *Decretum* and the *Decretum of Gratian*.

<sup>34.</sup> David G. Hunter, "Rivalry between Presbyters and Deacons in the Roman Church," *Vigiliae Christianae* (2017): 495–510, https://doi.org/10.1163/15700720-12341314.

deacon, presbyter, and bishop.<sup>35</sup> Concurrently and accordingly, over these centuries the diaconate of women faded and mostly disappeared while the male diaconate as a permanent state, where it existed, was primarily ceremonial.

## **Additional Papal Edicts**

The turn of the thirteenth century saw the pontificate of Innocent III (r. 1198–1216) who, in 1210, railed against abbesses blessing and confessing their own nuns, as well as reading the Gospel and preaching publicly.<sup>36</sup> By this century, female presence at the altar seems certainly reduced, along with the practice of ordaining women or men to the permanent office of deacon in the West.

## Gregory IX

As the female diaconate faded in the West, there remained concern about women getting too close to clerics, especially at the celebration of the Eucharist. Gregory IX's pontificate included the institution of the Inquisition and the creation of the *Nova Compilatio decretalium*, completed and distributed in 1234. The *Nova Compilatio* completed Gratian's *Decretum*, completed in 1140. In his *Decretals*, Pope Gregory IX (r. 1227–1247) comments on a canon of the Council of Mainz (888), which forbids a priest to live in the same house with any woman. In addition, Gregory continues, "Also, care must be taken that no woman presumes to walk to the altar or to minister to the priest or to stand or to sit within the chancel." For our purposes here, independent of the restrictions against married clerics, the *Nova Compilatio* stands as the summary judgement that women cannot be near the altar during the Mass.

# Pope Innocent IV

Even so, additional bans against women's service continued, these now apparently directed at Greek churches in the West. Innocent IV (r. 1243–1254) wrote in a letter to Odo of Tusculum, his legate to the Greek churches, "Women should not dare to serve at the altar; they should be altogether refused this ministry." Another reference to

<sup>35.</sup> Gibaut, The Cursus Honorum, 307–15.

<sup>36.</sup> Gary Macy, *Hidden History*, 102–3, citing (bk. 5, t. 38, c. 10, Friedberg, Corpus, 2: 886–87; quoting English translation from Raming, *Priestly Office*, 143n8).

<sup>37.</sup> *Corpus Iuris Canonici*, c. 1, X, de cohabitatione clericorum et mulierum, III, 2, Friedberg, vol. 2, 454. Cited in van der Meer, *Women Priests*, 97, 184n45.

<sup>38.</sup> Even to the fifteenth century, tremendous numbers of priests have concubines or wives, and children. See H. C. Lea, *Sacerdotal Celibacy in the Christian Church*, vol. 2, 3rd ed. (London: Williams and Norgate, 1907).

<sup>39. &</sup>quot;Mulieres autem servire ad altare non audeant, sed ab illius ministerio repellantur omnino." Innocent IV, *Epistole Sub Catholicae Professione ad Episcop Tusculanum, Ap. Sefis Legatum apud Graecos* (March 6, 1254), http://w2.vatican.va/content/innocentius-iv/la/documents/epistola-sub-catholicae-professione-6-martii-1254.html. Tusculum is a now

women in Innocent IV's canonical commentaries does not speak directly to the liturgical functions of women deacons, but rather to other actions forbidden abbesses: blessing, absolving, teaching, judging.<sup>40</sup>

## Richard Fishacre and Pope Soter

Around the time of Innocent IV's oft-quoted letter, the thirteenth-century Dominican Richard Fishacre entered the discussion, even citing the fictional passage attributed to second-century Pope Soter from the *Pseudo-Isidorian Decretals*:

If it is asked about those religious women who are called deaconesses, I answer that they are not so called because they share orders with a deacon, but only in so far as they share in some of his offices, *viz.*, because they are permitted to read the Gospel and other readings although it is not allowed to them to touch the sacred vessels as a deacon. Thus, in distinction 23 [*Decretum*, dist. 23, c. 25] Pope Soter to the bishops of Italy, "It has been brought to the attention of the apostolic see that women consecrated to God, or nuns, touch the sacred vessels or blessed palls, that is in the presence of your company, and carry incense around the altar. That all this is blameworthy conduct to be fully censured can be rightly doubted by no wise person. Because of this, by the authority of this Holy See, lest this disease spread more widely, we order all provinces to most swiftly drive it out."<sup>41</sup>

It is important to at least speculate that Richard considers the nuns to "share orders with a deacon," even as he retroactively assigns to the women the same activities decried in the commentary falsely credited to Pope Soter. Clearly, for Richard the problem is the female gender, not their ordained or non-ordained status, and for that he wishes to exclude women from altar service.

ruined city in the Alban Hills four miles south of Frascati. Odo, a Cistercian of Châteauroux and cardinal bishop of Frascati from 1244 to 1273, was a papal legate of Innocent IV.

<sup>40.</sup> See his commentary on Title 38, No. 10 in Sinibaldus Fliscus (Innocent IV), Commentaria Apparatus in V Libros Decretalium (Frankfort, 1570): "Caput X: Nova Quidam. (Benedicunt) q, non possunt. 33.q.mulierem.nec valent.20.q.2.statuimus. nec absoluunt. j. de sen. exc. de monialibus.nec docent.23.di.mulier.nec iudicant.33.qo.5.mulierem.(publicè) in matutino autem possunt legere.38.q.1.diaconis." I am indebted to Gary Macy for his assistance in locating this source.

<sup>41. &</sup>quot;Si queritur de monialibus que dicuntur diaconisse: Respondeo, non sic dicuntur quia communicent cum diacono in ordine, sed tantum in aliquo eius officii, scilicet quia licenciantur ad legendum Evangelium et dictioni aliquo. Quia non licet eis sacra vasa tangere ut diacono. Unde D. 23 (c. 25). Sother Papa episcopis Italie, 'Sacratas Deo faminas vel monachas sacra vasa vel sacratas pallas, id est corporales, penes vos contingere, et incensum circa altaria deferre, perlatum est ad apostolicam sedem, quo omnia vituperatio reprehensione plena esse nulli recto sapientium dubium est, quia propter huius sancte sedis auctoritate ne pestis hec latius divulgetur, quod ornnes provincias abstergi citissime mandamus'." Richard Fishacre, Sentencias Commentaria, vol. 4, dist. 24; Balliol Ms. 57 (University of Oxford, Balliol College); Oriel Ms. 43 (University of Oxford, Oriel College). The False Decretals are attributed to late ninth-century Frankish clerics.

## Pope Clement XII and Benedict XIV

In the eighteenth century, Gelasius' fifth-century restrictions were repeated by Benedict XIV (r. 1740–1758). Assuming (and translating from Latin to Italian) the language of Innocent IV, Benedict XIV presented his objections in his encyclical *Allatae Sunt* (July 26, 1755), writing,

Pope Gelasius in his ninth letter (chap. 26) to the bishops of Lucania condemned the evil practice which had been introduced of women serving the priest at the celebration of Mass. Since this abuse had spread to the Greeks, Innocent IV strictly forbade it in his letter to the bishop of Tusculum: "Women should not dare to serve at the altar; they should be altogether refused this ministry." We too have forbidden this practice in the same words in our oft-repeated constitution *Etsi Pastoralis*, sect. 6, no. 21.<sup>42</sup>

Here, the women involved are not identified as ordained deacons. The mere fact of women being near the altar is the offense. While earlier complaints specifically named touching sacred vessels containing the Blood of Christ, by this time it appears that "to serve at the altar" meant that and only that, and may not have included any diaconal function known then or now.

In this era, the placing and removing of the corporal (pall) from the altar continued to be a questionable practice for women, who were increasingly banned from touching the sacred or from touching what has touched or contained the sacred. Even so, one section of Benedict XIV's *Allatae Sunt* refers to *Etsi Pastoralis* in which Benedict XIV refers to the Italo-Greeks (Italo-Albanians), stating,

Since the rites of the Oriental Church, which derive mainly from the holy Fathers and tradition, have so impressed themselves on the minds of the Greeks and of other men, the Roman pontiffs, Our predecessors, have wisely preferred to approve and allow these rites, in so far as they are not at variance with the Catholic faith, dangerous to souls, or disreputable for the Church, rather than to reduce them to the form of the Roman ceremonies etc. (*Etsi Pastoralis*, sect. 9, no.1).<sup>43</sup>

The encyclical is directed at Eastern Catholics, in union with Rome, who observe "Oriental Rites." Do these rites include liturgical tasks by women ordained as deacons? It would seem that practices of Greek Catholics in Italy and especially in Rome

<sup>42.</sup> Benedict XIV, Allatae Sunt (July 26, 1755), 29, https://w2.vatican.va/content/benedictus-xiv/it/documents/enciclica-i-allatae-sunt-i--26-luglio-1755-in-questa-encicli.html. "Il Sommo Pontefice Gelasio, nella sua lettera nona ai Vescovi della Lucania, cap. 26, riprovò la cattiva consuetudine, già entrata, secondo la quale le donne servivano la Messa al Sacerdote celebrante; ed essendo passato lo stesso abuso ai Greci, Innocenzo IV nella lettera che scrisse al Vescovo di Tuscolo lo condannò severamente: 'Le donne non osino servire all'altare, ma siano inesorabilmente allontanate da questo ministero.' Con le stesse parole viene proibito da Noi nella nostra Costituzione citata più volte Etsi Pastoralis (§ 6, n. 21, tomo 1 del nostro Bollario)."

<sup>43.</sup> Benedict XIV, Allatae Sunt, 16.

are a specific target, while those practices elsewhere appear to remain in place. The encyclical names Copts, Melchites, Maronites, Ruthenians, and Italo-Greeks. Further, the observations within the encyclical are directed, as its subtitle indicates, to the rites of what it terms the Greek or Oriental Churches, described as Greek, Armenian, Syriac, and Coptic, as distinguished from the Latin or Roman Church, which embraces "the Roman, Ambrosian and Mozarabic rites as well as the special rites of the different Regular Orders."

That these considerations regarding women at the altar arise in the eighteenth century may not give evidence to their continuation, at least in the Latin rites. However, they do give evidence at least to continued discussion about the place and role of women and especially of women deacons in the universal church. That is, the attempts of Rome to regularize and unify the universal church reached the outer limits of Rome's liturgical authority and collided with older traditions, some perhaps more inclusive of women's participation.

By this time, the discussion about women serving at the altar (as deacons or not) still involved assertions of the "impurity" of women and the consequent inappropriateness of their touching the sacred, or even touching linens or vessels containing the sacred species. That the attempts to stop women's participation in the liturgy appear against the backdrop of continued discussion regarding married priests and the Western insistence on clerical celibacy is instructive. Eastern customs regarding married clergy included priests refraining from marital relations with their wives for from three to eight days before celebrating the divine liturgy and, in some cases, refraining an additional three to eight days after. Benedict XIV's *Etsi Pastoralis* also affirms that deacons who minister at the altar and receive communion similarly must refrain from marital relations, repeating prior prohibitions of his predecessor, Clement XII. 45

# Eighteenth-Century Evidence

In modern times, there is evidence of women deacons and of women serving in diaconal ministries in churches aligned with Rome, notably the Roman Church in Basque areas of Spain and the Maronite Church.

In Basque country, women called *soreras* (*sororas*) or *freilas* performed charitable and liturgical duties of deacons, possibly from the fifth through the sixteenth centuries. <sup>46</sup> The local Synod of Calahorra La Rioja, Spain held in 1698 noted that "Among other scandalous things . . . women mingle with priests in the sacristy, approach the altar to light the candles, and maintain the sacred vestments and vessels."

<sup>44.</sup> Benedict XIV, Allatae Sunt, 29.

See Roman Cholij, Clerical Celibacy in East and West (Leominster: Gracewing, 1989), 168–71, citing Constitutio Etsi Pastoralis 7, 28 and Bullarium Romanum, 15, 207.

<sup>46.</sup> M. J. Arana and M. Salas, *Mujeres Sacerdotes; Por Qué No...? Reflexiones históricas, teológicas, y ecuménicas* (Madrid: Publicationes Claretianas, 1994), 53–55.

<sup>47.</sup> P. Lepe, Constituciones synodales antiguas y modernas del Obispado de Calahorra y la Calzada (Madrid, 1700), vol. 3, tit 12, folio 497.

While liturgical duties are not specifically mentioned, Maronite canons resulting from the 1736 Holy Synod of Mount Lebanon and approved *in forma specifica* by Pope Benedict XIV give evidence of formal acceptance of the ordained status of women deacons.<sup>48</sup>

## Twentieth-Century Commentary

The attitudes and laws against female altar service are well entrenched up to modern times. For example, the 1901 *Dictionnaire de Droit Canonique* notes that a woman, even a religious, cannot cense the altar nor touch sacred vessels, and cannot serve Mass. Women, the dictionary explains, are not even able to give the responses to the Mass, because Paul said they must keep quiet! Also, women may neither preach nor teach; neither may they enter the sanctuary, not only because of considerations of impurity, but also because of their lending opportunity for temptation (to the priests). Further, despite the historical evidence, even if a woman is ordained as deacon, this does not bestow any sacramental character ("l'ordre n'imprime sur elle aucun caractère").<sup>49</sup> It is unclear here whether the opinion of the *Dictionnaire* writer rendered here is about priesthood or about a woman's inability to receive orders. The *Dictionnaire* entry on "Diaconesses" cites Epiphanius of Salamis (ca. 310/320–403) who states that ordained deaconesses are not part of the priesthood.<sup>50</sup> There is no argument with deacons or deaconesses being part of the priesthood; here the question is about the validity of their ordinations.

The 1917 Code of Canon Law kept women at a distance, decreeing that priest should not celebrate Mass without a server and "The server at Mass should not be a woman, unless no man can be had, and provided the woman stays at a distance to answer the prayers and does not in any way approach the altar."51

<sup>48.</sup> Two canons relate to women deacons, one to the ability of bishops to ordain them, another to their ministerial duties. See Phyllis Zagano, "Women Deacons in the Maronite Church," *Theological Studies* 77 (2016): 593–602, https://doi.org/10.1177/0040563916652400.

<sup>49. &</sup>quot;Femme," in *Dictionnaire de Droit Canonique*, 3rd ed. (Paris: Hippolyte Walzer, 1901), 2:202–3.

<sup>50. &</sup>quot;Diaconesses," in *Dictionnaire de Droit Canonique*, 2:633. That the diaconate is not part of the priesthood is both the question and the answer to women deacons, especially at the altar. In fact, priestly status has never been claimed for the diaconate except through the confusion of the *cursus honorem*. The distinctions are brought forth clearly by the modern magisterium: by the Second Vatican Council in *Lumen Gentium* (November 21, 1964), 29, http://www.vatican.va/archive/hist\_councils/ii\_vatican\_council/documents/vat-ii\_const\_19641121\_lumen-gentium\_en.html; Paul VI, *Sacrum Diaconatus Ordinem* (June 18, 1967), http://w2.vatican.va/content/paul-vi/en/motu\_proprio/documents/hf\_p-vi\_motu-proprio\_19670618\_sacrum-diaconatus.html; and Benedict XVI, *Omnium in Mentem* (October 26, 2009), http://w2.vatican.va/content/benedict-xvi/en/apost\_letters/documents/hf\_ben-xvi\_apl\_20091026\_codex-iuris-canonici.html.

<sup>51.</sup> Canon 813 §1: "Sacerdos Missam ne celebret sine ministro qui eidem inserviat et respondeat." §2: "Minister Missae inserviens ne sit mulier, nisi, deficiente viro, iusta de causa, eaque lege ut mulier ex longinquo respondeat nec ullo pacto ad altare accedat." See Stanislaus Woywod, *A Practical Commentary on the Code of Canon Law* (New York: Joseph F. Wagner, 1925), 1:384–5.

## **Modern Liturgical Responsibilities of Deacons**

The continued and growing attempts to deny women deacons the right in Gelasius' words to "serve at the altars" expanded up to the time the female diaconate was restricted to convents and eventually disappeared in the West.<sup>52</sup> By modern times, women are no longer ordained as deacons in the West, and increasingly rarely in the East. Gelasius forbade women from performing "all tasks entrusted to the service of men." What functions do deacons perform in the liturgy today? It is difficult to argue that diaconal "tasks" include or ever included celebration of Eucharist, but it is easy to assume that women, ordained as deacons, could assume diaconal functions in the liturgy.

## The Deacon at Mass Today

The General Instruction of the Roman Missal (1969, 2011) identifies the tasks assigned to the deacon at Mass, and specifies that the deacon, vested, (1) assists the priest and either processes at his side or proceeds him, if the deacon is carrying the Book of the Gospels; (2) ministers the chalice and/or the Roman Missal at the altar; (3) proclaims the Gospel and may at the request of the celebrant preach the homily; (4) reads the Universal Prayer of the Faithful; (5) assists in distribution of the Eucharist, especially as minister of the Precious Blood; (6) as needed, performs the offices of other ministers when none is present.

What is implicitly forbidden to women? Obviously, women are not to wear vestments, although the wearing of an alb can be permitted to any lay person. Further, (1) women who serve as lectors often process with the Book of the Gospels, and sometimes when not carrying the book process at the side of the priest; (2) women do not generally "minister" the chalice, that is, fill it with wine and water at the altar, nor do women generally "minister" the missal; (3) women (actually, no lay person) may not proclaim the Gospel or preach a homily at a public celebration of Eucharist; <sup>53</sup> (4) women as lectors may read the Universal Prayer of the Faithful; (5) women may serve as extraordinary ministers of the Eucharist; (6) women can perform the offices of other ministers, typically those of acolytes and lectors, such as lighting candles, holding the water, bowl, and towel for the ablution, and reading the Epistle.

The instruction of the Sacred Congregation of the Sacraments *Fidei Custos* (1969) states that lay women (nuns) may be allowed to distribute the Eucharist, although they are last in the order of succession and may be used only in emergencies.<sup>54</sup> The

<sup>52.</sup> That disappearance is in large part credited to the Western codification of the *cursus hono- rum*, which denied diaconal ordination to anyone not destined for priesthood, although the female diaconate as a permanent state lasted longer than that of the male diaconate.

<sup>53.</sup> An exception for preaching is permitted at masses for children.

<sup>54.</sup> A further clarification was issued by the Sacred Congregation of the Sacraments, *Immensae caritatis: On Facilitating Reception of Communion in Certain Circumstances* (January 29, 1973), https://www.ewtn.com/library/CURIA/CDWIMCAR.HTM. Here, non-ordained superior of men religious or the superior of women religious may rightly be assigned within their oratories (5), but maintains lay women as the last choice from among the faithful (4).

application of *Fidei Custos* for the German bishops directs males (including laymen) to wear a cassock and surplice, while women are to wear "decent, civilian clothing as unshowy as possible."<sup>55</sup>

## Contemporary Commentary

There remain contemporary local and universal prohibitions against women in the sanctuary, especially for altar service.<sup>56</sup> The document on music in the liturgy of the Second Vatican Council, *Musicam Sacram* (1967), stipulates that "Whenever the choir also includes women, it should be placed outside the sanctuary (presbyterium)."<sup>57</sup> *Musicam Sacram* has not been formally abrogated, but it is mostly ignored on this point. The 1975 *General Instruction for the Roman Missal* stipulates that, while laymen may be deputed to perform certain functions of the deacon, "women may be appointed to ministries that are performed outside the sanctuary."<sup>58</sup>

However, since the promulgation of the 1983 Code of Canon Law, universal legislation supports women as well as men—indeed any lay person—providing "altar service" during the Mass. While these tasks do not rise to the liturgical responsibilities of the diaconate, they are related in the sense that female as well as male altar servers would handle altar linens and sacred vessels, before and after their use. Further, current law specifically allows lay extraordinary ministers of the Eucharist.<sup>59</sup> The current General Instruction for the Roman Missal allows any lay person to be deputed for

<sup>55.</sup> In 1969, the German Bishops Conference received a three-year dispensation allowing both lay men and lay women to distribute the Eucharist but lay women were allowed to do so only as a last resort: "... Mulier spectatae pietatis, in casibus necessitates selibatur, quoties scilicet alia persona idonea iveniri nequeat." See *Kirchliches Amtsblatt für die Diözese Münster*, vol. 103 (1970): 51f., cited in Ida Raming, *The Exclusion of Women from the Priesthood*, trans. Norman R. Adams (Metuchen, NJ: Scarecrow, 1976), 144–45n53.

<sup>56.</sup> Since 2012, the cathedral church of the US diocese of Phoenix, AZ permits only male altar servers, although oddly enough permits both male and female lectors; see https://simon-jude.org/liturgical-apostolates. The US Diocese of Lincoln, NE requires installed acolytes throughout. Formal installation is reserved to males. See also Can. 230 § 1: "Viri laici, qui aetate dotibusque pollent Episcoporum conferentiae decreto statutis, per ritum liturgicum praescriptum ad ministeria lectoris et acolythi stabiliter assumi possunt; quae tamen ministeriorum collatio eisdem ius non confert ad sustentationem remunerationemve ab Ecclesia praestandam."

Second Vatican Council, Musicum sacram (March 5, 1967), http://www.vatican.va/archive/ hist\_councils/ii\_vatican\_council/documents/vat-ii\_instr\_19670305\_musicam-sacram\_en.html.

<sup>58.</sup> Congregation for Divine Worship, *General Instruction of the Roman Missal*, 2nd ed. (1975) no. 70.

<sup>59.</sup> C. 230 § 3: "Ubi Ecclesiae necessitas id suadeat, deficientibus ministris, possunt etiam laici, etsi non sint lectores vel acolythi, quaedam eorundem officia supplere, videlicet ministerium verbi exercere, precibus liturgicis praeesse, baptismum conferre atque sacram Communionem distribuere, iuxta iuris praescriptas."

liturgical ministries not specific to the deacon or priest, while retaining the bishop's prerogative regarding women fulfilling the tasks of lectors and acolytes.<sup>60</sup>

#### **Conclusions**

The 1983 Code of Canon Law caused both great consternation and great freedom in that it clearly allowed women altar servers, lectors, and extraordinary ministers of the Eucharist, all at the discretion of the diocesan bishop. The Code thereby overturned all but the residual memory of the complaints of Gelasius and others. That is, tasks of deacons are permitted to lay persons without reference to gender.

We must recall that the extant edicts and laws of history may have been preserved through the centuries only to prove against female altar service. If one argues that the female diaconate was a separate (equal or unequal) order, there would have been many other laws, these specifically regarding female deacons. Throughout history, local canons bar the ordinations of women as deacons, but if one takes women deacons to be members of the one order of deacon, then the combined force of fewer ordinations of women to the diaconate (due to the solidification of the *cursus honorum* and the expansion of laws forbidding women's participation in the liturgy) could create an argument, or at least a belief, that women were never sacramentally ordained. Even so, these laws dealt with local situations at least up to the thirteenth century, when true universal laws were attempted.

There is great advantage, however, in the universal church having neither a long nor monolithic tradition regarding women in the diaconate and of women serving at the altar in ancient and modern eras. History demonstrates that various local adaptations, leading to dismissals, retentions, or reinstitutions of older traditions, have repeatedly recurred. Such becomes a pointer toward and a principle to be invoked regarding current best practice, a functional ecclesiology, perhaps at the universal but certainly at the local level.

<sup>60. &</sup>quot;Liturgical functions that are not proper to the Priest or the Deacon and are mentioned above (nos. 100–106) may even be entrusted by means of a liturgical blessing or a temporary deputation to suitable lay persons chosen by the pastor or the rector of the church. As to the function of serving the Priest at the altar, the norms established by the Bishop for his diocese should be observed." United States Conference of Catholic Bishops, *General Instruction for the Roman Missal* (2010), 107, http://www.usccb.org/prayer-and-worship/the-mass/general-instruction-of-the-roman-missal/girm-chapter-3.cfm. An example of local liturgical law is *Steward of the Mysteries: A Handbook on the Liturgy for the Priests in the Diocese of Lincoln* (2011), promulgated by Fabian W. Bruskewitz, Bishop of Lincoln, Nebraska from 1992 to 2012. The *Handbook* stipulates instituted acolytes for all altar service and distribution of the Eucharist (11–12) and prefers instituted lectors (10–11) for Mass. However, according to the *1983 Code of Canon Law*, acolytes (even if installed) and other laypersons may be equally deputed: C. 910.2 "The extraordinary minister of communion is an acolyte or another member of the Christian faithful, designated according to the norm of can. 210.3."

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