

Spaces for Cremated Remains of the Body In and Around Catholic Churches

A white paper prepared by the
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of the Catholic Cemetery Conference

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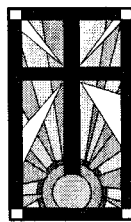
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During the past several years the cremation rate in the United States has grown to over 20% nationwide and in Canada higher than that. In conjunction with the rise in the cremation rate the issue of building columbaria (burial places for cremated remains of the body) in Catholic Churches or on the grounds of Catholic parishes, has been raised. Columbaria are specifically designed and built to provide inurnment facilities (niches) for cremated remains of the body. Archbishops and bishops are being asked by their pastors to approve building such facilities for a myriad of reasons ranging from ministry to the faithful, to raising funds for other parish programs.

The Catholic Cemetery Conference consists of Catholic cemetery managers throughout the United States, Canada and beyond. For many years this issue has been a topic of intense discussion. This Issue Paper has been prepared to highlight for (arch) bishops, diocesan staffs, pastors, parish staffs and parish committees some of the most important considerations regarding the building of columbaria in or near churches. It does not address columbaria built in parish cemeteries. Columbaria in parish cemeteries are indeed appropriate and outside the scope of this paper.

1. Various provincial and state governmental agencies in the United States and Canada have enacted laws defining and regulating both profit and non-profit cemeteries, including religious cemeteries.

These laws have run the gamut from very restrictive to almost no restrictions. For example, in some states, if a parish builds columbaria, they have, by definition, created a legal cemetery entity with new legal responsibilities and liabilities. Depending on the governing law, this might include a requirement to establish a permanent maintenance fund or a perpetual care fund. These are trust accounts established to ensure burial and entombment facilities (columbaria) would be maintained in perpetuity. While many agencies have not passed restrictive legislation regarding Catholic cemeteries, civil law is not only complex but also in a constant state of change. It is very difficult for Catholic cemeteries to keep up with national and local legislative requirements. It is even more difficult for parishes to keep up.

2. Cremation of the body is thus inadvertently encouraged over burial of the body, which is contrary to the Church's teaching.

The United States Conference of Catholic Bishops in their publication, *Reflections on the Body, Cremation and Catholic Funeral Rites* states "Although cremation is now permitted, it does not enjoy the same value as burial of the body. Catholic teaching continues to stress the preference for burial or entombment of the body of the deceased." Placing columbaria near churches offers only those who are to be cremated the opportunity for entombment near their Church. Individuals who prefer full body burial or entombment are not afforded that opportunity. This could send the message that if the faithful want their remains near the Church they must be cremated.

3. The Code of Canon Law, Canon 1242 states: "Bodies are not to be buried in churches unless it is a question of burying in their own church the Roman Pontiff, cardinals, or diocesan bishops, including retired ones."

That seems to indicate that other than the above noted exceptions, bodies are not to be buried or entombed inside churches. Some might argue that cremated remains are no longer in the form of a body, and thus can be buried or entombed in a church. This is counter to the Church's position that cremated remains are in fact human remains and are to be accorded the same respect and reverence that is shown a deceased human body. This is evidenced by the indulgences granted to the U.S. and Canadian bishops, which, under certain circumstances, permits the presence of cremated remains at Funeral Masses. Thus, human bodies under any form (other than the exceptions noted above) are not to be buried in churches.

4. Within our culture, families expect their loved ones' remains to rest undisturbed. Burial and entombment means forever.

In North America our parishes tend to focus long range planning within a five to ten year period. In dealing with entombment planning, the focus should be for approximately fifty to one hundred years. In many dioceses today we are seeing church facilities being closed, enlarged, renovated, combined or sold. If there are columbaria involved, serious legal, business and moral issues arise regarding the removal of cremated remains and their transfer to other locations. Traditionally families are very concerned whenever their deceased loved ones have to be disinterred and moved elsewhere. This can be very complex, especially as our society becomes more and more mobile and litigious. By their nature, columbaria restrict parish flexibility in dealing with their facility planning, growth and potential closure.

5. Lack of continuity, experience and expertise in parish leadership is another issue to be examined.

Pastors, assistant pastors, parish councils, finance committees, lay leaders and columbaria committees experience turn over. Many new parish programs commence with enthusiasm and energy. The individuals who initiated the concept, sold it to the parish, conducted fund raising, oversaw construction and initially helped manage the program eventually move on. The subsequent parish leadership and volunteers may or may not be as knowledgeable and enthusiastic as their predecessors. This potential lack of continuity, experience and expertise in managing columbaria could cause serious problems in carrying the parish's legal and moral responsibilities to the families they serve.

6. The two primary reasons parishes want to build columbaria are to enhance their ministry and to fund raise.

The ministerial aspect increases their ability to carry out the Corporal Work of Mercy of burying the dead, and the Spiritual Work of Mercy of comforting the grieving. Fundraising involves selling columbaria niches at a profit so that other parish financial issues can be addressed. Regarding ministry, if Catholic cemeteries are nearby, they are far more knowledgeable and better equipped to offer options on burial and entombment services. If only non-sectarian cemeteries are present, arrangements may be made to properly inter and care for the Catholic faithful according to accepted norms of the Catholic Church. Regarding fundraising, often only the short term costs of building columbaria are taken into consideration. Inexperience causes a problem in understanding and identifying the costs of columbaria over their life cycle. We have found that the initial profitability of columbaria shrinks significantly once it is operational.

7. Day to day management issues can consume enormous energy and time of parish leadership.

These include issues such as: who can be buried in the columbaria (must be a member of the Parish); what are the rules and regulations regarding what can be attached to the niches; do you pre-sell the niches; developing and changing contracts for niche sales; how many cremated remains can go in a niche; who letters the niche doors; are vases, emblems, and/or emblems allowed; who records deaths; what information is recorded; what are the financial accounting procedures involved with a sale; etc. Again, these issues are time consuming and often result in unhappy parishioners and overburdened parish staff and volunteers.

In conclusion, for any number of reasons ranging from Church teaching, to legal concerns and future financial responsibility, it is not advisable to build a columbarium in or on church property, unless it is attached to a parish cemetery. Although a local parish may wish to minister to the dying and the grieving by providing burial options at the local church level or to generate revenues for the church, it is felt that there are stronger arguments against building a columbarium than there are for building one.

About the Catholic Cemetery Conference

The Catholic Cemetery Conference (CCC) helps Catholic cemetery staff enhance their skills in caring for the deceased and comforting their loved ones through ministry, education, networking and service opportunities. Founded in 1949, the CCC has 1200 members spanning the United States, Australia, Canada, Italy and Guam.

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