

## **The preservation of the ashes of the deceased:**

### **The Response of the Dicastery of the Doctrine of the Faith.**

The Response of the Dicastery of the Doctrine of the Faith, dated Dec. 9, 2023, given to Card. Matteo Maria Zuppi, Archbishop of Bologna, provides clarifications about some questions regarding the preservation of the ashes of deceased persons undergoing cremation. In particular, the questions presented concerned, on the one hand, the possibility of arranging a sacred, defined and permanent place for the commingled accumulation and preservation of the ashes of deceased baptized persons, similar to what happens in ossuaries, with an indication for each deceased person of his or her biographical data in order not to disperse his or her nominal memory, and, on the other hand, that of granting a family to preserve a part of the ashes of a family member in a place significant for the history of the deceased. The Dicastery, reiterates, first of all, the validity of the indications of the Instruction *Ad resurgendum cum Christo* of August 15, 2016, which, in recalling that the Church has never pointed out doctrinal reasons to prevent the practice of cremation and that the same is not prohibited, unless it is chosen for reasons contrary to Christian doctrine, prescribes that the ashes must be kept in a sacred place (cemetery) or in an area specifically dedicated for the purpose by the ecclesiastical authority, and this with the aim of reducing the risk of removing the deceased from the prayer and remembrance of relatives and the Christian community as well as avoiding the possibility of forgetfulness and disrespect or inconvenient or superstitious practices (*Ad resurgendum cum Christo*, no. 5). At the same time, wishing to offer "a theological perspective" on the matter, it is recalled in the Response that the resurrection will be "in this flesh in which we now live" and it is specified that the transfiguration of the resurrection will not imply the recovery of the identical particles of matter that formed the body of the human being, so that the resurrection can take place even if the body has been totally destroyed or dispersed. Finally, it is recalled that the Church has always had an attitude of sacred respect toward the ashes of the deceased. Consequently, the Response establishes that it is possible to prepare a defined and permanent sacred place for the commingled accumulation and preservation of the ashes of the deceased baptized, thus admitting, the possibility of pouring the ashes into one communal place, as is the case with ossuaries, but preserving the nominal memory of each of the individual deceased, and it is clarified that the ecclesiastical authority, in compliance with civil norms, may consider and evaluate the request of a family to duly preserve a minimal part of the ashes of a relative in a place significant to the history of the deceased, excluding any kind of pantheistic, naturalistic or nihilistic equivocation and provided that the other ashes of the deceased are preserved in a sacred place. The Response results in an overcoming of the general canonical prohibition, provided by the 2016 Instruction, about the storage of ashes in a place other than a "sacred" place (e.g., domestic dwelling) and that of the "division" of ashes. Remaining unchanged, however, is the ban on the scattering of ashes in the air, on the ground or in water or in any other way (in contrast to the many national regulations that allow this) or the conversion of cremated ashes into memorial mementos, jewelry pieces or other objects. Even taking into account the Response, in Italy, where the incidence of cremation on the total number of burials is around 35 percent, the division of ashes, in order to keep some in a place significant to the history of the deceased, will not be able to be carried out, being a practice prohibited in the same way as the commingling in a single urn of the ashes of several corpses, hypothesizing in both cases the crime of vilification of a corpse (art. 410 of the Criminal Code). As for the hypothesis of the provision of a sacred place for the commingled accumulation of ashes, on the other hand, reference to Article 80, Paragraph 6 of Presidential Decree no. 285/1990, which recalls that every cemetery must have a communal cinerary for the collective collection and storage in perpetuity of ashes from the cremation of mortal remains, and the Ministry of Health Circular No. 24 of 1993 in point 14 defines communal cinerary as an artifact, epigean or hypogean, in which ashes are dispersed

through a special rite. If, however, no "sacred places" for the commingled accumulation of ashes are known to date in Italy, parishes are, on the other hand, equipping themselves for the provision of free spaces, inside church facilities, for the preservation of funerary urns. In fact, Article 90 of Presidential Decree 285/1990 reminds us that the municipality may grant private individuals and entities (including religious ones) the use of areas for the construction of burial grounds as long as they are equipped with adequate ossuary (or cinerary) facilities. While it is pastorally appreciable what has been done in Cremona, in the parish of S. Abbondio, and previously in Vicenza, in the parish of St. Gaetano, with the provision of a space in the parish church for the preservation of urns, following the example of the German "Grabeskirche," burial churches to house the urns of the deceased (as in the Grabeskirche of Sankt Bartholomäus in Cologne), more problematic remains the compatibility of such a solution with canonical discipline, perhaps made even more uncertain, also because of the Dicastery's Response. The aforementioned No. 5 of the 2016 Instruction states that the ashes of the deceased should as a rule be kept in a sacred place, that is, in the cemetery or, if appropriate, in a church or in an area specifically dedicated for this purpose by the competent ecclesiastical authority. The December U.S. Response recalls, however, that the storage of ashes in special urns can take place in a sacred place (cemetery), and even in an area specifically dedicated for the purpose, provided it has been designated for that purpose by the ecclesiastical authority. Thus, the explicit reference to "church" as a place to store cinerary urns disappears. Can. 1242 of the Code of Canon Law in principle prohibits the burial of corpses in churches and, therefore, according to part of the doctrine (P. Malecha), also the placement of cinerary urns inside a church, unless at least a partial reduction to secular use of the space designated as a columbarium is made. Given, however, that the Code of Canon Law disposes of cremation in can. 1776 §3, if it had wanted to include funerary ashes in the prohibition of can. 1242, it could have stated this explicitly, since the reasons of sanitary expediency that, instead, determined the prohibition of the burial of corpses in churches could not be invoked in the case. The answer given to the first question submitted to the Dicastery, in referring also to the "preservation" of the ashes of deceased baptized persons, however, could lend itself to a broad interpretation, confirming the possibility, offered by the 2016 Instruction and with a view to a collaboration between ecclesial and civil order (taking into account the strong growth of the practice of cremation), that the church represents, a suitable place in which to allocate, by the ecclesiastical authority, an area to the preservation of cinerary urns.

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## DICASTERIUM PRO DOCTRINA FIDEI

### NOTE FOR THE AUDIENCE WITH THE HOLY FATHER (9 December 2023)

#### **Reply to His Eminence, Cardinal Matteo Maria Zuppi, Archbishop of Bologna, Regarding Two Questions About the Preservation of the Ashes of the Deceased Following Cremation**

In a letter dated 30 October 2023 (Prot. No. 2537), Cardinal Matteo Maria Zuppi, Archbishop of Bologna, addressed two questions to the Dicastery for the Doctrine of the Faith regarding the preservation of the ashes of the deceased following cremation.

In particular, His Eminence reported that he had formed a commission in the Archdiocese of Bologna to give a Christian response to problems arising from the increasing number of people desiring to cremate the bodies of the deceased and scatter their ashes in nature. The commission also seeks to ensure that economic motivations (due to the lower cost of scattering ashes) do not prevail, and it seeks, moreover, to give indications regarding what to do with the ashes once the term for their preservation has expired.

To ensure correspondence not only with the requests of family members but, more importantly, with the Christian proclamation of the resurrection of the body and the respect due to it, the Archbishop of Bologna asked the following questions:

1. Taking into account the canonical prohibition against scattering the ashes of the deceased, is it possible to prepare a defined and permanent sacred place for the commingled accumulation and preservation of the ashes of the baptized, indicating the basic details of each person so as not to lose the memory of their names, similar to what occurs in ossuaries, where the mineralized remains of the deceased are cumulatively deposited and preserved?
2. Can a family be allowed to keep a portion of their family member's ashes in a place that is significant for the history of the deceased?

After giving due consideration to these questions, it was decided to answer them in the following way:

1) In paragraph 5 of the Instruction “[Ad resurgendum cum Christo: Regarding the Burial of the Deceased and the Conservation of the Ashes in the Case of Cremation](#)”, published by the Congregation for the Doctrine of the Faith on 15 August 2016, the Congregation addresses the question of preserving ashes in special urns. It states that ashes must be kept in a sacred place, such as a cemetery, or in an area dedicated to this purpose, provided that it has been so designated by the ecclesiastical authority.

Pastoral reasons for this regulation are also given: “The reservation of the ashes of the departed in a sacred place ensures that they are not excluded from the prayers and remembrance of their family or the Christian community. It prevents the faithful departed from being forgotten, or their remains from being shown a lack of respect, which eventuality is possible, most especially once the immediately subsequent

generation has too passed away. Also it prevents any unfitting or superstitious practices” (par. 5). This regulation still retains all its validity.

2) Our faith tells us that we will be raised with the same bodily identity, which is material (like every creature on earth), even though that matter will be transfigured, freed from the limitations of this world. The resurrection will be “in this flesh in which we now live” (Formula “*Fides Damasi*”); in this way, any harmful dualism between the material and immaterial is avoided.

This transformation, however, does not imply the recuperation of the identical particles of matter that once formed the human being’s body. Therefore, the body of the resurrected person will not necessarily consist of the same elements that it had before it died. Since it is not a simple revivification of the corpse, the resurrection can occur even if the body has been totally destroyed or dispersed. This helps us understand why, in many cinerary urns, the ashes of the deceased are conserved together and are not stored separately.

3) The ashes of the deceased person, moreover, come from the material remains that were part of the person’s historical journey—so much so that the Church shows particular care and devotion concerning the relics of the saints. This attention and remembrance also leads us to have an attitude of sacred respect toward the ashes of the deceased, which we conserve in a sacred place suitable for prayer, sometimes located near the churches visited by the family and neighbors of the deceased.

4) Therefore:

**A) For the reasons listed above, a defined and permanent sacred place can be set aside for the commingled accumulation and preservation of the ashes of deceased baptized persons, indicating the identity of each person so as not to lose the memory of their names.**

**B) In addition, the ecclesiastical authority, in compliance with current civil norms, may consider and evaluate a request by a family to preserve in an appropriate way a minimal part of the ashes of their relative in a place of significance for the history of the deceased person, provided that every type of pantheistic, naturalistic, or nihilistic misunderstanding is ruled out and also provided that the ashes of the deceased are kept in a sacred place.**

**Víctor Manuel Card. Fernández**  
*Prefetto*

Ex Audientia Die 9.12.2023

**Franciscus**

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