

The Holy See says so: one cannot delete one's name from the parish register of baptisms

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With an explanatory Note dated April 17 2025, the Dicastery for Legislative Texts clarified that one cannot cancel one's registration in the in the Baptismal Register, except to correct any transcription errors¹. The Note also clarifies that the purpose of the aforementioned register is to provide historical-sacramental certainty and objective verification of the sacraments administered by the Church, which must be taken into account as necessary prerequisites for other future church activities. Consequently, it is not permissible to change or delete the data registered in this Register.

In this regard, it should be recalled that the *liber baptizatorum* is the official register -which became compulsory starting with the Council of Trent in 1563 - kept by each parish in which parish priests record the baptized person's personal data, parents' data, the date, the name of the celebrant and the names of the godfather and/or godmother. In it, any new facts relevant to the Church (such as, for example, confirmation, marriage, possible declaration of matrimonial nullity) occurring subsequently are also noted through special notes².

It is appropriate to highlight that Baptism, the first sacrament of Christian initiation administered - which gives rise to ontological-sacramental consequences - is considered constitutive of the condition of the *christifidelis*³ and gives rise to two distinct effects: *res sacramenti* and *res et sacramentum*⁴.

The *res sacramenti* indicates the transformative power of grace of the sacrament; the *res et sacramentum*, on the other hand, affects the ontological and personal condition of the faithful and their participation in life within the ecclesial community. Baptism can, therefore, be considered both a factor in the constitution of the Christian's identity that affects not only relations among the faithful themselves, but also with the entire ecclesial community⁵; and the necessary condition not only for being able to receive the subsequent sacraments⁶, but also, for example, for being a godfather or godmother⁷.

In this regard, it seems preliminarily opportune to recall that the Code of Canon Law establishes the jurisdiction of the Church over all the baptized by specifying that ecclesiastical laws "are bound to all those baptized in the Catholic Church" (can. 11). Such a normative prescription is obviously viewed with

¹ Cfr. Explanatory note from the Dicastery for Legislative Texts on the prohibition of deletions in the parish register of baptisms, in www.vatican.va, 17.04.2025.

² Can. 535 CIC.

³ VATICAN ECUMENICAL COUNCIL II, *Dogmatic Constitution Lumen Gentium*, no. 11; *Catechism of the Catholic Church*, no. 1212.

⁴ THOMAS AQUINUS, *Summa Theologiae*, III, qu. 63, art. 6.

⁵ ILARIA ZUANAZZI, *Il carattere del battesimo e della confermazione: i fondamenti del sacerdozio comune dei fedeli tra diritto e spiritualità*, in *Stato, Chiese e pluralismo confessionale*, *Rivista telematica* (www.statoechiese.it), Issue No. 13 del 2022, ISSN 1971- 8543, p. 157.

⁶ Can. 1086 §1.

⁷ Can. 874 §1.

disfavor by those who have decided to abandon the Catholic faith, as it clashes with the need to be subject to any ecclesiastical law merely because of the “historical” fact of having been baptized, considering such a normative provision a compromise to the principle of religious freedom.

As a consequence of the above-mentioned need, felt in an increasingly secularized society, there have been numerous requests by atheists, agnostics and rationalists who - in small groups or organizations - intend to make atheist and agnostic propaganda to leave the Catholic Church, with a formal act. Especially after the birth of Associations such as the Unbaptizing Association⁸ and the UAAR⁹ (Union of Rationalistic Atheists and Agnostics) some individuals wanted to make their choice public, as an act of defense and separatism between state and religion and renunciation of their religious identity¹⁰.

In particular, the UAAR has promoted the campaign of de-baptism, or rather, of promoting the formal act of separation from the Catholic Church, consisting of the request to remove one's name from the Baptismal Registry, or the request to note next to one's name the desire to no longer belong to the Catholic Church.

In order to make everything simpler and facilitate mass de-baptism, the UAAR has distributed, to its members and all interested parties, a *pro forma* petition pursuant to Article 13 of Regulation (EU) 2016/679 to be sent, by registered mail with return receipt, to the parish priest of the parish in which, previously, the Baptism of the subject took place¹¹. In this petition, a request is made for the rectification of the data contained in the Baptism Register and an unequivocal desire to no longer be considered Catholic and adherent to the confession of the “Roman Catholic Apostolic Church.” This request can, however, also be formalized by e-mail or PEC (the so-called “online de-baptism”), if one knows the parish's electronic address, attaching the completed and signed form.

Indeed, in order to combat this phenomenon, Pope Benedict XVI intervened with an Apostolic Letter in the form of a *Motu Proprio* “*Omnium in Mentem*” in 2009, which modified some norms of the Code of Canon Law. In particular, with the aforementioned amendment those norms of the Code that provided for the possibility of carrying out an “*actus formalis defectionis ab Ecclesia catholica*”, originally provided for in canons 1086, § 1, 1117 and 1124, were abrogated.

⁸ The Association for Unbaptizing was formed on August 3-4, 1984 in Fano at the First Anti-clerical Meeting and proposed to give assistance to those who wanted to request the removal of their names from parish registers.

⁹ The UAAR was formed, following various exchanges of views, on December 4, 1986 by Rodolfo Costa and Martino Rizzotti professors at the University of Padua and Lorena Ziron a teacher in the middle school who decided to found its promoting committee.

¹⁰ LUCIANO ZANNOTTI, *A proposito di fondamentalismo*, in *Il Tetto*, 231-232, 2002, pp. 81-96.

¹¹ The *pro forma* letter is available on the official UAAR website, www.uaar.it.

This was a peculiar concept of canonical legislation - different from other “virtual” modalities (i.e. based on actual behavior) - of “notorious” or “public” abandonment of the faith (see canons 171, § 1, 4°; 194, § 1, 2°; 316, § 1; 694, § 1, 1°; 1071, § 1, 4° and § 2)¹².

The legislative intervention was justified in view of the fact that, as the text of the Motu Proprio states, “many difficulties had arisen both in pastoral action and in the practice of the courts. Indeed, it was observed that from the new law there seemed to arise, at least indirectly, a certain ease or, so to speak, an incentive to apostasy in those places where the Catholic faithful are few in number, or where unjust marriage laws are in force, which establish discrimination between citizens on religious grounds”.

The Note in comment, which, therefore, stands in continuity with the aforementioned legislative intervention, is inserted in the context of a debate, not yet resolved, which affects not only Italy but also Europe, concerning the protection of certain fundamental rights such as the right to religious freedom, the right to apostasy and the right to privacy, which the statutes contained in the Note under comment would seem to limit, especially in a legal/cultural climate in which the debate on the exercise of religious freedom remains always alive and open¹³.

As the Note itself points out, however, the Baptismal Register represents a historical-ecclesial record of sacramental actions performed, not being a list of church members.

The registration of the reception of the Sacrament constitutes not only a fact that testifies to the subject’s adherence, at that exact moment, to the Catholic faith, but represents a documentary certification of an indelible historical fact that occurred in the subject’s life. Taking into account, as already mentioned, that the mandatory registration of Baptism is necessary in order to receive the other Sacraments that require certainty about the reception of the same.

Therefore, this information present within the registers cannot be considered detrimental to the exercise of the person's present and future religious freedom, since a subject will be able, without any

¹² The Code of Canon Law stipulated that the faithful, who separated from the Church by a “formal act”, are not bound by the ecclesiastical laws regarding the canonical form of marriage (cf. can. 1117), the dispensation from the impediment of disparity of worship (cf. can. 1086) and the license required for mixed marriages (cf. can. 1124). The reason for and purpose of this exception to the general rule of can. 11 was to prevent marriages contracted by those faithful from being null and void because of a defect of form, or the impediment of disparity of worship. On this subject, see MARIO FERRANTE, *Il delitto di apostasia alla luce del Motu Proprio Omnium in Mentem*, in AA.VV., *Questioni attuali di diritto penale canonico*, Studi Giuridici, Città del Vaticano, Libreria Editrice Vaticana, pp. 227-244.

¹³ In Europe, the debate on whether or not baptismal entries can be removed from the appropriate register is, even today, open. Different and opposing, in fact, have been the pronouncements that have already occurred in this regard. In Spain, for example, the Supreme Court of Spain in Judgment No. 1747/2008, published on November 19, 2008, reiterated that one cannot remove one’s baptismal inscription from the parish registry since the registry contains only a historical fact, the Baptism precisely, which took place, not in an archive subject to data protection legislation. Recently (Feb. 2, 2024), in France, the Conseil d’Etat rejected a person’s request for the diocese of Angers to delete his name from the baptismal register, arguing that the register represents a source containing historical facts that occurred. In diametrically opposite fashion, however, the Belgian Data Protection Authority, in January 2024, granted the request of a citizen of the Diocese of Ghent who sought the deletion of his data from the baptism register following his abandonment of the Catholic faith.

hindrance or limitation of his will, to freely leave the “Church of Rome” when and if he deems it most appropriate.

In other words, the right to apostasy as an *actus defectionis ab Ecclesia*, free and conscious is, however, protected¹⁴. It, in fact, can be manifested as a decision of a subject to break all previous ties with the Church even by “concluding facts” (i.e., demonstrative facts), which, as is well known, in law constitute a form of tacit manifestation of the negotiating will. That is, they correspond to a demeanor that is in itself incompatible with a will other than that which can be inferred from the facts themselves (such as, in our case, joining another religious denomination or making a public profession of atheism).

Moreover, taking into account the importance that the religious factor expresses for the individual within contemporary multicultural societies, the recognition of the right to privacy assumes considerable relevance with respect to the protection of religious data, such information being particularly sensitive with respect to the exercise of the individual's fundamental rights and freedoms¹⁵.

However, keeping one's name in the Baptismal Registry does not represent any violation of privacy law, although religious data are part of the sensitive data concerning the personal and private sphere of the individual and which, inevitably, every individual tends to protect and safeguard.

In general, personal data capable of revealing, among others, the subject's religious beliefs can be processed only with the written consent of the data subject and prior authorization from the Guarantor¹⁶. However, following amendment to Law No. 675/99, the processing of sensitive religious data does not require the written consent of the person concerned and the prior authorization of the Guarantor¹⁷. This, however, does not mean that the data subject cannot exercise the rights guaranteed to him by the law itself¹⁸.

This is, on closer inspection, a very delicate and controversial matter, especially at a time in history when people's faith is very fragile and wavering, touching on several potentially opposing interests and yet all deserving of autonomous protection. In fact, with this Note, we want to reaffirm the objective and irreversible dimension of Baptism in the Catholic tradition and avoid the growing tendency to call for “symbolic erasures” that have no place in Church theology and law.

Moreover, beyond the intrinsic religious value of Baptism and the preservation of data about its reception (since it is a sacrament that can be administered only once), it also assumes a certain relevance

¹⁴ According to Article 18 of the Universal Declaration of Human Rights, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change religion or belief, and freedom to manifest, either alone or in community with others, in public or in private, his religion or belief in teaching, practice, worship and observance of rites.”

¹⁵ Cfr. FABIO BALSAMO, *La protezione dei dati personali di natura religiosa*, Cosenza, 2021, pp. 21-23.

¹⁶ See Art. 22(1), Law No. 675 of December 31, 1996.

¹⁷ See Art. 5 Legislative Decree No. 135 of May 11, 1999, Supplementary Provisions to Law No. 675 of December 31, 1996, on the Processing of Sensitive Data by Public Entities.

¹⁸ See Art. 13 Law No. 675 of December 31, 1996.

from a historical/documentary and archival point of view. Indeed, thanks to the information it contains, the Baptism Register constitutes not only an essential source for being able to analyze the religious and sacramental situation within a parish, but also for being able to carry out social, demographic and genealogical research.

In conclusion, taking into account what has been extensively clarified above, the Church's position to the preservation of data in the Baptism Registry seems to have to prevail over the individual's interest in removing them permanently, subject to respect for religious pluralism and free membership in a particular religion or in no religion.

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