



DISPENSATIONS: EXCEPTIONS TO THE RULES

Continuing our discussion of the power of governance (*see previous issue*), we turn now to the subject of dispensations. When we are speaking about dispensations, we are speaking about exceptions to the law, either granted by the law itself or by a person to whom the law gives the authority to grant them.

These exceptions are of two varieties: dispensations properly speaking and permissions. A dispensation is the relaxation of a law in a specific case for a just and reasonable cause. A permission is the granting of an exception to a law allowed by the law itself.

We will discuss dispensations in the next issue. For now, let's take a look at permissions. Since permissions are exceptions allowed by the law itself, the law itself indicates who can give the required permission.

We see a good example in the laws regarding the place where marriage is to be celebrated.

The place of marriage: Where to do the "I do"

Canon 1115 requires marriages to be celebrated in the parish where either party has permanent or temporary residence. The reason for this requirement goes back to the meaning of "parish," which in the law typically means a geographical territory under the care of a pastor. This requirement is meant to ensure that the couple will receive the necessary pastoral care involved with the celebration of marriage. As long as their pastor is sure that this care is being provided, canon 1115 gives him the authority to make an exception to the rule by permitting the couple to marry outside of the parish. In such a case, their pastor should sign the M-A form in the space designated for this permission.

Canon 1118 further specifies the place of marriage by requiring marriages to take place in a parish church. Marriage is a sacred celebration, not only of the couple but of the whole parish, and the proper place for such celebrations is the parish church.

Canon 1118 does, however, give the pastor the authority to permit marriages to take place in another church, such as a secondary church, within his parish.

Canon 1118 also allows marriages to be celebrated in a "suitable place" other than a church, but the extraordinary nature of such a celebration requires the permission of the local ordinary. This permission is normally given for mixed or interfaith marriages to take place in the house of worship of the non-Catholic party and *not* for outdoor weddings between two Catholics (notwithstanding recent buzz to the contrary). Requests for such permission should be made on the M-A form, together with the request for permission for mixed marriages or for the dispensation from disparity of worship for interfaith marriages, as well as the request for the dispensation from canonical form, and sent to the Tribunal.

That's it for permissions. Tune in next time for dispensations. Until then, keep the faith, love God's people, and always honor the code!

