



INSTITUTE OF  
SISTERS *of* MERCY  
OF AUSTRALIA & PAPUA NEW GUINEA

# Orientation for New Directors

## Session on Canon Law

### Dr Sr Helen Delaney rsm

Monday 22 March 2021



## **What is Canon Law?**

**Part of Church Law which also includes:**

- **Law for Eastern Churches**
- **Liturgical law**
- **Law for Religious Institutes**



INSTITUTE OF  
SISTERS of MERCY  
OF AUSTRALIA & PAPUA NEW GUINEA

## The purpose of Canon law

*...keeping in mind the salvation of souls, which in the Church must always be the supreme law.<sup>1</sup>*

<sup>1</sup>Canon 1752



## The place and role of Canon Law in the Church

- It is about order and discipline rather than doctrine and dogma
- Contains guidelines about action not beliefs
- Presents norms of conduct, not the content of faith
- Does not attempt to measure or compel personal conscience or moral judgements

## Canon Law and Theology

Theology can be seen as *faith seeking understanding*,  
so canon law could be seen as *faith seeking action*.<sup>2</sup>

<sup>2</sup>See Euart, S, *Theology and Law*, *The MAST Journal*, Vol 11, No 1 (2001), 2 – 5.

## The place of Church law

**Law should be of service to the community and all those in it.**

**It has four major functions which are to:**

- **Aid society in the achievement of its goals and facilitate the purpose or common good of the society;**
- **Provide stability to the society, ie, to enable things to be done in an orderly, thorough and predictable fashion;**
- **Protect people and their rights;**
- **Educate people in the values and standards of the community and their personal responsibility.**

## In summary

### The Code of Canon Law:

- **Caters for the Universal Church**
- **Is of necessity a static document**
- **Written for the time and cannot or does not pretend to cover all situations**
- **Is meant to be a servant not a master**
- **If disregarded or given an importance beyond what it warrants, can lead to abuses of power and control**
- **Should be accorded no more nor no less respect than it merits in the overall scheme of things**
- **Is an essential part of the life and culture however it is defined of the Catholic Church**
- **Has an impact on the way the various ministries are organised and**
- **Can and has been changed by popes in a few instances since 1983.**



INSTITUTE OF  
SISTERS *of* MERCY  
OF AUSTRALIA & PAPUA NEW GUINEA

## **The purpose of the Church's mission**

**The Church's mission is considered: works of piety, of the apostolate and of charity, whether spiritual or temporal, and the support of its ministers.**

# Church law affecting Church organisations in general

There are several sections of the Code which relate to the running of church organisations which are relevant to all ministries. They address such matters as:

- The rights and obligations of Christ's faithful to spread the kingdom of God
- The right to form associations for charitable services
- Catholic identity
- Juridical persons
- The role of the bishop
- The role of religious institutes
- The right and obligation of the church (used here in its broader sense) to own and administer property for the furtherance of its proper objects



## **Church law affecting individual ministries**

**The Code has some sections which are more directly related to a specific ministry, eg, education, or by association, other ministries such as those relating to health and aged care or the provision of services to the poor and disadvantaged. However while there are no canons in the Code of Canon Law relating directly to the healing ministry or social welfare activities as such various canons have relevance, eg, relating to religious institute or the apostolate.**

## Conclusion

In practical terms how do these canons affect the running of a Catholic organisation?

- Many of these canons are personal in nature and focus on the calling of Christians and people of good will to build up the Kingdom of God.
- All members of the organisation have some responsibility for the Catholic identity of the place.
- Bishops and religious congregations need to know their rights and obligations.
- The careful stewardship of temporal goods is incumbent on all.