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HOLY SEE PRESS OFFICE BUREAU DE PRESSE DU SAINT-SIÈGE PRESSEAMT DES HEILIGEN STUHL
OFICINA DE PRENSA DE LA SANTA SEDE SALA DE IMPRENSA DA SANTA SÉ
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N. 171006h

Friday 06.10.2017

Message of the Holy Father for the 16th International Congress of the Consociato Internationalis Studio Iuris Canonici Promovendo

The following is the Message the Holy Father sent to participants in the 16th International Congress of canon law, organised by the *Consociato Internationalis Studio Iuris Canonici Promovendo* with all the Roman faculties of canon law, entitled “Canon law and legal culture in the centenary of the Codex Iuris Canonici of 1917”, the text of which was given by Cardinal Secretary of State Pietro Parolin at the opening of the Congress, taking place in Rome from 4 to 7 October 2017:

Message of the Holy Father

Dear brothers and sisters,

The centenary of the promulgation of the first Code of Canon Law, which took place on 27 May 1917 with the apostolic Constitution *Providentissima Mater Ecclesia*, leads us to consider the meaning this bold decision had historically for the life of the Church: a decision entirely dominated by pastoral concern, aware of the service that a clear, systematically organised canon law, available to all, could render to the orderly care of the Christian people. Pastoral need was certainly a determining factor in the decision of Saint Pius X, a Pope who came from the care of souls to organise systematically the canonical provisions, accumulated throughout the centuries, in a code. Before ascending to the See of Peter, Giuseppe Sarto, in his priestly and episcopal ministry, had developed the conviction that the clergy should be helped, with suitable and simple tools, to face the new times and the new needs of pastoral action. From this point of view, the organisation of canonical provisions in a modern code, intended to support the daily life of pastors, corresponded perfectly with the *Catechism* which took its name from that saintly pontiff, and which was shown to be a formidable tool for Christian formation.

The choice of codification marked the coming of the end of the temporal power of the Popes, the transition from a canon law contaminated by elements of temporality to a canon law more consistent with the spiritual mission of the Church.

Looking at the century that separates us from that act of promulgation, we can not deny that the Benedictine Code has rendered a great service to the Church despite the limits of every human work and the distortions that, in theory and in practice, the provisions of the Code may have known, including some positivistic temptations. In essence, the codification equipped the Church to face navigation in the choppy waters of the contemporary age, keeping the people of God together and united, and supporting the great effort of evangelisation, which with its last missionary expansion made the Church truly present in every part of the world. We must not underestimate the role played by codification in the emancipation of the ecclesiastical institution from secular power, consistent with the Gospel principle which demands we “render to Caesar the things that are Caesar’s, and to God the things that are God’s” (*Mt 22: 15-22*). In this respect, the Code has had a double effect: to increase and guarantee the autonomy of the Church, and at the same time – indirectly – to contribute to the establishment of sound secularism in state ordinances.

However, the centenary this year is also an occasion to look at today and tomorrow, to re-acquire and deepen the authentic sense of law in the Church, the Mystic Body of Christ, where the reign is of the Word and of the Sacraments, while legal norms have a necessary role – yes – but of service. Just as it is a favourable opportunity to reflect on a genuine legal formation in the Church, which makes clear, precisely, the pastoral nature of canon law, its instrumentality in the order of the *salus animarum* (canon 1752 of the Code of 1983), and its necessity for obedience to the virtue of justice, which also in Ecclesia must be affirmed and guaranteed.

From this point of view, the invitation of Benedict XVI in the *Letter to the Seminarians* is both impelling and valid for all the faithful: “Learn to understand and – dare I say it – to love canon law, appreciating how necessary it is and valuing its practical applications: a society without law would be a society without rights. Law is the condition of love” (18 October 2010). *Nulla est charitas sine iustitia*.

Another consideration must be highlighted, on this occasion that induces to look at the future. Saint John Paul II wrote in the apostolic Constitution *Sacrae disciplinae leges*, of 25 January 1983, with which the new Code for the Latin Church was promulgated, that this represents the “great effort to translate ... the Conciliar ecclesiology into canonical language”. This statement expresses the reversal that, after Vatican Council II, marked the shift from an ecclesiology modelled on canon law to a canon law conformed to ecclesiology. But the same affirmation also indicates the need for canon law to always conform to ecclesiology and to become a docile and effective tool for translating the teachings of Vatican Council II into the daily life of God’s people. I think, for example, of the two recent *Motu proprio* which have reformed the canonical process for the causes of marriage nullity.

Like every Council, Vatican II is also destined to exert a long-lasting influence throughout the Church. Therefore, canon law can be a privileged instrument for favouring its reception over time and in the succession of generations. Collegiality, synodality in Church governance, valorisation of the particular Church, responsibility of all *christifideles* in the mission of the Church, ecumenism, mercy and proximity as primary pastoral principle, personal, collective and institutional religious freedom, open and positive secularism ecclesial and civil community in its various expressions, are some of the great themes where canon law can also fulfil an educational function, facilitating in the Christian people the growth of a feeling and of a culture that responds to Conciliar teaching.

From the Vatican, 30 September 2017
