

M A N U A L I ♡ D I R I T T O

**S T R U M E N T I  
D I S T U D I O E R I C E R C A**

Luigi Sabbarese

**Canon Law**

**An Overview**

Manuali • Diritto

Strumenti di studio e ricerca

ISBN 978-88-401-4065-0

© 2017 Urbaniana University Press

00120 Città del Vaticano

via Urbano VIII, 16 – 00165 Roma

tel. + 39 06 69889651/88

fax + 39 06 69882182

e-mail: [redazioneuup@urbaniana.edu](mailto:redazioneuup@urbaniana.edu)

[www.urbaniana.press](http://www.urbaniana.press)

English translation by Claudia Giampietro

© EDB, (Fondamenta), Bologna 2015

Luigi Sabbarese, *Diritto Canonico*

Front Cover:

Detail from a tapestry in the Apostolic Palace  
of Castel Gandolfo

Photo by Raffaele Di Pietro

All rights reserved

Finito di stampare nel mese di novembre 2017 / Printed in November 2017

*Progetto grafico / Graphic design by*  
Ingegno Grafico

**Luigi Sabbarese**

# **Canon Law**

## An Overview



**URBANIANA UNIVERSITY PRESS**



## TABLE OF CONTENTS

Acronyms and abbreviations . . . . .	8
Chapter 1	
<b>THE LATIN AND EASTERN CODIFICATION</b> . . . . .	9
1.1 General structure of the Code of Canon Law. . . . .	9
1.2 Nature of the Code of Canon Law . . . . .	10
1.3 The iter of codification of the <i>Codex iuris canonici</i> . . . . .	12
1.4 The Eastern Churches codification . . . . .	14
Chapter 2	
<b>GENERAL NORMS</b> . . . . .	25
2.1 Introductory canons . . . . .	25
2.2 Ecclesiastical laws and customs . . . . .	28
2.3 Physical and juridical persons . . . . .	34
2.4 Juridical acts . . . . .	40
2.5 Power of governance . . . . .	42
2.6 Ecclesiastical offices . . . . .	48
Chapter 3	
<b>THE PEOPLE OF GOD</b> . . . . .	53
3.1 Definition of the faithful and the canonical conditions in the Church . . . . .	54
3.2 Obligations and rights of all the faithful . . . . .	57
3.3 The juridical status of catechumens . . . . .	59
Chapter 4	
<b>THE LAY FAITHFUL</b> . . . . .	63
4.1 Toward a definition of laity . . . . .	63
4.2 The canonical status of the lay faithful . . . . .	65
Chapter 5	
<b>THE FAITHFUL CONSTITUTED SACRED MINISTERS</b> . . . . .	69
5.1 The formation of clerics	
5.2 The incardination of clerics . . . . .	74
5.3 The obligations and rights of clerics . . . . .	76
5.4 Loss of the clerical state . . . . .	78

■ TABLE OF CONTENTS

Chapter 6

<b>ASSOCIATIONS OF THE FAITHFUL . . . . .</b>	81
6.1    Common norms intended for all associations . . . . .	84
6.2    Public associations of the faithful . . . . .	91
6.3    Private associations of the faithful . . . . .	94

Chapter 7

<b>THE FAITHFUL IN THE CONSECRATED LIFE . . . . .</b>	99
7.1    Norms common to all institutes . . . . .	99
7.2    Religious institutes . . . . .	104
7.3    Secular institutes . . . . .	117
7.4    Societies of apostolic life . . . . .	119

Chapter 8

<b>THE SUPREME AUTHORITY OF THE CHURCH . . . . .</b>	123
8.1    The Roman pontiff and the college of bishops . . . . .	123
8.2    The synod of bishops . . . . .	126
8.3    The cardinals, the curia and the papal legates . . . . .	130

Chapter 9

<b>PARTICULAR CHURCHES AND THEIR GROUPINGS . . . . .</b>	135
9.1    Particular Churches and the authority constituted within them . . . . .	135
9.2    Groupings of particular Churches . . . . .	145

Chapter 10

<b>THE INTERNAL ORDERING OF PARTICULAR CHURCHES . . .</b>	151
10.1    The diocesan synod . . . . .	151
10.2    The diocesan curia and councils . . . . .	153
10.3    Parishes, rectories and chaplaincies . . . . .	158

Chapter 11

<b>THE TEACHING FUNCTION OF THE CHURCH . . . . .</b>	167
11.1    Introduction . . . . .	167
11.2    The ministry of the Divine Word . . . . .	168
11.3    The missionary action of the Church . . . . .	171
11.4    Catholic education . . . . .	172
11.5    Instruments of social communication and books in particular . . . . .	175

TABLE OF CONTENTS ■

Chapter 12

---

<b>THE SACRAMENTS OF CHRISTIAN INITIATION . . . . .</b>	179
12.1 The liturgy and the sacraments . . . . .	179
12.2 The sacraments of Christian initiation . . . . .	181

Chapter 13

---

<b>THE SACRAMENTS OF FORGIVENESS AND HEALING . . . . .</b>	195
13.1 The sacrament of penance . . . . .	195
13.2 The sacrament of the anointing of the sick . . . . .	200

Chapter 14

---

<b>THE SACRAMENTS FOR THE SACRED MINISTRY AND THE MARITAL MINISTRY . . . . .</b>	203
14.1 The sacrament of orders . . . . .	203
14.2 Marriage . . . . .	209

Chapter 15

---

<b>THE TEMPORAL GOODS OF THE CHURCH . . . . .</b>	223
15.1 Introduction . . . . .	223
15.2 The acquisition of goods . . . . .	224
15.3 The administration of goods . . . . .	226
15.4 Contracts and especially alienation . . . . .	230
15.5 Pious wills in general and pious foundations . . . . .	232

Chapter 16

---

<b>PENALTIES AND PENAL PROCESSES . . . . .</b>	237
16.1 Sanctions in the Church . . . . .	237
16.2 The penal process . . . . .	253

Chapter 17

---

<b>MARRIAGE PROCESSES . . . . .</b>	261
17.1 Cases to declare the nullity of marriage . . . . .	261
17.2 The process for a dispensation from ratified and non-consummated marriage . . . . .	283