

SANTA CLARA UNIVERSITY
Graduate Program in Pastoral Ministries

Winter 2012

CATE 275
INTRODUCTION TO CANON LAW

4 Units

Monday, 6:00 – 9:00 PM
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Office Hours: By Appointment

SYLLABUS

COURSE DESCRIPTION

Pastoral ministers will be introduced to the nature, history, and function of Church law. The course surveys the norms of the 1983 Code of Canon Law in the areas of general norms, the rights and obligations of the Christian faithful, Church structures, the teaching and sanctifying offices of the Church, temporal goods, sanctions and procedural law.

This course is focused on the nexus between law and ministry, the relationship between theologies of the Church and the expression of these theologies within the law itself. It is not designed to qualify students as canon lawyers; rather, it will introduce the law as a pastoral tool for ministry.

REQUIRED TEXTBOOKS AND THE USE OF OTHER SOURCES

1. Coriden, James A., *Canon Law as Ministry: Freedom and Good Order for the Church* (New York/Mahwah: Paulist Press, 2000). Referred to in schedule as CLM.
2. Coriden, James A., *An Introduction to Canon Law*, revised edition (New York/Mahwah: Paulist Press, 2004). Referred to in schedule as ICL.
3. Huels, John M., *Empowerment for Ministry: A Complete Manual on Diocesan Faculties for Priests, Deacons, and Lay Ministers* (New York/Mahwah: Paulist Press, 2003).

Students must have access to the 1983 Code of Canon Law, which is available in various translations and formats, online and in print. I have not specified a particular format or edition in order to minimize expense, and if students have access to the Code online (such as http://www.vatican.va/archive/ENG1104/_INDEX.HTM), this will be adequate. We will discuss this requirement further during our first class session.

Although not required for this course, the following texts are recommended for general reference or on particular issues in canon law:

Beal, John P., James A. Coriden, Thomas J. Green, eds. *New Commentary on the Code of Canon Law*. (New York/Mahwah: Paulist Press, 2000).

Code of Canons of the Eastern Churches, Latin-English Edition. (Washington, DC: Canon Law Society of America, 1992).

Huels, John M. *The Pastoral Companion: A Canon Law Handbook for Catholic Ministry*. (Montreal: Wilson & Lafleur, 2009).

Peters, Edward N., curator. *The 1917 Pio-Benedictine Code of Canon Law in English Translation with Extensive Scholarly Apparatus*. (San Francisco: Ignatius, 2001).

Provost, James H., ed. *Code, Community, Ministry: Selected Studies for the Parish Minister Introducing the Revised Code of Canon Law*. (Washington, DC: Canon Law Society of America, 1983).

------. *Official Ministry in a New Age*. Permanent Seminar Studies No. 3. (Washington, DC: Canon Law Society of America, 1981).

Shaughnessy, Mary Angela. *Ministry and the Law: What You Need to Know*. (Mahwah: Paulist Press, 1998).

Woestman, William H. *The Sacrament of Orders and the Clerical State: A Commentary on the Code of Canon Law*. (Ottawa: Faculty of Canon Law, St. Paul University, 1999).

Other materials will be provided throughout the course either through printed handouts or on-line.

COURSE OBJECTIVES

In this course, students will:

1. To examine critically the relationship of law, ecclesiology and ministry.
2. To examine the history and sources of canon law.
3. To research a contemporary canonical issue of interest in pastoral ministry.
4. To apply canonical insights to various pastoral situations.
5. To examine – in light of the church’s nature and the obligations of sacramental initiation – the functions of ordained and official ministry in the church.
6. To examine the nature of canonical “faculties” as part of pastoral ministry.

REQUIREMENTS

Students will complete three writing assignments for the course: (1) a 4-6 page case study on a pastoral issue involving an application of canon or liturgical law; (2) a 4-6 page reflection paper on the relationship of law to ministry; and (3) a 10-12 page research paper on a canonical issue of particular interest to the student in light of his or her ministerial context. The research will draw on upon the various theological and canonical resources introduced in the course as well as your own independent research.

Each student will also give a 20 minute presentation on the findings from their final research paper. Students will provide a 1-page handout the week before the presentation describing the topic and providing questions for reflection that will guide discussion. In addition, each student will provide background reading (10-25 pages) on the topic the week before the presentation.

COURSE SCHEDULE

**NOTE: This schedule may be changed to accommodate the learning needs of the class.

<i>Date</i>	<i>Topic</i>	<i>Assignment</i>
9 January	Introductions, Terminology; The Church	READ IN PREPARATION FOR COURSE: Coriden, CLM, pp. 1-60.
16 January	History of Church Law; Vatican II and the 1983 Code. Sources, Forms, Distinctions. Overview of the Code	READ: Coriden, ICL, pp. 1-44.
23 January	People of God: Book Two, Part One; introduction to diocesan faculties	READ: Coriden, ICL, pp. 57-70; Huels, pp. 3-37. REFLECTION PAPER #1 DUE
30 January	People of God: Book Two, Part Two	READ: Coriden, ICL, pp. 71-106.
6 February	The Teaching Function: Book Three; faculties for lay ecclesial ministers	READ: Coriden, ICL, pp. 107-118; Huels, pp.175-190.
13 February	The Sanctifying Function: Book Four	READ: Coriden, pp. 119-153. REFLECTION PAPER #2 DUE
20 February	The Governing Function: Book One	READ: Coriden, pp.155-171; Huels, pp. 157-174.
27 February	Books V-VII of the Code	READ: Coriden, pp. 173-198.
5 March	Student Reports	
12 March	Student Reports; Concluding Issues	RESEARCH PAPER DUE