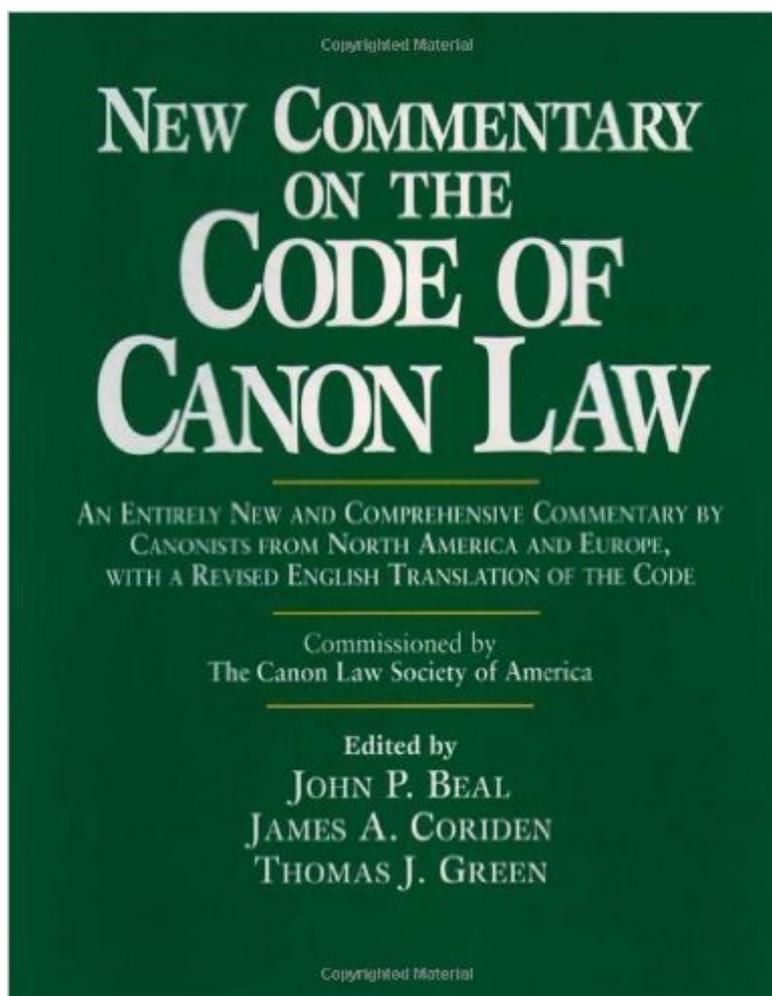


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# New Commentary On The Code Of Canon Law



## Synopsis

An entirely new and comprehensive commentary by canon lawyers from North America and Europe, with a revised English translation of the Code. Reflects the enormous developments in canon law since the publication of the original commentary.

## Book Information

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## Customer Reviews

While the overall scholarship of the new commentary is impressive, there are some serious, significant and grave errors which compel me not to recommend this book. Instead of relying on sound jurisprudence, this edition degenerates with theological dissent, speculation and confusion. Book Three (the Teaching Office of the Church) is where it begins. The footnote on page 913 in reference to canon 749 on Infallibility attacks ORDINATIO SACERDOTALIS when it says: "the statement by the CDF [Congregation for the Doctrine of the Faith] of October 28, 1995, that the teaching to the effect that the Church has no authority to confer priestly ordination on women requires the definitive assent of the faithful since `it has been set forth infallibly by the ordinary and universal Magisterium' is an exaggeration" Classifying the authoritative interpretation of the CDF on Ordinatio Sacerdotalis as being an 'exaggeration' is going well beyond the bounds of judicial commentary and now enters the realm of theological dissent. Cardinal Ratzinger's Responsum ad Dubium (10-28-95) made it clear that while Ordination Sacerdotalis itself was not an EX CATHEDRA statement (like the papal document MUNIFICENTISSIMUS DEUS of Pius XII defining the dogma of the Assumption of Mary in 1950), nevertheless the TEACHING (doctrine) that only baptized males can be ordained (deacons, priests and bishops) IS infallible as it has been a

consistent element of the ORDINARY MAGISTERIUM. "All members of the faithful are required to give their assent to the teaching stated therein." The Commentary continues in the footnote to attack the infallibility of the teaching when this is not a canonical issue, rather it is obviously doctrinal and the proper authority (CDF) has made a definitive ruling, not the CLSA.

The Canons, as legal rules in the Church, evolved through theology, and as such they must continue to evolve from the growing faith and experience of the Church. In the forewords of this book, Ladislav M. Orsy, SJ gives an exposition on "Theology and Canon Law" and Frederick R. McManus gives us "A Canonical Overview of Canon Law" since 1983. These two works by universally respected canonist-professors, justify purchasing this book. They are timeless works to read and reread, without even opening the other eighteen hundred pages. Pope John Paul II, in his Papal Allocutions to the Roman Rota, has emphasized repeatedly that "In effect, juridical-canonical work is pastoral by its very nature." In 1985, The Canon Law Society of America produced the first Commentary on the current Code of Canon Law promulgated in 1983. This was an extremely brave undertaking for any group. Nothing went before and the responsibility of producing such a maiden work was huge. That first edition became an indispensable tool to canonists universally. It provoked thought and discussion beyond any expectation. This is not a second edition. It is a whole new work with mostly new authors. In the spirit of the instruction of Pope John Paul II, this Commentary brings a veritable treasure trove of priceless experience and thought. The many contributors to this Commentary include university professors, Tribunal professionals, administrators of religious institutes, and parish priests. In the years since the 1983 Code was promulgated, there has certainly been change. There have been many documents and official interpretations. The Pontifical Council on the Interpretation of Legislative Texts has issued dozens of authoritative interpretations of the canons.

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