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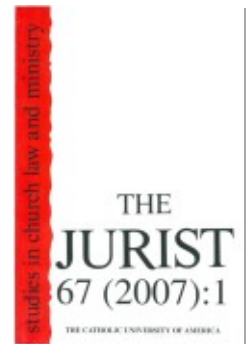
Code of Canon Law Annotated (review)

Rose McDermott

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were heavily indebted to the Roman law, each chapter initially presents classical and post-classical thought on the topic. Examination of the additions, subtractions, and elaborations of twelfth and thirteenth century jurists follows and clearly shows that, if in some cases these writers merely nuanced developed rights-oriented arguments, in others they markedly departed from antecedent reasoning.

Charles Reid Jr. has produced a well-conceived, thoroughgoing investigation of the origins of a model of marriage that presupposed an irrefragable bond with concomitant privileges and duties. It is also a very balanced one, since the author points up the problems encountered by canonists who followed a rights-based line of reasoning to its logical conclusion. Nor does he allow readers to forget the chasm that might divide theory from practice—arguments for the enduring nature of a leper's conjugal rights, for example, standing in sharp contrast to customary segregation of a diseased spouse.

Power over the Body will make an admirable addition to the specialist's library; and because of its lucid approach, it can be used to advantage as a textbook in upper-division and graduate courses whether in history, law, religion, or ethics.

ELIZABETH MAKOWSKI

Professor of History
Texas State University
San Marcos, Texas

CODE OF CANON LAW ANNOTATED. Second Edition revised and updated of the 6th Spanish language edition. Woodridge, IL: Midwest Theological Forum, 2004. Pp. 2066.

In his review of the CLSA *New Commentary on the Code of Canon Law* published in *America*, November 25, 2000, Rev. James J. Conn, S.J. described it as "The Big Green Book." Perhaps it would not be indecorous to refer to the second edition of the *Code of Canon Law Annotated* as "The Little Red Book." Since the first edition published in 1993, two dedicated scholars responsible for the editing of the former edition, Jean Thorn and Michel Thériault, have gone to their eternal reward. The text profits from the revisions of the sixth edition of the Spanish Language Commentary and the second edition of the French edition, "*le Code bleu*." The purpose of the project remains the same: the text is "... not

intended as a critical work on the Code but rather as an attempt to display the spirit of the law and offer simple and clear criteria for its reception and application in the life and mission of the Church." This must have been an exercise in rigorous discipline for the scholarly contributors, since many of them have published their own monographs. However, they remained faithful to the goal and offer a helpful text that can be supplemental to other more detailed commentaries.

The format of the second edition reflects a considerable improvement over the first; the publishers have enlarged the print and the annotations appear directly under the canons addressed. There are approximately four hundred thirty-five more pages in this revised edition with noteworthy additions to Books II, IV, and VII of the Code, Appendices I (Universal Law Outside the Code) and III (Complementary Norms to the Code of Canon Law Promulgated by English Language Conferences of Bishops), and the Analytical Index. Despite the restrictions on their work, the scholars include the more significant conciliar and postconciliar sources with references not only to the *Acta Apostolicae Sedis*, but also to the English translations in publications such as: *Origins*, the *Canon Law Digest*, *The Pope Speaks*, and *Roman Replies and CLSA Advisory Opinions*.

It would be impossible to comment on all sections of so extensive a work in so short a review. However, in Book II, Part III, Institutes of Consecrated Life and Societies of Apostolic Life, Rincón offers a fine summation of the *coetus* decision in the placement and organization of this section of the law as distinct from associations of the Christian faithful. His commentary notes significant departures from the 1917 Code and fresh insights into this vocation in the Church since John Paul II's apostolic exhortation *Vita Consecrata*. A few sections are labored, such as the lengthy explanation of the executive power of governance solely for clerical religious institutes of pontifical right (c. 596), and the rather dubious comment that some proper laws of religious institutes may disqualify members labeled "sacrilegious" or "adulterine" children from offices in the institutes (c. 623).

In Book IV, the Sanctifying Function of the Church, the several commentators employ the sources of the norms effectively, while treating at length significant canons such as canon 844 addressing *communicatio in sacris* and the essentials for a valid sacrament (c. 845). The canons on the ordinary and extraordinary forms for the sacrament of penance (cc. 960–963), the conferring of orders and the qualities in the ordinandi (cc. 961–962), as well as the importance of consent in marriage, the factors rendering one incapable of giving consent and those invalidating consent (cc. 1057, 1095–1103) are all succinctly addressed. Other canons of less

doctrinal, theological, or legal import are clustered with appropriate commentary. While eleven authors contributed to the contents of Book IV, the commentaries have an even style.

López Alarcón, the commentator for Book V notes the principle of subsidiarity underlying this section of the code, the gradual suppression of the benefice system (c. 1272), and the just remuneration of the clergy (c. 1274). Likewise, he emphasizes the foundational principle of fulfilling the pious dispositions of the faithful with the corresponding provision for the adjustment of Mass obligations due to the diminution of income (c. 1308).

Given the limitations placed on the authors and their fidelity to the same, the work falls short for canonists searching for a more thorough critical study of the law of the Latin church in the English language. However, it proves a fine supplementary reference for teachers of canon law, diocesan bishops, officials of diocesan curias, clergy, students of church law, and other members of the Christian faithful who serve in various offices or ministries in the particular churches. The editors and authors deserve our accolades for adhering strictly to the purpose and criteria for this publication; it will prove beneficial to many in the Church.

ROSE McDERMOTT, S.S.J.

*School of Canon Law
Catholic University of America
Washington, D.C.*

PROCEDURA PER LA NOMINA DEI VESCOVI: EVOLUZIONE
DAL CODICE DEL 1917 AL CODICE DEL 1983 by Mykhaylo
Tkhorovsky. Rome: Editrice Pontificia Università Gregoriana, 2004.
Pp. 1-272.

Regarding the appointment of bishops in the Latin Church, this doctoral dissertation first outlines the three elements that constitute the canonical provision for any ecclesiastical office: the candidate's designation, conferring the title, and taking possession of the office. Then, focusing on the first element, the thesis is neatly divided into three chapters: 1) designation of bishops up to the 1917 code; 2) designation of bishops from 1917 to 1983, and 3) designation of bishops in the 1983 code. As a general observation, given the repeated, papal calls for com-