



The Holy See

APOSTOLIC CONSTITUTION
SACRAE DISCIPLINAE LEGES
OF THE SUPREME PONTIFF
POPE JOHN PAUL II
FOR THE PROMULGATION
OF THE NEW CODE OF CANON LAW

TO THE REVERED BROTHERS, CARDINALS, ARCHBISHOPS, BISHOPS, PRIESTS,
DEACONS, AND TO THE OTHER MEMBERS OF THE PEOPLE OF GOD,
JOHN PAUL,
BISHOP SERVANT OF THE SERVANTS OF GOD AS A PERPETUAL RECORD

During the course of the centuries, the Catholic Church has been accustomed to reform and renew the laws of canonical discipline so that, in constant fidelity to her divine Founder, they may be better adapted to the saving mission entrusted to her. Prompted by this same purpose and fulfilling at last the expectations of the whole Catholic world, I order today, January 25, 1983, the promulgation of the revised Code of Canon Law. In so doing, my thoughts go back to the same day of the year 1959, when my Predecessor of happy memory, [John XXIII](#), announced for the first time his decision to reform the existing corpus of canonical legislation which had been promulgated on the feast of Pentecost in the year 1917. Such a decision to reform the Code was taken together with two other decisions of which the Pontiff spoke on that same day, and they concerned the intention to hold a Synod of the Diocese of Rome and to convoke the Ecumenical Council. Of these two events, the first was not closely connected with the reform of the Code, but the second, that is, the Council, is of supreme importance in regard to the present matter and is closely connected with it. If we ask ourselves why [John XXIII](#) considered it necessary to reform the existing Code, the answer can perhaps be found in the Code itself which was promulgated in the year 1917. But there exists also another answer and that is the decisive one, namely, that the reform of the Code of Canon Law appeared to be definitely desired and requested by the same Council which devoted such great attention to the Church. As is obvious, when the revision of the Code was first announced, the Council was an event of the future. Moreover, the acts of its magisterium and especially its doctrine on the Church would be decided in the years 1962-1965; however, it is clear to everyone that [John XXIII](#)'s intuition was very true, and with good reason it must be said that his decision was for the good of the Church in the long term. Therefore, the new Code, which is promulgated today, necessarily required the previous work of the Council; and although it was announced together with the Ecumenical Council, nevertheless it follows it chronologically, because the work undertaken in its preparation,

since it had to be based upon the Council, could not begin until after completion of the latter. Turning our mind today to the beginning of this long journey, that is, to that January 25, 1959, and to [John XXIII](#) himself who initiated the revision of the Code, I must recognize that this Code derives from one and the same intention, which is that of the renewal of the Christian life. From such an intention, in fact, the entire work of the Council drew its norms and its direction. If we now pass on to consider the nature of the work which preceded the promulgation of the Code, and also the manner in which it was carried out, especially during the Pontificates of [Paul VI](#) and of John Paul I, and from then until the present day, it must be clearly pointed out that this work was brought to completion in an outstandingly collegial spirit; and this not only in regard to the material drafting of the work, but also as regards the very substance of the laws enacted. This note of collegiality, which eminently characterizes and distinguishes the process of origin of the present Code, corresponds perfectly with the teaching and the character of the Second Vatican Council. Therefore the Code, not only because of its content but also because of its very origin, manifests the spirit of this Council, in the documents of which the Church, the universal "sacrament of salvation" (cf. Dogmatic Constitution on the Church, [Lumen gentium](#), nos. 1, 9, 48), is presented as the People of God and its hierarchical constitution appears based on the College of Bishops united with its Head. For this reason, therefore, the bishops and the episcopates were invited to collaborate in the preparation of the new Code, so that by means of such a long process, by a method as far as possible collegial, there should gradually mature the juridical formulas which would later serve for the use of the entire Church. In all these phases of the work there also took part experts, namely, specialists in theology, history, and especially in canon law, who were chosen from all over the world. To one and all of them I wish to express today my sentiments of deep gratitude. In the first place there come before my eyes the figures of the deceased Cardinals who presided over the preparatory commission: Cardinal Pietro Ciriaci who began the work, and Cardinal Pericle Felici who, for many years, guided the course of the work almost to its end. I think then of the secretaries of the same commission: Very Rev. Mons. Giacomo Violardo, later Cardinal, and Father Raimondo Bidagor, S.J., both of whom in carrying out this task poured out the treasures of their doctrine and wisdom. Together with them I recall the Cardinals, the archbishops, the bishops and all those who were members of that commission, as well as the consultors of the individual study groups engaged during these years in such a difficult work, and whom God in the meantime has called to their eternal reward. I pray to God for all of them. I am pleased to remember also the living, beginning with the present Pro - President of the commission, the revered brother, Most Rev. Rosalío Castillo Lara, who for a very long time has done excellent work in a task of such great responsibility, to pass then to our beloved son, Mons. Willy Onclin, whose devotion and diligence have greatly contributed to the happy outcome of the work, and finally to all the others in the commission itself, whether as Cardinal members or as officials, consultors and collaborators in the various study groups, or in other offices, who have given their appreciated contribution to the drafting and the completion of such a weighty and complex work. Therefore, in promulgating the Code today, I am fully aware that this act is an expression of pontifical authority and, therefore, it is invested with a "primatial" character. But I am also aware that this Code in its objective content reflects the collegial care of all my brothers in the episcopate for the Church. Indeed, by a certain analogy with the Council, it should be considered as the fruit of a collegial collaboration because of the united efforts on the part of specialized persons and institutions throughout the whole Church. A second question arises concerning the very nature of the Code of Canon Law. To reply adequately to this question, one must mentally recall the distant patrimony of law contained in the books of the Old and New Testament from which is derived, as from its first source, the whole juridical - legislative tradition of the Church. Christ the Lord, indeed, did not in the least wish to destroy the very rich heritage of the Law and of the Prophets which was gradually formed from the history and experience of the People of God in the Old Testament, but He brought it to completion (cf. Mt. 5:17), in such wise that in a new and higher way it became part of the heritage of the New Testament. Therefore, although St. Paul, in expounding

the Paschal Mystery, teaches that justification is not obtained by the works of the Law, but by means of faith (cf. Rom. 3:28; Gal. 2:16), he does not thereby exclude the binding force of the Decalogue (cf. Rom. 13:28; Gal. 5:13-25; 6:2), nor does he deny the importance of discipline in the Church of God (cf. 1 Cor. chapters 5, 6). Thus the writings of the New Testament enable us to understand still more the importance itself of discipline and make us see better how it is more closely connected with the saving character of the evangelical message itself. This being so, it appears sufficiently clear that the Code is in no way intended as a substitute for faith, grace and the charisms in the life of the Church and of the faithful. On the contrary, its purpose is rather to create such an order in the ecclesial society that, while assigning the primacy to faith, grace and the charisms, it at the same time renders easier their organic development in the life both of the ecclesial society and of the individual persons who belong to it. The Code, as the principal legislative document of the Church, founded on the juridical - legislative heritage of Revelation and Tradition, is to be regarded as an indispensable instrument to ensure order both in individual and social life, and also in the Church's activity itself. Therefore, besides containing the fundamental elements of the hierarchical and organic structure of the Church as willed by her divine Founder, or as based upon apostolic, or in any case most ancient, tradition, and besides the fundamental principles which govern the exercise of the threefold office entrusted to the Church itself, the Code must also lay down certain rules and norms of behavior. The instrument, which the Code is, fully corresponds to the nature of the Church, especially as it is proposed by the teaching of the Second Vatican Council in general, and in a particular way by its ecclesiological teaching. Indeed, in a certain sense, this new Code could be understood as a great effort to translate this same doctrine, that is, the conciliar ecclesiology, into canonical language. If, however, it is impossible to translate perfectly into canonical language the conciliar image of the Church, nevertheless, in this image there should always be found as far as possible its essential point of reference. From this there are derived certain fundamental criteria which should govern the entire new Code, both in the sphere of its specific matter and also in the language connected with it. It could indeed be said that from this there is derived that character of complementarity which the Code presents in relation to the teaching of the Second Vatican Council, with particular reference to the two constitutions, the Dogmatic Constitution *Lumen gentium* and the Pastoral Constitution *Gaudium et spes*. Hence it follows that what constitutes the substantial "novelty" of the Second Vatican Council, in line with the legislative tradition of the Church, especially in regard to ecclesiology, constitutes likewise the "novelty" of the new Code. Among the elements which characterize the true and genuine image of the Church, we should emphasize especially the following: the doctrine in which the Church is presented as the People of God (cf. *Lumen gentium*, no. 2), and authority as a service (cf. *ibid.*, no. 3); the doctrine in which the Church is seen as a "communion," and which, therefore, determines the relations which should exist between the particular Churches and the universal Church, and between collegiality and the primacy; the doctrine, moreover, according to which all the members of the People of God, in the way suited to each of them, participate in the threefold office of Christ: priestly, prophetic and kingly. With this teaching there is also linked that which concerns the duties and rights of the faithful, and particularly of the laity; and finally, the Church's commitment to ecumenism. If, therefore, the Second Vatican Council has drawn from the treasury of Tradition elements both old and new, and the new consists precisely in the elements which we have enumerated, then it is clear that the Code also should reflect the same note of fidelity in newness and of newness in fidelity, and conform itself to that in its own field and in its particular way of expressing itself. The new Code of Canon Law appears at a moment when the bishops of the whole Church not only ask for its promulgation, but are crying out for it insistently and almost with impatience. In actual fact the Code of Canon Law is extremely necessary for the Church. Since, indeed, it is organized as a social and visible structure, it must also have norms: in order that its hierarchical and organic structure be visible; in order that the exercise of the functions divinely entrusted to her, especially that of sacred power and of the administration of the sacraments, may be adequately organized; in order that the mutual relations of the

faithful may be regulated according to justice based upon charity, with the rights of individuals guaranteed and well defined; in order, finally, that common initiatives, undertaken for a Christian life ever more perfect may be sustained, strengthened and fostered by canonical norms. Finally, the canonical laws by their very nature must be observed. The greatest care has therefore been taken to ensure that in the lengthy preparation of the Code the wording of the norms should be accurate, and that they should be based on a solid juridical, canonical and theological foundation. After all these considerations it is to be hoped that the new canonical legislation will prove to be an efficacious means in order that the Church may progress in conformity with the spirit of the Second Vatican Council, and may every day be ever more suited to carry out its office of salvation in this world. I am pleased to entrust to all with a confident spirit these considerations of mine in the moment in which I promulgate this fundamental body of ecclesiastical laws for the Latin Church. May God grant that joy and peace with justice and obedience obtain favor for this Code, and that what has been ordered by the Head be observed by the members. Trusting therefore in the help of divine grace, sustained by the authority of the holy Apostles Peter and Paul, with certain knowledge, and in response to the wishes of the bishops of the whole world who have collaborated with me in a collegial spirit; with the supreme authority with which I am vested, by means of this Constitution, to be valid forever in the future, I promulgate the present Code as it has been set in order and revised. I command that for the future it is to have the force of law for the whole Latin Church, and I entrust it to the watchful care of all those concerned, in order that it may be observed. So that all may more easily be informed and have a thorough knowledge of these norms before they have juridical binding force, I declare and order that they will have the force of law beginning from the first day of Advent of this year, 1983. And this notwithstanding any contrary ordinances, constitutions, privileges (even worthy of special or individual mention) or customs. I therefore exhort all the faithful to observe the proposed legislation with a sincere spirit and good will in the hope that there may flower again in the Church a renewed discipline; and that consequently the salvation of souls may be rendered ever easier under the protection of the Blessed Virgin Mary, Mother of the Church. *Given at Rome, from the Apostolic Palace, January 25, 1983, the fifth year of our Pontificate.* © Copyright 1983 - Libreria Editrice Vaticana