

THE POPE

New Code a Tool for Renewal

Following is excerpted from the NC News translation of Pope John Paul's apostolic constitution promulgating the new Code of Canon Law.

If we consider the nature of the labors which have led up to this promulgation of the code, as well as the manner in which they were conducted, especially during the pontificates of Paul VI and John Paul I, then down to our own days, it is absolutely necessary to point out with all clarity that such labors were brought to conclusion in a markedly collegial spirit.



This not only refers to the drafting of the material of the work but also touches on the very substance of the laws drafted.

Now, this note of collegiality characterizes and distinguishes the process giving rise to the present code; it likewise corresponds perfectly to the magisterium and to the content of the Second Vatican Council. The code, therefore, not only through its contents, but also through its earliest beginning, demonstrates the spirit of this council, in whose documents the universal Church, "The Sacrament of Salvation," is presented as the people of God, its hierarchical constitution is seen as founded on the college of bishops jointly with its head.

It was for this reason, therefore, that the bishops and bishops' conferences were invited to collaborate in preparing the new code, so that, over such a long course, with a method as collegial as possible, the juridical formulas would little by little come to light which would then be for the use of the whole Church. Experts, then, took part in all stages of the labors; that is to say, men specialized in theological doctrine, history and above all canon law. They were chosen from all parts of the world. To each of them I desire today to manifest my sentiments of deepest gratitude.

Therefore, as I promulgate this code today, I am fully

aware that this act is an expression of the pontifical authority, and therefore takes on a "primatial" nature; but I am equally well aware that, in its objective content, this code respects the collegial concern for the Church of all my brothers in the episcopate. Indeed, through a certain analogy with the council, it must be considered as the fruit of a collegial collaboration to bring together all energies of specialized persons and institutions spread throughout the Church.

A second question now arises about the very nature of the Code of Canon Law. In order to answer this question well, it is necessary to recall the distant heritage of law contained in the books of the Old and New Testament, from which, as from its first spring, the whole juridical legislation of the Church derives.

Christ the Lord did not in fact will to destroy the very rich heritage of the law and the prophets which had been forming over the course of the history and experience of the people of God in the Old Testament. On the contrary, he gave fulfillment to it. Thus in a new and more lofty way, it became part of the inheritance of the New Testament. Therefore, although when expounding the paschal mystery, St. Paul teaches that justification is not obtained through the works of the law, but through faith, he does not thereby exclude the obligatory force of the Decalogue, nor does he deny the importance of discipline in the Church of God. The writings of the New Testament, therefore, allow us to understand the importance of discipline even better and to understand better how discipline is more closely connected with the salvific character of the Gospel message itself.

Since this is so, it seems clear enough that the code in no way has as its scope to substitute for faith, grace, the charisms, and especially charity in the life of the Church or the faithful. On the contrary, its end is rather to create such order in ecclesial society that, assigning primacy to love, grace and charisms, it at the same time renders more active their organic development in the life both of the ecclesial society and of the individuals belonging to it.

Inasmuch as it is the Church's prime legislative document, based on the juridical and legislative heritage of revelation and tradition, the code must be regarded as the necessary instrument whereby due order is preserved in both individual and social life and in the Church's activity. Therefore, besides containing the fundamental elements of the hierarchical and organic structure of the Church, laid down by her divine founder or founded on apostolic or at any rate most ancient tradition, and besides outstanding norms concerning the carrying out of the task mandated to the Church herself, the code must also define a certain number of rules and norms of action.

The instrument which the code is fully suits the Church's nature, for the Church is presented, especially through the magisterium of the Second Vatican Council, with her universal scope, and especially through the council's ecclesiological teaching. In a certain sense, indeed, this new code may be considered in a certain way as a great effort to transfer that same ecclesiological or conciliar doctrine into canonical language. And, if it is impossible for the image of the Church described by the council's teaching to be perfectly converted into canonical language, the code nonetheless must always be referred to in that same image, as the primary pattern whose outline the code ought to express as well as it can by its own nature.

From this derive a number of fundamental norms by which the whole of the new code is ruled, of course within the limits proper to it, as well as the limits of the very language befitting the material.

Canonical laws require to be observed by their very nature. Hence it is of the greatest importance that the norms shall be carefully expounded on the basis of solid juridical, canonical and theological foundations.

In consideration of all these things it is naturally to be desired that this new canonical legislation will be an effective instrument which the Church herself may use to perfect herself in accordance with the Second Vatican Council, so that she may make herself ever more equal to her salvific task in this world.

More Opinions

Soldiers Are Peacekeepers

Editor:

"Must Not Choose War" (Jan. 12) from a reader in Trumansburg is the caption for a letter to editor which is not relevant to the complaints of the writer. War is not necessarily "chosen." Sometime, war could be thrust upon us by imperialists whose proclaimed goal is world domination.

My sympathy is with the writer of headlines. What could possibly describe a series of diatribes against the military and good priest who upheld the teachings of the Church in these matters? How unjust of the writer to compare the soldiers of an all-powerful Caesar who slaughtered, on order, the Holy Innocents with the military of a free state.

My short, wartime tenure with American Red Cross provides me with a more balanced viewpoint. I remember interviews and soldiers returning from the European-African theaters, telling me of the children who intuitively knew them to be friends. The cries of "chocolate, chocolate" or "chaw-gum" were never unanswered. Not a day went by that I did not hear stories of the compassion of our soldiers, particularly in the Italian campaign. In this city there is a Vietnam vet who was instrumental in providing care for the wretched waifs whose parents had been killed by the Communist Viet Cong. No professional social worker could have done better.

The story of My Lai is not the story the writer tells. It

happened — but it was not commanded by superior officers; it was contrary to military policy. The true account is of a battle-fatigued young man, exhausted and terrorized. Tactics of the Communists had demoralized him with such devices as sending children to greet the Americans, their little bodies booby-trapped with explosives. He finally cracked.

The right of freedom of speech was assured the Trumansburg writer by the poorly-clad, hungry soldiers at Valley Forge.

My own great-great-grandfather and his five sons fought and suffered in the Civil War. Would Mr. Trumansburg prefer slavery to remain unchallenged?

Today, a great soldier, Gen. Daniel O. Graham (USA, Ret.), a recent convert to Catholicism, has developed a non-nuclear defense system of utilizing our superiority in space and which would deter enemy missiles before they reached this continent. Even the most fanatic pacifist should work for its development or admit hypocrisy.

LISTEN. Mr. Trumansburg, to the words of the Council Fathers, Vatican II: "Those who are pledged to the service of their country as members of its armed forces should regard themselves as agents of security and freedom on behalf of their people. As long as they fulfill this role properly, they are making a genuine contribution to the establishment of peace."

Gertrude Newberry 160 Azalea Road Rochester, N.Y.

Musician Meeting Scheduled

The second in a series of regional meetings of pastoral musicians of the diocese will take place from 7:30 to 9:30 p.m., Wednesday, Feb. 9, at St. Patrick's Church in Seneca Falls, it was announced by John Kubiniec, Liturgy Office consultant.

The purpose is to present to the musicians the various services available through the diocesan Liturgy Office and to discuss programs being planned. Discussion will be

Knights Assist At Rosary

Continuing a practice of 18 years, members of the Rochester Regiment, Knights of St. John have started a new year of assisting at the Family Rosary for Peace.

The third Monday of each month, one of the district commanderies participates in reciting the responses as the rosary is broadcast by Msgr. Joseph Cirrincione from the Rosary Chapel on Orange Street.

All members of the commanderies are invited to attend the rosary services.

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offered on parish music programs as well. An additional feature will be a display of current books, periodicals and music. Anyone wishing further information should contact the Liturgy Office at (716) 328-3210.

KAKE KORNER 1688 CLIFFORD AVE. near Goodman. 3 tier serves up to 100, \$40. 4 tier serves 175 to 200, \$60. 5 tier whipped cream, custard filling serves up to 100, \$60. Decorator cakes, whipped cream & strawberry, lemon, pineapple, custard filling: 1/4 sheet, \$7.00; 1/2 sheet, \$10.00; full sheet, \$18.00. Decorator cakes butter cream frostings, half sheet, \$9.00, full sheet \$16.00. PHONE 482-1133. We Deliver

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Fr. Albe Shamo

Word for

Paying Attention

Sunday's Lk. 5/1-11: Cor. 15/1-1

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