



Question 8

Should we accept the 1983 Code of Canon Law?

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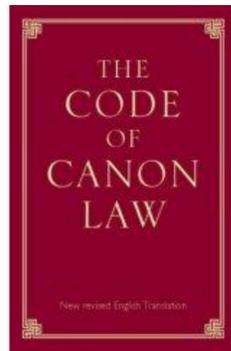
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A code is a collection of laws, each one being an order of the competent authority: each canon in the 1917 Code of Canon Law was a law of Benedict XV, and each canon in the 1983 Code of Canon Law (commonly called the "New Code") is a law of Pope John Paul II.

For Pope John Paul II, the purpose of the 1983 Code of Canon Law is the expression of the Second Vatican Council's new ecclesiology (*i.e.*, the new understanding that the Church has of her nature and mission) in canonical language, and it must be understood always in the light of conciliar teaching. *Sacra Disciplinae Leges*, January 25, 1983

But [Vatican II](#) adulterated Catholic teaching.



1983 Code of Canon Law

We must, therefore, suspect the new legislation of codifying the same errors and so be ready not to accept all its "laws," [[principle 9](#)] but only those which do not evidently compromise Catholic teaching on faith or morals.

For the most part, we may regret the loss of clarity, precision and integrity the 1917 Code of Canon Law had, but that is insufficient reason to reject these canons.

There a few novelties that must be rejected though:

Canon 844, §4 allows the administration of penance, anointing of the sick, and even holy communion to non-Catholics who manifest "*Catholic faith*" (*vs. [principle 7](#)*) in these sacraments.

This used to be considered a mortal sin and was gravely forbidden (1917 Code of Canon Law, canon 731, §21) because it implicitly denies the dogma, "*Outside the Church, no salvation*" ([principle 2](#)).

This is an inadmissible surrender to modernist ecumenism.

Canon 1055, §1 no longer defines marriage by its primary end, the procreation of children, but mentions this only after a secondary end, the good of the spouses. And this latter, as we can see in the light of annulments now given, has become the **essence** of marriage [*vs. [principles 5 & 6](#)*]: the partners give each other their whole selves (and not just "*the exclusive and perpetual right over the body of the partner as regards the acts capable in themselves of generating offspring*," 1917 Code of Canon Law, canon 1081, §2) for their self-fulfillment in wedlock (canon 1057, §2).

There is considered to be no marriage where one spouse cannot provide the other this help (canon 1095, 20 and 30, canon 1098, etc., *cf.* canon 1063, 40). Whence today's annulments' fiasco: in the United States, for example, there were 338 annulments granted in 1968; there were 59,030 in 1992.

Hence grave doubts are to be held concerning the annulments issued by *Novus Ordo* tribunals.

Canon 336 codifies the collegiality of Vatican II. The "*college of bishops*," a 20th century invention, is now made a permanent subject, together with the pope, of supreme and full power over the Universal Church. A bishop, moreover, participates in this universal jurisdiction by the mere fact of his consecration (*cf.* canon 375, §2).*

*This becomes all the more disconcerting when one considers the recognition now given by the Vatican to the Orthodox bishops. *Cf.*, Pope Paul VI:

It is on the heads of the Churches, of their hierarchy, that the obligation rests to guide the Churches along the way that leads to full communion again. They ought to do this by recognizing and respecting each other as pastors of the flock of Christ entrusted to them...

Quoted at Balamand, by the Joint International Commission for the Theological Dialogue between the Roman Catholic Church and the Orthodox Church, *Final Statement* §18 *cf.*, §14; *Ut Unum Sint* §§50-63

This collegiality tampers with the divine constitution of the Church, derogates from the pope's powers, and hampers his government of the Church (and that of the bishops in their dioceses). "episcopal conferences" now assume authority, which thus becomes impersonal and unanswerable.

These are but the most grave deficiencies; other defective points include the following:

- mixed marriages (canons 1125, 1127),
- diminution in censures (excommunication of freemasons, etc.),
- the teaching of St. Thomas Aquinas is no longer strictly enjoined in seminaries (canons 251ff), and
- general absolutions are more readily available (canons 961-963, etc.).

In passing, it is interesting to note that for Pope John Paul II the 1983 Code of Canon Law has less weight than a conciliar constitution.

More on this topic

New laws for a new ecumenism

According to John Paul II, the Council's ecclesiological structure clearly required a renewed formulation of its laws... the reason for the close relationship between Vatican Council II and the Code of Canon Law was that the 1983 Code was the culmination of Vatican II... 2-1-2013 DICI

Archbishop Lefebvre on the New Code of Canon Law

A conference given in Turin, Italy in 1984 shortly after the publication of the New Code