

School of Theology and Ministry
Seattle University
901 12th Avenue, PO Box 222000
Seattle, WA 98122-1090

Winter Quarter 2014 (January 7 – March 17, 2014)

COURSE INFORMATION

STMA 507 Canon Law

Jan 11-12, Feb 22-23 (Sa 8:30am-4:30pm, Su 9am-4pm)

Classroom: HUNT 150

Prerequisites: none

INSTRUCTOR

Lynda Robitaille JCD

Office:

Office Hours: by appointment

Office Phone:

SU Email: lyndarobitaille94@gmail.com

Texts and Materials

Required texts:

John Beal, James Coriden, Thomas Green, eds., *New Commentary on the Code of Canon Law*, New York, Mahway, NJ, Paulist Press, 2000.

Recommended texts:

John Huels, *A Pastoral Companion. A Canon Law Handbook for Catholic Ministry*, Fourth updated Edition (Gratianus Series), Montreal, Wilson and Lafleur, 2009.

G.J. Woodall, *A Passion for Justice. An Introductory Guide to the Code of Canon Law*, King's Lynn, England, Gracewing, 2011.

Course Description

An overview of the canon law governing the Roman Catholic Church; the development of a fundamental way of approaching canon law in general, and how to interpret and use it pastorally.

Course Goals and Objectives

This course will give an overview of the role of canon law in the life of the Roman Catholic Church. It aims to give the students an understanding of what the law encompasses, as well as to be a practical guide for how to resolve canonical issues that are part of ministry. The course will cover: the role of law in the Church, the sacraments, the hierarchical structure of the Church. The course will also explore the link between the law and theology.

Learning Outcomes: MDIV

- Ability to inform ecclesial leadership with theology.
- Knowledge of the tradition in relation to sacramental theology, liturgical method, worship elements and structure, and the ability to engage them in an ecumenical diversity of praxis.
- Ability to articulate and live from an understanding of self as human, minister, and leader.

- Ability to guide and direct a Christian community (i.e. a congregation, parish, pastoral care unit, etc.) in its mission.

Course Requirements

Attendance at all the onsite classes is required. If you cannot attend all classes, please speak to the professor to work out what might be acceptable.

There will be reading assigned throughout the course. Reading from *New Commentary on the Code of Canon Law* is strongly encouraged; reading from the other suggested sources is recommended. Be prepared to discuss the readings and to apply the theories to practical examples.

Please bring to every class: *New Commentary on the Code of Canon Law*

Grade breakdown

Class participation (participation in discussion; preparedness for discussion):	30%
1 st assignment (presentation of an issue): to be presented and handed in Feb. 22-23	30%
2 nd assignment (10-15 pages): due March 10, 2014	40%

Assignments

1st assignment: due February 22, 2014

Answer a canonical question (you may choose among a number presented by the professor). Once you have answered the canonical question, reflect on how the law is trying to help pastorally in this situation. If it is your opinion that the canon is not ‘pastoral’, consider why strict regulations might be necessary in a particular situation. Of, if you consider the law to be ‘pastoral’, how is it so? Can you highlight situations where the law might be interpreted strictly, or others where it is interpreted less strictly? You will present your paper to the class in a short 10 minute presentation on Feb. 22 or 23.

2nd assignment: due March 10, 2014 (10-15 pages)

Choose a theme/subject that interests you theologically. Consider the following:

- is it dealt with in canon law?
- if so, how?
- if not, why not?

Consider not only what has been legislated, but also what is left open in the law for further interpretation. Are different interpretations possible?

What does your research tell you about the relationship between theology and canon law?

Cite commentaries and articles, as well as legislation since the 1983 Code, if applicable.

Topics must be approved by professor.

Grading Criteria

Papers are due on the date specified. If papers are late, 2% per day will be deducted from the final grade. Papers will not be accepted beyond March 11, 2014.

Grading Weight and Scale

Letter Grade	Numerical Equivalents	Other qualities expected of students
A+	90-100	Strong evidence of original thought, of analytic and synthetic ability; sound and penetrating critical evaluations which identify assumptions of those they study as well as their own; mastery of an extensive knowledge base. Superior grasp of subject matter with sound critical evaluations; evidence of extensive knowledge base.
A	85-89	
A-	80-84	Clear evidence of original thinking, of analytic and synthetic ability; sound critical evaluations; broad knowledge base. Strong grasp of subject matter with sound critical evaluations; evidence of broad knowledge base.
B+	76-79	Good critical capacity and analytic ability; reasonable understanding of relevant issues; good evidence of familiarity with literature
B	70-75	Adequate critical capacity and analytic ability; some understanding of relevant issues; reasonable understanding of relevant issues; evidence of familiarity with literature.
B-	66-69	
F	0-65	Failure to meet the above criteria

Schedule of Course Activities:

This is a proposed outline of classes. What is covered or emphasized in class might change depending on the interests of the students. Please feel free to request specific topics.

N.B. This course will not cover books V and VI of the Code, as well as most of books I and VII. If people are interested in these books, we can add them and change the proposed format of the course, as necessary.

This material will be covered throughout, as it comes up:

Subjects of the law (cc. 1, 7-22, 96-112)

Power of governance (cc. 129-144)

Dispensations (cc. 85-93)

Defense of rights: within this topic we will address declarations of invalidity, protection of one's good name, as well as issues arising from the clergy sexual abuse scandal. If there is need, we will allot more class time to this issue.

Suggested reading: *New Commentary*: pp. 47-49; 55-86; 140-153; 183-194; 126-137
If you have the recommended texts by Huels and/or Woodall: *Woodall*, pp. 46-80

Offsite (January 6-10, 2014):

Background reading: *New Commentary on the Code of Canon Law*, pp. 1-26
Woodall, A Passion for Justice, pp. 1-45

Onsite: Session I, Jan. 11, 2014 (8:30 am – 4:30 pm):

Overview of course. What is canon law: what is its role in the church; what is its history in the 20th century; introduction to the 1983 *Code of Canon Law*, as well as a brief introduction to the 1990 *Code of Canons of the Eastern Churches*.

We will address: familiarity with the Code and other legislative texts, including what is contained in the Code, how to use it, how to cite documents, how to know their weight.

We will study some basic principles: common good, natural, divine and positive law, *salus animarum suprema lex*.

Structure of the 1983 Code; influence of Vatican II: *munera* of teaching, sanctifying and ruling

Structure of the Church: Rights and obligations of the faithful (cc. 208-223)
Rights and obligations of the lay faithful (cc. 224-231)
Rights and obligations of clerics (cc. 227-289)
Rights and obligations of institutes of consecrated life and their members (cc. 662-672)

Suggested reading: *New Commentary*: pp. 241-392; 828-842
Woodall, pp. 81-104

Structure of the Church: Universal Church (Roman Pontiff and Roman Curia) (cc. 330-341; 349-361)
Particular church/diocese (diocesan structures) (cc. 368-411; 460-514)

Suggested reading: *New Commentary*: pp. 423-453; 464-489; 501-546; 610-672
Woodall, A Passion for Justice, pp. 111-161
Huels, Pastoral Companion, pp. 429-438

Onsite: Session II, January 12, 2014 (9:00 am – 4:00 pm):

Structure of the Church: Parishes (cc. 515-555)

Suggested reading: *New Commentary*: pp. 673-733
Woodall, A Passion for Justice, pp. 162-174
Huels, Pastoral Companion, pp. 393-424

Sacraments: Introduction (cc. 840-848)
Baptism (cc. 849-878)
Confirmation (cc. 879-896)
Eucharist (cc. 897-958)
Penance (cc. 959-997)
Anointing of the Sick (cc. 998-1007)

Suggested reading: *New Commentary*: pp. 997-1192
Woodall, *A Passion for Justice*, pp. 231-319
Huels, *Pastoral Companion*, pp. 39-174

Offsite (January 13-February 21, 2014):

Catch up on readings from previous weekend, prepare for future readings; work on first paper and presentation.

Onsite: Session III, February 22, 2014: (8:30 am – 4:30 pm):

1st assignment: both to hand in and for presentation on Saturday, Feb. 22

We will continue with whatever we did not cover last session, including questions and discussion.

Sacraments: Orders (cc. 1008-1054)

Suggested reading: *New Commentary*: pp. 1193-1233
Woodall, *A Passion for Justice*, pp. 320-343
Huels, *Pastoral Companion*, pp. 175-202

Sacraments: Marriage: introduction, preparation, impediments, consent, canonical form, mixed marriages (cc. 1055-1129)

Suggested reading: *New Commentary*: pp. 1234-1352
Woodall, *A Passion for Justice*, pp. 344-420
Huels, *Pastoral Companion*, pp. 203-306

Onsite: Session IV, February 23, 2014 (9:00 am – 4:00 pm):

Sacraments: Marriage: dissolution, declaration of nullity, ‘convalidation’ (cc. 1141-1165; 1671-1685)

Suggested reading: *New Commentary*, pp. 911-939; 947-948; 953-976
Woodall, *A Passion for Justice*, pp. 420-422; 502-520
Huels, *Pastoral Companion*, pp. 307-332

Teaching office: Infallibility (cc. 749-754)
Ministry of the Divine Word (cc. 762-772)
Catechetical Formation/Catholic Education (cc. 773-821)
Missionary Activity (cc. 781, 788)

Suggested reading: *New Commentary*, pp. 911-939; 947-948; 953-976
Woodall, *A Passion for Justice*, pp. 210-230

Other acts of divine worship: Sacramentals (cc. 1166-1172)
Liturgy of the hours (cc. 1173-1175)
Funerals (cc. 1176-1185)
Sacred times and places (cc. 1205-1253)

Suggested reading: *New Commentary*: pp. 1400-1413; 1424-1448
Woodall, *A Passion for Justice*, pp. 429-438
Huels, *Pastoral Companion*, pp. 333-376

Offsite (February 23-March 11):

Continue with readings; final paper due March 11, 2014

Policies

Academic Honesty (including plagiarism): The School of Theology and Ministry strictly adheres to the academic policy regarding Academic Integrity as indicated on the Seattle University Registrar website, as noted in the box below.

Disability: If you have, or think you may have, a disability (including an ‘invisible disability’ such as a learning disability, a chronic health problem, or a mental health condition) that interferes with your performance as a student in this class, please see related note in the box below.

University Resources and Policies

Academic Resources

- Library and Learning Commons (<http://www.seattleu.edu/learningcommons/>)
 - (This includes: Learning Assistance Programs, Research [Library] Services, Writing Center, Math Lab)
- Academic Integrity Tutorial (found on Angel and SU Online)

Academic Policies on Registrar website (<https://www.seattleu.edu/registrar/academics/performance/>)

- Academic Integrity Policy
- Academic Grading Grievance Policy
- Professional Conduct Policy (only for those professional programs to which it applies)

Notice for students concerning Disabilities

If you have, or think you may have, a disability (including an ‘invisible disability’ such as a learning disability, a chronic health problem, or a mental health condition) that interferes with your performance as a student in this class, you are encouraged to arrange support services and/or accommodations through Disabilities Services staff located in Loyola 100, (206) 296-5740. Disability-based adjustments to course expectations can be arranged only through this process.