

# **Canon Law**

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# Page 1: Canon Law

## Canon Law

**Content: The body of laws for the governance of certain churches and the spiritual perfection of its members. .**

### Overview:

This course will examine the canon law history and role of law in the life of the Church. Materials for the course were selected based on the traditional uncodified orthodox corrective method unlike the presumption magisterial practices in the Roman Catholic Church. Instructional methods used in this course are primarily based upon Scripture, reason; and tradition. Some modern ordinaries have introduced a fourth means of arriving at a canonical ruling, namely experience. These methods ought to be understood as pastoral guidelines and not legislative text. During this course the corrective aspects of applying the spirit of the law, rather than the letter of the law will be emphasized. Tradition of the holy canons are in place as a means of creating, formulating, interpreting, executing, validating, amending and revoking various laws.

### Why study Canon Law?

Without oversight and regulation within the Church there would be considerable misunderstanding and confusion in its operation. Church law is necessary to safeguard particular interests or divided interests and to serve as a guide as a necessary means of survival. As with any organization the Church must have in place a set of authoritative rules to discern truth and to operate and live by.

### Learning Objectives:

1. Discuss the history of canon law
2. Create a working familiarity with ancient ecclesiastical decrees concerning the government and discipline of the Early Christian Church.
3. Compare and contrast the canonical traditions of the Orthodox Church and the Roman Catholic Church.
4. Understand the wide variation in legislating, interpreting and adjudicating canon law as adopted by ecclesiastical authorities.
5. Discuss the pastoral aspects of applying precedence canon law in the Orthodox Christian Churches.
6. Explain the methodology approaches to Canon Law using scripture, reason, tradition and experience.
7. Recognize the general components of Scripture; Traditions of the Church as found in the writing of the Ante/Post Nicene Fathers; the Apostolic Canons i.e. The Didache; and the Rudder; Canon Tradition of the Orthodox Church; Ecumenical Council and Ecclesiology.
8. Apply case study method using canon law references.
9. Develop a working understanding of the contents of the Didache four parts.
10. Write a formal paper on an assigned Canon law discussion question.
11. Complete weekly exercises and pass a comprehensive examination related to the core learning objectives

# Page 2: Canon Law

## Assignment # 1

[http://en.wikipedia.org/wiki/Canon\\_law](http://en.wikipedia.org/wiki/Canon_law)<http://www.orthodoxa.org/GB/orthodoxy/canonlaw/canonlaw.html>

## Read PP 1-6

### Canon Law

1. Explain what canons formed the foundation of canon law.
2. What was the purpose of the Canons of the Apostles?
3. Discuss the early church first canons in Ecumenical councils
4. Who is credited with the first systematic collection of official and unofficial canons?
5. Explain why and when Pope St. Pius X ordered the creation of the first code of Canon Law.
6. What was the justification for revising the Roman Church code of canon law and approving a separate code of law for the Eastern Catholic Churches?
7. Who is the patron saint of canonist?
8. Discuss the Book of Concord and why it is considered a confessional document.

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## Assignment # 2

### The Canonical Tradition of the Orthodox Church

#### Read PP 1-8

#### The Rudder

<http://www.orthodoxa.org/GB/orthodoxy/canonlaw/canonicalTradition.htm>

1. What is the theological basis for the Church's Law?
2. What is the main goal of canon law in the Orthodox tradition?
3. What are the three main sources of canon law in the Orthodox collections?
4. Discuss the orthodox pastoral significance of canon law.
5. Explain the concept of 'economy' and how it is exercised in the Orthodox Churches.
6. Explain Canon 39 of the Quinisext Synod or the Synod of Trullo.
7. Define the term 'Rudder of Orthodox Christians.'
8. What is the Rudder also known as?
9. Explain the orthodox metaphor for the term 'rudder.'

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Assignment # 3

<http://www.ccel.org/ccel/righardson/fathers.viii.i.iii.html>

Read PP 1-11

The Teaching of the Twelve Apostles/Didache

[http://en.wikisource.org/wiki/Dictionary\\_of\\_Christian\\_Biography\\_and\\_Literature\\_to\\_the End of the Sixth Century/Dictionary](http://en.wikisource.org/wiki/Dictionary_of_Christian_Biography_and_Literature_to_the_End_of_the_Sixth_Century/Dictionary)

Read PP 1-10

1. What are the two precepts in the first way of life?
2. Who is the author of the Teaching of the Twelve Apostles?
3. Explain what section was addressed to the catechumen
4. What direction is given for baptism?
5. Explain what direction is required before partaking in the Eucharist.
6. What is written about an unbaptized person?
7. What is the reported place of composition of the Church Ordinances?
8. What is the use of a manual for instruction theory about the Didache?

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## Assignment # 4

### Didache

<http://en.wikipedia.org/wiki/Didache>

### Read PP 1-13

1. Discuss the three main textual parts of the Didache.
2. What date do most scholars tend to assign the text of the Didache?
3. Discuss the early references of the Didache
4. Name the four parts and chapters of each in the Didache
5. Identify the longer titles referred to as the Didache.
6. Discuss the instruction content of Chapters 1-6 in the Didache
7. Summarize the instruction content of the second part of the Didache in chapters 7-10.
8. Explain why the Didache placed emphasis on itinerant ministers.
9. Who is the most probably source for parts of the Didache?
10. In your readings what is the evidence found to suggest that the Didache is the earliest Christian document?
11. Discuss the modern scholarship consensus about the dates of the Didache and its similarities with the gospel of Matthew.

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Assignment # 5

<http://www.ccel.org/ccel/schaff/anf07.iii.i.html>

Introduction Notice to Lactantius

Read PP 1-7

<http://www.newadvent.org/fathers/0711.htm>

Chapter 1

Read PP1-2

<http://www.ccel.org/print/schaff/anf07/iii.ii.i>

Read P. 1

1. In the Introductory notice to Lactantius what was said about Constantine's faith?
2. What was Lactantius's principal written work?
3. Why would Lactantius claim as a theologian be open to question?
4. In Chapter 1, where does Lactantius say that truth comes from?
5. Explain why the truth is the secret of the Most High God.
6. Why does truth have to be explained?
7. Why do people deny the heavenly benefits and gift of God?
8. What does Lactantius define the sum of his knowledge?
9. What is the cause of perverseness for those who fight against themselves?
  
10. In writing about the authors of earthly philosophy, why does Lactantius tell us their on the wrong path?
  
11. What is described as the more pleasant food for the soul?
  
12. Place the date or century of the early Christian thinkers such as Lactantius.
  
13. Who does Lactantius employ as a defender of the truth?
14. Summarize the background of Lactantius before his writings.
15. Why has the writing style of Lactantius been publically praised?

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## Assignment # 6 Discussion Paper

### Question:

1. From your readings explain why after the New Testament Period, local churches scattered all around the Mediterranean basin appear to have mutual recognition and communication between themselves without a central authority or single rule-making power.
2. Why do you think some of the earliest records we have about the life of these churches are canonical?
3. You may have noticed that canon law and the Code of Canon Law contain different literary forms. Explain the importance of recognizing literary form and how it may have been expressed in the Early Church.
4. Discuss your personal opinion about the differences between the absolute canon law and the spirit of the law.
5. Research the meaning of “autocephalic” and discuss the concepts application to canonical jurisdiction in the early church and the modern churches.

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Assignment # 7

Ante-Nicene Fathers

[http://en.wikipedia.org/wiki/Ante-Nicene\\_Fathers](http://en.wikipedia.org/wiki/Ante-Nicene_Fathers)

Read PP 1-3

Canons of the Apostles

[http://en.wikipedia.org/wiki/Canons\\_of\\_the\\_Apostles](http://en.wikipedia.org/wiki/Canons_of_the_Apostles)

Read PP 1-4

1. What is the sub title of the Ante-Nicene Fathers and how many volumes does it contain?
2. What were the original published date and what period is covered in the Ante-Nicene Fathers?
3. What is the academic criticism of the Ante-Nicene Fathers?
4. In which volume is the Fathers of the Third and Fourth Centuries found?
5. Name the Church Fathers that follow the beginning of Christianity (Volume 1 -Justin Martyr and Irenaus.) through the Ninth Volume.
6. What are the Apostolic Canons?
7. What do the Canons of the Apostles tell us about office and duties of a Christian Bishop?
8. What do the Canons of the Apostles tell us about qualifications and conduct of the clergy?
9. Summarize the statutory legislation of the Early Church in the following areas mentioned in Canons of the Apostles: fasting; abstinence; marriage; administration; excommunication; synods relations with Jews; and the sacraments.
10. Explain why the Canons of the Apostles, last three decrees, are considered very important?

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## Assignment # 8

Read assigned sections of Scripture

In the following passages briefly state the examples of rules or policies of those early Churches drawn from the pages of the New Testament.

**Matthew 5:31-32**

**Matthew 20:25**

**Matthew 28:19**

**Matthew 18: 18**

**Matthew 19: 3-9**

**Rom 15:26**

**1 Cor. 12:28**

**Eph 4:11**

**Mark 20:25**

**John 13: 1-5**

**1 Tim. 3: 2**

**Tit 1-7**

**Eph 5-21**

**Luke 16: 2-18**

**Acts 2: 38**

**1 Peter 3:21**

**1 Cor. 11:20-21**

**John 20:22-23**

**James 5: 14**

**1 Tim. 4:14**

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## Assignment # 9

### Ecumenical Councils

[http://orthodoxwiki.org/Ecumenical\\_Councils](http://orthodoxwiki.org/Ecumenical_Councils)

Read PP 1-5

1. What are the two primary issues Ecumenical councils decide upon?
2. What is meant by the term “robber council”?
3. What is meant by the term “receptionsim?”
4. Who decides a council ecumenicity in the Roman Catholic Church?
5. Explain the 1848 Encyclical of the Eastern Patriarchs.
6. What are some of the problems in the literature with receptionism?
7. List the seven Ecumenical Councils and their accomplishments.
8. What is the ecclesiological theory which has been popular since the time of the Slavophile philosopher Alexis Khomiakov regarding universal infallibility?
9. Is there a universal definition as to what precisely leads a council its ecumenicity?

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Assignment # 10

[http://en.wikipedia.org/wiki/Christian\\_worship](http://en.wikipedia.org/wiki/Christian_worship)

Christian Worship

Read PP 1-8

1. Define the term Liturgy and its origins.
2. How was prayer set during the day in the early church?
3. Where can we find the earliest development of Christian worship?
4. How is worship applied in the New Testament?
5. Name those in the early church who took up the theme of worship.
6. In the early Christians worship services how was the use of incense first originated?

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## Assignment #11

[Http://en.wikipedia.org/wiki/Ecclesiology](http://en.wikipedia.org/wiki/Ecclesiology)

Read PP 1-5

1. Define the term “ecclesiology.”
2. What is the origin of the word “Etymology?”
3. Identify the issues addressed by ecclesiology.
4. What are the four models of Church that have been prevalent throughout the history of the Catholic Church?
5. What is the Roman Catholic view on jurisdiction over the Church?
6. What is meant by a “plurality in unity and a unity in plurality?”
7. What argument did Martin Luther use to suggest that the Roman Catholic Church lost sight of the “doctrine of grace?”
8. Define Radical Reformation Ecclesiology.
9. Name the beliefs that define Church
10. List the rituals that define Church.

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## Assignment # 12 Paper

### Hypothetical case study:

In a certain Catholic parish the Ordinary of the Diocese has order his priests to withhold Holy Communion from certain political figures that are in discord with the Church laws on abortion. Newspaper accounts indicate that those who receive Holy Communion should be in the state of grace. Taking a public position on abortion against the Church is a mortal sin and unless confessed one should not receive Communion.

Unofficially many have joked about the ban particularly when the parish priest has rejected the notion of blocking someone from the Communion rail. Some parish priests have argued that they cannot appoint "Communion police" to restrain people from Communion nor can they afford to have a public confrontation inside the Church.

1. Is the Ordinary correct in giving an order to his priest to ban certain persons from receiving Communion?
2. Should the priests who refused to obey the Ordinary be punished?
3. What canon law is the Ordinary following in directing his priests?
4. How could this controversy been avoided?
5. What would you have done if you were either the Ordinary or the parish priest involved in this situation?

Recent scandal of Roman Catholic clergy sexual abuse revealed inadequate applications of canon law were not applied evenly, or ignored. Many of those accused were afforded a remedy of repentance therapy and reassignment rather than imposing penalties under the law.

1. What is the canonical definition of sexual abuse of a minor and what is the punishment for it?
2. Would the strict application of canon law reduced or eliminated the scandal?
3. What do you suppose was the attitude of the Archbishops and Bishops involved in deciding certain sex cases against minors?
4. How may the Church restore its reputation among the laity?
5. Is it morally right to protect the Church with silence and indifference toward the victims?
6. Should Ordinaries be shown some leniency because they had a duty to protect Holy Mother Church?