

Changes of canon law from the Second Vatican Council to the present

Abstract

This diploma thesis deals with the development of canon law after the Second Vatican Council. Canon law, like other systems of law, is undergoing constant development, responding both to the development of human knowledge and to the changes in society in which it exists. The thesis deals with the changes of canon law made by the popes after the Second Vatican Council, with the main emphasis being placed on the changes made by papal laws, ie apostolic constitutions or *motu proprio*. Ecclesiastical laws of lower legal force are included in the work only if they implement the papal law or are otherwise directly affected by it.

The introductory part of the thesis deals with the historical context of the Second Vatican Council, especially the First Vatican Council, which was forcibly interrupted right after the publication of the first two documents and never officially ended. Nevertheless, the work on the first codification of canon law, completed in 1917, was born on its basis. The social and political development associated with the two world wars caused the need to reform not only the code but also the whole canon law.

The next part of the work deals with the Second Vatican Council, convened by Pope John XXIII. for the purpose of ecclesiastical reform, which was to include the adaptation of canon law to the needs of the faithful and the Church. The five-year effort of bishops from all over the world was then reflected in many conciliar documents, from which the Church draws inspiration to this day.

The last part of the work examines the changes in canon law made by the Popes during and especially after the end of the Second Vatican Council. Pope Paul VI. began the legal reform of the church, as envisioned by its predecessor John XXIII. still during the council and continued in it until the end of his pontificate. Within its framework, he published many documents regulating various parts of canon law, from the reform of the Curia (*Regimini Ecclesiae universae*) to changes in the election of the Pope (*Romano Pontifici eligendo*) to the regulation of mixed marriages (*Matrimonia mixta*). His successor, John Paul II., also continued the legal reform that had begun. During his pontificate, the 1983 Code of Canon Law was first issued, ie the new codification of the law of the Latin Church, and after 7 years the Code of Canons of the Eastern Churches was issued, ie the first codification of the law of the Eastern Catholic Churches. Pope Benedict XVI, in his only 8-year pontificate, issued documents concerning both liturgical law (*Summorum Pontificum*) and the first direct amendment to

CIC/1983 (*Omnium in mentem*). The current Pope Francis I. has already managed to issue several documents interfering with canon law, both in marital law (*Mitis Iudex Dominus Iesus* and *Mitis et Misericordis Dominus Iesus*), substantive criminal law (*Come una madre amrevole a Vos estis lux mundi*) and the most extensive amendment to CIC/1983 to date (*De Concordia inter Codices*).