

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

Abstract

This thesis deals with the development of the canon law of the Catholic Church from the beginning of the Second Vatican Council to the present day, that is, from 1962. The aim of the thesis is to give an overview of the most significant amendments in the field of canon law in the period covered. During this period, six popes (including John Paul I, whose pontificate lasted only thirty-three days) succeeded at the head of the Catholic Church.

The first chapter of the thesis studies canon law as a legal discipline in the context of secular law.

The second chapter deals with the period of the Second Vatican Council, its convocation, and its successive four sessions. During the Council, the death of Pope John XXIII occurred. He was succeeded by Pope Paul VI, who immediately expressed his willingness to proceed with the Council and presided over the Council from the second session onwards. In particular, the individual subchapters analyse the sixteen documents issued by the Council during the sessions, which became the ideological basis for the subsequent changes in canon law.

The third chapter examines the legislative changes in canon law between the end of the Second Vatican Council and the publication of the new Code of Canon Law. This period is also referred to as the transitional period. The individual subchapters describe the liturgical and juridical reform that took place during this period, in the spirit of the Second Vatican Council.

The fourth chapter focuses on the one of the most important changes in the history of canon law, namely the publication of the new Code of Canon Law. Similarly, the fifth chapter describes the publication of the new Code of Canons of the Eastern Churches.

In addition to the two codes, canonical legislation consists of other church-wide laws, which are the subject of the analysis in chapter six. The sixth chapter offers a closer look at the laws issued during the pontificates of Popes John Paul II and Benedict XVI.

The seventh chapter, which is also the most extensive, provides a comprehensive overview of the various amendments to canonical legislation during the pontificate of Pope Francis, including the *motu proprio* issued on 8 August 2023. In describing the various changes, the greatest emphasis is placed on the changes in the areas of matrimonial law, criminal law, and the reorganization of the Roman Curia. An extensive subsection 7.13 deals with the almost

complete revision of canon criminal law, contained in Book VI of the 1983 Code of Canon Law. In this subchapter, the thesis states the individual reasons for replacing the entire Book VI and also examines and analyses particular canons of aforementioned Book VI.

In the process of developing this thesis were utilized methods of description, comparison, analysis, and synthesis.

Keywords: Canon Law, Second Vatican Council, Code of Canon Law, Motu proprio, Apostolic Constitution, Novella