

# 1917 Code of Canon Law

For the Code of Canon Law currently in effect, see 1983 Code of Canon Law.

For the Code governing the Eastern Catholic Churches, see Code of Canons of the Eastern Churches.

The 1917 Code of Canon Law, also referred to as the **Pio-Benedictine Code**,<sup>[1]</sup> was the first comprehensive codification of Latin canon law. It was promulgated on 27 May 1917 and took legal effect on 19 May 1918. It was in force until the 1983 Code of Canon Law took legal effect and abrogated it<sup>[2]</sup> on 27 November 1983.<sup>[2]</sup>

## 1 History



Cover of the 1917 Code of Canon Law

By the 19th Century, this body of legislation included some 10,000 norms. Many these were difficult to reconcile with one another due to changes in circumstances and practice. This situation impelled Pope St. Pius X to order the creation of the first Code of Canon Law, a single volume of clearly stated laws. Under the aegis of the Cardinal Pietro Gasparri, the Commission for the Codification of Canon Law was completed under Benedict XV, who promulgated the Code, effective in 1918. The work having been begun by Pius X and promulgated by Benedict XV, it is sometimes called the "Pio-Benedictine Code"<sup>[3]</sup> but more often the 1917 Code. In its preparation, centuries of material was examined, scrutinized for

authenticity by leading experts, and harmonized as much as possible with opposing canons and even other codes, from the Codex of Justinian to the Napoleonic Code.

In response to the request of the bishops at the First Vatican Council,<sup>[3]</sup> on 14 May 1904, with the *motu proprio* "*Archiduum sane sanum*", Pope Pius X set up a commission to begin work on reducing these diverse documents into a single code,<sup>[4]</sup> presenting the normative portion in the form of systematic short canons shorn of the preliminary considerations<sup>[5]</sup> ("Whereas...") and omitting those parts that had been superseded by later developments.

The code was promulgated on 27 May 1917 as the Code of Canon Law (Latin: *Codex Iuris Canonici*) by his successor, Pope Benedict XV, who set 19 May 1918 as the date on which it came into force.<sup>[6]</sup> For the most part, it applied only to the Latin Church except when "it treats of things that, by their nature, apply to the Oriental",<sup>[7]</sup> such as the effects of baptism (canon 87). It contained 2,414 canons.<sup>[8]</sup>

## 2 References

- [1] Dr. Edward Peters, *CanonLaw.info*, accessed June-9-2013
- [2] *NYTimes.com*, "New Canon Law Code in Effect for Catholics", 27-Nov-1983, accessed June-25-2013
- [3] Pietro Cardinal Gasparri, preface to the CIC 1917
- [4] *Manual of Canon Law*, pg. 47
- [5] *Manual of Canon Law*, pg. 49
- [6] *Ap Const. Providentissimus Mater Ecclesiae* Benedict XV, 27 May 1917
- [7] canon 1, 1917 Code of Canon Law
- [8] Dr. Edward N. Peters, *CanonLaw.info* "A Simple Overview of Canon Law", accessed June-11-2013

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#### *Manual of Canon Law*

Fernando della Rocca (translated by Rev. Anselm Thatcher, O.S.B.), "*Manual of Canon Law*" (Milwaukee: The Bruce Publishing Company, 1959)

# 1917 Piobenedictine Code Of Canon Law

**Judd E. Hollander**



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## **Table of Contents 1917 Piobenedictine Code Of Canon Law**

1. Understanding the eBook 1917 Piobenedictine Code Of Canon Law
  - The Rise of Digital Reading 1917 Piobenedictine Code Of Canon Law
  - Advantages of eBooks Over Traditional Books
2. Identifying 1917 Piobenedictine Code Of Canon Law
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an 1917 Piobenedictine Code Of Canon Law
  - User-Friendly Interface
4. Exploring eBook Recommendations from 1917 Piobenedictine Code Of Canon Law
  - Personalized Recommendations
  - 1917 Piobenedictine Code Of Canon Law User Reviews and Ratings
  - 1917 Piobenedictine Code Of Canon Law and Bestseller Lists
5. Accessing 1917 Piobenedictine Code Of Canon Law Free and Paid eBooks
  - 1917 Piobenedictine Code Of Canon Law Public Domain eBooks
  - 1917 Piobenedictine Code Of Canon Law eBook Subscription Services
  - 1917 Piobenedictine Code Of Canon Law Budget-Friendly Options
6. Navigating 1917 Piobenedictine Code Of Canon Law eBook Formats

- 
- ePub, PDF, MOBI, and More
  - 1917 Piobenedictine Code Of Canon Law Compatibility with Devices
  - 1917 Piobenedictine Code Of Canon Law Enhanced eBook Features
7. Enhancing Your Reading Experience
    - Adjustable Fonts and Text Sizes of 1917 Piobenedictine Code Of Canon Law
    - Highlighting and Note-Taking 1917 Piobenedictine Code Of Canon Law
    - Interactive Elements 1917 Piobenedictine Code Of Canon Law
  8. Staying Engaged with 1917 Piobenedictine Code Of Canon Law
    - Joining Online Reading Communities
    - Participating in Virtual Book Clubs
    - Following Authors and Publishers 1917 Piobenedictine Code Of Canon Law
  9. Balancing eBooks and Physical Books 1917 Piobenedictine Code Of Canon Law
    - Benefits of a Digital Library
    - Creating a Diverse Reading Collection 1917 Piobenedictine Code Of Canon Law
  10. Overcoming Reading Challenges
    - Dealing with Digital Eye Strain
    - Minimizing Distractions
    - Managing Screen Time
  11. Cultivating a Reading Routine 1917 Piobenedictine Code Of Canon Law
    - Setting Reading Goals 1917 Piobenedictine Code Of Canon Law
    - Carving Out Dedicated Reading Time
  12. Sourcing Reliable Information of 1917 Piobenedictine Code Of Canon Law
    - Fact-Checking eBook Content of 1917 Piobenedictine Code Of Canon Law
    - Distinguishing Credible Sources
  13. Promoting Lifelong Learning
    - Utilizing eBooks for Skill Development
    - Exploring Educational eBooks
  14. Embracing eBook Trends
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