



LEGAL AUTHORITY: IT COMES WITH THE TERRITORY

Last month, we began our reflection on the scope of legal authority in the Church by examining the fact that the basic document of the law in the Latin Church, the Code of Canon Law, is limited to Latin Catholics. Eastern Churches have their own body of law. While this limitation is not absolute, it is the first major boundary of canonical authority.

The next major boundary is a bit more tangible because, to see it, all one has to do is look on a map. Like many legal systems, canon law is territorial. When the law grants a person or institution authority, that authority is limited to the territory entrusted to that person or institution. In the case of a diocesan bishop or diocesan tribunal, for example, their authority is limited to their diocese.

Those involved in pastoral ministry often run up against the territorial boundary of the law when assisting couples with marriage. This is particularly important in matters of delegation and dispensations. We will discuss delegation below. Dispensations will be covered in the next issue.

Delegation: Tag, you're it!

Because the law is territorial, a parish is normally understood in the law as having a certain geographical territory. The law grants the pastor all of the authority he needs to care for the souls of those within that territory, including the authority to assist at the celebration of marriages. The law does not grant that authority to other priests or deacons, who, if they wish to assist at the celebration of a marriage in that parish, must receive that authority from the pastor through the process of delegation. Failure to receive delegation in such cases renders the marriage invalid due to a defect of canonical form.

For purposes of clarity and good record keeping, delegation should be done in writing on the M-A form, and a notation of the delegation should be made in the marriage register. If the pastor neglects to sign the delegation section of the M-A form but has clearly granted another priest or deacon the authority to assist at a marriage in his parish in some other way (e.g. by assigning the wedding to him), then delegation can be considered to have been granted orally. The pastor should make a notation of this in the marriage register.

Delegation is only one matter affected by the territorial boundaries of canon law. Tune in next month when we explore the exciting world of dispensations. Until then, keep the faith, love God's people, and always honor the code!

Tribunal road shows are back!

Questions about annulments? Please plan to attend one of the following presentations:

- Oct. 11, St. Bernard, Bradford
- Oct. 18, St. Catherine, Dubois
- Oct. 25, St. Boniface, Erie

All sessions begin at 7:00 PM. As always, inquiries can also be made directly to the Tribunal Office (814-824-1140).