

PARISH RIGHTS AND OBLIGATIONS^{1/}

For the first time in the Church's history, the 1983 Code of Canon Law contained a list of the rights and obligations of individual Catholics (cc. 208-223). Even though a similar list of rights and obligations for parish communities was requested at the time, it was not forthcoming. Nevertheless, there are numerous canons that protect and regulate parishes, as well as rights, that arise from the theology of the local Church and Catholic social teaching on subsidiarity.

The following is a brief summary of a more comprehensive list found in chapter six of *The Parish in Catholic Tradition*,^{2/} by the preeminent canon lawyer, Fr. James Coriden. Fr. Coriden is one of three general editors of the Code of Canon Law and a professor on the faculty of the Washington Theological Union. He is careful to say that his list is not meant to encourage legalism or to increase juridical battles over competing claims. Rather, his intent is to enhance parishioners' self-understanding of their parishes dignity and inherent authority as true churches and "not administrative units of some larger entity" (Coriden, p. 80).

- ❑ To Exist. The most fundamental right of a parish in canon law is the right to come into existence, be acknowledged and continue its existence (c 374.1). Once a community of faith is formed and recognized, it becomes a *juridic person*, which by nature is perpetual unless it is legitimately suppressed or stops all activity for 100 years (c. 120.1). To be suppressed, the impossibility of continued life must be clearly demonstrated.

According to Fr. Coriden, "A shortage of priests for pastoral leadership is not an adequate reason to suppress or combine parishes." Canon law strongly recommends liturgies of the word and group prayer in the absence of priests (c. 1248.2), clearly implying that the life and worship of the community must continue even when priestly leadership is absent." Canons 516.2 and 517.2 say the pastoral care of a parish may be entrusted to others, such as lay ministers or deacons. A diocese's presbyteral council, which is the body of priests whose function is to advise the bishop, must be consulted before any action is taken to suppress or merge parishes. Those with rights or interests in the parish must also be consulted (c. 515.2, c. 50, c. 1222.2) (Coriden, p. 73)

- ❑ To Maintain communion. Each local parish has the right and the duty to maintain active communion with the larger Church. Some signs of this include a profession of the common faith, celebration of the sacraments and recognition of the Church's governance, diocesan and universal (cc. 206, 209, 212.1, 392.1). In addition, parishes are obliged to contribute to and receive assistance from other parishes. This includes providing and receiving assistance in meeting worship needs, performing works of charity, supporting ministers in other communities and apostolic outreach (cc. 209.2, 529.2, 1261-1263).
- ❑ To equality. Canon 208 says that each local community of Catholics shares in the "true equality in dignity and action whereby all cooperate in the building up of the Body of Christ." This means that even though parishes differ in numbers of parishioners, wealth, geographical size, ethnic composition or other parameters, they are all equal. Because local communities are stable gatherings of Christians in which the Spirit dwells, no parish is more privileged than another, and no parish is second-rate compared to others and may not be treated as such.
- ❑ To Hear the Word of God and Celebrate the Sacraments. Canon 213 tells us that "The Christian faithful have the right to receive assistance from the sacred pastors out of the spiritual goods of the Church, especially the word of God and the sacraments." The right to the Eucharist is especially underscored because of the certainty of Catholic life and worship: "For a parish or other local community to be without regular, weekly, worthy celebration of the Eucharist is a most serious deprivation. It is a violation of the community's right to the sacrament in which it finds its own fullest realization and self-expression. It constitutes a grave impoverishment that can gradually deform the community, i.e., transform it into one no longer Eucharistically centered" (Coriden, p. 75).

- ❑ To Parish Leadership and Ministry. Ordinarily, a priest pastor is to be entrusted with the pastoral care of a parish (c 515.1) But canons 516.2 and 517.2 make allowances for cases of pastoral need (*such as no available priests) and permit pastoral care to be entrusted to others, such as competent lay ecclesial ministers, lay leaders, deacons or religious. Pastoral leadership is to reside within the parish (canon 529.1), see to the preaching of the word, teach the faith, provide sacramental preparation, and “ see to it that the Most Holy Eucharist is the center of the parish assembly of the faithful” (cc. 528.1, 528.2, 757, 764-771, 835-836, 843.1).

The local congregation has a right and obligation to participate in the direction of its pastoral and financial affairs through consultation via the parish pastoral council and the finance council (cc. 536-537, 1280). It is also the right to appropriate administration of its monies and properties, organizational direction and pastoral guidance (cc. 519, 532, 1279-1289).

- ❑ To Invite and Sustain Activities and Services. Each local community has a right to begin and sustain the special projects for justice, charitable works and apostolic and evangelical outreach that one would expect from a group of believers whose faith is alive (cc. 211, 215-216, 298-299, 384.2, 839.1). The community has a duty to promote social justice and assist the poor (c. 222.2). It has the right to form groups and associations to promote Christian witness in the world (cc.215, 225, 227).
- ❑ To Information, Communication and Consultation. Parishioners have a right to timely and accurate information from both the parish and the diocese about matters that concern their parish. Catholic people and communities have the right and the duty to make known to Church leaders and each other their needs, desires and perspectives on matters concerning the good of the Church (cc. 212.2, 212.3, as well as Vatican II's *Lumen Gentium*).
- ❑ To Formation and Education. Every Catholic Christian community has a right and obligation to assist all its members, both adults and children, in growing in their faith, knowledge and understanding of God's love through Jesus Christ (c. 217). These rights and responsibilities include catechumenal programs, catechetical programs, Catholic schools, and other suitable education (cc. 793-798, 800).
- ❑ To Evangelization and Missionary Activity. Canon 211 tells us, “All the Christian faithful have the duty and the right to work so that the divine message of salvation may increasingly reach the whole of mankind in every age and in every land.” Vocations (lay and ordained) to missionary work and financial help are fostered and sought from local faith communities.
- ❑ To Spiritual Growth. Each parish community must be concerned about and attend to its ongoing spiritual growth, repentance and conversion. It provides various special practices, prayers and retreats to meet those needs. “The Christian faithful have the right ... to follow their own form of spiritual life consonant with the teaching of the Church” (C. 214).
- ❑ To own and Use Goods and property. On their own authority, and in keeping with canonical norms, parishes have the right to acquire, retain, administer and dispose of their own goods and property (cc. 1255-1256). To this end, each parish is required to have a finance council (c. 537). Responsibility for and decision making about parish temporal goods belongs to the parish that purchased or inherited them (c. 1256).
- ❑ To Vindicate and Defend Rights. Local communities of “the Christian faithful can legitimately vindicate and defend the rights which they enjoy in the Church before a competent ecclesial court” (c. 221.1). By virtue of their establishment as parishes (c. 515.3), parishes have standing to uphold their rights.

Limitations on Rights and Obligations

Fr. Coriden says:

- ❑ Rights and duties are not absolute, but conditioned by circumstances, by the rights of others and by the common good:

- ❖ Rights and duties are not exercised in a vacuum. Parishes and other local congregations exist in a real world. They must recognize and operate within limits of concrete situations. Resources of personnel, time and money are limited; sometimes they can be stretched no further. No one should expect the impossible.
- ❖ The prerogatives of one parish or community cannot be advanced to the detriment of others. A sense of balance, fairness and respect for rights must characterize the claims of each.
- ❖ The principle of common good governs rights claims and the demand of obligations. It calls for coordination. All the communities within a diocese “have a place at the table.” All must be heard from and accounted for, and each must show consideration for the rest and for the good of the entire Church.

In exercising their rights, the Christian faithful, both as individuals and when gathered in associations, must take into account the common good of the Church, and the rights of others as well as their own duties toward others.

In the interest of the common good, Church authority has competence to regulate the exercise of the rights which belong to the Christian faithful (c. 223.1, 223.2). (Coriden p.80)

1/ Adapted from *Save Our Parish Community Project*, created by FutureChurch, Lakewood, Ohio.

2/ *The Parish in Catholic Tradition*, by Fr. James Coriden, Paulist Press, Mahwah, NJ, © 1997 by James Coriden.