

VAIHARAI

(The Dawn)

A Theological Half-Yearly

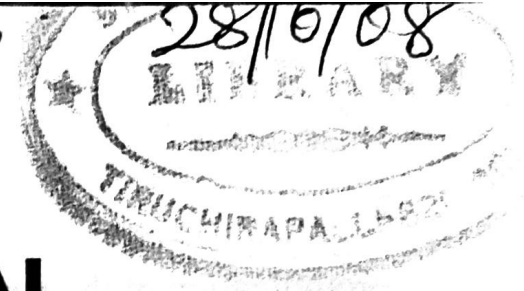
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Jan - Jun 2008

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Editorial

Any organisation or any society needs to be governed by certain laws to maintain, regulate and promote an enriching relationship among its members. Absence of law in a society puts the dignity of a person in a grave dangerous situation, because lawlessness only strengthens the strong against the weak. However, this does not mean that law is always at the service of the weak, poor, marginalised and excluded. Needless to say how today laws are enacted and interpreted to serve the interest of the rich and privileged sections of the society. Therefore, though laws in general contain and protect some intrinsic goods in themselves with a view to safeguarding and promoting the dignity of every individual, when they are implemented and interpreted, they do not always serve this noble purpose. Therefore, the letter of the law should be interpreted within the matrix of the spirit of the law that is love. Otherwise, it may become more of an exploitative tool rather than an empowering agent.

The Church gained a new self-understanding as the 'people of God' during the second Vatican Council, which opened up new vistas of change in its life and mission. It asserted the equality of dignity of all the members in the Church and consequently repositioned their relationship with one another. In this context it was incumbent on the Church to restructure itself as an organisation, so that its new vision may be translated into reality. Otherwise, it would tantamount to pouring new wine into old wineskin. Thus, in keeping with the new vision and programme of the Vatican II, the new Code of Canon Law of 1983 came into existence. Now, as we celebrate the 25th year of the

promulgation of the new code, in this issue of *Vaiharai* attempts are made to critically look at the relevance of the 1983 Code from the vantage point of the experience of 25 years. Also, in this issue we reflect on certain canonical issues which call for our urgent attention.

Fr. Y. Irudayaraj analyses the issue of relationship between the religious and the local Church. In the context of increasing tensions and conflicts between the religious and the local Church, the Indian Church should take efforts to ease the tensions, having the mission of the Church as its primary focus. Taking into account the changes in the contexts and theologies, Fr. Victor George D'Souza argues for a more context-sensitive code. In the same vein, Fr. Karambai Sebastian makes a review of the attempts made by the Indian Church to adapt the new code to our context and observes that such attempts leave a lot to be desired. Dwelling on the urgent need of culture-sensitive interpretation of the code, especially in the context of the matrimonial consent, Fr. Norbert Thomas suggests that the judicial authorities themselves should have more knowledge of the local culture. Fr. Sahayaraj studies the canonical position of the Church in its assertion on freedom to propagate religion and freedom to convert. For the pastors to have more and clear understanding of the parish administration, Fr. Antony Alagu Selvan explains in his article the juridical and pastoral dimensions of parish administration. Finally, making a comprehensive analysis of the Personal Law of Christians in India, Fr. Antony Samy helps us to understand better the issue of Personal Law.

Sebastian

Editor