

BOOK REVIEW

Perumayan, Dr Biju Varghese, *The Oriental Code (CCEO) and the Newly Revised Penal Law of the Latin Code (CIC) – A Review*, Dharmaram Canonical Studies 30, Dharmaram Publications, Dharmaram College, Bengaluru 2023, pp. vi+ 97, Price: ₹. 250.00/ \$.05.00.

Pope Francis, with the apostolic constitution *Pascite Gregem Dei*, promulgated the revised Book VI of the Code of Canon Law on 1 June 2021. After the *vacatio legis*, the new norm officially came into force on 8 December 2021. Earlier in 2007, Pope Benedict XVI thoughtfully ordered the Pontifical Council for Legislative Texts to go ahead with the revision process. Of course, it was based on a crucial observation that the penal sanctions and disciplines needed due updation, enabling those in office to become more organic and responsive to new situations and problems. Hence, this revised book VI is literally the fruit of nearly twelve long years of hard work. The Revised Book VI is mainly addressed to bishops and religious superiors, by the fact of their respective office, are called to implement the penal discipline. It serves as a reminder that these rules must be appropriately applied in pastoral governance when it becomes necessary to guide the faithful, repair scandals, and reform those who have committed a delict.

This book, *The Oriental Code (CCEO) and the Newly Revised Penal Law of the Latin Code (CIC) – A Review*, written by Dr. Biju Varghese Perumayan, consists of six chapters with a brief introduction and a conclusion, is indeed worth reading and would be of great use to the canonists of the both Eastern and Western Churches *sui iuris*. It is a compiled and updated version of all the lectures given by the author at Dharmaram Vidya Kshetram on the occasion of Fr *Placid J. Podipara CMI Endowment Lectures 2021-2022*. This book helps one to comprehend the novelty of the revised Book VI of CIC and to make a comparative reading of the revised text and Title XXVII of CCEO, which deals with penal sanctions. This book is structurally divided into two sections. The first section (first three chapters) deals with the context of the revision, while the second section analyses the revised text in detail.

The first chapter gives an introductory note concerning the situation before the promulgation of CIC and CCEO, how there was an increased dissatisfaction among the faithful towards penal law sanctions, and how it was seen merely as the product of old ecclesiology being somewhat anachronistic in terms of the needs and challenges of the time. He then diligently enumerates several reasons behind it.

The second chapter records the response and attitude towards penal law after promulgating CIC/83 and CCEO. In fact, the ecclesiology of the Second Vatican Council as well as the note-worthy discussions in the post-Conciliar period, are well reflected in the penal law of both codes. The author also clearly explicates the major changes and modifications in the codes. He, too, makes an observation that despite the changes incorporated into the new codes, the new penal law did find its due space in the ecclesiastical administration as there was a situation probably causing the 'non-application' of penal law.

The context of the revision of the Book VI of CIC is the subject matter of the third chapter. The author underscores in it the prime reasons that necessitated the revision and penal legislation after promulgating the codes. Correspondingly, he states that the growing awareness of the criminal activities in the Church and the pressing need to incorporate penal legislation made after the promulgation of the codes were the two solid reasons that accelerated this revision in time.

The fourth chapter highlights the novelty of the revised Book VI of CIC. Altogether, 63 canons out of 89 have been amended, 9 were moved, and only 17 remain unchanged in the revised Book VI. Besides, it has also modified some titles, reordered the delicts, and created a separate section under the title Offences against Sacraments, bringing together all the delicts against sacraments. The revised Book VI also introduced several new types of crime and improved fundamental issues in criminal law, such as the right to self-defence, the prescription of penal action, and the need for greater precision in determining penalties. The author laudably brings out the significance of them in detail.

The fifth chapter is exclusively dedicated to a comparative reading of the title XXVII of CCEO and revised Book VI of CIC. The author rightly hits the nail on the head in saying that even though both codes have many things in common in the penal sanctions, each follows its

own genius. Their main differences lie in *latae sententiae* penalties, the distinction between minor and major ex-communications, censures-expiatory penalties, and demotion penalties. And towards the end of the chapter, the author presents observations unflinchingly.

The sixth and final chapter makes a critical assessment so as to make it clear whether the Church could meet all the expectations through these integrated revisions and whether it has effectively managed to reach its objective, namely, regaining the moral credibility of the Church and reforming the morally weak priests. The bitter truth is that the Church could not achieve it fully as expected. That being the case, the author presents his proposals for the development of a new comprehension and praxis of the penal law in order to attain the purposes of the penal sanctions of the Church.

In short, this book is a valuable source material that helps one better understand the context of the revision and novelties of the revised Book VI. Further, the comparative reading of the revised Book VI with the penal law of the CCEO facilitates one to be aware of the subtle similarities and differences in the Codes. This way, the title of the book “The Oriental Code and Newley Revised Penal Law of the Latin Code – A Review” suits its content very well.

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