

The Permission to Publish

A Resource for
Diocesan and Eparchial Bishops
on the Approvals Needed to
Publish Various Kinds of
Written Works

The document *The Permission to Publish: A Resource for Diocesan and Eparchial Bishops on the Approvals Needed to Publish Various Kinds of Written Works* was developed as a resource by the Committee on Doctrine of the United States Conference of Catholic Bishops (USCCB). It was reviewed by the committee chairman, Archbishop William J. Levada, and has been authorized for publication by the undersigned.

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Introduction

The diocesan or eparchial bishop is, for the people entrusted to him, a source of unity within the diocese or eparchy and an authoritative teacher of the faith. The responsibility of authorizing written materials that treat questions of faith and morals is one aspect of the bishop's unique role as pastor and teacher, and an important way in which he exercises his supervisory function over the ministry of the Word.¹

In a November 1990 circular letter to the presidents of the episcopal conferences, Cardinal Joseph Ratzinger, prefect of the Congregation for the Doctrine of the Faith, set forth several matters relative to the functioning of episcopal conference doctrinal commissions. One of the essential responsibilities of these commissions, he noted, is "to provide assistance to each bishop in the task of monitoring and evaluating theological works (books and reviews) published in his territory."²

In fulfilling this aspect of its mandate, the Committee on Doctrine of the United States Conference of Catholic Bishops, working collaboratively with other conference committees, has prepared a concise resource that summarizes the Church's legislation on the authorization of certain publications.³ This resource is being offered as a service to diocesan and eparchial bishops in the further exercise of their teaching ministry.

The Permission to Publish

1. Where is the pertinent canonical legislation on the authorization of books and other writings to be found?

The Church's norms on the authorization of books and other written materials are found in two primary sources: the 1983 *Code of Canon Law* (CIC) for the Latin Catholic Church, canons 822-832, and the 1990 *Code of Canons of the Eastern Churches* (CCEO) for the Eastern Catholic Churches, canons 651-666. In addition, a 1992 Instruction from the Congregation for the Doctrine of the Faith defines and makes explicit the processes by which the canons of the *Code of Canon Law* are to be implemented.⁴ (See Appendices 1-3 for a reprint of these materials.)

2. What forms does ecclesiastical authorization take?

In the Latin Catholic Church, there are two primary forms of ecclesiastical authorization for written works. These are identified in church law as “permission” (*licentia*) and “approval” (*approbatio*). Since these terms are not used consistently within the various authoritative documents, a consensus has not yet emerged among canonical experts as to whether the terms are interchangeable or whether there is, in fact, a precise and practical distinction between the two. The term *imprimatur* is not used in the law for the Latin Catholic Church to express either *licentia* or *approbatio*. A third form of authorization identified in the *Code of Canon Law* is the *concordantia cum editione approbata ex attestazione*, which is granted by local ordinaries to signify that reprints of liturgical books, their translations into the vernacular, or their parts are in conformity with the Church's officially approved editions of liturgical texts.⁵

In the Eastern Catholic Churches, three primary levels of ecclesiastical authorization are identified in canon law. These are “permission” (*licentia*), “approval” (*approbatio*), and “praise or blessing” (*laudatum vel benedictum*).⁶ A fourth form of authorization identified in the *Code of Canons of the Eastern Churches* is the *concordantia cum editione approbata ex attestazione*, which is granted by local hierarchs to signify that reprints of liturgical books, their translations into the vernacular, or their parts are in conformity with the Church's officially approved editions of liturgical texts.⁷ (See Question 11 below for additional information on the implications of these various forms of authorization.)

3. Which writings require authorization in the Latin Catholic Church?

Canon law does not require that all writings produced by Catholics receive ecclesiastical authorization. One of the first determinations a diocesan official must make upon receiving a request, therefore, is whether the work submitted requires further action. Only those works specified in law need be authorized. In making the appropriate determination, four characteristics about the text ought to be considered:

a. Is the work in written, printed format?

The *Code of Canon Law* defines what is to be understood by the term “books” for the purpose of obtaining ecclesiastical authorization within the Latin Catholic Church. “Those things established regarding books in the canons . . . must be applied to any writings whatsoever which are destined for public distribution, unless it is otherwise evident.”⁸ Included in the definition are writings of a more limited scope as are found in booklets or pamphlets. In recent history, canon law has not required that church authorization be granted for writings that are to appear in newspapers, magazines, or periodicals. In addition to the practical difficulties that a review of these materials would present for ecclesiastical authority (e.g., daily printing deadlines), the limited audiences to which the materials may be directed, and the diversity of writings that often make up publications of this nature support the exceptions granted in law to these categories of written, printed works.⁹

Similarly, current canon law pertaining to the approval of books and other writings within the Latin Catholic Church does not extend to all of the instruments of social communication that are available to advance the new evangelization, such as audio, radio, video, cinemagraphic, television, or other electronic productions. Since these new technologies offer countless opportunities for the proclamation of the Gospel, however, local ordinaries should continue to watch over these many advancements “with special interest.”¹⁰

b. Is the writing intended for public distribution?

The canonical requirement for the authorization of written works applies only to texts that are destined for public distribution.¹¹ Generally speaking, the requirement does not apply to writings that have been prepared for private use by a particular group of the Christian faithful.¹² Similarly, the canonical requirement for authorization does not apply to a work that has been professionally printed or bound, if the work is not going to be made available for public consumption—either for purchase or by means of free distribution.

c. What is the nature of the content of the writing?

Ascertaining a writing's content is of paramount importance for determining whether a written work should be considered for ecclesiastical authorization. Since not all texts written by Catholics require authorization, the limited writings that do require such action are especially illustrative of the diocesan bishop's responsibility to act as an authoritative witness to the faith.

1) Writings that require ecclesiastical authorization prior to publication

In some instances, canon law requires that ecclesiastical permission (*licentia*) or approval (*approbatio*) be obtained before certain works are published. In the Latin Catholic Church, ecclesiastical permission (*licentia*) of the proper local ordinary is required before the publication of

- Books of prayers intended for public or private use by the faithful¹³
- Reprints of collections of decrees or acts issued by local ecclesiastical authority¹⁴
- Books or writings dealing with religion or morals that are to be exhibited, sold, or distributed in churches or oratories¹⁵

Similarly, in the Latin Catholic Church, ecclesiastical approval (*approbatio*) of the proper local ordinary is required before the publication of

- Catechisms or other writings pertaining to catechetical instruction, in original language or in translation¹⁶
- Books that treat questions pertaining to Sacred Scripture, theology, canon law, ecclesiastical history, and religious or moral disciplines, if they are to be used as the texts upon which instruction is based in parish religious education programs or in Catholic elementary, intermediate, or higher education schools, including Catholic colleges, universities, and seminaries¹⁷

2) Writings that require ecclesiastical authorization subsequent to publication

In some instances within the Latin Catholic Church, ecclesiastical approval (*approbatio*) of the proper local ordinary is required for the use of certain works after their publication, if ecclesiastical authorization was not obtained prior to the publication. This is the case for any books dealing with Sacred Scripture, theology, canon law, ecclesiastical history, or religious or moral disciplines that were not approved before publication and that are intended for use as textbooks in parish religious education programs or in Catholic elementary, intermediate, or higher education schools, including Catholic colleges, universities, and seminaries.¹⁸ The same principle applies to books that treat questions of religion or morals that are to be exhibited, sold, or distributed in churches or oratories.¹⁹

3) *Writings for which ecclesiastical authorization is not required*

In other instances, rather than requiring ecclesiastical approval or permission, canon law permits the proper local ordinary to grant authorization for certain classes of writings. In the Latin Catholic Church, this provision applies to books dealing with Sacred Scripture, theology, canon law, ecclesiastical history, and religious or moral disciplines, as well as other writings that especially concern religion or good morals that are not intended for use as textbooks.²⁰

d. Has the diocesan bishop requested that the work be submitted for review?

The *Code of Canon Law* explicitly allows for the possibility of the diocesan bishop to demand that certain writings be submitted for his review, even in those cases when the universal law only recommends such submission.²¹ Were a diocesan bishop to make use of this provision, he should formally issue a *precept* to that effect.²² A *precept* may be imposed upon individual persons or categories of persons or in regard to writings on particular subjects.²³ (See Appendix 4 for “Sample Precept Enjoining a Person or Entity to Submit Written Works for Ecclesiastical Authorization.”)

4. Which writings require authorization in the Eastern Catholic Churches?

Similar to the process described above for diocesan officials, there are several preliminary determinations that an eparchial official must make prior to acting upon a request for formal authorization of a written work. Since canon law does not require that all writings produced by Catholics receive ecclesiastical authorization, only those works specified in law need be authorized. In making the appropriate determination, three characteristics about the text ought to be considered.

a. Is the work in written format?

The *Code of Canons of the Eastern Churches* defines what is to be understood by the term “books” for the purpose of obtaining ecclesiastical authorization: “The norms of common law on books apply also to any other writings or messages whatever reproduced by any technical means.”²⁴ Unlike the canon law for the Latin Catholic Church, the canon law for the Eastern Catholic Churches extends to all forms of the mass media that are available to advance the new evangelization, such as audio, radio, video, cinematographic, television, Internet, and other electronic productions. Since these new technologies offer countless opportunities for the proclamation of the Gospel, local hierarchs should watch over these many advancements “with

special interest” and, if necessary, should establish more detailed particular norms to address their oversight of the multimedia.²⁵

b. Is the writing intended for public distribution?

The canonical requirement for the authorization of written works applies only to texts that are destined for public distribution.²⁶ Generally speaking, the law does not apply to writings that have been prepared for private use by a particular group of the Christian faithful.²⁷ Similarly, the canonical requirement for authorization does not apply to a work that has been professionally printed or bound, if the work is not going to be made available for public consumption—either for purchase or by means of free distribution.

c. What is the nature of the content of the writing?

Ascertaining a writing’s content is of paramount importance for determining whether a written work should be considered for ecclesiastical authorization. Since not all texts written by Catholics require authorization, the limited writings that do require such action are especially illustrative of the eparchial bishop’s responsibility to act as an authoritative witness to the faith.

1) Writings that require ecclesiastical authorization prior to publication

In several instances, canon law requires that ecclesiastical permission (*licentia*) or approval (*approbatio*) be obtained before certain works are published. In the Eastern Catholic Churches, ecclesiastical permission (*licentia*) of the proper local hierarch is required before the publication of

- Books of prayers intended for public or private use by the Christian faithful²⁸
- Reprints of laws or official acts issued by ecclesiastical authority and collections of the same²⁹
- Editions of Sacred Scripture not intended for liturgical or catechetical purposes³⁰

The proper local hierarch’s ecclesiastical approval (*approbatio*) is required before the publication of

- Catechisms or other writings intended for catechetical instruction in any level of school, in original language or in translation³¹
- Books dealing with faith or morals, if used as textbooks or for catechetical instruction³²
- Editions of Sacred Scripture intended for liturgical or catechetical use³³

2) Writings for which ecclesiastical authorization is not required

In other instances, rather than requiring ecclesiastical approval or per-

mission, canon law permits the proper local hierarch to grant authorization for certain classes of writings. In the Eastern Catholic Churches, this is the case for any writings whatsoever that explain the faith and morals of the Church.³⁴

5. Which writings lie beyond the jurisdiction of the local ordinary or hierarch for the granting of the requisite authorization?

Some writings pertaining to faith or morals lie beyond the jurisdiction of the local ordinary or hierarch for granting the requisite authorization. In the Latin Catholic Church, these include the following:

- Books of the Sacred Scriptures, as well as their translations into the vernacular, cannot be published unless the Apostolic See or the conference of bishops has approved them.³⁵
- Liturgical books are prepared and published by the conference of bishops, with the prior review of the Apostolic See.³⁶
- Catechisms intended for the entire scope of its territory are issued by the conference of bishops, with the prior approval of the Apostolic See.³⁷
- Reprints of collections of decrees or acts published by a supra-diocesan ecclesiastical authority are approved by the same authority that issued them.³⁸

In Eastern Catholic patriarchal Churches, the approval of liturgical texts and their translations is reserved to the patriarch with the consent of the synod of bishops of the patriarchal Church, after prior review of the Apostolic See. In Eastern Catholic metropolitan Churches *sui iuris*, the same is reserved to the metropolitan with the consent of the council of hierarchs, after prior review by the Apostolic See. In other Eastern Catholic Churches this right rests exclusively with the Apostolic See.³⁹ Finally, the authorization for reprints of laws or official acts, or their collections, that were published by a supra-eparchial ecclesiastical authority are approved by the same—or higher—ecclesiastical authority.⁴⁰

6. Who may grant the authorization for written works?

Another essential determination a diocesan or eparchial official must make upon receiving a request to approve a written work is whether the diocese or eparchy possesses the competence needed to review the text. In the Latin Catholic Church, the task of granting the required permission or approval belongs to

- The proper local ordinary of the author
- The ordinary of the place where the book is to be published⁴¹

Local ordinaries in the Latin Catholic Church are defined in law as diocesan bishops, those who are placed over a particular church or equivalent community (e.g., diocesan administrators), vicars general, and episcopal vicars acting within the scope of their designated responsibilities.⁴²

In the Eastern Catholic Churches, only an eparchial bishop or higher authority is competent to grant the additional “praise or blessing” for written works.⁴³

The task of granting “permission” or “approval,” however, extends to

- The local hierarch of the author
- The local hierarch of the place of publication
- A higher authority who has executive power of governance over these persons or places⁴⁴

Local hierarchs in the Eastern Catholic Churches are defined in law as eparchial bishops, exarchs, apostolic administrators, those who succeed them in interim governance, and the protosyncellus and other syncelli, acting within the scope of their designated responsibilities. In addition, patriarchs, major archbishops, and metropolitans who preside over a metropolitan Church *sui iuris*, as well as those who succeed them in interim governance, are local hierarchs with regard to the eparchy they govern.⁴⁵

a. The local ordinary or hierarch of the author

The “author” of a written work may be an individual (a member of the laity, the clergy, an institute of consecrated life, or a society of apostolic life), a private association of the faithful, and even a grouping of individuals. In each case, the *local ordinary* or *hierarch of the author* is determined by the author’s domicile or quasi-domicile.⁴⁶

Authors who are members of religious institutes or of societies of apostolic life acquire domicile in the place where the house to which they have been attached in a stable manner is located. They acquire quasi-domicile in the place where the house in which they are currently residing is located if this location differs from that where the house to which they are legally attached is found.⁴⁷ If an author has more than one domicile or quasi-domicile, the local ordinary or hierarch of each place is competent to grant the request, although only one local ordinary or hierarch is required to grant the authorization.

b. The local ordinary or hierarch of the place of publication

The local ordinary or hierarch of *the place of publication* refers to the ordinary or hierarch of the place where the publisher is located. It does not refer to where the text was printed, if this place is different from where the

publishing office is located. In view of the importance placed on dialogue between the local ecclesiastical authority and the one submitting the request for authorization, it is necessary that those who are truly responsible for a written text be involved in the conversation. If a publishing house holds offices in more than one place, the local ordinary or hierarch of each is competent to review the writing for the purpose of granting the requisite authorization, although the authorization of only one local ordinary or hierarch is required. It is not required that the publishing house be itself under Catholic auspices, as long as the local ordinary's or hierarch's competence is established in some other way, i.e., due to the nature of the writing or the Catholic identity and domicile of the author.

7. What qualifications ought diocesan and eparchial bishops to consider when appointing censors to review writings requiring permission or approval?

Notwithstanding the prerogative of a local ordinary or hierarch to review personally a work that has been submitted for authorization, censors are ordinarily assigned to examine written works prior to the granting of the requisite permission or approval. Lay and ordained members of the Christian faithful may be appointed to serve as censors for a specific term or on an ad hoc basis. In addition, one or more censors may be identified to review a given work. Depending upon the complexity of the work that has been submitted (e.g., the integration of multiple specialties within a single work), its length, or even its potential impact on the region or nation, a local ordinary or hierarch may consider appointing several censors to review a work prior to making the final determination to grant the requested authorization.

The task of identifying persons to serve as censors for the diocese or eparchy can present certain challenges, particularly in view of one's geographic location, or even in light of the wide array of disciplines that make up the various theological sciences. There is no requirement in law that the censors actually reside within the diocese or eparchy. Seminary, ecclesiastical and university faculties are excellent resources for identifying persons to serve as censors, as are diocesan or eparchial doctrinal commissions, associations of scholars, and other local ordinaries or hierarchs within one's ecclesiastical region.⁴⁸ In the Latin Catholic Church, the episcopal conference, through its Committee on Doctrine, may compile a list or commission of censors to be of service to local ordinaries in reviewing texts submitted for ecclesiastical authorization.⁴⁹ In the Eastern Catholic Churches, the synod of bishops of the patriarchal Church or the council of hierarchs may likewise establish a list or special commission of censors for consultation by local hierarchs.⁵⁰

By law, however, all persons who are appointed as censors by the local ordinary or hierarchy must be “outstanding in knowledge, correct doctrine, and prudence.”⁵¹ They should be notably conversant in Catholic theology and morals in order that they may properly distinguish between matters of private opinion and authentic teaching. Depending upon the nature of the work that is submitted, it may also be imperative that the censor possess added expertise (such as may be required, for example, when reviewing texts pertaining to Sacred Scripture, canon law, or the like).⁵²

Additional personal characteristics may be advantageous when considering persons for appointment to the office of censor. Censors, for example, ought to be persons who are reliable and who are known to be impartial, who are respected by their peers for their probity and maturity of judgment, and who have the ability to act temperately, expediently (as a matter of justice), and out of respect for the common good.⁵³

8. What criteria are censors to use when reviewing works submitted for ecclesiastical authorization?

Canon law defines the limits within which appointed censors are to review works submitted for authorization. In fulfilling their office, censors are to lay aside any personal favoritism for or against the author and are to evaluate texts *solely* with respect to church doctrine concerning faith and morals, as that doctrine is presented by the Magisterium of the Church.⁵⁴ Censors are not appointed to critique the written work or to base their comments on whether they agree with its contents.

Censors, moreover, are not to demand more from the author than what the Magisterium itself demands. In reviewing written works, they are to respect the level and weight of the teaching that is discussed, the circumstances surrounding its pronouncement, any developments in church teaching prior to the time that the writing was submitted for review, and areas that allow for the expression of legitimate theological opinion. Works that claim to express full Catholic teaching on some matter must, in fact, convey the fullness of that teaching.

9. What options are presented to the local ordinary or hierarchy following receipt of the censor’s written evaluation?

Once the censor has completed his or her impartial review of the text, the results of that review must be submitted to the local ordinary or hierarchy in

writing.⁵⁵ If the censor's overall evaluation of a written work is *positive*, the local ordinary or hierarch is presented with three options:

- He may grant the authorization.
- He may grant the authorization with conditions.⁵⁶
- He may withhold the authorization at the current time. If this option is chosen, the local ordinary's (or hierarch's) communication must state explicitly the reasons for the denial of the authorization.

If the local ordinary or hierarch determines to grant the requested authorization, or to grant it with conditions, he is to issue a *rescript* to that effect.⁵⁷ The issuance of a rescript is an act of executive authority indicating the judgment that the work may be published. The rescript should indicate the name of the work that was reviewed, its author, the local ordinary's or hierarch's name, and the date and location from which the authorization was given. The rescript should likewise state clearly which form of authorization (i.e., permission, approval, or—in the case of the Eastern Catholic Churches—praise or blessing) is being granted. Reference to the pertinent canon should be cited in this regard.⁵⁸ (See Appendices 5 and 6 for sample rescripts granting authorization for written works in the Latin and Eastern Catholic Churches.)

If the censor's overall determination is *negative*, the local ordinary or hierarch is presented with four options:

- He may accept the decision of the censor and communicate the denial, in writing, to the one who requested it. If this option is chosen, the communication must state explicitly the reasons for the decision.⁵⁹
- He may choose to work with the one who submitted the text in an effort to resolve the differences that led to the censor's recommendation, or direct the censor to do so.⁶⁰
- He may submit the material to another censor for a second opinion.
- He may grant the authorization, following his own reasoned and overriding consideration of the written work.

10. How is the authorization to appear in the published text?

According to an authentic interpretation of the *Code of Canon Law* issued by the Holy See for the Latin Catholic Church, the local ordinary's rescript, granting ecclesiastical authorization (see Question 9, above, and Appendices 5 and 6), should be reproduced in the publication itself.⁶¹ An indication of the name of the censor who reviewed the work is no longer required in law. Moreover, while canon law does not explicitly indicate where in the publication the information pertaining to the authorization is to be included, it is customary in the United

States to print it on the reverse side of the title page along with the copyright information.⁶² In the Eastern Catholic Churches, particular law of the Churches *sui iuris* could establish the explicit requirements regarding the publication of ecclesiastical authorization.

In the case of a text that has received authorization for use within the Latin Catholic Church after its publication, it is sufficient that the local ordinary's rescript be kept on file with the publisher, along with the copy that is retained in the diocesan archives.

11. What does ecclesiastical authorization imply for authors, readers, and publishers of written works?

According to the 1992 Instruction from the Congregation for the Doctrine of the Faith, "ecclesiastical permission or approval presupposes that the censor or censors found nothing objectionable; it guarantees that the writing in question contains nothing contrary to the Church's authentic Magisterium on faith or morals; and it attests that all the pertinent prescriptions of canon law have been fulfilled."⁶³ Within the Latin Catholic Church, in those instances where permission or approval is required prior to the use of certain works, the reception of ecclesiastical authorization has the added effect of permitting such usage, e.g., as a textbook in Catholic schools or as a writing to be exhibited, sold, or distributed in churches or oratories.⁶⁴

The *Code of Canons of the Eastern Churches* prescribes three levels of ecclesiastical authorization, each of which is defined in law: *permission* (expressed by the term *imprimatur*) "means that the work is free from errors regarding faith and morals"; *approval* "shows that the text is accepted by the Church or that the work is in accord with the authentic doctrine of the Church"; and *praise or blessing* "means that it expresses well the authentic doctrine of the Church and therefore is to be recommended" to the faithful.⁶⁵

12. Does the authorization apply to subsequent editions of the written work?

Ecclesiastical authorization applies only to the version of the work that was submitted, reviewed, and approved by church authority. Any *new editions* of the text, or *translations* of the work into other languages, must receive separate ecclesiastical authorization.⁶⁶ *Reprints* of an approved text, in which no substantive alterations have been made, do not require new authorization.⁶⁷ It is recommended that the letter forwarding the local ordinary's or hierarch's rescript

explicitly reference canon 829 (CIC) or canon 663 (CCEO) so as to prevent any misunderstandings about the requirements for additional authorization.

13. What remedies exist in law in the event that a request for authorization has been denied?

Denial of authorization leads to the possibility of further action by the one whose request was denied. If authorization is denied by one local ordinary or hierarch, another local ordinary or hierarch competent in the matter (see Question 6 above) may be approached. The second local ordinary or hierarch, however, must be told of the prior denial; in fact, the second local ordinary or hierarch should seek to obtain the reasons for the original denial directly from the local ordinary or hierarch who denied the request.⁶⁸

Since the denial of authorization is an administrative decision on the part of the specific local ordinary or hierarch, the one to whom authorization is denied is free also to pursue hierarchical recourse against the decision.⁶⁹ In the Latin Catholic Church, if the authorization was denied by the diocesan bishop, recourse may be made to the Congregation for the Doctrine of the Faith.⁷⁰ In the Eastern Catholic Churches, if the authorization was denied by the eparchial bishop, recourse may be made to the Congregation for the Eastern Churches, which possesses proper competence in these matters in consultation with the appropriate dicasteries overseeing the matter for the Latin Catholic Church.⁷¹ If the local ordinary or hierarch who denied the authorization is someone other than the diocesan or eparchial bishop, recourse must first be lodged with that person's hierarchical superior.

14. What is the appropriate process to be followed in the event that a local ordinary or hierarch determines that a previously granted authorization should be withdrawn?

The 1992 Instruction from the Congregation for the Doctrine of the Faith indicates that “ecclesiastical permission constitutes both a juridical and a moral guarantee for the authors, the publishers, and the readers.”⁷² Any subsequent removal of a previously granted authorization, therefore, is a very serious matter and should arise solely from the judgment that what was once seen to be in agreement with church teaching on faith and morals as presented by the ecclesiastical Magisterium is now seen in a different light. Such a judgment should follow a clearly delineated process that respects the substantive and procedural rights of all involved and that provides sufficient opportunity to make the needed

clarifications or corrections to the text.⁷³ In the event that the influence of a written work extends beyond the territorial limits of a particular diocese or eparchy, moreover, local ordinaries or hierarchs are encouraged to bring the matter to the prompt attention of the United States Conference of Catholic Bishops, through its Committee on Doctrine, or to the council of hierarchs in a metropolitan Church *sui iuris*.⁷⁴

If the decision is made to withdraw a previously granted permission or approval, the local ordinary or hierarch is to issue a *decree* to that effect (see Appendix 7 for “Sample Decree Withdrawing Ecclesiastical Authorization Previously Granted to a Written Work”).⁷⁵ Once the decree has been issued, reference to the original permission or approval is to be omitted from all subsequent printings of the text. In such instances, recourse in the Latin Catholic Church may be made to the Congregation for the Doctrine of the Faith. Recourse in the Eastern Catholic Churches may be made to the Congregation for the Eastern Churches, in consultation with the appropriate dicasteries overseeing the matter for the Latin Catholic Church. Diocesan and eparchial bishops are also reminded of the various other means at their disposal in canon law for the exercise of the teaching office, such as the issuance of warnings, the forbiddance of certain instruments of social communication, and the condemnation of writings that are harmful to correct faith and good morals.⁷⁶

Conclusion

The task of granting ecclesiastical authorization for written works involves a delicate balance that must respect the myriad of rights and obligations that devolve upon bishops, authors, publishers, and the broader Christian community.⁷⁷ The function of church law in these matters is intended not to restrict the rights of authors or publishers, but rather to foster fidelity to Christ's mission through the appropriate exercise of the teaching authority of the Church. The longstanding practice within the Church of exercising oversight of written works pertaining to faith and morals continues the mission of Christ by strengthening the Church in the living faith.

Notes

- 1 *The Teaching Ministry of the Diocesan Bishop: A Pastoral Reflection* (Washington, DC: United States Conference of Catholic Bishops, 1992), 9; cf. Congregation for Bishops, “Direttorio per il Ministero Pastorale dei Vescovi,” *Apostolorum Successores* (Vatican City: Libreria Editrice Vaticana, 2004), nos. 138-142. *Code of Canon Law: New English Translation*. Trans. of *Codex Iuris Canonici* (CIC) (Washington, DC: Canon Law Society of America, 1998), c. 823, and *Code of Canons of the Eastern Churches: New English Translation*. Trans. of *Codex Canonum Ecclesiarum Orientalium* (CCEO) (Washington, DC: Canon Law Society of America, 2001), c. 652.
- 2 Cardinal Joseph Ratzinger to the Presidents of the Episcopal Conferences, Circular Letter (November 25, 1990), Prot. N. 3317/69, Art. IX. The importance of this responsibility was further highlighted in a February 1999 meeting of episcopal conference doctrinal commissions with Cardinal Ratzinger in Vallombrosa, California. Cf. Congregation for the Doctrine of the Faith and the Doctrinal Commissions from North America and Oceania, *Proclaiming the Truth of Jesus Christ* (Washington, DC: USCCB, 2000), 10.
- 3 In this resource, the word “authorization” refers to the required canonical “permission” or “approval” to publish various kinds of written works.
- 4 Congregation for the Doctrine of the Faith, *Instruction on Some Aspects of the Use of the Instruments of Social Communication in Promoting the Doctrine of the Faith (Il Concilio Vaticano II)* (Vatican City: Libreria Editrice Vaticana, March 30, 1992); hereafter “1992 Instruction.” For a definition of the meaning and purpose of instructions in the Latin Catholic Church, see CIC, c. 34.
- 5 CIC, c. 826§2. The local ordinary’s attestation is required for reprints of both the Latin typical edition and the vernacular typical edition of liturgical books, as provided for in c. 838. Cf. Sacred Congregation of Rites, Decree “De editionibus librorum liturgicorum,” in *Acta Apostolicae Sedis* 58 (January 27, 1966): 169-170, English translation in *Canon Law Digest* 6: 811-814; and Congregation for Divine Worship and the Discipline of the Sacraments, *Fifth Instruction on Vernacular Translation of the Roman Liturgy (Liturgiam Authenticam)* (Washington, DC: Libreria Editrice Vaticana—USCCB, 2001), no. 119.

- 6 CCEO, c. 661. Cf. CCEO, c. 652§1, indicating that eparchial bishops are “to promote good initiatives, in the first place by praising and blessing good books, a policy that can be more effective than the censure and condemnation of evil.”
- 7 CCEO, c. 657§3.
- 8 CIC, c. 824§2.
- 9 While canon law does not envision the granting of ecclesiastical approval to writings that are to appear in newspapers, magazines, periodicals, or the like, in certain instances church law does require Catholic authors to obtain from their proper local ordinary or religious superior a personal permission to publish materials in these categories of publications. This is the case, for example, for clerics and members of religious institutes who intend to publish writings in non-Catholic newspapers, magazines, or periodicals that customarily and openly attack the Catholic religion or good morals (CIC, c. 831§1) or for members of religious institutes who intend to publish writings dealing with religion or morals (CIC, c. 832). The permission that is granted in these instances is distinct from what has been customarily understood as the *imprimatur*. Cf. 1992 Instruction, II.7.1 (b), IV.16.3, and IV.17.1.
- 10 Second Vatican Council, Decree *Inter Mirifica* (December 4, 1963), art. 1. Cf. CIC, c. 823§1. Although they are not directly related to church legislation on the authorization of written works, the United States Conference of Catholic Bishops has issued norms on the requirements for clerics and members of religious institutes to take part in radio or television programs that deal with questions concerning Catholic doctrine, according to CIC, cc. 772§2 and 831§2. These norms may be accessed via the USCCB website at www.usccb.org/norms/772-2.htm and www.usccb.org/norms/831-2.htm.
- 11 CIC, cc. 823§1 and 824§2. One exception to this rule is found in CIC, c. 826§3, which pertains to books of prayers intended for private use by the faithful.
- 12 This would be the case, for example, for a book of private meditations prepared exclusively for members of a religious institute.
- 13 CIC, c. 826§3.

- 14 CIC, c. 828. For such collections, authorization for publication is requested from the authority that issued the documents. Hence, the competence of the local ordinary is limited to authorization of collections of decrees or acts issued by local ecclesiastical authority.
- 15 CIC, c. 827§4; cf. CIC, cc. 1214 and 1223.
- 16 CIC, c. 827§1. The USCCB Ad Hoc Committee to Oversee the Use of the Catechism can provide assistance to local ordinaries in assessing the conformity of catechetical materials with the *Catechism of the Catholic Church*. To access the procedure for submitting catechetical materials to the ad hoc committee for this purpose, see www.usccb.org/catechism/document/submit.htm.
- 17 CIC, c. 827§2. The canon is understood to apply only to works that substantially treat the subject areas noted, not to texts that deal tangentially with the subject areas identified in the canon.
- 18 CIC, c. 827§2; cf. CIC, cc. 796-806.
- 19 CIC, c. 827§4.
- 20 CIC, c. 827§3.
- 21 CIC, c. 823§1. The power to make such a demand is not expressly accorded to Eastern Catholic eparchial bishops.
- 22 Cf. CIC, c. 49.
- 23 1992 Instruction, II.8.2.
- 24 CCEO, c. 654.
- 25 Second Vatican Council, *Inter Mirifica*, art. 1. Cf. CCEO, cc. 652§2 and 653.
- 26 CCEO, c. 654. One exception to this rule is found in CCEO, c. 656§2, which pertains to books of prayers intended for private use by the faithful.
- 27 This would be the case, for example, for a book of private meditations prepared exclusively for members of a religious institute.
- 28 CCEO, c. 656§2.

- 29 CCEO, c. 666§2. For such reprints, authorization is requested from the authority that issued the documents, or from a higher authority.
- 30 CCEO, c. 655§3.
- 31 CCEO, c. 658§1.
- 32 CCEO, c. 658§2.
- 33 CCEO, c. 655§3. According to CCEO, c. 663§2, the approval legitimately granted by one hierarch for editions of the Sacred Scriptures or for other books that require ecclesiastical approval is not sufficient to permit the use of the text within another eparchy. Rather, the explicit consent of the hierarch of the eparchy in which use of the work is desired is required prior to proceeding with its use.
- 34 CCEO, c. 659.
- 35 CIC, c. 825§1. The United States Conference of Catholic Bishops has entrusted the review and approval of scripture translations to its Ad Hoc Committee for the Review of Scripture Translations. The approval for revised translations of the *New American Bible*, however, is granted by the USCCB's Administrative Committee. Cf. National Conference of Catholic Bishops, "Minutes of the General Meeting" (November 1991), 44; and J. Herranz to D. Pilarczyk (December 18, 1990), Prot. N. 2610/90.
- 36 CIC, cc. 826§1 and 838§2.
- 37 CIC, c. 775§2.
- 38 CIC, c. 828.
- 39 CCEO, c. 657§§1, 2.
- 40 CCEO, c. 666§2.
- 41 CIC, c. 824§1.
- 42 CIC, c. 134§2.
- 43 CCEO, c. 661§3.

- 44 CCEO, c. 662§1.
- 45 CCEO, c. 984§2.
- 46 Cf. CIC, cc. 102-107; CCEO, cc. 912-917.
- 47 CIC, c. 103; CCEO, c. 913.
- 48 Cf. CIC, cc. 815-820; CCEO, cc. 646-650.
- 49 CIC, c. 830§1.
- 50 CCEO, c. 664§1.
- 51 CIC, c. 830§1; CCEO, c. 664§2.
- 52 Supreme Sacred Congregation of the Holy Office, Decree “De praevia librorum censura” in *Acta Apostolicae Sedis* 33 (March 29, 1941): 121, English translation in *Canon Law Digest* 2: 436.
- 53 1992 Instruction, II.12.1.
- 54 CIC, c. 830§2; CCEO, c. 664§2; 1992 Instruction, II.12.1.
- 55 CIC, c. 830§3; CCEO, c. 664§3.
- 56 1992 Instruction, II.8.4: “If a writing contained opinions or questions which are specialized or in the domain of a particular expertise, and when it could cause scandal or confusion only in certain places or among certain people and not elsewhere, permission might be granted under specific conditions which would affect the way it is to be published or the language, but which, in any case, would make it possible to avoid the dangers involved.” In a letter dated July 18, 1993, to the Congregation of the Eastern Churches, the Congregation for the Doctrine of the Faith declared that the 1992 Instruction concerned only the Latin Church. See G. Nedungatt, “Normae indolis iuridicae ad tenorem c. 1492 CCEO applicandae,” *Periodica* 86 (1997): 477-491.
- 57 CIC, c. 59; CCEO, c. 1510§2, 3°.
- 58 CIC, c. 830§3; 1992 Instruction, II.7.2. The CCEO does not specify such formalities.

- 59 CIC, c. 830§3; CCEO, c. 664§3; 1992 Instruction, II.12.2. Those who submit texts for authorization have a right to an answer (positive or negative) from the local ordinary. See 1992 Instruction, II.10.1.
- 60 The 1992 Instruction is encouraging of this approach: “In this way, any difficulties arising may be quickly resolved through a fraternal dialogue which provides the interested parties with an opportunity to make the needed corrections” (I.3). The Instruction also notes that “relations with authors should always be carried on in a constructive spirit of respectful dialogue and ecclesial communion” (II.12.3). Since it is at times necessary to require changes to a proposed text, publishers are encouraged to submit manuscripts at a point at which changes can be made readily and without undue cost. The requirement of prior approval is a serious obligation and should not be considered a mere formality.
- 61 Pontifical Council for the Interpretation of Legislative Texts, *Authentic Interpretation, Acta Apostolicae Sedis* 79 (April 29, 1987): 1249. For background information on the authentic interpretation, see Lawrence G. Wrenn, *Authentic Interpretations on the 1983 Code* (Washington, DC: The Canon Law Society of America, 1993), 39-40.
- 62 This recommendation is consistent with the *Guidelines for Interconfessional Cooperation in Translating the Bible*, issued by the Secretariat for Promoting Christian Unity in 1987: “The most appropriate form . . . would be for . . . the imprimatur of the appropriate Roman Catholic authority to occur on the back of the title page, this being the normal procedure for books properly authorized by the Roman Catholic Church” (section 2.8). The 1992 Instruction of the Congregation for the Doctrine of the Faith indicates simply that the “information concerning the granting of permission should be printed in a place readily noted in the books which are published” (II.12.4).
- 63 1992 Instruction, II.7.2; cf. 1992 Instruction, II.8.3.
- 64 CIC, cc. 827§§2, 4; CCEO, c. 658.
- 65 CCEO, c. 661.
- 66 CIC, c. 829; CCEO, c. 663§1.
- 67 1992 Instruction, II.9. The Congregation’s use of the term “reprint” in relation to “new editions” is distinct from the use of the term “reprint” in the English translation provided for CIC, cc. 826§2 and 828.

- 68 Cf. CIC, c. 65, and CCEO, c. 1530, for circumstances that may affect the validity of proceeding without obtaining the reasons for the previous denial.
- 69 CIC, cc. 1732-1739; CCEO cc. 996-1006.
- 70 John Paul II, Apostolic Constitution *Pastor Bonus* (June 25, 1988), art. 51. With the assent of the Congregation for the Doctrine of the Faith, Article 94 of *Pastor Bonus* also accords limited oversight of the approval of catechetical texts to the Congregation for Clergy. Under limited conditions, the Supreme Tribunal of the Apostolic Signatura also adjudicates recourses against singular administrative acts issued by the dicasteries of the Holy See or approved by them (art. 123). In considering the possibility of seeking hierarchical recourse, it is helpful to recall the advice provided by the United States Conference of Catholic Bishops (then the National Conference of Catholic Bishops) in June 1989: “It is advisable that attempts to resolve doctrinal disputes be made first at the local level before an appeal is made to the Holy See” (from National Conference of Catholic Bishops, *Doctrinal Responsibilities: Approaches to Promoting Cooperation and Resolving Misunderstandings Between Bishops and Theologians* [Washington, DC: USCCB, June 1989], 4; hereafter *Doctrinal Responsibilities*). Cf. CIC, c. 1734§1 and CCEO, c. 998§1.
- 71 John Paul II, *Pastor Bonus*, Art. 58.
- 72 1992 Instruction, II.10.1.
- 73 In observing the appropriate process, diocesan and eparchial bishops may consult the principles enunciated in *Doctrinal Responsibilities*.
- 74 CIC, c. 823§2; 1992 Instruction, I.4; CCEO, c. 652§2.
- 75 CIC, cc. 48-58; CCEO, cc. 1517-1520.
- 76 CIC, c. 823§1; CCEO, cc. 605 and 652§2.
- 77 See, for example, the rights and obligations that are codified at CIC, cc. 209, 212-213, 217-218, 220, and 223; CCEO, cc. 12, 15-16, 20-21, 23, 26, 40, and 666.

Code of Canon Law (1983)

CAN. 822

§1. The pastors of the Church, using a right proper to the Church in fulfilling their function, are to endeavor to make use of the instruments of social communication.

§2. These same pastors are to take care to teach the faithful that they are bound by the duty of cooperating so that a human and Christian spirit enlivens the use of instruments of social communication.

§3. All the Christian faithful, especially those who in any way have a role in the regulation or use of the same instruments, are to be concerned to offer assistance in pastoral action so that the Church exercises its function effectively through these instruments.

CAN. 823

§1. In order to preserve the integrity of the truths of faith and morals, the pastors of the Church have the duty and right to be watchful so that no harm is done to the faith or morals of the Christian faithful through writings or the use of instruments of social communication. They also have the duty and right to demand that writings to be published by the Christian faithful which touch upon faith or morals be submitted to their judgment and have the duty and right to condemn writings which harm correct faith or good morals.

§2. Bishops, individually or gathered in particular councils or conferences of bishops, have the duty and right mentioned in §1 with regard to the Christian faithful entrusted to their care; the supreme authority of the Church, however, has this duty and right with regard to the entire people of God.

CAN. 824

§1. Unless it is established otherwise, the local ordinary whose permission or approval to publish books must be sought according to the canons of this title is the proper local ordinary of the author or the ordinary of the place where the books are published.

§2. Those things established regarding books in the canons of this title must be applied to any writings whatsoever which are destined for public distribution, unless it is otherwise evident.

CAN. 825

§1. Books of the sacred scriptures cannot be published unless the Apostolic See or the conference of bishops has approved them. For the publication of their translations into the vernacular, it is also required that they be approved by the same authority and provided with necessary and sufficient annotations.

§2. With the permission of the conference of bishops, Catholic members of the Christian faithful in collaboration with separated brothers and sisters can prepare and publish translations of the sacred scriptures provided with appropriate annotations.

CAN. 826

§1. The prescripts of can. 838 are to be observed concerning liturgical books.

§2. To reprint liturgical books, their translations into the vernacular, or their parts, an attestation of the ordinary of the place where they are published must establish their agreement with the approved edition.

§3. Books of prayers for the public or private use of the faithful are not to be published without the permission of the local ordinary.

CAN. 827

§1. To be published, catechisms and other writings pertaining to catechetical instruction or their translations require the approval of the local ordinary, without prejudice to the prescript of can. 775,§2.

§2. Books which regard questions pertaining to sacred scripture, theology, canon law, ecclesiastical history, and religious or moral disciplines cannot be used as texts on which instruction is based in elementary, middle, or higher schools unless they have been published with the approval of competent ecclesiastical authority or have been approved by it subsequently.

§3. It is recommended that books dealing with matters mentioned in §2, although not used as texts in instruction, as well as writings which especially concern religion or good morals are submitted to the judgment of the local ordinary.

§4. Books or other writings dealing with questions of religion or morals cannot be exhibited, sold, or distributed in churches or oratories unless they have been published with the permission of competent ecclesiastical authority or approved by it subsequently.

CAN. 828

It is not permitted to reprint collections of decrees or acts published by some ecclesiastical authority unless the prior permission of the same authority has been obtained and the conditions prescribed by it have been observed.

CAN. 829

The approval or permission to publish some work is valid for the original text but not for new editions or translations of the same.

CAN. 830

§1. The conference of bishops can compile a list of censors outstanding in knowledge, correct doctrine, and prudence to be available to diocesan curias or can also establish a commission of censors which local ordinaries can consult; the right of each local ordinary to entrust judgment regarding books to persons he approves, however, remains intact.

§2. In fulfilling this office, laying aside any favoritism, the censor is to consider only the doctrine of the Church concerning faith and morals as it is proposed by the ecclesiastical magisterium.

§3. A censor must give his or her opinion in writing; if it is favorable, the ordinary, according to his own prudent judgment, is to grant permission for publication to take place, with his name and the time and place of the permission granted expressed. If he does not grant permission, the ordinary is to communicate the reasons for the denial to the author of the work.

CAN. 831

§1. Except for a just and reasonable cause, the Christian faithful are not to write anything for newspapers, magazines, or periodicals which are accustomed to attack openly the Catholic religion or good morals; clerics and members of religious institutes, however, are to do so only with the permission of the local ordinary.

§2. It is for the conference of bishops to establish norms concerning the requirements for clerics and members of religious institutes to take part on radio or television in dealing with questions of Catholic doctrine or morals.

CAN. 832

Members of religious institutes also need permission of their major superior according to the norm of the constitutions in order to publish writings dealing with questions of religion or morals.

Code of Canons of the Eastern Churches (1990)

CAN. 651

§1. In order to fulfill its function of announcing the gospel throughout the world, the Church is bound to make use of appropriate means. Therefore, it is necessary to vindicate everywhere the right to the use of the means of social communication and specifically to the freedom of the press.

§2. All the Christian faithful for their part are to collaborate in this great mission of the Church, and support and foster the initiatives of this apostolate. Moreover, those especially who are experts in the production and the transmission of communications should solicitously offer their help to the pastoral activity of the bishops and earnestly endeavor that the use of the media be imbued with the spirit of Christ.

CAN. 652

§1. Eparchial bishops are to see that, particularly with the help of institutes of social communication, the Christian faithful are taught to use the media critically and advantageously; they are to foster cooperation among such institutes; they are to provide for the training of experts; and finally, they are to promote good initiatives, in the first place by praising and blessing good books, a policy that can be more effective than the censure and condemnation of evil.

§2. To safeguard the integrity of faith and morals, the eparchial bishop, the synod of bishops of the patriarchal Church, the council of hierarchs, and the Apostolic See are competent to forbid the Christian faithful to use or to pass on to others instruments of social communication, to the extent that these are detrimental to that same integrity.

CAN. 653

It is for the particular law to establish more detailed norms about the use of radio, cinema, television and the like dealing with Catholic doctrine or morals.

CAN. 654

The norms of common law on books apply also to any other writings or messages whatever reproduced by any technical means and intended for public distribution.

CAN. 655

§1. It is necessary for the Christian faithful to have full access to the Sacred Scripture. Therefore, under the care of the eparchial bishops, suitable and correct translations, furnished with sufficient explanations, are to be prepared where they are lacking, even in collaboration with other Christians, insofar as this can be done properly and usefully.

§2. All the Christian faithful, especially the pastors of souls, should be concerned to spread copies of the Sacred Scripture, furnished with suitable notes, appropriate for the use of non-Christians as well.

§3. For liturgical and catechetical purposes, only those editions of the Sacred Scripture that have received ecclesiastical approval are to be used; other editions must have at least ecclesiastical permission.

CAN. 656

§1. In liturgical celebrations, only books that have received ecclesiastical approval are to be used.

§2. Books of prayers or devotions, intended for the public or private use of the Christian faithful, require ecclesiastical permission.

CAN. 657

§1. The approval of liturgical texts, after prior review of the Apostolic See, is reserved in patriarchal Churches to the patriarch with the consent of the synod of bishops of the patriarchal Church, in metropolitan Churches *sui iuris* to the metropolitan with the consent of the council of hierarchs; in other Churches this right rests exclusively with the Apostolic See, and, within the limits set by it, to bishops and to their legitimately constituted assemblies.

§2. The same authorities are also competent to approve the translations of these books intended for liturgical use, after sending a report to the Apostolic See in the case of patriarchal Churches and metropolitan Churches *sui iuris*.

§3. To reprint liturgical books or their translations into another language, or even parts thereof, if intended for liturgical use, it is required and sufficient to establish their correspondence with an approved edition by the attestation of the local hierarchy referred to in can. 662,§1.

§4. In making changes in liturgical texts, attention is to be paid to can. 40,§1.

CAN. 658

§1. Catechisms and other writings intended for catechetical instruction in schools of whatever kind and grade, and their translations, requires ecclesiastical approval.

§2. The same norm is to be applied also to other books dealing with faith and morals, if they are used as textbooks for catechetical instruction.

CAN. 659

It is recommended that any writings whatever that explain the faith or morals of the Church have at least ecclesiastical permission, without prejudice to the prescripts of institutes of consecrated life, which require more.

CAN. 660

Unless there is a just and reasonable cause, the Christian faithful may not write anything in newspapers, magazines or periodicals that are wont to attack openly the Catholic religion or good morals; clerics and members of religious institutes, moreover, need the permission of those referred to in can. 662.

CAN. 661

§1. Ecclesiastical permission, expressed only with the word *imprimatur*, means that the work is free from errors regarding Catholic faith and morals.

§2. Approval granted by competent authority shows that the text is accepted by the Church or that the work is in accord with the authentic doctrine of the Church.

§3. If a work in addition is praised or blessed by the eparchial bishop or a higher authority, this means that it expresses well the authentic doctrine of the Church and therefore is to be recommended.

CAN. 662

§1. Ecclesiastical approval or permission to publish books can be granted, unless expressly stated otherwise in the law, either by the local hierarch of the author or of the place of publication, or finally by a higher authority having executive power of governance over these persons or places.

§2. Members of religious institutes, in order to publish writings dealing with religious and moral topics, also need the permission of their major superior in accord with the norm of the typicon or statutes.

CAN. 663

§1. Permission to publish a work or its approval, praise or blessing applies only to the original text, but not to new editions or translations.

§2. In case of editions of the Sacred Scripture or other books requiring ecclesiastical approval in accord with the norm of the law, approval legitimately granted by one hierarch is not enough for its use in another eparchy, but the explicit consent of the hierarch of that eparchy is required.

CAN. 664

§1. The local hierarch can entrust the judgment of books to censors selected from the list drawn up by the synod of bishops of the patriarchal Church or the council of hierarchs, or to others, according to his prudence; furthermore, a special commission of censors may be set up for the local hierarch, the synod of bishops of the patriarchal Church, or the council of hierarchs to consult.

§2. The censors selected are to be outstanding for their learning, right doctrine and prudence; in carrying out their office they are to give judgment without any partiality but in accordance with Catholic doctrine as proposed by the Church's authentic magisterium.

§3. The censors must give their opinion in writing; if it is favorable, the hierarch may grant permission or approval, according to his discretion, expressly in his own name; otherwise he must inform the author of the reasons for the refusal.

CAN. 665

§1. Pastors and rectors of churches are to be careful that in their Churches icons or images that are not in keeping with genuine sacred art or books that are not in harmony with the Christian religion or morals, are not displayed, sold or distributed.

§2. Likewise, pastors and rectors of churches and directors of Catholic schools have to take care that shows of whatever type conducted under their sponsorship are selected with a sense of Christian discretion.

§3. All the Christian faithful should be careful not to bring spiritual harm upon themselves or others by buying, selling, reading, or passing on to others those things mentioned in §1.

CAN. 666

§1. The intellectual work of an author is under the protection of the law, whether as the expression of the author's personality or as the source of patrimonial rights.

§2. The texts of laws and the official acts of whatever ecclesiastical authority and their authentic collections are under the protection of law; therefore they may not be republished without obtaining the permission of the same or a higher authority, and observing the conditions laid down by it.

§3. More detailed norms about this matter may be issued in the particular law of each Church *sui iuris*, in accordance with the civil laws concerning the rights of authors.

**Congregation for the Doctrine of the Faith,
“Instruction on Some Aspects of the Use of the
Instruments of Social Communication in Promoting the
Doctrine of the Faith”
(March 30, 1992)**

Introduction

The Second Vatican Council reminds us that among the principal duties of bishops “the preaching of the Gospel occupies an eminent place” (*Lumen Gentium*, 25). This is in keeping with the mission given by the Lord to teach all nations and to preach the Gospel to every creature (cf. Mt. 28:19).

The social communications media surely have to be counted among the most effective instruments available today for spreading the message of the Gospel. Not only does the Church claim the right to use them (cf. can. 747); she also encourages Bishops to take advantage of them in fulfilling their mission (cf. can. 822§1).

The decree of the Second Vatican Council, *Inter Mirifica*, and the Pontifical Council for Social Communications’ pastoral instructions *Communio et Progressio* and *Aetatis Novae*, have already given full treatment to the importance of the social communications media and their place in light of the Church’s mission to evangelize. Mention likewise should be made of the “Guide to the Training of Future Priests Concerning the Instruments of Social Communication” issued by the Congregation for Catholic Education.

The new *Code of Canon Law* also deals with the instruments of social communication (can. 822-832) and entrusts their care and supervision to the Bishops. Religious superiors, especially major superiors, also have specific responsibilities in this regard by virtue of their disciplinary authority.

The difficulties encountered for various reasons by those who are called to the care and supervision of the media are well known. Still, erroneous ideas

are becoming ever more widespread due to the social communications media in general and the publication of books in particular. With the publication of its *Instruction on the Ecclesial Vocation of the Theologian* on May 24, 1990, the Congregation for the Doctrine of the Faith offered from the doctrinal perspective an outline of the responsibilities Bishops have with regard to the authentic magisterium. In accordance with its mission to promote and defend the Church's teaching on faith and morals, this same Congregation has judged it good to issue the present Instruction, which has been prepared in agreement with the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life and after due consultation with the Pontifical Council for Social Communications.

The Instruction sets forth the pertinent legislation of the Church in an organic fashion. Its aim is to give encouragement and help to the Bishops in the fulfillment of their obligations (cf. can. 34) by calling to mind the norms of canon law, explaining their various provisions, and defining and making explicit the processes by which they are implemented.

The norms of canon law guarantee the freedom of all: whether it be the individual Christian faithful who have a right to receive the Gospel message in all its integrity and purity or those engaged in pastoral work, theologians, and all Catholics engaged in journalism who have the right to communicate their thought while maintaining the integrity of the faith and the Church's teaching on morals and due respect for the Bishops. By the same token, civil laws regarding the dissemination of information should protect and foster the right of all who use the social communications media to a truthful presentation of the facts. They likewise assure journalists in general of the right to communicate their thought within the limits of a professional code of ethics which also has concern for the way in which religious topics are handled.

The Congregation for the Doctrine of the Faith is aware of the difficult conditions under which theologians, those engaged in pastoral work, Catholic journalists, and journalists in general must labor in the fulfillment of their tasks. Thus it feels it right here to express a particular word of esteem and appreciation to them for the contribution they make with their efforts in this field.

I. Bishops' Responsibilities in General

1. The Responsibility of Instructing the Faithful

Bishops, inasmuch as they are authentic teachers of the faith (cf. can. 375 and 753), must take care to instruct the faithful concerning the right and duty they have to:

- a) “work so that the divine message of salvation may increasingly reach the whole of humankind in every age and in every land” (can. 211);
- b) make known their needs, especially spiritual ones, and their desires to the pastors of the Church (cf. can. 212§2);
- c) manifest to the pastors their opinion on matters which pertain to the good of the Church (cf. can. 212§3);
- d) make their own opinion as to what pertains to the good of the Church known to others of the Christian faithful “with due regard for the integrity of faith and morals and reverence toward their pastors and with consideration for the common good and the dignity of persons” (can. 212§3).

The faithful are also to be instructed in their duty to:

- a) “maintain always, even in their own patterns of activity, communion with the church” (can. 209§1; cf. can. 205);
- b) “follow by Christian obedience what the sacred pastors, as representatives of Christ, declare as teachers of the faith or determine as leaders of the Church” (can. 212§1);
- c) observe due respect for the magisterium of the Church if they are engaged in the sacred disciplines even while they enjoy a lawful freedom of inquiry and of prudently expressing their opinions on matters in which they have expertise (cf. can. 218);
- d) cooperate so that the use of the instruments of social communication is animated with a human and Christian spirit (cf. can. 822§2) in such a way that “the Church effectively fulfills her responsibility through such instruments” (can. 822§3).

2. Responsibilities Regarding Written Works and the Use of the Media of Social Communication

In the context of their duty to watch over the deposit of faith and preserve it intact (cf. can. 386 and 747§1) and to satisfy the faithful’s right to guidance in the way of sound doctrine (cf. can. 213 and 317), the Bishops also have the right and duty to:

- a) “be vigilant lest harm be done to the faith or morals of the Christian faithful through writings or the use of the instruments of social communication” (can. 823§1);
- b) “demand that writings to be published by the Christian faithful which touch upon faith or morals be submitted to their judgment” (can. 823§1);
- c) “denounce writings which harm correct faith or good morals” (can. 823§1);

d) apply, as the case requires, those administrative and penal sanctions provided for in the church's law to those who by infringement of the canonical norms abuse their proper office, constitute a danger to ecclesiastical communion or do harm to the faith and morals of the faithful (cf. can. 805; 810§1; 194§1,2; 1369; 1371,1; 1389).

3. The Obligation to Take Action With the Proper Means

The moral and juridical instruments provided for by the Church are placed at the disposal of the Bishops for the safeguarding of faith and morals. Only if the Church's pastors were to fail in their obligations could they neglect these instruments when the good of souls calls for and recommends them. Bishops should maintain continual contact with the cultural and theological world of their respective dioceses. In this way, any difficulties arising may be quickly resolved through a fraternal dialogue which provides the interested parties with an opportunity to make the needed clarifications. In following the procedures of canon law, disciplinary measures would be the last means to be applied (cf. can. 1341), although it should not be forgotten that for the sake of good order in the Church the application of penalties proves necessary in certain cases (cf. can. 1317).

4. Particular Responsibilities of Diocesan Bishops

With due respect for the competence of the Holy See (cf. Apost. Const. *Pastor Bonus*, art. 48, 50-52) and that of Episcopal Conferences and Particular Councils (cf. can. 823§2), Bishops, inasmuch as they are pastors and the ones primarily responsible for correct teaching about faith and morals (cf. can. 386; 392; 753; and 756§2), should make timely if prudent exercise of their right and duty of vigilance within their own diocese and proper jurisdiction. In fulfilling his responsibility, the Bishop will also call the matter, when necessary, to the attention of the Episcopal Conference or Particular Councils or to the Holy See itself through the competent dicastery (cf. can. 823§2).

5. The Assistance of Doctrinal Commissions

1. Doctrinal commissions, whether on the diocesan or Episcopal Conference level, should be a great help to Bishops. The work of such commissions should be followed and encouraged because of the invaluable aid which they can offer the Bishops in the fulfillment of their teaching mission (cf. the Letter of the Congregation for the Doctrine of the Faith addressed to the presidents of Episcopal Conferences on November 23, 1990).

2. The collaboration of people and institutions, such as seminaries, universities and ecclesiastical faculties, should also be sought. When they have the

required competence in their disciplines and are faithful to the Church's teaching, these too can make a contribution to the Bishops in the fulfillment of their duties.

6. Communion With the Holy See

Bishops should maintain contact with the dicasteries of the Roman Curia and in particular with the Congregation for the Doctrine of the Faith (cf. can. 360; Apost. Const. *Pastor Bonus*, art. 48-55). To the doctrinal Congregation should be referred those questions exceeding the Bishops' competence (cf. Apost. Const. *Pastor Bonus*, art. 13) or which for any reason indicate the appropriateness of action by or consultation with the Holy See. The Bishops should also convey to the congregation all that has doctrinal relevance to the question, whether this be seen in a positive or negative light, along with their suggestions as to possible courses of action.

II. Approval or Permission for Various Kinds of Written Works

7. Requirement of Approval or Permission

1. Either approval or permission is required by the Code for certain kinds of publications.

- a) In particular, prior approval is needed for the publication of books of the Sacred Scriptures and translations of them into the vernacular languages (cf. can. 825§1), for catechisms and other writings dealing with catechetical formation (cf. can. 775§2; 827§1), for textbooks dealing with those disciplines that touch on faith or morals and on which instruction is based in elementary, middle, and also higher schools (cf. can. 827§2).
- b) Prior permission is required, on the other hand, for the Christian faithful to prepare and publish translations of the Sacred Scriptures in collaboration with separated brothers and sisters (cf. can. 825§2), for prayer books intended for public or private use (cf. can. 826§3), for new editions of collections of decrees or acts issued by ecclesiastical authority (cf. can. 828), for what is written by clerics and members of religious institutes for newspapers, magazines, or periodicals which are accustomed to attack openly the Catholic religion or good morals (cf. can. 831§1), for the publication of writings by members of religious institutes which deal with questions of religion or morals (cf. can. 832).

2. Ecclesiastical approval or permission presupposes that the censor or censors, if more than one is considered appropriate (cf. can. 830), found nothing objectionable; it guarantees that the writing in question contains nothing contrary to the Church's authentic magisterium on faith or morals; and it attests that all the pertinent prescriptions of canon law have been fulfilled. It is appropriate, then, that in the act of granting the approval or permission itself explicit reference be made to the relative canon.

8. Writings for Which It Is Appropriate That the Local Ordinary Give His Judgment

1. The Code recommends that books which deal with matters of Sacred Scripture, theology, canon law, church history, or religious or moral disciplines be submitted to the judgment of the local Ordinary even if they are not employed as textbooks for teaching; the same is true for writings in which something is found of special concern to religion or to good moral behavior (cf. can. 827§3).

2. The diocesan Bishop, by virtue of his right to guard faith and morals in their integrity, could, if there were particular specific reasons, even require by an individual precept (cf. can. 49) that such writings be submitted to his judgment. In fact, can. 823§1 accords Bishops the right to "demand that writings to be published by the Christian faithful which touch upon faith or morals be submitted to their judgment." No limitation is placed on this right save one of a general order, so that "the integrity of the truths of the faith and morals be preserved." Such a precept could be imposed with regard to particular cases involving either individual persons or categories of persons (clerics, members of religious institutes, Catholic publishing houses, etc.) or with regard to specific subject matters.

3. In cases like these, ecclesiastical permission also carries the sense of an official declaration guaranteeing that the writing in question contains nothing contrary to the integrity of faith and morals.

4. If a writing contained opinions or questions which are specialized or in the domain of a particular expertise, and when it could cause scandal or confusion only in certain places or among certain people and not elsewhere, permission might be granted under specific conditions which would affect the way it is to be published or the language, but which, in any case, would make it possible to avoid the dangers involved.

9. Extending Approval or Permission

The approval or permission to publish some work applies only to the original text; this cannot be extended to new editions or translations of the same work (cf. can. 829). A simple reprinting of a work is not considered to be a new edition.

10. The Right to Approval or Permission

1. Ecclesiastical permission constitutes both a juridical and a moral guarantee for the authors, the publishers and the readers. Thus, whether permission is required or only recommended, when a person requests it he has a right to receive an answer from the competent authority.
2. The examination preceding the granting of permission calls for the greatest of care and seriousness with consideration given both to the rights of the authors (cf. can. 218) and those of all the faithful (cf. can. 213, 217).
3. When permission or approval is denied, administrative recourse in accordance with can. 1732-1739 can be had to the Congregation for the Doctrine of the Faith, which is the dicastery competent for such questions (cf. Apost. Const. *Pastor Bonus*, 48).

11. Competent Authority for Granting Approval or Permission

1. According to the norm of can. 824, the competent authority for granting approval or permission is either the proper local Ordinary of the author or the Ordinary of the place in which the work is to be published.
2. If permission is denied by one local Ordinary, recourse may be had to the other competent Ordinary. There is the obligation, nonetheless, to make the fact of the prior refusal of permission known. The second Ordinary is not to grant permission without having learned from the first Ordinary his reasons for denying it (cf. can. 65§1).

12. The Procedure to Be Followed

1. Before giving permission, the Ordinary should submit the writing in question to the judgment of people he holds as reliable. It may be that he chooses them from a list compiled by the Episcopal Conference or he may consult the commission of censors, if one has been established in accordance with the norm of can. 830§1. In giving his judgment, the censor should follow the criteria given in can. 830§2.
2. The censor should give his judgment in writing. If the judgment is favorable, the Ordinary should give the permission in his own name, detailing the date and place it was granted. If he were to judge, however, that granting permission is not opportune, he should communicate the reasons for this to the author (cf. can. 830§3).
3. Relations with authors should always be carried on in a constructive spirit of respectful dialogue and ecclesial communion so that ways may be found to ensure that nothing contrary to the Church's doctrine comes to be published.
4. Information concerning the granting of permission should be printed in a place readily noted in the books which are published. Thus, it is not suffi-

cient to use the formula “with ecclesiastical approval” or something similar; the name of the Ordinary who gives his permission as well as the date and place in which it was given ought to appear in print (cf. the authentic interpretation of can. 830§3: *Acta Apostolicae Sedis* 79 [1987], 1249).

13. Permission to Write for the Various Communications Media

The local Ordinary should give careful consideration whether and in what circumstances permission might be granted to clerics or religious to write for newspapers, magazines or periodicals which are accustomed to attack openly the Catholic religion or good morals (cf. can. 831§1).

III. The Apostolate of the Christian Faithful in the Publishing Field and in Particular Catholic Publishing Houses

14. The Commitment and Cooperation of All

The Christian faithful who are employed in the publishing trade, which here includes the sale and distribution of written works, have, in accordance with their specific tasks, a proper and particular responsibility for the promotion of sound doctrine and good morals. They are not only bound, therefore, to avoid cooperating in the distribution of works contrary to faith and morals, but they should make positive efforts toward the dissemination of written works which contribute to the human and Christian welfare of their readers (cf. can. 822§2-3).

15. Publishing Houses Under the Sponsorship of Catholic Institutions

1. Publishing concerns sponsored by Catholic institutions (dioceses, religious institutes, Catholic associations, etc.) have a particular responsibility in this area. In consideration of the special link they have with ecclesiastical authority, their activities should be conducted in harmony with the Church’s doctrine, in communion with her bishops and in conformity with her laws. Catholic publishers are not to issue works which do not have the prescribed ecclesiastical permission.
2. Publishing houses sponsored by Catholic institutions ought to be an object of particular concern for local Ordinaries so that their publications always conform to Church teaching and make an effective contribution to the good of souls.
3. Bishops have an obligation to prevent the sale and display in their church-

es of publications which deal with questions of religion or morals and have not received the permission or approval of Church authority (cf. can. 827§4).

IV. The Responsibility of Religious Superiors

16. General Principles

1. Religious superiors cannot be considered authentic teachers of the faith in a proper sense, and they are not, strictly speaking, pastors. They do, however, possess a power which comes from God through the ministry of the Church (cf. can. 618).

2. Apostolic action on the part of religious institutes is to be exercised in the name and by the mandate of the Church and should be carried out in communion with her (cf. can. 675§3). The prescription of can. 209§1 on the obligation which all the Christian faithful have always to maintain communion with the Church in their patterns of activity has particular application in the case of religious. Canon 590 gives a reminder to institutes of consecrated life regarding their special subjection to the supreme authority of the Church and the bond of obedience which binds their individual members to the Roman Pontiff.

3. Along with the local Ordinary, religious superiors have the responsibility of granting permission for the publication of writings dealing with questions of religion or morals by members of their institutes (cf. can. 824 and 832).

4. All superiors, especially those who are Ordinaries (cf. can. 134§1), are obliged to take care that within their institutes ecclesiastical discipline is followed also as regards the instruments of social communication. If abuses emerge, they are to insist upon its application.

5. Religious superiors, especially those whose institutes are dedicated precisely to the apostolate of the press and the social communications media, should see to it that their members faithfully follow the pertinent norms of canon law. They should give special attention to publishing houses, book stores, etc., associated with the institute, to encourage their being faithful and effective vehicles for the Church and her magisterium.

6. Religious superiors should cooperate with diocesan Bishops (cf. can. 678§3); it may be that such cooperation is even formalized through written agreements (cf. can. 681§1-2).

17. Permission of the Religious Superior

1. The religious superior, who in accordance with can. 832 is competent to grant his own religious members permission to publish writings dealing with questions of religion or morals, should not proceed to do so until he has the prior judgment of at least one censor he considers reliable and is satisfied that the work does not contain anything which might be harmful to the doctrine of the faith or morals.
2. The superior can require that his permission precede that of the local Ordinary and that explicit mention of the fact be made in the publication.
3. This permission can be given in a general fashion when it is a question of an ongoing collaboration in the publication of periodical literature.
4. It is particularly important that in this area too there be good cooperation between local Ordinaries and religious superiors (cf. can. 678§3).

18. Religious Publishing Houses

What has been said in general about publishing houses sponsored by Catholic institutions is applicable in the case of publishing houses sponsored by religious institutes. Their publishing efforts should always be looked upon as apostolic works which are to be pursued by mandate of the Church and carried out in communion with her, in fidelity to the proper charism of the institute and in obedience to the diocesan Bishop (cf. can. 678§1).

This instruction was adopted at an ordinary meeting of the Congregation for the Doctrine of the Faith and was approved at an audience granted to the undersigned Cardinal Prefect by the Supreme Pontiff, Pope John Paul II, who ordered its publication.

Given in Rome, at the Congregation for the Doctrine of the Faith, March 30, 1992.

Cardinal Joseph Ratzinger
Prefect

Archbishop Alberto Bovone
Secretary

Sample Precept
Enjoining a Person or Entity to Submit Written Works
for Ecclesiastical Authorization

Mindful of the pastoral needs of this Christian community, and in virtue of the authority granted to me in canon 823§1 of the *Code of Canon Law*, I, [N., BISHOP OF N], hereby bind [X] to submit writings [pertaining to the matter of Y] to me for approval prior to their publication [or, their use within the diocese in catechetical programs or educational endeavors.]

The reasons motivating this precept are most serious [EXPLAIN] This precept is necessary to protect the rights and reputations of all involved. It will remain in force until explicitly rescinded by me or my successor.

Given on the [DAY] of [MONTH] in the Year of Our Lord [YEAR] at the Curia of the Diocese of [N].

Bishop

Chancellor/Notary

SEAL

Sample Rescript
Granting Authorization to a Work Pertaining
to Faith or Morals in the Latin Catholic Church

RESCRIPT

In accord with canon 8XX of the *Code of Canon Law*, I hereby grant my approval (or permission) to publish [TITLE OF BOOK], by [NAME OF AUTHOR] [A DESCRIPTION OF THE WORK MAY BE PROVIDED INCLUDING, IF APPROPRIATE, THE NAME OF THE PUBLISHER WHO SUBMITTED THE TEXT FOR REVIEW].

Notice of this rescript is to be printed on the reverse side of the title page of the book.

[NAME OF LOCAL ORDINARY]
[TITLE]
[PLACE]
[DATE]

SEAL

Appendix 6

**Sample Rescript
Granting Authorization to a Work
Pertaining to Faith or Morals in the
Eastern Catholic Churches**

RESCRIPT

In accord with canon 6XX of the *Code of Canons of the Eastern Churches*, I hereby grant my approval (or imprimatur [permission]) to [NAME OF BOOK], by [NAME OF AUTHOR] [A DESCRIPTION OF THE WORK MAY BE PROVIDED INCLUDING, IF APPROPRIATE, THE NAME OF THE PUBLISHER WHO SUBMITTED THE TEXT FOR REVIEW].

[NAME OF LOCAL ORDINARY]
[TITLE]
[PLACE]
[DATE]

SEAL

Sample Decree
Withdrawing Ecclesiastical Authorization
Previously Granted to a Written Work

DECREE

On [DATE], a rescript granting ecclesiastical authorization to [NAME OF BOOK], by [NAME OF AUTHOR], was issued by [NAME OF GRANTOR]. After subsequent consideration, it has been judged inappropriate to allow this text to continue to carry the notice of approval that was previously granted. [A BRIEF SUMMARY OF THE REASONS PROMPTING THE REMOVAL, INCLUDING THE PROCEDURAL STEPS TAKEN PRIOR TO ISSUING THE DECREE, MAY BE CITED.]

Therefore, I, the undersigned, [BISHOP OF N], in virtue of my pastoral and teaching office within the Diocese [or Eparchy], and in conformity with the *Code of Canon Law* [or the *Code of Canons of the Eastern Churches*], hereby revoke the approval that was granted to this text.

This decree is effective immediately upon its notification. Henceforth, the [ORIGINAL DATE] rescript granting approval to the abovementioned text may no longer be cited in future editions of the work.

[NAME OF LOCAL ORDINARY]
[TITLE]
[PLACE]
[DATE]

SEAL