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General Principles of Canonical Penalties Dimension

Summary

The fundamental mission of the Church, founded by Christ, is to bring people to salvation. The road to salvation, however, is based on the imitation of Christ and respecting the rights laid down by Him. Therefore, „The Church has the innate and proper right to coerce offending members of the Christian faithful with penal sanctions” (can. 1311).

Law and penalties are intended to protect the common good of both, the Church, and its members. They are established only when: „they are truly necessary to provide more suitably for ecclesiastical discipline” (can. 1317). This is due to the fact, that the penalties in the Church, are the last element – *extrema ratio* – used in the pastoral care of the faithful.

This article is devoted to issues related to: entitlement of the Church to impose penalties, criminalization of offenses effected by intentional fault, forms of penalties applicable in the Church and obligation to respect the ecclesiastical penalties.

Słowa kluczowe: przestępstwo, wina, dochodzenie wstępne, proces sądowy, postępowanie administracyjne, apelacja, rekurs

Key words: crime, wines, preliminary investigation, lawsuit, administrative proceeding, appeal, recourse