

GENESIS OF CAN. 1370 OF THE CODE OF CANON LAW OF 1983

SUMMARY

In the article has been presented genesis of crime of physical forces against clerics and religious (can. 1370). Author has analyzed punishments for this crime in Gratian's Decretum, the apostolic constitution of Pius XII (12 October 1869), the 1917 Code of Canon Law, the Schematic of the Pontifical Commission for the Revision of the 1917 Code of Canon Law and the current Code.

Historical analysis of can. 1370 allow to understand its presence in the canonical penal law, and why this offense was severely punished in the Catholic Church – punish with excommunication. But compared to the previous regulations, the penalty for the crime of physical forces against clerics and religious has been mitigated.

Key words: crime of physical forces, cleric, religious, insult, The Pope of Rome (the Roman Pontiff), bishop