



# THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

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**MAIN EXAMINATION**

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**SEPTEMBER –DECEMBER 2021**

Ext 1022/23/25

**INSTITUTE OF CANON LAW**

**REGULAR PROGRAMME**

**JC-L 313: RELATIONSHIP BETWEEN THE CHURCH AND THE POLITICAL  
COMMUNITY**

**ORAL EXAMINATION**

**Date: DECEMBER 2021**

**Duration: 3 Hours**

**INSTRUCTIONS: Answer Question ONE and any TWO Questions**

- Q1. In reference to the religious freedom, indicate:
- a) the difference between religious freedom and the freedom of conscience,
  - b) the historical development and the development of the ecclesiastical Magisterium,
- Q2. In relation to the religious freedom, discuss:
- a) the contents of the religious freedom,
  - b) the legitimate limits to the rights of religious freedom,
  - c) the question of the objection of conscience.
- Q3. In the relationship between the Church and the political community, discuss the appointment to ecclesiastical offices.
- Q4. Why the Church prefers the term “political community” to the “state” in the relationship between the two?
- Q5. Considering the progress of science and technology in the bio-medical field, discuss the question of bioethics as a matter of the relationship between the Church and the political community.
- Q6. From the documents of the Magisterium, indicate the principles for a theory of the relationship between the Church and the political community.
- Q7. Can the Church be referred to as *societas iuridice perfecta*?

Q8. Explain the dualist principle and its historical experiences in the relationship between the Church and the political community.

Q9. Discuss the question of military service in the relationship between the Church and the political community.

Q10. Explain the political duty of the faithful with regard to the imperfect laws.

Q11. Distinguish the use of the following terms in the relationship between the Church and the political community: independence, autonomy, sovereignty.

Q12. Concerning the independence and the autonomy of the Church in canon law, which are the dispositions which directly or indirectly refer to the relations with the political community? In which areas does the Code tend to affirm the right concerning the independence and the autonomy which is proper to the Church as regard the political community?

Q13. What are the dispositions of the Code which recognize the proper competence and, in some cases, exclusive of the political community?

Q14. What are the norms concerning the aspects of individual and collective religious freedom, or the *libertas Ecclesiae*, in the secular juridical systems, and also concerning the “Christian animation of temporal order”?

Q15. The independence and the autonomy of the Church as regard the political community are found also in other sources than the Code. Indicate which ones. What about the particular laws? What about the dispositions contained in the concordats and the conventions stipulated between the Holy See and the States?

Q16. The Code recalls in many places the *ius civile* or the *lex civilis*, operating in as sending back to the norms of external law than to canonical system. Explain.

Q17. Discuss the political role of the Church.

Q18. What are the current reasons for the presence of the Church in the life of the international community?

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