

APPENDICE D – WHAT DOES CANON LAW SAY ABOUT THE QUALITY OF SPONSORED WORKS?

CANON LAW
ELEVENTH IN A SERIES ON CANON LAW

What Does Canon Law Say about the Quality of Sponsored Works?

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A clear distinction is to be made between “Catholic works” and the “works of Catholics.” The former are undertaken “in the name of the Church” (canon 116), with all the guarantees of the church behind them. On the other hand, works of Catholics are undertakings of Catholics that might have an ecclesial relationship or might be totally secular in their nature.

SIX CONDITIONS

For a work to be carried out in the name of the church, six conditions must be met.

■ *Spiritual Purpose* The work must have a spiritual purpose (see canon 114). Such a purpose can be either a work of piety, a work of the apostolate, or a work of charity. Canon 676 speaks of lay institutes participating in the pastoral mission of the church through the spiritual and corporal works of mercy. It is not difficult to see how the health care mission fits these categories.

■ *Answer to a Need* A work carried out in the name of the church must answer a need. Canon 114 even speaks of a “genuinely useful purpose” (when dealing with juridic persons). It may be that some Catholic institutions in the past were established not because there was a real apostolic need but, rather, to “fly the flag” because other groups were carrying out a similar mission in the same geographic area. Fortunately, in many places, the time for such undue rivalry and competition has passed.

■ *Sufficient Means* The undertaking must have sufficient means to achieve its purposes (see canons 114, sections 3 and 610). We all know that, in many circumstances, some works were simply unable to prosper because they lacked funding.

On the other hand, we are all well aware of the many instances in which foundresses of religious institutes made do with almost nothing and, through faith, nevertheless enabled the works to flourish. The necessary means are not limited to financial assets; a spirit of faith and a willingness to work diligently are also part of the necessary means.

■ *A Certain Perpetuity* Works carried out in the name of the church are expected to have a certain perpetuity. We are not involved in fly-by-night operations. It takes a long time to nurture a bud so that it becomes a tree in full bloom.

■ *Stewardship* Canon 116 refers to tasks or missions that have been “entrusted” to those who are to carry out a work. Those who have been thus “entrusted” are to carry out their tasks as good stewards, caring for the work and its assets (see canon 1284, section 1).

■ *Quality* A sixth and most important characteristic is mentioned in canon 806. Although this canon does not apply directly to health care institutions—indeed, there is no mention of such institutions in the Code of Canon Law—it applies to educational activities in the church, and, by analogy (in accordance with canon 19) could—and perhaps should—be applied to our various hospitals and related institutions.

HIGH QUALITY IS ESSENTIAL

With appropriate adjustments, we could say that canon 806 notes that those in charge of a Catholic health care work are to ensure, under the supervision of the bishop, that the care provided by it is, in its standards, at least as outstanding as that provided by other similar institutions in the

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