Introduction

This work examines the rights and obligations in canon law of child members of the Latin Church *sui juris* of the Catholic Church, the largest cohort of Christian children in the world.\(^1\) It also examines the impact on canon law, if any, of the Holy See’s ratification of the United Nations Convention on the Rights of the Child (1989)\(^2\) and the potential intra-Church implications for child members of the Church of the *uncrc*’s universally applicable human rights. These rights derive from the natural law and are based upon «recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family».\(^3\) An important question raised here is whether and if so how, are these rights imported into the Church’s laws and teachings which concern the rights and obligations of its own child members.

The term «child» as used here refers to a person under the canonical age for the attainment of adulthood which is eighteen (cf. can. 97 §1). Bearing in mind that Latin is the official language of the 1983 Code of Canon Law (*cic*),\(^4\) one in three of the world’s citizens is Christian amounting to some 2.2 billion people in 2010 according to the Pew Research Center, *The future of world religions. Population growth projections 2010–2050*, 1. The biggest Christian Church is the Catholic Church. Almost eighteen percent of the world’s total population is Catholic. Cf. UN Dept. of Economic and Social Affairs/Population Division, *World population prospects. The 2017 revision*, 1. In 2015 there were 1.285 billion Catholics, distributed unevenly across five continents. 63.7 percent of the populations of the Americas, 39.9 percent of Europe, 26.4 percent of Oceania and 3.2 percent of Asia are Catholic. Cf. Holy See, Secretariat of State, Central Office for Statistics of the Church, *Annuarium Statisticum Ecclesiae 2015*, 17–18. These numbers are not broken down by age, so an estimated figure of over three hundred million child members of the Catholic Church is based on global patterns of population age distribution from the UN Dept. of Economic and Social Affairs, Population Division, *World population prospects. The 2017 revision*, 1; Population Reference Bureau, *2012 world population data sheet*, 10. Children under fifteen make up twenty-six percent of the world’s population. Cf. UN Dept. of Economic and Social Affairs, Population Division, *World population prospects. The 2017 revision*, 10.

\(^1\) The *uncrc* was adopted by the United Nations General Assembly on 20 Nov. 1989 and came into effect on 2 Sept. 1990. The Holy See signed and ratified the *United Nations Convention on Rights of the Child (1989)* on the 20th of April 1990. It was the fourth State Party to do so.

\(^2\) *uncrc*, Preamble.

the CIC refers to a person (cf. can. 97 §1) who is under the age of majority not as a «child» but as a minor (minor) and a minor under age seven as an infans (infant) (cf. can. 97 §2). The term «child» is used in the Code in multiple senses but is undefined. A «child» is defined in art. 1 of the UNCR C as «every human being under eighteen years of age unless under the law applicable to the child majority is attained earlier».

Church membership begins at Baptism not birth. It is a direct and immediate consequence of Baptism (cf. cann. 96; 111 §1; 849). All Church members have certain rights and obligations by virtue of their membership. These are mostly set out in the CIC. Some of the rights and obligations apply to children because they are members of the faithful or the laity. Some generally applicable rights and obligations of members are adapted to account for a child’s age or developmental criteria. There are a number of rights and obligations which are particular to children. Additionally there are rights and obligations held by groups or individuals which are specifically directed towards the welfare, education and upbringing of child members of the Church and these are also described and discussed.

The Catholic Church is not monolithic. It comprises a number of sui juris (of their own right) churches. They are the Latin Catholic Church and twenty-three Eastern Catholic Churches. The Latin Church is by far the largest of the sui juris churches with 1.2 billion members. The other sui juris churches are numerically small by comparison, together numbering around sixteen million or 1.5 percent of the total Catholic Church numbers. They are known collectively as the Eastern Catholic Churches.

The Latin Church and the Eastern Churches have separate codes of canon law. The Latin Church’s CIC was promulgated in 1983 and the Eastern Churches’ Code of Canons of the Eastern Churches was promulgated in 1990.

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5 Other rights and obligations of membership may be found in various Church teaching documents and descriptions of these can often be gleaned from the Catechism of the Catholic Church which synthesises and makes accessible much of Church teaching but does not have the legal authority of the CIC.

