

Editorial

The reform of the Roman Curia

On 19 March 2022 Pope Francis promulgated the new Apostolic Constitution *Praedicate Evangelium* on the Roman Curia and its service to the Church and the world. This Constitution replaces the previous *Pastor Bonus*, issued in 1989 by John Paul II, which regulated the work of the Roman Curia. This reform was a long process that began with the General Congregations, the meetings of the Cardinals, that preceded the 2013 Conclave, in which Cardinal Jorge Mario Bergoglio was elected to the Pontificate.

The Roman Curia carries out its activities under the authority of the Pope and looks after the affairs of the Catholic Church with a view to the good of the particular Churches, religious congregations, associations, individual Christians, etc. The new legislation for the administration of the Roman Curia stipulates that it is made up of the Secretariat of State, the Dicasteries, the Justice Bodies (Tribunals), the Economic Bodies, the Offices, the Lawyers and the institutions linked to the Holy See.

The Apostolic Constitution *Praedicate Evangelium* brought some administrative novelties. Firstly, the Dicastery for Evangelization was created, chaired directly by the Pope and assisted by two pro-prefects. The Dicastery for the Service of Charity was established, with a significant function in the general administration of the Curia, which will serve for the collection and distribution of alms to the poor. The already existing Commission for the Protection of

Minors was incorporated by the Dicastery for the Doctrine of the Faith. These institutions are no longer called Congregations, but Dicasteries of the Curia.

The preamble of the new Constitution recalls that every Christian is a missionary disciple. This statement was emphasized at the Fifth Conference of the Latin American Bishops' Conference in Aparecida in 2007, where Cardinal Jorge Mario Bergoglio was the draftsman of the final document. In this way, Pope Francis brings the Latin American vision of ecclesial administration to the whole Catholic Church, since administration is also carried out by the missionary disciples of Jesus Christ.

The People of God, formed by missionary disciples, present in every country on the planet, administers its Curia in view of the evangelizing mission. This perspective, in line with the Aparecida document (no. 518n), emphasizes the need for a decentralisation of Church services, so that pastoral agents are integrated into the administrative mission, taking into account the professional categories required to perform the job.

In this sense, the lay faithful can also be destined to functions of governance of the Roman Curia, by virtue of their Baptism, as missionary disciples, because they cooperate for the good of the whole Church, in the knowledge of social realities that leads them to discover the ways of God in the world. Especially for technical work, the lay faithful offer the Pope an important service. However, bishops, priests, deacons, members of Institutes of Consecrated Life and Societies of Apostolic Life are also chosen. All of these, with the exception of the laity, have a five-year mandate to work in the Roman Curia, renewable for another five years.

The characteristics that should characterize all the Pope's servants are: a deep spiritual life, good pastoral experience, sobriety of life and love for the poor, a spirit of communion and service, competence in the matters entrusted to them, and the ability to discern the signs of the times. In practice, the reform of the Roman Curia will

be real and possible if it coexists with an inner reform, a reform of hearts, to promote a more effective and ecumenical evangelization, in constructive dialogue with all.

The journal *Scientia Canonica* begins its fifth year of uninterrupted publication with issue number nine, divided into four sections: articles, jurisprudence, speeches by the Holy Father and communications. The first article deals with the special faculties granted to the Dicastery for the Clergy, written by José Francisco Falcão de Barros, Auxiliary Bishop of the Military Ordinariate of Brazil. The second article is a study on non-consummation of marriage and the dissolution of the conjugal bond, by Valdinei de Jesus Ribeiro, professor at the Santa Catarina Institute of Canon Law. The third article is a continuation of the theme, published in issue eight of our Review, on the faithful's membership of the elective parish, presenting new criteria for ascription to the parish (part II), written by Marcio Fernando França, professor at the Institute of Canon Law of Londrina. Finally, Cristiano Faria dos Santos, dean and professor at the Pontifical Institute of Canon Law in Rio de Janeiro (Goiânia Extension), deals with the right of defence in the canonical order after the Second Vatican Council.

In the jurisprudence section we publish the Holy Father's address to the officers of the Tribunal of the Roman Rota on the occasion of the inauguration of the judicial year, 27 January 2022. Then we have a final sentence for incapacity to assume the essential obligations of marriage, describing a case of demonic possession, *Coram Mirosalao Constantio Adam, Ponente*, on 14 January 2021. Vincenzo Fasano, lecturer at the Faculty of Canon Law at St Thomas Aquinas University in Urbe, prepared the ruling for publication and wrote the commentary on the subject. The sentence was translated by Leonardo Rosa Ramos, invited professor of Latin at the Pontifical Salesian University and the Pontifical Athenaeum Sant'Anselmo.

In this issue we present, between the Communications, also two pronouncements of the Holy Father, considered indispensable for

legal scholars: the speech at the opening of the judicial year of the Tribunal of the Vatican City State, on 12 March 2022 and the speech to the members of the Superior Council of the Italian Magistracy, on 8 April 2022. The volume closes with four communications on topics related to canon law.

The Editorial Committee of the Journal *Scientia Canonica* is pleased to continue receiving contributions from Brazilian and foreign canonists, in order to contribute to the development of the Santa Catarina Institute of Canon Law on three fronts: teaching, research and dissemination.

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