

Editorial

With the publication of this new issue, our journal renews its commitment to supporting canonical, legal, and pastoral reflection in a time marked by complex challenges that question the very structure of the Church, the exercise of authority, and access to ecclesiastical justice. In the second half of 2023, the life of the universal Church was particularly shaped by the First Session of the XVI Ordinary General Assembly of the Synod of Bishops (October 4–29, 2023), dedicated to the theme *For a Synodal Church: Communion, Participation, and Mission*. Within this context of ecclesial discernment and conversion, key issues such as authority, pastoral responsibility, transparency, and closeness to the faithful -also in the juridical sphere- received renewed focus. This issue of our journal seeks to contribute to that synodal journey by exploring several essential aspects of canonical life in the Church, with particular attention to the relationship between institutions, individuals, and justice.

The issue opens with a contribution by Cardinal Gianfranco Ghirlanda, S.J., who offers a theological reinterpretation of consecrated life in a secularized cultural context. Rather than merely outlining the challenges posed by this context, the text highlights the ecclesial and institutional significance of consecrated life, seen as a radical expression of Christian freedom and as a prophetic sign within the Church and the world. This reflection, both theological and canonical in nature, implicitly recalls the role of ecclesial institutions in safeguarding and promoting charisms in the communion of the Church.

In continuity with this perspective, the article by Prof. Luigi Sabbarese focuses on the progress and challenges of canonical procedural law, with particular reference to marriage nullity cases. The theme of discernment, addressed in the previous contribution with regard to the vocation to consecrated life, here emerges as an institutional requirement of the Church in evaluating matrimonial cases. The article emphasizes that canonical justice must never be reduced to mere procedural

formalism but should instead embody genuine judicial pastoral care, which upholds the rights of persons and promotes truth regarding the marital bond. The emphasis placed on the bishop as the first judge and guarantor of justice points to a synodal Church - one in which proximity does not undermine competence, and where legal structures become spaces for the responsible exercise of the Church's pastoral mission.

The contribution by Prof. Alphonse Borras on the reform of Book VI of the Code of Canon Law complements the picture outlined in the preceding articles by delving into the penal dimension of ecclesial governance. If consecrated life expresses evangelical radicalism and matrimonial justice offers a space for communal discernment, then canon penal law today proves to be an indispensable tool for safeguarding ecclesial order, protecting victims, and upholding the credibility of authority. The renewed system of penalties, grounded in the Apostolic Constitution *Pascite Gregem Dei*, reminds pastors and religious superiors of their primary responsibility in exercising *potestas* in a way that promotes justice, correction, and communion.

Confirming the relevance of these reflections, this issue also features the full text of the address delivered by Pope Francis to the lawyers of the Council of Europe member states (August 21, 2023). In his remarks, the Holy Father strongly reaffirmed the centrality of the human person, the defense of fundamental rights, and the non-negotiable value of the rule of law, which must never be set aside, even in times of crisis. Particularly noteworthy is the Pope's emphasis on the legal profession as a safeguard of freedom and a guarantee of justice, underscoring the importance of its role even within the canonical legal order. In a passage of remarkable depth, the Pope also defended the professional secrecy of lawyers, drawing an analogy to the seal of confession, in order to protect the trust placed by clients in their advocates and the dignity of those involved in judicial proceedings. The close relationship between justice, mercy, and truth -a theme running through the preceding articles- here receives further grounding in an integrated vision that links the function of law with the vocation to serve and protect the inviolability of the human person.

Finally, the jurisprudence section presents the full text of the "Coram Heredia" sentence of November 7, 2023, which rejected a petition

for the nullity of marriage based on a grave lack of discretion of judgment and on total simulation of consent. The decision, notable for its argumentative rigor and clarity of analysis, offers a valuable resource for understanding the ongoing development of jurisprudential interpretation of canons 1095 and 1101. The commentary, published in five languages, enables readers to grasp the scope of the legal principle affirmed, making the content of the ruling accessible even to those not directly engaged in ecclesiastical judicial practice.

We are grateful to all the authors for the scientific quality and ecclesial fidelity of their contributions, and to our readers for the trust and consistent attention with which they continue to follow our work. In this regard, we also wish to highlight the International Canon Law Symposium held on October 30–31 and November 1, 2023, organized by the Faculty of Canon Law *São Paulo Apóstolo* and the *Instituto Superior de Direito Canônico Santa Catarina*, on the occasion of the 40th anniversary of the promulgation of the Code of Canon Law. This initiative offered a meaningful opportunity to reflect - with an interdisciplinary approach and international openness - on the advancements and challenges of the Code in the areas of matrimonial, procedural, penal, and consecrated life law. It featured the participation of many distinguished scholars, including the authors of the contributions in this issue.

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