

CANONICAL UPDATES 2020

I tried my best to go through the church teachings in order to find some important messages from the teaching of the Pope and His Curia. I could find very few points for our canonical consideration which will be helpful to guide the pastors in doing the mission of Christ.

1. CHRISTUS VIVIT

Christus Vivit is the post synodal apostolic exhortation of the Holy Father Francis to young people given on 5th March 2019.

The document defines the terms “youth and young adults,” “young people,” and “the young” are used interchangeably. The age range designated by the synodal process and in Christus Vivit includes those ages 16-29, which spans across older adolescence and early young adulthood.

Pope Francis launched a Synod process in October 2016, seeking to provide a Catholic response to the reality of young people in connection to faith, the community of the Church, and each one’s vocational calling. That journey continued through to the Synod of Bishops in October 2018 and the subsequent release of Christus Vivit in April 2019.

From June 19-22, 2019, the Dicastery for Laity, Family and Life held, in Rome, an International Post-Synodal Forum of young adults from around the world to discuss the impact of Christus Vivit on their peers and the Church in their respective countries.

Content:

The Holy Father is asking all Christians to not only respect and appreciate young people, but also to renew their faith with young peoples’ perspectives, experiences, and insights at the center.

DOCUMENT ORGANIZATION AND STRUCTURE: SEE, JUDGE, ACT MODEL

Reflecting the “see, judge, act” pastoral action framework (a classic style used frequently in Latin America), the synodal process and the organization of Pope Francis’ Christus Vivit follows this same structure. During the Synod, the three-fold framework was also given the words, “observe, interpret, and choose.”

CHAPTERS 1-3: SEE | OBSERVE

Pope Francis helps us to see young people in the context of Scripture (Chapter 1), the Church (Chapter 2), and the world today (Chapter 3). This is inclusive of some key observations about youth and young adults he received through the synodal process, especially in his encounters with young people at World Youth Days in Rio (2013), Krakow (2016), and Panama (2019),

with the international delegates at the Pre-Synod Meeting (March 2018), and with the young adult auditors at the Synod of Bishops (October 2018).

CHAPTERS 4-6: JUDGE | INTERPRET

Pope Francis offers his response to the situation of young people (shared throughout Chapter 3) by providing three essential understandings of life and faith: that God loves us, that Jesus saves us through his death, and that Christ is alive through his resurrection, and gives us hope with the help of the Holy Spirit (Chapter 4). He then shares his commentary on, or assessment of, what it means to be a young person, and how youth and young adults move from dreams to fully participating in today's global society (Chapter 5). This includes his expression of the great hope he has for young people and intergenerational cohesion (Chapter 6).

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CHAPTERS 7-9: ACT | CHOOSE

Pope Francis concludes Christus Vivit by pointing to needed improvements and actions in both youth and young adult ministries and by the global Church in response to young people. He outlines ideas for parishes and academic institutions and proposes a radical ministry model beyond church walls and with youth and young adults as the chief protagonists (Chapter 7). He then provides a framework for understanding and acting on one's calling/vocation in life (Chapter 8) through an intentional process of listening, dialogue, and discernment (Chapter 9).

The entire document is grounded in hope: Christ is alive, which means that darkness and death do not have the final answer. The situation young people face today, and that the Church faces today, may seem daunting and overwhelming; but a hopeful outlook, aided by the Holy Spirit, who guides our actions, reminds us that if local communities proactively implement Christus Vivit to the fullest, new life will surely emerge.

2. COMMUNIS VITA

Communis Vita is the apostolic letter issued motu Proprio by our Supreme Pontiff Francis on 19th March 2019 which provides for the modification of several norms of the Code of Canon Law. It was promulgated on 10th April 2019.

Content:

Life in community is an essential element of religious life, and “religious are to live in their own religious house and are not to be absent from it except with the permission of their superior” (Can. 665 §1 CIC). The experience of recent years has, however, demonstrated that situations occur that are related to illegitimate absences from the religious house, during which religious distance themselves from the jurisdiction of the legitimate Superior and at times cannot be located.

The Code of Canon Law requires the Superior to seek out the illegitimately absent religious in order to help him or her to return and persevere in his or her vocation (cf. can. 665 §2 CIC). Quite often, however, it may happen that the Superior is unable to locate the absent religious. Pursuant to the Code of Canon Law, after at least six months of illegitimate absence (cf. can. 696 CIC), it is possible to begin the process of dismissal by the institute, according to the established procedure (cf. can. 697 CIC). However, when the religious' place of residence is unknown, it becomes difficult to accord juridical certainty to the de facto situation.

Therefore, notwithstanding what is established by the law on dismissal following six months of illegitimate absence, in order to help institutes apply the necessary discipline and be able to proceed to the dismissal of the illegitimately absent religious, especially in cases in which his or her location is unknown, **Pope has decided to add to can. 694 §1 CIC, among the reasons for dismissal ipso facto from the institute, also a prolonged illegitimate absence from the religious house lasting at least 12 consecutive months**, with the same procedure described in can. 694 §2 CIC. In order to produce juridical effects, the statement of the case by the Major Superior must be confirmed by the Holy See; for institutes of diocesan right, the confirmation rests with the Bishop of the principal See.

The introduction of this new article to §1 of can. 694 requires, moreover, a modification of can. 729 with regard to secular institutes, for which the application of discretionary dismissal for illegitimate absence is not provided.

Procedural Application

Art. 1. Can. 694 CIC is entirely replaced by the following text:

§1. A religious must be held as dismissed ipso facto from an institute who:

- 1) has defected notoriously from the Catholic faith;
- 2) has contracted marriage or attempted it, even only civilly;
- 3) has been illegitimately absent from the religious house, pursuant to can. 665 §2, for 12 consecutive months, taking into account that the location of the religious himself or herself may be unknown.

§2. In such cases the Major Superior, with his or her Council and without hesitation, having gathered the evidence, must issue the statement of the case so that the dismissal may be juridically constituted.

§3. In the case envisaged by §1 n. 3, in order to be juridically constituted, this statement must be confirmed by the Holy See; for institutes of diocesan right the confirmation rests with the Bishop of the principal See.

Art. 2. Can. 729 CIC is entirely replaced by the following text:

Dismissal of a member of the institute proceeds pursuant to canons 694 §1, 1 and 2 and 695. The constitutions may also define other causes for dismissal, provided that they be commensurately serious, external, attributable and juridically proven, and that the procedure established in canons 697-700 also be observed. The provisions of canon 701 are applicable to the dismissed member.

As deliberated with this Apostolic Letter issued Motu Proprio, I dispose that it take firm and permanent effect, despite any matters to the contrary even if worthy of special mention, and that it be promulgated by publication in L'Osservatore Romano, entering into force on 10 April 2019, and thereafter be published in the official commentary Acta Apostolicae Sedis.

3. APOSTOLIC LETTER FOR THE PROTECTION OF MINORS AND VULNERABLE PERSONS

Pope Francis issued an apostolic letter motu Proprio on 26th March 2019 and it came to force from 1st June 2019 clearing some doubts and giving guidelines more appropriate for the protection of minors and vulnerable persons.

The protection of minors and vulnerable persons is an integral part of the Gospel message that the Church and all its members are called to proclaim throughout the world. Christ himself, in fact, has entrusted us with the care and protection of the weakest and defenceless: “whoever receives one child such as this in my name receives me” (Mt 18:5). Therefore, we all have the duty to welcome openheartedly minors and vulnerable persons and to create a safe environment for them, with their interests as a priority. This requires a continuous and profound conversion, in which personal holiness and moral commitment come together to promote the credibility of the Gospel proclamation and to renew the educational mission of the Church.

Pope wanted to strengthen even more the institutional and regulatory framework to prevent and to counter abuses against minors and vulnerable persons so that in the Roman Curia and in Vatican City State:

- ✓ there exist a community respectful and mindful of the rights and the needs of minors and of vulnerable persons, as well as being vigilant in preventing any form of physical or psychological violence or abuse, abandonment, neglect, ill-treatment or exploitation that may occur either in interpersonal relationships or in shared spaces and facilities;
- ✓ everyone becomes ever more aware of the duty to report abuses to the competent Authorities and to cooperate with them in their prevention and opposition;
- ✓ all instances of abuse or ill-treatment of minors or of vulnerable persons are effectively prosecuted in accordance with the law;
- ✓ the right to be welcomed, listened to and accompanied is recognized of those who claim to have suffered exploitation, sexual abuse or ill-treatment, and of their families;

- ✓ to victims and to their families appropriate pastoral care is given, as well as adequate spiritual, medical, psychological and legal support;
- ✓ the right to a fair and impartial trial, in compliance with the presumption of innocence, as well as the principles of legality and proportionality between the crime and the sentence, is guaranteed to the accused;
- ✓ those who are convicted of having abused a minor or a vulnerable person are removed from their duties and that, at the same time, they are offered adequate support for their psychological and spiritual rehabilitation, also in view of their social reintegration;
- ✓ everything possible is done to rehabilitate the good name of those who have been wrongly accused;
- ✓ adequate training is provided for the protection of minors and vulnerable persons.

Therefore, with the present Letter the Pope decreed:

- 1) The competent judicial organs of Vatican City State exercise criminal jurisdiction also over the crimes referred to in articles 1 and 3 of [Law No. CCXCVII, On the Protection of Minors and Vulnerable Persons](#), of 26 March 2019, when committed by the subjects referred to in point 3 of the [Motu Proprio “In Our Times”](#), of 11 July 2013, on occasion of the exercise of their functions.
- 2) 2. Without prejudice to the sacramental seal, the subjects referred to in point 3 of the [Motu Proprio “In Our Times”](#), of 11 July 2013, shall file a report without delay with the Promoter of Justice of the Tribunal of Vatican City State whenever, in the exercise of their functions, they know or have reasonable grounds to believe that a minor or a vulnerable person has suffered of one of the crimes referred to in Article 1 of [Law No. CCXCVII](#), if the offence has been committed either:
 - i. in the territory of the State;
 - ii. to the detriment of citizens or residents in the State;
 - iii. On occasion of the exercise of their functions, by public officials of the State or by the subjects referred to in point 3 of the [Motu Proprio “In Our Times”](#), of 11 July 2013.
- 3) To the persons offended by the crimes referred to in Article 1 of [Law No. CCXCVII](#) will be offered, through the Support Service that is managed by the Department of Health and Hygiene of the Governorate of Vatican City State, spiritual, medical and social assistance, including therapeutic and psychological emergency assistance, as well as useful information of a legal nature.
- 4) The Labour Office of the Apostolic See, in cooperation with the Support Service of the Department of Health and Hygiene, shall organize training programs for the staff of the Roman Curia and of the Institutions connected to the Holy See on the risks of exploitation, sexual abuse and ill-treatment of minors, as well as the ways to identify and prevent those offences and on the duty to report.

- 5) When selecting and hiring the staff of the Roman Curia and of the Institutions connected to the Holy See, as well as of those who offer voluntary service, the suitability of the candidates to interact with minors and vulnerable persons shall be ascertained.
- 6) Those Dicasteries of the Roman Curia and Institutions connected to the Holy See to which minors or vulnerable persons have access shall adopt, with the assistance of the Support service of the Department of Health and Hygiene, guidelines and good practices for their protection.

4. VOS ESTIS LUX MUNDI

Pope Francis has issued an apostolic letter motu Proprio Vos Estis Lux Mundi on 7th May 2019 and it came to force on 1st June 2019.

“You are the light of the world. A city set on a hill cannot be hidden” (Mt 5:14). Our Lord Jesus Christ calls every believer to be a shining example of virtue, integrity and holiness. All of us, in fact, are called to give concrete witness of faith in Christ in our lives and, in particular, in our relationship with others.

In this apostolic letter Pope Francis insists upon the urgent need and necessity to take care of the minors who are sexually abused. He divides this letter into two titles and elaborates the topic in its depth. In title I, he gives the General Provisions (Articles 1-5), where he explains the terms such as ‘Minor’, ‘Delicts’, ‘Vulnerable person’ and ‘Child pornography’ etc., In title II, he gives Provisions concerning Bishops and their equivalents (Articles 6- 19), where he explains the procedural aspects of the issue concerned. The duties and responsibilities of the church authority to safe guard the rights of the minors and vulnerable persons who are abused and affected sexually.

The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church’s mission. This becomes possible only with the grace of the Holy Spirit poured into our hearts, as we must always keep in mind the words of Jesus: “Apart from me you can do nothing” (Jn 15:5). Even if so much has already been accomplished, we must continue to learn from the bitter lessons of the past, looking with hope towards the future.

TITLE I GENERAL PROVISIONS

Art. 1 – Scope of application

Art. 2 – Reception of reports and data protection

Art. 3 – Reporting

Art. 4 – Protection of the person submitting the report

Art. 5 – Care for persons

TITLE II PROVISIONS CONCERNING BISHOPS AND THEIR EQUIVALENTS**Art. 6 – Subjective scope of application****Art. 7 – Competent Dicastery****Art. 8 – Procedure applicable in the event of a report concerning a Bishop of the Latin Church****Art. 9 – Procedure applicable to Bishops of Eastern Catholic Churches****Art. 10 – Initial duties of the Metropolitan****Art. 11 – Entrusting the investigation to a person other than the Metropolitan****Art. 12 – Carrying out the investigation****Art. 13 – Involvement of qualified persons****Art. 14 – Duration of the investigation****Art. 15 - Precautionary measures****Art. 16 – Establishment of a fund****Art. 17 – Transmission of the documents and the votum****Art. 18 – Subsequent measures****Art. 19 – Compliance with state laws**

The present norms are approved ad experimentum for three years.

5. APERUIT ILLIS

Pope Francis has issued an apostolic letter motu Proprio *Aperuit illis* instituting One on 30 September 2019. In this Apostolic letter he insists very much on the importance and the celebration of the Word of God. The salient features in this document are enlisted as follows:

1. “He opened their minds to understand the Scriptures” (Lk 24:45). This was one of the final acts of the risen Lord before his Ascension. At the conclusion of the [Extraordinary Jubilee of Mercy](#), Pope Francis proposed setting aside “a Sunday given over entirely to the word of God, so as to appreciate the inexhaustible riches contained in that constant dialogue between the Lord and his people” ([Misericordia et Misera](#), 7). Devoting a specific Sunday of the liturgical year to the word of God can enable the Church to experience anew how the risen Lord opens up for us the treasury of his word and enables us to proclaim its unfathomable riches before the world.
2. Consequently, Pope Francis sets aside that the Third Sunday in Ordinary Time is to be devoted to the celebration, study and dissemination of the word of God. This Sunday of the Word of God will thus be a fitting part of that time of the year when we are encouraged to strengthen our bonds with the Jewish people and to pray for Christian unity. This is more than a temporal coincidence: the celebration of the Sunday of the Word of God has ecumenical value, since the Scriptures point out, for those who listen, the path to authentic and firm unity.
3. Further, Pope Francis expresses why he brought this document saying that, I wish to respond to the many requests I have received from the people of God that the entire

Church celebrate, in unity of purpose, a Sunday of the Word of God. It is now common for the Christian community to set aside moments to reflect on the great importance of the word of God for everyday living. The various local Churches have undertaken a wealth of initiatives to make the sacred Scripture more accessible to believers, to increase their gratitude for so great a gift, and to help them to strive daily to embody and bear witness to its teachings.

4. He insists that the role of the Holy Spirit in the Scriptures is primordial. Without the work of the Spirit, there would always be a risk of remaining limited to the written text alone. The work of the Holy Spirit has to do not only with the formation of sacred Scripture; it is also operative in those who hear the word of God. When sacred Scripture is read in the light of the same Spirit by whom it was written, it remains ever new. The Old Testament is never old once it is part of the New, since all has been transformed thanks to the one Spirit who inspired it.
5. Further the Pope entreats that the word of God is to be lived in love. “God’s word constantly reminds us of the merciful love of the Father who calls his children to live in love. The life of Jesus is the full and perfect expression of this divine love, which holds nothing back but offers itself to all without reserve”.
6. Pope emphasizes further that the application of the Word of God into our lives should be prophetic. Sacred Scripture accomplishes its prophetic work above all in those who listen to it. It proves both sweet and bitter. The sweetness of God’s word leads us to share it with all those whom we encounter in this life and to proclaim the sure hope that it contains (cf. 1 Pet 3:15-16). Its bitterness, in turn, often comes from our realization of how difficult it is to live that word consistently, or our personal experience of seeing it rejected as meaningless for life. We should never take God’s word for granted, but instead let ourselves be nourished by it, in order to acknowledge and live fully our relationship with him and with our brothers and sisters.
7. May the Sunday of the Word of God help his people to grow in religious and intimate familiarity with the sacred Scriptures. For as the sacred author taught of old: “This word is very near to you: it is in your mouth and in your heart for your observance” (Dt 30:14).

Given in Rome, at the Basilica of Saint John Lateran, on 30 September 2019, the liturgical Memorial of Saint Jerome, on the inauguration of the 1600th anniversary of his death.

6. APOSTOLIC LETTER ISSUED “MOTU PROPRIO” FOR THE CHANGE OF THE VATICAN SECRET ARCHIVE TO THE VATICAN APOSTOLIC ARCHIVE. ISSUED ON 22 OCTOBER 2019.

Requested in recent years by some esteemed prelates, as well as by my closest collaborators, and having also listened to the opinion of the Superiors of the same Vatican Secret Archive, with this

my Motu proprio I decide that: From now on the present Vatican Secret Archive, without prejudice to its identity, its structure and its mission, should be called the **Vatican Apostolic Archive**. Reaffirming its active desire to serve the Church and culture, the new name highlights the close link between the Roman See and the Archive, an indispensable instrument of the Petrine ministry, and at the same time underlines its immediate dependence on the Roman Pontiff, as is already the case in parallel for the name of the Vatican Apostolic Library. I order that this Apostolic Letter in the form of a Motu proprio be promulgated by publication in the daily newspaper L'Osservatore Romano, coming into immediate force upon publication, so as to be immediately incorporated into the official documents of the Holy See, and that, subsequently, it be inserted into the Acta Apostolicae Sedis.

7. APOSTOLIC LETTER ISSUED "MOTU PROPRIO" REGARDING THE OFFICE OF DEAN OF THE COLLEGE OF CARDINALS ISSUED ON 29 NOVEMBER 2019.

Throughout the centuries the Roman Pontiffs have adapted to the needs of their times the composition of the [College of Cardinal Fathers](#), specially called to undertake the election of the Supreme Pastor of the Church and to assist him in treating issues of the greatest relevance in the daily care of the universal Church. In this regard, the regulations of the Church, with clear and precise prescriptions, have for some time now also wisely provided for the singular place, within the College of Cardinals, that belongs to the Cardinal Dean, and in his place, to the Sub-Dean, called to exercise among the brother Cardinals a fraternal and fruitful presidency of primacy inter pares (cf. can. 352 § 1). These norms also prescribe the manner of their election by the Brothers who are members of the Episcopal Order (cf. can. 350 § 1 and 352 § 2-3).

Now, however, having accepted the resignation from the office of Dean of the College of Cardinals presented by His Eminence Cardinal Angelo Sodano, whom I thank most sincerely for the high service he has rendered to the College of Cardinals during the almost **fifteen years of his mandate**, and also having regard to the fact that with the increase in the number of Cardinals, ever greater commitments are being placed on the person of the Cardinal Dean, it seemed opportune to me that **from now on the Cardinal Dean, who will continue to be elected from among the members of the Order of Bishops in the manner established by can. 352 § 2 of the Code of Canon Law, remain in office for a five-year period, renewable if necessary, and at the end of his service, he may assume the title of Dean Emeritus of the College of Cardinals.**

Rev. Fr. Dr. A. Alagu Selvan, Salem.

Rev. Fr. Dr. A. Jacob, Salem