

From *Pastor Bonus*
to
Praedicate Evangelium
**A combination of tradition,
revision and innovation**

Webinar

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Overview

- The Apostolic Constitution *Praedicate Evangelium* was published in Italian on March 19, 2022 and took effect on June 5, 2022.
- It is not the first time that changes in the structure of the Roman Curia were made:
- Sixtus V, Ap.Const. *Immensa Aeterni Dei* (1588)
- Pius X, Ap.Const. *Sapienti Consilio* (1908)
- Paul VI, Ap.Const. *Regimini Ecclesiae Universae* (1967)
- John Paul II, Ap. Const. *Pastor Bonus* (1988)

Pastor Bonus
-
Praedicate
Evangelium

Michael Nobel (ed.)

Synopsis

**Pastor Bonus - Praedicate
Evangelium: Synopsis**
by Michael Nobel

Paperback

Pastor Bonus
-
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Commentary

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References

<i>Pastor Bonus</i>		<i>Praedicate Evangelium</i>
Introduction		I. Preamble
		II. Principles and Criteria for the Service of the Roman Curia
I. General Norms		III. General Norms
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IV. Tribunals		VI. Institutions of Justice
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- The constitution of the Church or its ecclesiology did not change; *Praedicate Evangelium* still outlines elements of hierarchical communion and the fundamental rights of all faithful.
- The supreme power in the Church is exercised by the Roman Pontiff and the College of Bishops.
- What did change is the fact that the Roman Curia is now intrinsically open to the episcopal principle, and heads of dicasteries can be lay persons as well: the Roman Curia is to be seen as professional service with a view on the apostolic mission of the Church, run by qualified personnel, whether they are ordained or not.

Pro-active recognition of Eastern Catholic Churches

- *Praedicate Evangelium* attempts to ensure the integration and communion between the universal Church and the particular Churches, including the Eastern Catholic Churches *sui iuris*, with some effect of decentralization and subsidiarity.

The curial structure has been downsized?

<i>Pastor Bonus</i>	<i>Praedicate Evangelium</i>
Secretariat of State	Secretariat of State
Congregation of Doctrine of Faith	Dicastery for Evangelization
Congregation for the Oriental Churches	Dicastery for the Doctrine of the Faith
Congregation for Divine Worship and the Discipline of the Sacraments	Dicastery for the Service of Charity
Congregation for the Causes of Saints	Dicastery for the Eastern Churches
Congregation for Bishops	Dicastery for Divine Worship and the Discipline of the Sacraments
- Pontifical Commission for Latin America	Dicastery for the Causes of Saints
Congregation for the Evangelization of Peoples	Dicastery for Bishops
Congregation for the Clergy	Dicastery for the Clergy
- Pontifical Commission for Preserving the Patrimony of Art and History	Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life
Congregation for Institutes of Consecrated Life and for Societies of Apostolic Life	Dicastery for the Laity, the Family and Life
Congregation of Seminaries and Educational Institutions	Dicastery for Promoting Christian Unity
Tribunals	Dicastery for Interreligious Dialogue
Apostolic Penitentiary	Dicastery for Culture and Education
Supreme Tribunal of the Apostolic Signatura	Dicastery for Promoting Integral Human Development
Tribunal of the Roman Rota	Dicastery for Legislative Texts
Pontifical Councils	Dicastery for Communication
Pontifical Council for the Laity	
Pontifical Council for Promoting Christian Unity	
Pontifical Council for the Family	

Pontifical Council for Justice and Peace	
Pontifical Council "Cor unum"	
Pontifical Council for the Pastoral Care of Migrants and Itinerant People	
Pontifical Council for Pastoral Assistance to Health Care Workers	
Pontifical Council for the Interpretation of Legislative Texts	
Pontifical Council for Inter-Religious Dialogue	
Pontifical Council for Dialogue with Non-Believers	
Pontifical Council for Culture	
Pontifical Council for Social Communications	
<u>Administrative Services</u>	<u>Institutions of Finance</u>
Apostolic Camera	Council for the Economy
Administration of the Patrimony of the Apostolic See	Secretariat for the Economy
Prefecture for the Economic Affairs of the Holy See	Administration of the Patrimony of the Apostolic See
	Office of the Auditor General
	Commission for Confidential Matters
	Committee for Investments
	<u>Offices</u>
	Prefecture of the Papal Household
	Office for the Liturgical Celebrations of the Supreme Pontiff
	Camerlengo of the Holy Roman Church
	<u>Advocates</u>
	<u>Institutions Associated with the Holy See</u>
Total: 30	Total: 29

- One of the main aspects of the changes due to *Praedicate Evangelium* is the direct primatial preposition, giving the priority now to the evangelizing work:
- the Roman Pontiff is the prefect of the Dicastery for the Evangelization.
- The change in primacy amongst the dicasteries, from the Congregation of the Doctrine of the Faith to the Dicastery for the Evangelization, does not diminish the role and function of the (new) Dicastery of the Doctrine of the Faith

- Episcopal co-responsibility is highlighted throughout the document, recognizing the consultative function of all bishops, of the Latin and the Eastern Churches alike, who have now a more direct and incisive role.
- This reflects the synodal mission of Pope Francis in the form of involvement and collegial listening:

“This life of communion makes the Church *synodal*; a Church marked by reciprocal listening, “whereby everyone has something to learn. The faithful people, the College of Bishops, the Bishop of Rome: all listening to each other and all listening to the Holy Spirit, the Spirit of truth (cf. *Jn 14:17*), in order to know what he says to the Churches (cf. *Rev 2:7*)”. This synodal nature of the Church is to be understood as “the journeying together of God’s flock along the paths of history towards the encounter with Christ the Lord”. It has to do with the mission of the Church and the communion that is in service to that mission and is itself missionary.” (Preamble, n.4)

Roman Curia does not solely serve the Roman Pontiff, but it serves all particular Churches

“The Roman Curia is at the service of the Pope, who, as the successor of Peter, is the perpetual and visible source and foundation of the unity both of the Bishops and of the whole company of the faithful. By virtue of this bond, the work of the Roman Curia is also organically related to the College of Bishops and individual Bishops, as well as to Episcopal Conferences and their regional and continental groupings, and the hierarchical structures of the Eastern Churches. All these are of great pastoral benefit as expressions of the affective and effective communion existing among the Bishops. **The Roman Curia is not set between the Pope and the Bishops, but is at the service of both,** according to the modalities proper to the nature of each.” (Preamble,8)

- Dicasteries underwent a new understanding, which, aside from formal divisions and designations of competency, attempts to combine tradition with revision and innovation, such as the appointment of lay persons to various offices, or the use of the internet for meetings of the dicasteries.
- Decentralisation and co-responsibility become trademarks for decision making processes:
- “Although the provision of salvific means by curial institutions is normally subsidiary and indirect, hierarchical order and control guarantee precisely the goodness and effectiveness of distributive justice. Central government is thus not seen as an intermediate level or a form of interposition between the Pope and the bishops but as a requirement of the collegiality and universality of the divine mandate and a concrete demonstration of *sollicitudo omnium Ecclesiarum*.”

- Pope Francis attempts to improve and work closer to complete the service of the Roman Curia as such;
- it “reflects the approach of a charity-based missionary ecclesiology sensitive to social changes.”
- These main changes of the Roman Curia reflect the main features of the curial institutions:
 - vicarious power,
 - organic co-operation, and
 - decentralizing co-responsibility.

- Structural changes do not suffice for the renewed understanding of the service of the Roman Curia, but it also requires “first and foremost a change of mentality and conduct in the operators:”
- professionalism,
- pastoral approach, and
- universality of service of those in charge, whether clerics or laity.

Praedicate Evangelium sets out the following principles and criteria for the service of the Roman Curia:

Service to the mission of the Pope and all bishops:

- the Roman Curia assists the Roman Pontiff in his mission, and is “to be of assistance to Bishops, particular Churches, Episcopal Conferences and their regional and continental groupings, the hierarchical structures of the Eastern Churches and other institutions and communities in the Church;”

Co-responsibility in the *communio*:

- through decentralization bishops are competent to resolve themselves everything that does “not affect the Church’s unity of doctrine, discipline and communion, always acting with that spirit of co-responsibility;”

Service to the mission of the Bishops:

- through counsel, acknowledgment and support, to assist bishops “by carrying out, in a fraternal spirit, tasks of vigilance, support and enhancement of the affective and effective communion;”

Support for the particular Churches and their Episcopal Conferences and for the hierarchical structures of the Eastern Churches:

- through sharing, exchange and dialogue

The vicarious nature of the Roman Curia:

- “For this reason, any member of the faithful can preside over a Dicastery or Office, depending on the power of governance and the specific competence and function of the Dicastery or Office in question;”

Spirituality:

- members of the Roman Curia are to recognize that “they are missionary disciples at the service of the entire people of God;”

Personal integrity and professionalism:

- “those who serve in the Curia are chosen from Bishops, priests, deacons, members of Institutes of Consecrated Life and Societies of Apostolic Life, and lay men and women outstanding for their spiritual life, solid pastoral experience, simplicity of life and love for the poor, spirit of communion and service, competence in the matters entrusted to them, and ability to discern the signs of the times.”

Cooperation between dicasteries:

- for transparency and concerted actions, superiors of dicasteries shall have periodic meetings with Roman Pontiff;

Interdicasterial and intradicasterial meetings:

- the Secretariate of State is responsible to call for interdicasterial meetings whereas intradicasterial meetings, such as plenary sessions, consultations and congresses, are called within the dicastery itself;

Expression of catholicity:

- selected candidates to be considered as personnel serving at the Roman Curia must be “a sign of communion and solidarity with the Roman Pontiff;”

Reduction of Dicasteries:

- “unifying those whose purpose was very similar or complementary, and streamlining their functions with the aim of avoiding an overlap of competencies and improving the effectiveness of their work.”

General Norms – what is new?

- Art. 1 *PB* states that the “Roman Curia is the complex of dicasteries and institutes which help the Roman Pontiff in the exercise of his supreme pastoral office for the good and service of the whole Church and of the particular Churches.”
- Art. 1 *PE* highlights the assisting role of the Roman Curia also in the context of the universal mission of the Church, not solely in the Roman Pontiff’s supreme pastoral office. Furthermore, it is not only at the service of the Roman Pontiff, similar to art. 1 *PB*, but also, and this is new, “of the Bishops, successors of the Apostles, in ways that correspond to each one’s specific nature.”

Art. 2 *PE*: the participation of all faithful in the missionary activities of the Church

- c. 204, §1: The Christian faithful are those who, inasmuch as they have been incorporated in Christ through baptism, have been constituted as the people of God. For this reason, made sharers in their own way in Christ's priestly, prophetic, and royal function, they are called to exercise the mission which God has entrusted to the Church to fulfill in the world, in accord with the condition proper to each.
- Art. 2 *PE*: Since all the members of the people of God, each according to his or her own condition, take part in the mission of the Church, those who serve in the Roman Curia cooperate in a way that corresponds to their expertise and competence, as well as to their pastoral experience.

Art. 3 *PE* has some minor changes compared to art. 33 *PB*.

- It does not speak of other institutions “of” the Holy See, but of those “associated with” the Holy See, and instead of
- “is a true ecclesial service marked with a pastoral character,” of “a pastoral service in support of the mission of the Roman Pontiff and of the Bishops in their respective responsibilities with regard to the universal Church.”
- Therefore, art. 3 *PE* does not solely refer to the mission of the Roman Pontiff, but also of the bishops in their respective particular churches that have a responsibility for the universal Church. “This service must be motivated and carried out with the highest sense of cooperation, shared responsibility and respect for the competence of others.”

The function of the Roman Curia

- *Praedicate Evangelium* highlights that the function of the Roman Curia is a “pastoral service” (art. 6 *PE*), and not “any work performed within the institutes of the Holy See” (art. 35 *PB*).
- Whereas art. 35 *PB* solely refers to clerics, their responsibilities within the Roman Curia and care of souls in their apostolic actions, art. 6 *PE* widens the scope of personnel at the Roman Curia: clerics, “members of Institutes of Consecrated Life and Societies of Apostolic Life and the laity should collaborate in the pastoral activities of their own communities or other ecclesial realities according to each one’s abilities and opportunities.”

The operating principles of the Roman Curia

- Art. 7-8 *PE* have no direct equivalent in *Pastor Bonus*.
- Art. 7 ties in with art. 6, referring in its first paragraph to necessary qualifications, expertise, and formation of those who serve at the Roman Curia, which “requires professionalism, that is, possession of the expertise and ability to handle competently the matters assigned to them.” To guarantee this professionalism, ongoing formation must be provided to the staff and personnel that serves at “the different components of the Roman Curia” (art. 7, §2).

- This expression is of interest because it does not only refer to the Roman Curia as such, but, as indicated in art. 3, “those who work in the Roman Curia and other institutions associated with the Holy See.”
- They all are to receive ongoing formation to have the necessary qualifications and expertise.
- To fulfill their functions diligently, each component of the Roman Curia must offer “the best and most effective service” (art. 8, §2), which is to “be inspired by the criteria of reasonableness and functionality, in response to situations that arise over time and the needs of the universal Church and of the particular Churches” (art. 8, §1).

Interdicasterial and intradicasterial meetings

- Art. 9 and 10 refer to interdicasterial and intradicasterial meetings.
- Art. 9, §1 *PE* is from its content similar to art. 34 *PB*, but it refers more precisely to the cooperation amongst the various dicasteries, institutions, and offices, for a “continual interdependence and interconnection of activities” (art. 9, §1), reflecting and respecting the “cultural, linguistic and national differences” (art. 9, §2).
- The call for interdicasterial meetings is within the competency of the Secretariate of State (art. 9, §3).

- Other than art. 9, §§ 2-3, art. 10 is also new and has no direct equivalent in *PB*:
- intradicasterial meetings, such as a congress, ordinary or plenary session, that should be held regularly just like interdicasterial meetings.

Labor Office of the Apostolic See

- The previously called Central Labour Office (art. 36 *PB*), now the Labor Office of the Apostolic See (art. 11 *PE*) is not only responsible for the personnel of the Roman Curia, but also “to protect and promote the rights of collaborators, according to the principles of the social doctrine of the Church.”
- *Pastor Bonus* simply referred to the “working conditions within the Roman Curia and related questions.”

Structural changes of the Roman Curia

- *Pastor Bonus* recognized two different institutions at the Roman Curia: Dicasteries and Institutes of the Roman Curia.
- These two different terms are replaced in *Praedicate Evangelium* with one single term: “curial institutions:”
- “‘curial institutions’ is understood to mean the various components of the Roman Curia” (art. 12, §2).

- Dicasteries, which are juridically equal among themselves” (art. 2, §2 *PB*), were the “Secretariat of State, Congregations, Tribunals, Councils and Offices, namely the Apostolic Camera, the Administration of the Patrimony of the Apostolic See, and the Prefecture for the Economic Affairs of the Holy See” (art. 2, §1 *PB*).
- This terminology has changed.
- Not only are the terms “Congregation” and “Council” abrogated, but the Secretariate of State, in *Pastor Bonus* recognized as a dicastery, is no more recognized as such: “The Roman Curia is composed of the Secretariat of State, the Dicasteries and other Institutions, all juridically equal among themselves” (art. 12, §1 *PE*).

- *Pastor Bonus* recognized two “Institutes of the Roman Curia:”
- “the Prefecture of the Papal Household and the Office for the Liturgical Celebrations of the Supreme Pontiff” (art. 2, §3 *PB*).

- With *Praedicate Evangelium* they are subsumed under the title “Office,” and the Camerlengo of the Holy Roman Church was added:
- “Among the Offices of the Roman Curia are the Prefecture of the Papal Household, the Office for the Liturgical Celebrations of the Supreme Pontiff and the Camerlengo of the Holy Roman Church” (art. 12, §3 *PE*).

- Another major change can be found in the composition of a curial institution:
- whereas art. 3, §1 *PB* states that “dicasteries” (now “curial institutions”) are “composed of the cardinal prefect or the presiding archbishop, a body of cardinals and of some bishops, assisted by a secretary, consultors, senior administrators, and a suitable number of officials,”
- *Praedicate Evangelium* follows a new principle for the service of the Roman Curia:
- Personal integrity and professionalism.

- According to *Pastor Bonus*, a dicastery was in the strict sense a “body of cardinals and bishops,” and other faithful could be added (art. 3, §2 *PB*), for example, “members of a congregation are the cardinals and the bishops” (art. 3, §3 *PB*). Art. 13, §2 refers to dicasteries, therefore, it does not apply to the two Institutes of the Roman Curia, recognized in *Pastor Bonus*.
- Art. 13, §3 only refers to Congregations, hence, it does not strictly apply to the Secretariate of State, Tribunals, Pontifical Councils and other Offices recognized in *PB*.

- Art. 13, §1 *PE* does not refer to any specific cleric as head of or body of cardinals and bishops necessary for a curial institution:
- “Each curial institution has a Prefect, or equivalent, an adequate number of members, including one or more Secretaries...”
- This means, the curial institution can be composed of clerics, religious and lay people, and the head of the curial institution can be a lay person.
- The same paragraph also allows each curial institution to have more than one secretary, and more than one undersecretary.

- Furthermore, without offering any explanation or content, art. 13, §2 *PE* allows “[d]epending on its particular nature, or a special law, a curial institution [to] have a structure other than the one established in §1.”
- Interestingly, *PB* does not refer to undersecretaries in art. 3, §1 which outlines the composition of a “dicastery” (now “curial institution”).
- The office of undersecretary is only used in the context of the secretary in art. 4 *PB*, who, while assisting the “the prefect or president in managing the business of the dicastery as well as its human resources” can do so with the help of “the undersecretary.” Although not directly mentioned in the context of art. 3 *PB*, the undersecretary was still understood as being part of the composition of a dicastery in *PB*.

- The new terminology used in art. 14 *PE* reflects the renewed understanding of the service of the Roman Curia, highlighting the pastoral aspect of its service.
- Whereas art. 4, §2 *PB* refers to the management of “the business of the dicastery as well as its human resources,”
- art. 14, §2 *PE* speaks of “handling the work of the Dicastery as well as directing the personnel.”
- The service of the Roman Curia is no more “business,” and the personnel are not “human resources.”
- Furthermore, art. 9 *PB* outlines as requirement to serve as an official at the Roman Curia “virtue, prudence,” experiences, and “suitable academic degrees.”

- Art. 14, §3 *PE* lists as requirements experience, “proven experience attested by appropriate academic degrees,” virtue, prudence, and “a suitable number of years of pastoral experience.”
- These requirements apply to all: clerics and laity.
- Additionally, “In choosing clerics as officials, care should be taken, as far as possible, to maintain a balance between diocesan or eparchial clerics and those of Institutes of Consecrated Life and Societies of Apostolic Life” (art. 14, §5 *PE*).

- The appointment to a curial institution is done by the Roman Pontiff for a five-year term (art. 17, §1 *PE* speaks of senior officials, art. 17 §4 *PE* speaks of the other members).
- This regulation of a five-year appointment is not new and can be found in art. 5, §1 *PB*.
- What is different is the age limit:
- *Praedicate Evangelium* states that that the prefect and secretary must submit their resignation once they have reached the age “provided for by the *General Regulations of the Roman Curia*” (art. 17, §2) and “[m]embers who have reached eighty years of age cease from their appointment” (art. 17, §3);
- *Pastor Bonus* made a triple distinction: the prefect who has completed seventy-five years of age must submit a resignation, “other moderators and secretaries” cease from office once completed seventy-five years of age, and “members, when they have completed eighty years of age” (art. 5, §2 *PB*).

- New is the provision found in art. 17, §4 *PE*, allowing that the five-year appointment can be “extended for another five-year period,” and
- in case the Roman Pontiff does not grant an extension, “clerical officials and members of Institutes of Consecrated Life and Societies of Apostolic Life who have served in curial institutions and offices are to return to their Diocese or Eparchy, or to the Institute or Society to which they belong to continue their pastoral work.”
- There is no direct provision for the extension of another 5-year period in *PB*.

Art. 24 and 25 *PE* are new and without direct equivalent in *Pastor Bonus*.

- Art. 24 requires the heads of the dicasteries to report “regularly and frequently” to the Roman Pontiff himself “on current matters, activities and programmes.”
- This regulation outlines not only the oversight the Roman Pontiff has, but also the cooperation with him and assisting him in his mission for the Church, as indicated in the Preamble.

Larger involvement of the Roman Pontiff

- Other than individual meetings with the heads of the dicasteries, the Roman Pontiff will also meet regularly with the heads of the curial institutions “to discuss the work plans of each institution and their implementation; to coordinate shared tasks; to give and receive information and examine matters of major importance; to offer opinions and suggestions; and to make decisions to be presented to the Roman Pontiff” (art. 34, §1 *PE*).
- These meetings are “convened and coordinated by the Secretary of State in agreement with the Roman Pontiff” (art. 34, §2 *PE*).

- New and without direct equivalent in *Pastor Bonus* is the regulation found in art. 26, §4 *PE*: sessions, not a congress, can allow the participation of members “through the use of videoconferences and other means of communication that are sufficiently confidential and secure to allow for effective collaboration independent of the need for being physically present in the same place,” especially in case of plenary sessions, to reduce “the necessity of travel.”

- The provision of art. 11, §3 *PB* that a secretary participates “in all the sessions with the right to vote” did not change (art. 26, §5 *PE*).
- Minor modifications can be found on the participation of consultors.
- There is no change in the first sentence of art. 12 *PB* that consultors can be individually involved, who will study a matter entrusted to them and, usually, submit their own opinion in writing (see art. 27, §1 *PE*).

- The second sentence of art. 12 *PB* concerning the collegial involvement of consultors underwent two small changes:
- Whereas art. 12, 2nd sentence *PB* simply refers to “consultors,” art. 27, §2 *PE* speaks of “all or some of them, given their specific competencies;”
- Art. 12, 2nd sentence *PB* requires the consultors to submit “a common position,” similar art. 27, §2 *PE* which speaks of them giving “their opinion.”
- Furthermore, in individual cases, others who are not counted as consultors, can be consulted, and asked to offer advice.

- The possibility of frequent interdicasterial issues occurring that concerned the same dicasteries, *Pastor Bonus* allowed for the establishment of “permanent interdicasterial commissions” (art. 21, §2 *PB*).
- In this context, it appears that these commissions could be established by the Cardinal prefects of the dicasteries concerned.
- This has changed with *Praedicate Evangelium*:
- indeed, the head of the dicastery “that has begun to deal with the matter or to whom the matter was first referred” can establish a “special” (not “permanent” as in *Pastor Bonus*) interdicasterial commission, but only “with the prior approval of the Roman Pontiff” (art. 28, §5 *PE*).

- The Roman Pontiff intended with *Praedicate Evangelium* decentralization and cooperation between curial institutions, etc., yet, with *Praedicate Evangelium*, interdicasterial cooperation by means of necessary commissions is now no more possible without the intervention of the Roman Pontiff;
- this provision is counterintuitive to the statements discussed in the “Preamble” and “Principles and Criteria for the Service of the Roman Curia.”

- The Roman Pontiff will receive any final “general document” from any dicastery, after relevant other dicasteries were consulted for “possible observations, amendments and suggestions for improvement so that through different perspectives and evaluations, a unified implementation of the document can be achieved” (art. 29, §1 *PE*).
- The article does not state that this is for approval purposes, etc., hence, it appears that the dicastery simply must present to the Roman Pontiff the general document.
- Most likely this regulation should be read in conjunction with art. 24 mandating the heads of dicasteries to have regular meetings with the Roman Pontiff.

- New is the provision of art. 29, §2 *PE*, requiring that any document or statement “on matters relating to relations with States and with other subjects of international law require the prior *nihil obstat* of the Secretariat of State.”
- This second paragraph of art. 29 does not speak of a submission of the final document to the Roman Pontiff, but, like art. 29, §1 *PE*, it should be read in view of the provision contained in art. 24:
- the heads of the dicasteries have regular meetings with the Roman Pontiff “on current matters, activities and programmes.”

- Curial institutions do not have legislative authority except “in individual and particular cases, and with the approval of the Roman Pontiff *in forma specifica*” (art. 30, *PE*).
- Nothing “grave and extraordinary [can] be transacted” without prior information of the Roman Pontiff (art. 31, §1 *PE*).
- Some changes to the provision of art. 18, pars1 *PB* can be identified: the new art. 31, §2 *PE* refers to “Decisions and resolutions concerning matters of major importance” whereas *Pastor Bonus* only spoke of decisions.
- These decisions and resolutions must be submitted to the Roman Pontiff for approval.

- A submission for approval is not necessary if special faculties were granted;
- unlike *Pastor Bonus* which referred to the granting of these faculties to “the moderators of the dicasteries” (art. 18, pars 1 *PB*), *Praedicate Evangelium* speaks of the granting of these faculties to the curial institution itself, not a person or the head of the curial institution (art. 31, §2 *PE*).
- Consequently, art. 31, §3 *PE* is new without direct equivalent in *Pastor Bonus*: “With regard to special faculties granted to a curial institution, the Prefect or his equivalent is required to examine and evaluate periodically with the Roman Pontiff their effectiveness, viability, implementation within the Roman Curia and suitability for the universal Church.”

Meeting of Heads of Curial Institutions

- As already indicated in the context of art. 24 *PE* which refers to regular and frequent meetings of each head of a curial institution with the Roman Pontiff,
- art. 34 and 35 refer to joint meetings of all heads of curial institutions with the Roman Pontiff.
- These regularly held meetings are convened and coordinated by the Secretariate of State (art. 34, §2 *PE*).

4 Objectives of Meeting of Heads of Curial Institution

- to discuss the work plans of each institution and their implementation;
- to coordinate shared tasks; to give and receive information and examine matters of major importance;
- to offer opinions and suggestions; and
- to make decisions to be presented to the Roman Pontiff.

Council of Cardinals for the Study of Organizational and Economic Questions of the Apostolic See

- The section on the “Council of Cardinals for the Study of Organizational and Economic Questions of the Apostolic See” (art. 24-25 *PB*) was not inserted in *Praedicate Evangelium*.
- On February 24, 2014, Francis replaced this council with the Apostolic Letter *Motu proprio Fidelis dispensator et prudens* and established a Council for the Economy and a Secretariat for the Economy.

The Roman Curia at the Service of Particular Churches

- *Praedicate Evangelium* introduced some minor changes compared to the provisions found in *Pastor Bonus* in this section.
- Indeed, both documents refer here to particular Churches that are asked to give advice on matters of major importance.
- One difference between art. 26, §1 *PB* and art. 36, §1 *PE* is the fact that *Praedicate Evangelium* outlines who these “groupings of bishops” (art. 26, §1 *PB*) are – “the Episcopal Conferences, their regional and continental groupings” – and directly including also the “hierarchical structures of the Eastern Churches” (art. 36, §1 *PE*).

- Curial institutions must cooperate with particular Churches and the other groupings of bishops “in more serious matters” (art. 36, §1 *PE*). *Pastor Bonus* referred to “seeking their advice when preparing documents of major importance that have a general character” (art. 26, §1 *PB*).
- In its first paragraph, art. 36 *PE* does not refer to documents having to have a general character;
- the matter simply must be serious to cooperate with the other Church structures mentioned in the same paragraph.

- Another minor yet important change can be seen in art. 36, §3 *PE*. The equivalent provision in art. 26, §3 *PB* allowed particular Churches to bring their questions before the competent dicastery, who, without delay, had to
 - if necessary, simply provide a written acknowledgment of the receipt of the question, or
 - provide an answer.
- Art. 26, §3 *PB*: “Questions brought before the dicasteries are to be diligently examined and, without delay, an answer or, at least, a written acknowledgement of receipt, insofar as this is necessary, should be sent.”

- Given the fact that Pope Francis understands the Roman Curia as an institution for the service also of particular Churches, a simple written acknowledgement does not suffice.
- Just like *Pastor Bonus*, art. 36, §3 *PE* allows particular Churches to address their questions to the respective curial institution(s), who
- should **quickly acknowledge** the receipt of the question;
- **examine** the question diligently; **and**
- provide an “**appropriate response** as soon as possible.”

- Furthermore, in dealing with the matters concerning particular Churches, curial institutions are to consult with the Pontifical Representatives in the region (art. 37 *PE*); art. 27 *PB* spoke of a consultation with “papal legates.”
- The new terminology employed by *Praedicate Evangelium* did widen the scope and is not limited to just papal legates.
- Additionally, the results of the curial institution are to be communicated to the Pontifical Representatives and, unlike art. 27 *PB*, also to “the Episcopal Conferences and the hierarchical structures of the Eastern Churches.”
- This means, not only is/are the particular Church(es) informed, but also the Pontifical Representative and other groupings of bishops.

Dicastery for Evangelization

- In *Pastor Bonus* the first dicastery mentioned was the Congregation for the Doctrine of the Faith.
- This has changed with *Praedicate Evangelium*, and the Dicastery for Evangelization is named the first dicastery.
- This dicastery reflects the general mission of Pope Francis: the work of evangelization.

- According to art. 53, §1 *PE* the dicastery is
- “competent for fundamental questions regarding evangelization in the world and for the establishment, assistance and support of new particular Churches, without prejudice to the competence of the Dicastery for the Eastern Churches.”

- To accomplish its role, the dicastery is composed of two Sections:
- the Section for Fundamental Questions regarding Evangelization in the World and
- the Section for the First Evangelization and New Particular Churches within the territories of its competence (art. 53, §2 *PE*).

Does the Dicastery for Evangelization “assist” the Roman Pontiff?

- Given the General Norms as well as the statements of the Preamble of *Praedicate Evangelium*, the various curial institutions and other institutions associated with the Apostolic See **assist** the Roman Pontiff and particular Churches in their mission.
- Yet, an exception is made in the context of the Dicastery for Evangelization: does it assist the Roman Pontiff in the strict sense? According to art. 54, the Roman Pontiff himself is directly presiding over the Dicastery for Evangelization and each “of the two Sections is directed in his name and by his authority by a Pro-Prefect, who is assisted in accordance with the norms of Art. 14 § 2” (art. 54 *PE*).

- In other words, the Dicastery for Evangelization is presided over by any future Roman Pontiff until this regulation will change;
- it is a false interpretation to assume that it applies only to Pope Francis – in that case, that he personally wished to preside over the dicastery, he could have named himself as the head of the dicastery.
- The wording of the regulation of art. 54 *PE* is clear: any Roman Pontiff.

The Section for Fundamental Questions regarding Evangelization in the World

- All except for two regulations concerning this Section of the Dicastery for Evangelization have no direct equivalent in *Pastor Bonus*:
- the content of art. 86 *PB* is laid out in art. 55, §2 *PE*, and the content of art. 87 *PB* in art. 59, §1 *PE*.
- Other than these two articles, it would be false to assume that the regulations of art. 55-60 are new.
- On September 21, 2010, with the Apostolic Letter *Ubicumque et semper*, Benedict XVI established the Pontifical Council for Promoting the New Evangelization.

- Art. 3 of the Apostolic Letter outlines in 5 numbers the tasks:
- Examine meaning of new evangelization;
- Promote, foster topics connected with new evangelization (in cooperation with local bishop's conferences);
- Promote and foster local initiatives on new evangelization;
- Study and encourage use of modern forms of communication for new evangelization; and
- Promote the use of the *Catechism of the Catholic Church*.

- These specific tasks as outlined in *Ubicumque et semper* can be found in the new regulations for the Section for Fundamental Questions regarding Evangelization in the World.
- The Section for Fundamental Questions regarding Evangelization has a threefold duty:
- To promote evangelization today and study multidimensional conditions of those receiving the message (art. 57, n.1 *PE*);
- To reflect human dignity and religious freedom in various cultures, in “close cooperation with the particular Churches, Episcopal Conferences and hierarchical structures of the Eastern Churches” (art. 57, n.2 *PE*) and organize the World Day of the Poor; and
- To assist and support “the initiatives of diocesan/eparchial Bishops, Episcopal Conferences and the hierarchical structures of the Eastern Churches for the preaching of the Gospel” (art. 57, n.3 *PE*).

The Section for the First Evangelization and New Particular Churches

- More than half of the regulations for this Section have no direct equivalent in *Pastor Bonus*.
- This Section for the First Evangelization and New Particular Churches is derived from the previous Congregation for the Evangelization of the Peoples, art. 85-92 *PB*, supporting missionary activities throughout the world in what we used to call “missionary territories.”

- This section has a broad overview in the work of initial evangelization (art. 62 *PE*) which takes place by cooperation on various levels:
- Episcopal conferences;
- Particular Churches;
- Institutes of Consecrated Life and Societies of Apostolic Life;
- Associations;
- Ecclesial movements;
- New communities; and
- Ecclesial welfare agencies.

- Consequently, not only does it require close cooperation with these different levels, but also assurance for providing appropriate training methods for “the secular clergy and catechists in the territories subject to the Dicastery” (art. 63 *PE*).
- Knowledge of these challenges and to provide appropriate methods and means can only be done through “exchange of experience” (art. 64, §1 *PE*), assistance and support (art. 64, §2 *PE*), and initial and ongoing formation (art. 64, §3 *PE*).

- The goals of this cooperation are outlined in art. 65 *PE*:
- financial independence of new particular Churches,
- establishment of funds for support and the appropriate distribution of those funds,
- establishment of oversight agencies for administration, and
- personnel management.

Institutions of Finance

- The Institutions of Finance underwent major changes and several of the administrative services found in *Pastor Bonus* were merged into new institutions.

Council for Economy

- Initially one of the tasks of the Administration of the Patrimony of the Apostolic See (art. 172-175 *PB*), the services were transferred to the Council for Economy in 2014 with the Apostolic Letter issued *Motu proprio Fidelis dispensator et prudens*.
- Art. 205 states that this Council for the Economy is “competent for supervising the administrative and financial structures and activities of curial institutions and offices and of institutions associated with the Holy See or that relate to it, as indicated in the list attached to the Council’s statutes.”

- *Pastor Bonus* had no direct equivalent to art. 205, §2 *PE* which highlights a threefold function of the Council:
- Carry out the proper functions according to the social doctrine of the Church;
- Proper administration according to appropriate “practices recognized internationally in the field of public administration;” and
- Ethical and efficient administrative and financial management.

- Also new are the provisions of art. 207 *PE*, requiring the Council for the Economy to submit guidelines and norms for the approval to the Roman Pontiff to ensure that
- 1. the assets of the entities and administrations subject to its supervision are protected;
- 2. patrimonial and financial risks are reduced;
- 3. human, material and financial resources are allocated in a reasonable way and managed with prudence, efficiency and transparency;
- 4. the agencies and administrations carry out their tasks efficiently, in accordance with the activities, plans and budgets approved in their regard.

- New is the provision of art. 208 *PE* without direct equivalent in *Pastor Bonus*.
- It refers to the criteria that must be established by the Council for the Economy
- “including that of value, for determining which acts of alienation, acquisition or extraordinary administration carried out by the entities it supervises require, *ad validitatem*, the approval of the Prefect of the Secretariat for the Economy.”

- The Council for the Economy examines
- Proposal made by the Secretariate for the Economy;
- Suggestions presented by other administrations of the Apostolic See;
- Suggestions presented by other entities according to the Council's proper statutes; and
- Suggestions presented by the Supervisory and Financial Information Authority (Note: The Supervisory and Financial Information Authority was established by BENEDICT XVI, Apostolic Letter in the form of a Motu proprio *La Sede Apostolica* for the prevention and countering of illegal activities in the area of monetary and financial dealings, December 30, 2010; the new revised statutes are from December 5, 2020)

- A source for art. 212, §1 *PE* is art. 25 *PB* on the Council of Cardinals.
- The new provision now states that in economic and financial matters, the Council for the Economy “functions as a Papal Secretariat.”
- As such, according to art. 212, §2 *PE*, it has to monitor and be vigilant over administrative, economic and financial matters – this can be found in art. 176 and 179, §1 *PB*.
- It does so for all curial institutions (the Secretariate of State is, therefore, not mentioned here) and “other institutions associated with the Holy See or related to it, as indicated in the list attached to the statutes.”

Secretariat for the Economy

- Just like the Council for the Economy, the Secretariate for the Economy underwent some major changes.
- It was established in 2014 with the Motu proprio *Fidelis dispensator et prudens*.

- Art. 177 *PB* and art. 173 *PB* (this provision did change with the Apostolic Letter issued *Motu proprio Confermando una tradizione*) are the foundation of the new art. 213 *PE*, which establishes in paragraph 1, that the Secretariat for the Economy has its own Prefect, who is assisted by a Secretary. Furthermore, and this is elaborated in detail in the statutes, the Secretariate is comprised of two Sections:
- A Section for the “regulation, monitoring and supervision of economic and financial matters;” (art. 6-14 in the statutes) and
- A Section for “the regulation, monitoring and supervision of administrative matters” (art. 213, §2 *PE*) (art. 15-16 [art. 17 was abrogated in 2016] in the statutes).

- Similar to art. 211 *PE* on the Council for the Economy, art. 214 *PE* states that the Secretariat for the Economy has to consult with the Council and “submit for its examination proposals and guidelines concerning norms on matters of greater importance or relating to general principles” (art. 214, §1 *PE*).
- Appropriate consultation must take place during the preparation of these documents (art. 214, §2 *PE*).
- In case the matters concerns states or “other subjects of international law,” the Secretariate must coordinate its efforts with the Secretariate of State, “which has exclusive competence” (art. 214, §3 *PE*).

- Art. 215 *PE* lists four areas of responsibility of the Secretariat for the Economy:
- 1. issues guidelines on economic and financial matters for the Holy See and verifies that activities are carried out in compliance with the operational plans and approved programmes;
- 2. monitors the administrative, economic and financial activities of the institutions entrusted to its oversight and supervision and proposes and ensures any corrective actions;
- 3. prepares the annual budget, verifying that it is respected, and the consolidated balance sheet of the Holy See, and submits these to the Council for the Economy;
- 4. carries out an annual risk assessment of the patrimonial and financial situation of the Holy See and submits it to the Council for the Economy.

- Art. 216 *PE* has no direct equivalent in *Pastor Bonus*.
- It establishes in number 1 that the Secretariat has an administrative responsibility (from guidelines to procedures) regarding procurement, so that all curial institutions, offices, and institutions associated with the Apostolic See or related to it, have all means necessary to fulfill their mission and service they have.
- Furthermore, the Secretariat is responsible for an effective and transparent administrative, economic and financial management as well as record-keeping in archives and accounting (art. 216, n.2 *PE*).

- The new Directorate for Human Resources, which is responsible for anything concerning “the position and labour management of the personnel of entities subject to the Holy See’s proper legislation, without prejudice to the provisions of art. 48, 2°.”
- As such, the HR department is authorized to hire qualified personnel, and “approves the organizational charts of the entities” (art. 217, §2 *PE*).

- The last provision, art. 218 *PE* is also without direct equivalent in *Pastor Bonus*.
- In cooperation with the Council for Economy, which determines the criteria necessary, the Secretariat for the Economy approves “all acts of alienation, acquisition or extraordinary administration carried out by curial institutions and institutions associated with the Holy See or related to it, for which the Secretariat’s approval is required *ad validitatem*” (art. 218, §1 *PE*).
- In case the Apostolic See is vacant, the Secretariat for the Economy provides the Cardinal Camerlengo of the Holy Roman Church with all information necessary concerning the financial status (art. 218, §2 *PE*).

The Auditor General

- The Office of the Auditor General was not directly mentioned in *Pastor Bonus* and was introduced with the Apostolic Letter *Motu proprio Fidelis dispensator et prudens*:
- entrusted to the Auditor General entrusted to the Auditor General is the task of auditing
 - the Dicasteries of the Roman Curia,
 - the institutions connected to the Holy See or those related to it, and
 - the administrations of the Governatorate of the Vatican City State.

- The consolidated financial statements of the Holy See are responsibility of the Auditor General.
- The annual audit plan is approved by the Council for the Economy; the Auditor General is responsible for the “annual financial statements of individual curial institutions and offices, and those of institutions associated with the Holy See or related to it” (art. 223, §2 *PE*).
- New and without equivalent in *Pastor Bonus* is the provision of art. 223, §3 *PE*, that requires the Auditor General to submit the annual audit plan to the Council for the Economy.

- Also new and without equivalent in *Pastor Bonus* is art. 224 *PE*: paragraph 1 allows the Auditor General to conduct audits in particular situation upon request or initiated by the Auditor General itself after informing the Cardinal Coordinator of the Council for the Economy, if these situations are connected to:
 - “anomalies in the use or allocation of financial or material resources;
 - irregularities in the granting of contracts or in the execution of transactions or alienations;
 - acts of corruption or fraud” (art. 224, §1 *PE*).

Whistleblowers...

- The Auditor General can also receive notifications of employees who become aware of certain particular situations.
- The Auditor General will study the notifications and “presents them with a report to the Prefect of the Secretariat for the Economy and also, should he deem it necessary, to the Cardinal Coordinator of the Council for the Economy” (art. 224, §2 *PE*).

The End
