

Tesi di dottorato in diritto missionario

pubblicate nella
Facoltà di Diritto Canonico della
Pontificia Università Urbaniana

Cyprien Dukuzumuremyi, *La preuve de l'incapacité (can. 1095, 2-3). Le cas d'immatunité psychoaffective*, Romae 2014 (Dissertatio). Modérateur: Prof. Luigi Sabbarese.

L'immatunité psychoaffective fait partie des motifs les plus cités parmi les sentences de la Rote romaine au sens des numéros 2 et 3 du canon 1095 du CIC' 1983. Dans ce travail, l'auteur cherchera à expliquer la manière dont ce concept peut influencer sur la capacité du sujet d'exprimer un consentement matrimonial valide. C'est ainsi que dans un premier chapitre, il définira l'immatunité psychoaffective et s'appesantira sur les sources et l'iter de formation du canon. Le second chapitre insistera sur l'incidence de l'immatunité visée sur la capacité de la personne à déclarer valablement le consentement. Une grande attention sera réservée aux preuves dans le procès canonique. Enfin le dernier chapitre, en se basant sur l'étude de 98 sentences rendues de 2000 à 2010 évaluera utilement les critères subjectif et objectif de cette incapacité.

Christophe Ngonde Wa Ngonde, *Questions de juridiction canonique, civile et coutumière dans la formation du lien matrimonial des catholiques en République démocratique du Congo*, Romae 2014 (Extractum). Modérateur: Prof. Luigi Sabbarese.

Existe-il un problème d'assimilation du mariage chrétien en Afrique? A l'échelle d'une église particulière (Congo Démocratique), l'auteur a examiné quelques questions de juridiction canonique, civile et coutumière qui tournent autour de la formation du lien matrimonial des catholiques de son pays. Dans un premier chapitre il a présenté une brève synthèse de la formation du lien matrimonial en Occident de l'antiquité à nos jours. Au second chapitre la formation du lien ma-

rimonial fera l'objet d'une attention particulière et une troisième partie de sa réflexion décrira la nature, les sujets les domaines et les limites du pouvoir canonique, civil et coutumier sur le mariage. Les deux derniers chapitres s'appliqueront à mettre en évidence la question de la juridiction et des solutions pour être en symbiose avec les lois canoniques.

Tran Thi To Oana, *I voti religiosi nel CIC' del 1983: Armonizzazione degli aspetti teologico-giuridici e possibilità di dispensa*, Roma 2014, (Dissertatio). Moderatore: Prof. Andrea D'Auria.

La risposta alla chiamata divina di alcuni fedeli viene riconosciuta dalla chiesa mediante i voti che vengono assunti nella professione religiosa. Questo lavoro ha voluto proporre gli elementi essenziali inerenti ai voti religiosi per avere la visione globale degli aspetti teologico-giuridici ai voti e della possibilità di dispensare della chiesa, attraverso l'analisi della prassi della dispensa dai voti presso la Congregazione per gli Istituti di vita consacrata e per le Società di vita apostolica. Si è rivelato davvero utile per quanto riguarda l'iter di una tale procedura rilevandone i motivi concreti e proponendo qualche suggerimento per la formazione dei religiosi.

Mawdsley Dombosco J., *De Brèsillac's Vision for the Formation of Local Clergy as a Patrimony of the Society of African Missions*, Roma 2014 (Dissertatio). Moderator: Prof. Giacomo Incitti.

This research was deepened to ascertain how Brésillac's vision is a patrimony of the Society of African Missions according to the present code of canon law. Chapter one studies the life of Brésillac's and his vision for local Clergy. Chapter two explores the foundation of Society of African Missions and the difficulties Brésillac's faced in this. Chapter three is dedicated to the study of present issues of formation of local clergy and prospective of Society of African Missions patrimony.

Agule Cecilia, *The Co-responsibility of Christ's Faithful in the Mission of the Church (can. 204 §1). The Role of the Laity in the Context of the Church in Northern Nigeria*, Roma 2014 (Dissertatio). Moderator: Prof. Giacomo Incitti.

Canon 204, § 1 of the 1983 *Code of Canon Law* is a fruit of the teaching of the Second Vatican Council; the canon speaks of the co-responsibility of the lay faith-

ful in the mission of the Church, by virtue of their baptism. The first chapter focuses attention on the analysis of the different sources of can. 204 § 1. The second chapter is on the co-responsibility of Christ's faithful as participants in the mission of the universal Church but with an eye on the lay faithful. The last chapter situates this responsibility of the lay faithful in the context of the northern Nigeria Church to do something distinctive and original, something which is useful for the edification of the Church. This research evokes a strong awareness of the importance of the lay faithful in the church's mission in the world.

Okonkwo Ernest Bonaventure Ogbonnia, *The Marriage and the Juridical Status of Defectors From the Catholic Church by a Formal Act after Motu proprio "Omnium in mentem"*, Romae 2014, (Dissertatio). Moderatore: Prof. Luigi Sabbarese.

This research aims at distinguishing clearly the juridical status of defectors from the catholic church by a formal act which is somewhat controversial in the Church, especially among canonists. Chapter one considers the understanding of defection from the catholic church (*actus formalis defectionis ab ecclesia catholica*) and the juridical status of formal defectors in the church. Chapter two examines historically the canonical form and the reasons surrounding its exemption for those who defected from the church by a formal act before the *Motu proprio* "Omnium in mentem". Chapter three examines the *Motu proprio* and the obligatory canonical form of marriage for defectors from the catholic by a formal act. In the final chapter, some problems were considered: the controversies surrounding the PCLT'S, circular letter of march 13, 2006 and the *Kirchenaustritt* and defection from the church *actu formali*; the obligatory canonical form such as the multiplication of invalid marriages and the limitation of the exercise of *ius connubii*, ecc.