

Tesi di dottorato in diritto missionario

pubblicate nella
Facoltà di Diritto Canonico della
Pontificia Università Urbaniana

Jerome Rayappa Anthonappa, *The New Forms of Consecrated Life (can. 605) With Particular Reference to India*, Rome 2012 (Dissertatio). Moderator: Prof. Elias Frank

The Canon 605 opens the door to new forms of consecrated life. The Christian ashram movement, involving Christian sannyasa, is a movement within the Indian Christianity that inculturates Vedanta and the teachings of the East. It attempts to integrate the Christian faith with the under ashram model, and the Christian monasticism with the Hinder sannyasa tradition. The Ashrams way of life is a means of inculturating consecrated life in the Indian contest. In this work, the first Chapter discusses, in depth, the concept of Consacrated life. The second Chapter is more analytical and juridical than merely descriptive, and it presents certain issues canonically significant in the realm of consecrated life in India.

Van Hieu Nguyen, *Il celibato sacerdotale nella normativa canonica. Esigenze formative nei seminari nel Vietnam*, Roma 2012 (Estratto). Moderatore: Prof. Giacomo Incitti

Perché la chiesa cattolica difende tenacemente la disciplina del celibato sacerdotale? Qual è la soluzione per la crisi attuale del celibato nel clero? Lo studio, applicando il metodo analitico nell'esaminare il canone 277, ha evidenziato, in un primo capitolo, il fondamento biblico del celibato sacerdotale. Il secondo capitolo ha considerato l'evoluzione della disciplina sulla materia nell'ambito della chiesa cattolica latina. Poi, nel terzo capitolo, l'iter viene descritto e infine nell'ultima parte dell'indagine si avanzano delle proposte per venire incontro alle esigenze formative con riferimento all'attuale situazione dei seminari maggiori in Vietnam.

Apollonie Mbilika Kandoli, *Le chapitre général dans les Instituts de vie religieuse (can. 631). Application et perspectives dans l'Institut des petites sœurs de la Présentation de Notre Dame*, Roma 2012 (Estratto). Moderateur: Prof. Lorenzo Lorusso

Soif de connaître et de dissiper bien des doutes, voire de redresser les distorsions autour du chapitre général à l'échelle d'un exemple bien circonscrit à savoir l'institut des Petites sœurs de la Présentation de Notre Dame. Tel est l'objectif de l'auteur qui, dans l'analyse du canon 631, a fait un survol historique des origines lointaines du chapitre dans les instituts religieux. Ensuite la position du Concile Vatican II a été expliquée. Un troisième chapitre a décrit l'organisation du chapitre général passant en revue un recueil de publications sur l'argument et enfin l'étude systématique sur le chapitre général de l'institut ciblé sera faite, avec à la clef des propositions concrètes autour du droit capitulaire, du règlement propre... etc.

Polycarp Mzee Shirima, *The Christian Family's Role in Fostering Priestly Vocations According to the Canon 233 § 1* (Dissertation), Rome 2012. Moderator: Prof. Giacomo Incitti

Christian families play an important role in fostering priestly vocations according to the canon 233 § 1 and the author's personal experience. The first Chapter analyzes the concept of the Christian family. The second Chapter deals with a brief history of the involvement of the Christian family in priestly vocations. The third and final Chapter focuses attention on the role of the Christian family in fostering the priestly vocations in the *Codex Iuris Canonici* (CIC' 1983).

Albert Wanso, *Les défis actuels de la formation sacerdotale: l'expérience du Grand séminaire Saint Augustin de Maroua au Cameroun*, Rome 2013 (Estratto). Moderateur: Prof. Giacomo Incitti

Qu'entend-on exactement par la notion de formation sacerdotale et en quoi réside sa spécificité? L'auteur de la thèse en premier lieu a décrit les sources normatives de la formation à partir de la législation universelle de l'église. Le deuxième chapitre de sa réflexion a présenté le Grand séminaire de son pays et ensuite dans un troisiè-

me chapitre, il est passé à l'analyse des défis de l'heure qui se présentait à cette institution. Le quatrième chapitre s'est inscrit dans le cadre d'une proposition concernant le processus de formation à Maroua pour des prêtres bien conscients de leur mission qui répondraient ainsi aux attentes des peuples du Nord Cameroun.

André Zerbo, *L'application du canon 1103 du CIC de 1983 au mariage des Sanénon du Burkina Faso*, Rome 2013 (Dissertatio). Moderateur: Prof. Luigi Sabbarese

Dans la culture des Sanénon du Burkina Faso, le mariage revêt une dimension communautaire et sociale bien singulière. Comme la question de la liberté dans le mariage n'a été que rarement adoptée, l'auteur de cette thèse a posé le débat de l'impact de la famille et son incidence qui ne garantit pas toujours la pleine liberté des conjoints. Le système matrimonial des Sanénon au Burkina Faso (1^o chapitre), le droit matrimonial civil pour un travail comparatif (chapitre 2), la pratique matrimoniale des Sanénon sous le profil du canon 1103 (chapitre 3) et les implications juridiques pastorales formeront la trame de cette étude qui a eu comme motivations un souci d'ordre pastoral, sociologique, anthropologique, théologique et bien évidemment juridique.

Chidumi Francis Okechukwu, *Convalidation of Civil Marriage in Nigeria, Juridical-pastoral Approaches*, Rome 2013 (Extract). Moderator: Prof. Luigi Sabbarese

The forms of marriage that recognize and accord civil effects in the Federal Republic of Nigeria are: statutory marriage, Islamic law marriage and customary law marriage. This research work aims at suggesting, within the principle boundaries of canonical legislation, how the faithful Christians who are under the prevailing circumstance in Nigeria, celebrate their civil marriage in a coram magistrate, and at the same time, living in a monogamous, heterosexual and permanent marriage bond, can be helped with the intervention of competent ecclesiastical authority, that radically heal their marriage. Ipso facto, more attention should be given to the institution of the healing root (*sanatio in radice*) and its possible application. Chapter one, therefore, presents some historical highlights on the origin and de-

velopment of convalidation, with a sharp but due reference to the: Roman Law; Early Church Councils; Papal Documents as well as some ancient Church writings. Chapter two presents in a brief but clear style, the origin, nature, essential and formal characteristic requirements for the validity and lawfulness of the forms of civil marriage in Nigeria, excluding the civil marriage in the Islamic context. Chapter three focuses on the two forms of convalidation. Chapter four treats the juridical nature of civil marriage according to the catholic doctrine and jurisprudence and presents sanatio in radice of the civil union as a practice of the Church. The last part presents the rites and the necessary precautions to be observed in the radical sanation of the civil (statutory) marriage in the Federal Republic of Nigeria.

Anieke Chinedu. O., *Marriage and Family: A Comparative Study on the 1983 Code of Canon Law and the Igbo Customary Law*, Rome 2013 (Extract). Moderator: Prof. Luigi Sabbarese

The author of thesis wishes to respond to the complex situation of the gradual loss of the family values and the general situation of the cultural awakening, prevalent in the life of the Igbo people today. Through this response, we hope to contribute to the revitalization of marriage and the family values among the culture of the Igbo people. The underlying reason is that this thesis is in line with the aim of the ecclesia in Africa: strengthening communion and community spirit in the Church of Africa and the Universal Church. Chapter one examines marriage and the family institution in the Code of Canon Law. Chapter two presents marriage and the family institution from the perspective of the Igbo customary legal jurisdiction. Chapter three describes the legal consequences of the customary and canonical laws on marriage and the family. The final Chapter summarizes all the important elements found in the above three chapters suggesting some important elements for an immediate attention, coupled with a further research and inculturation.

Christofer Gnana Prakasam, *Legislative Authorities of Particular Laws in CIC and CCEO in Light of the Dialectic Between the Universal Common Law and the Particular Law. A Juridical Study Aimed at Promoting the Inculturation of the Ecclesial Law*, Rome 2013 (Extract). Moderator: Prof. Vincenzo Mosca

The study and dynamic interface and interlace operate between the universal or common Law and the particular Law within the juridical-canonical order in the

catholic communion, and promote inculturation of the ecclesial Law within the overate contract of the mission in the Church are the scoop of thesis purpose. The first Chapter describes the basic notions surrounding the particular laws and the universal common law. The second Chapter deals with the legislative authorities of the particular laws in the Latin Church. The third Chapter presents the lists of areas pertaining to each of the legislative authority of particulars as per the norms of the CIC. The fourth Chapter studies the legislative subjects of particulars laws in the Eastern Catholic world. The fifth Chapter presents the catholic world coming under the particular normative production in the Eastern catholic world and the last Chapter gives some canonical prospects for the inculturation of the Ecclesiastical Law.

Kurisingal Antony, *Private Associations. A Study on the Ecclesiastical Legislation with Particular Reference to Kerala Latin Catholic Association*, Rome 2013 (Dissertatio). Moderator: Prof. Giacomo Incitti

In recent times, the associative phenomenon of the laity for the ecclesial finalities has taken a character of a particular variety and vitality and we can rightly speak of a new era of group endeavors of the faithful in the Church. Recently, there have been a number of associations in Kerala and this fact has been received in a significant manner by the Church authorities. But, at times, they face difficulties, with some questions such as: the institutional aspects and finalities to be followed in the associations; the structural organization; the dissipation of energies through avoidable unhealthy competitions among associations which follow the same spheres of actions; dialectical contradiction between the associative freedom of the faithful and the power of vigilance and associations. The first Chapter deals with the associative right of the faithful in the Church. The second Chapter studies the different configurations of the associative right of the faithful in the Church developed in the juridical possibilities of the 1977 and the 1983 Codes of Canon Law. The third Chapter deals with the private association of the faithful. The concluding Chapter examines the particular Church in Kerala in an associative perspective of the faithful.