

Praedicate Evangelium – Development
Process, Hermeneutics, and Significance
for the Church

Using the Preamble, Principles, and
General Norms of PE as Examples

Josef Sayer

PRAEDICATE EVANGELIUM – DEVELOPMENT PROCESS, HERMENEUTICS, AND SIGNIFICANCE FOR THE CHURCH

USING THE PREAMBLE, PRINCIPLES, AND GENERAL NORMS OF PE AS EXAMPLES

The Constitution “*Praedicate Evangelium*” is both the result and a reflection of nearly the entire pontificate of Pope Francis: he worked on it continuously and for the longest period—from 2013 to 2022—alongside the Council of Cardinals. In this document, the central reform concerns of his pontificate are not only brought together but, crucially, also translated into a *constitutional* form.

This thesis requires justification, as the new Constitution has not yet been sufficiently recognized in its fundamental significance for the Church as a whole—and beyond—unlike, for example, *Evangelii Gaudium*, *Laudato si'*, *Fratelli tutti*, or even the synodal process. Why is this so? What are the reasons? How did the new Constitution come about in the first place? What are the distinctive features of the development process and the hermeneutics of *Praedicate Evangelium* (PE)? And what makes PE special?

I. Background and Starting Point

At the suggestion of the pre-conclave meetings of cardinals in March 2013, Pope Francis shortly after his election established a Council of Cardinals. Its purpose, according to the pre-conclave’s intention, was to advise the Pope and to provide him with a continuous connection to the universal Church, independent of internal curial information flows. Accordingly, Francis composed the Council from cardinals representing various parts and continents of the worldwide Church.

Additionally, he entrusted this Council with the task of jointly drafting a proposal for a new Constitution. In doing so, Francis took up another suggestion from the pre-conclave. He appointed the Latin American Cardinal Óscar Rodríguez Maradiaga as coordinator of the Council of Cardinals, also for this specific task. Both cardinals, Jorge Bergoglio and Óscar Rodríguez, shared a special relationship of trust, forged, for example, through their collaboration on the editorial commission for the final document of the Fifth General Conference of

the Latin American Episcopal Council in Aparecida (2007). Bergoglio had been elected president of that editorial commission by the conference, and now, as Pope, he was working together with the Council he had established and which Rodríguez coordinated, on a new constitution.

With the first Pope from Latin America came profound expectations for reform of the Curia and for a renewal movement throughout the Church: after Vatican II, it was precisely the Church in Latin America that had consistently pursued the implementation of the Council, freed itself from rigid European models, and developed a Church with a “Latin American face” and an self-reliant “Latin American theology” – often identified with the term “liberation theology”.

This very spirit of renewal motivated the small working group for the new Constitution, which Cardinal Óscar Rodríguez formed and to which the liberation theologian Gustavo Gutiérrez initially belonged. I myself have been a member of this group since its very beginning (April 2013), and thus am intimately familiar with the development process of the Constitution in its various phases.

Why did Francis commission a new Constitution?

The Constitution *Pastor Bonus* by John Paul II, published in 1988; was developed under the ecclesial and geopolitical conditions that were significantly different from those of the second decade of the 21st century. Just as John Paul II had explicitly commissioned his new Constitution based on “new developments” following Paul VI's *Regimini Ecclesiae Universae* (1967), Pope Francis now did the same – but, as noted, at the direct suggestion of the pre-conclave meetings of cardinals gathered from the entire universal Church.

What was our approach, and what was the particular challenge? A Pope coming “from the outside”, a Council of Cardinals composed, with one exception, of members not from the Curia: this constellation was both an advantage and a disadvantage. A disadvantage because the initial focus was concentrated on reforming the Curia. This was evident, for instance, in an early draft whose leading title was prominently: “I have given you an example” (Jn 13), that is, a model of service based on Jesus washing the feet of his disciples. At the same time, however, this also concealed a new understanding of the Curia:

not as a centralist instrument of church governance, but a return to the gospel-based service vocation of discipleship in following Jesus.

This gospel-centered and externally oriented perspective also held an advantage, quickly leading to a shift in focus: no longer merely on the Curia alone, but on the service of the Church as a whole. The Curia's service was now included within this broader context. This change in perspective was decisive. Consequently, the guiding theme changed from "I have given you an example" to "*Praedicate Evangelium*" – "Preach the Gospel" – as the mission and essential identity given by Jesus to his disciples and to the Church as a whole.

Aside from this central turning point, a fundamental question was also raised about the *nature of a Constitution*. What are its characteristics, and how should a draft be shaped so that the final result would *be a Constitution truly of Pope Francis*?

An initial rapid approach, oriented toward *Pastor Bonus* by John Paul II and aiming to insert fundamental reform ideas into that framework, was soon deemed inadequate. Instead, a new approach was chosen, one oriented toward *Lumen Gentium* of Vatican II and the preamble of the Ten Commandments (Ex 20).

The development of state Constitutions was also taken into account. For example, the Constitution ("Basic Law") of the Federal Republic of Germany was drafted by a specially convened Parliamentary Council (from September 1948 to May 1949). Such a method – or similar models – was clearly not feasible for the Council of Cardinals, whose members still had to lead large dioceses. The Council met five times a year for three-day consultations with the Pope at Santa Marta in the Vatican – about two weeks annually in total. Moreover, there was the clear intention to create a Constitution of *Pope Francis himself*: what did this Pope, coming "from the outside" without internal curial experience – and the same applied to six of the initial eight council members – truly want?

An excellent orientation point for the small working group¹ led by Óscar Rodríguez was Pope Francis's Apostolic Exhortation *Evangelii Gaudium* (EG), published in November 2013. The Pope himself understood EG as "*the programmatic document of my pontificate*", – so Francis explained to me in a private audience when I informed him about my courses on EG with Bishops, priests, and lay people in

different parts of China. At the center stands explicitly the Gospel and its proclamation as “Good News”. From this goal, EG boldly and unapologetically pursues unusual approaches: courageous rethinking and putting “everything to the test”, rejecting the argument of “we have always done it this way” (EG 33). This liberating text, which brought fresh wind into areas where pastors should sometimes “go before the people”, sometimes “simply be in their midst”, or even “walk after them” – “allowing the flock to strike out on new paths” (cf. EG 31), provided new orientation regarding the direction Pope Francis wished to lead the Church. This openness, where pastors are called to “take on the ‘smell of the sheep’” (EG 24), which highlights the *sensus fidelium* in a new way, proclaims a “healthy decentralization” (EG 16, cf. 32), and emphasizes the priority of reality over ideas, also aimed at a deeper implementation of the Second Vatican Council. This impulse Francis brought with him from the “Latin American Church” to Rome.

EG, as a programmatic document—a novelty for a pontificate—breathes a pastoral spirit. This corresponded to what Pope Francis practiced from the beginning: shaping the Church as a pastoral service community that does not revolve around itself, is not self-referential, but fulfills a service function for humanity and the world from the perspective of the Gospel. But how could this vision be translated into a Constitution for the Church by Pope Francis?

The Council of Cardinals quickly learned that Francis thought in terms of *processes and seeks to initiate processes*. It was therefore clear: the goal was not to withdraw, draft, or discuss a document in the manner of how state Constitutions are typically created. The Council learned to develop a Constitution from the *unfolding process of the pontificate* itself, thereby ensuring it would also be practical and pastorally grounded.

This explains the long development period of the constitutional draft, beginning in April 2013. It also accounts for the distinctiveness and unique character of this Constitution as a reference point for the challenges arising throughout Francis’s pontificate. PE is therefore not a Constitution developed at a “green table”. Rather, it was shaped by the progression of the pontificate itself, which simultaneously gives it a distinctive and special quality.

To better appreciate this, it should be emphasized that, depending on the stage of discussion, the maturity of reflection within the Council, and the need to act “on the way”, the Pope himself already established new structures that later found their definitive place in the constitutional text. For example, during the first phase, a long-delayed issue from previous pontificates was decisively addressed at Pope Francis’s strong urging: the reorganization of the economic sector. This area, prone to rumors and scandals, was finally restructured. Francis promptly established an Economic Council, a Secretariat for the Economy, the office of a General Auditor, a Commission for Confidential Matters, and an Investment Committee, and immediately appointed their respective personnel.

Similarly, the Council of Cardinals, together with the Pope, addressed a striking and troubling fact that Francis identified as a sign of “clericalism”: while there were separate congregations for bishops, priests, religious, etc., there was none for the vast majority of the People of God, the laity. As early as 2016, Francis established the Dicastery for the Laity, the Family and Life. Its design incorporated suggestions from lay organizations. In the same way, the Dicasteries for Communication and for Integral Human Development were established during the process.

Francis opened up the area of synodality with his outstanding initiative on the 50th anniversary of the establishment of the General Secretariat of the Synod of Bishops on October 17, 2015.² This highly creative and innovative impulse was then taken up by the Council of Cardinals, integrated into the Constitution’s design, and ultimately culminated in the process of the global synod.

In summary, these examples clearly illustrate the special method by which the Constitution was developed from the *unfolding process* of the pontificate, with certain elements implemented directly by Pope Francis as needed.

II. The Preamble

1. Function and Structure of the Preamble

Pope Francis deliberately begins his Constitution with a “Preamble”. He does this not only by analogy to state Constitutions but especially

by analogy to the Ten Commandments (cf. Ex 20,1-17). For, based on the preamble of the Ten Commandments, “I am the Lord your God, who brought you out of the land of Egypt, out of the house of slavery”, the subsequent commandments gain their theological foundation (God as caring Savior and Liberator) and legal bindingness (normative behavior of the people as a response to God’s saving action). Without the preamble, the Ten Commandments would hang in the air, lose their theological depth, and would not be distinguishable from any arbitrary set of laws.

Thus, the preamble indicates the orientation and spirit of the Constitution and serves as the guiding principle, hermeneutical key, and interpretive horizon in which it must be understood and interpreted.

In connection with the preamble, a second observation is important: the orientation toward *Lumen Gentium*. There, the Council Fathers deliberately first discussed the “People of God” as a whole, that is, including the Pope, bishops, and priests—before proceeding to the hierarchical structure. Analogously, the preamble deals in its first part (nos. 1-4) with the Church as such and its mission from Jesus Christ.

The second part then differentiates the various ministries: that of the Pope, the College of Bishops, and the Bishops’ Conferences (nos. 5-7). Next follows the service of the Roman Curia (no. 8). In no. 10, the focus broadens to the discipleship of all the baptized and their participation in proclaiming the Gospel and promoting the good of the whole Church (cf. LG 30). Finally, in nos. 11 and 12, the importance of reform is emphasized: far from being merely a technical-administrative process, Pope Francis situates the entire reform within the “spirituality of the Second Vatican Council” as conceived by Pope Paul VI—that is, within a *spiritual service function* according to the “ancient story of the Samaritan”, which transcends all boundaries, just as God’s love in Jesus is directed toward all people. Furthermore, the Pope reaffirms his fundamental concern: *Praedicate Evangelium*. The Constitution, with its reforms, is an instrument for more effective evangelization, also in an ecumenical spirit and beyond, in constructive dialogue with all.

2. "Preach the Gospel"

We now turn to the first part of the preamble, the programmatic nos. 1-4, beginning with no. 1. Here we encounter a very dense key text, carefully crafted over time. What are the key terms?

"Praedicate Evangelium", "Preach the Gospel" (three times!); mission from Jesus Christ; service; witness in word and deed (twice); humanity; mercy; example of Jesus; evangelizing community; People of God; placing oneself in the daily lives of others; option for the poor and the suffering.

What is the groundbreaking aspect of no. 1 for the entire Constitution?

Just as the preamble of the "Ten Commandments", as mentioned, distinguishes them from an arbitrary collection of commandments, the entire Constitution gains its guiding depth, especially through the first number of the preamble. Here, in a nutshell, central elements of the faith message and the Church are synthesized. The *hermeneutical key* lies in the first two words: *"Praedicate Evangelium"*, "Preach the Gospel". Precisely, they encapsulate the Church's mission as a command from her Lord. And with the term "Gospel", it is simultaneously made clear that this is a positive message, indeed a "Good News", from God in Jesus Christ. And it is a message "for every person and for all humanity"! Right from the start, by deliberately choosing his first citation from *Redemptoris Missio* by John Paul II, Francis makes clear that he stands in the tradition of this encyclical with its global horizon.

Because of the grace of God's mercy freely given, "without prior merit", to all, Francis orients the Church's horizon, and thus his Constitution, toward proclaiming the Gospel to all and to humanity as a whole.

In doing so, the Pope transcends a self-referential mindset within the Church. Her service, entrusted by Jesus, cannot remain abstract; it must be carried out "in word and deed". It is crystallized in the significant example of Jesus himself, as given in the washing of the feet (Jn 13). And Francis describes and explains this example of Jesus' service through a second citation, from his programmatic document for his pontificate, *Evangelii Gaudium*, 24: the evangelizing community and the People of God fulfill Jesus' command and

proclaim the Gospel by entering “*into the everyday lives*” of people, especially the *suffering*, and thus serving “the suffering Body of Christ”, a passage that breathes the spirit of the “Latin American Church” with its outstanding documents from the General Conferences.

Pope Francis thus makes clear from the outset that his Constitution is not about an *arbitrary compilation of canonical rules* for the Curia. With his Constitution, he aims to enshrine the Church’s fundamental mission for humanity and the world: both the Church and the reform of the Curia must be oriented toward the horizon of “*Praedicate Evangelium*”.

3. Missionary Conversion

As a logical consequence of no. 1, no. 2 of the preamble then draws the conclusion that the Church must undergo a “*missionary conversion*” (cf. EG 30): the Church, commissioned by Jesus Christ to “*Praedicate Evangelium*”, is now called, according to the Sermon on the Mount, to be “the light of the world” (Mt 5:14) and to “*reflect Christ’s saving love*”.

What is the background of this “missionary conversion”? A particular concern of Pope Francis was to further implement the Council. Thus, *Lumen Gentium* 1 forms the background here. According to LG 1, Christ is the “light of the nations”, and the Church is to reflect this light of Christ on her face. She does so by “proclaiming the Gospel to all creatures” and thus becoming “in Christ a sacrament, a sign and instrument of intimate union with God and of the unity of the whole humankind”. The horizon of “missionary conversion” is therefore that of “*Praedicate Evangelium*” within the horizon of LG.

No. 3 provides a historical context and indicates that Francis, with his reform, wishes to better harmonize the service of the Curia with the path of the Church called to evangelization.

4. Communion Ecclesiology and Synodal Church

What are the key terms in no. 4 of the preamble?

“Mystery of the Church”; “*Communio*”; “new community”; “communion of Jesus with his disciples”; “synodality”; “synodal face”; “all listen to one another”; “all learn from one another – the faithful people, the College of Bishops, the Bishop of Rome”;

“reciprocity”; “listening to the Holy Spirit”; “reform of the Curia”; “renewal of the Church”; “*Communio* for mission”.

What Pope Francis articulates in no. 4 in such vivid, easily understandable, and almost everyday language might tempt one to quickly acknowledge it and immediately proceed to no. 5 of the preamble. This, however, would be inappropriate and fail to recognize that Francis introduces “*Communio*” and “*Synodality*” as two *constitutional factors* for the Church in his Constitution.

With these two factors, a consequence is simultaneously implied: the need to re-examine and restructure the familiar, well-established system of behavioral patterns.

But it is precisely this *constitutional perspective* that matters: what Francis articulated in 2015 on the 50th anniversary of the General Secretariat for the Synod of Bishops regarding synodality,³ he now incorporates into his Constitution, giving it a *systemic significance*. “*Communio* and Synodality” thus become two factors that constitutionally shape the Church and ecclesial life and behavior, necessitating transformation processes and requiring structural renewal.

What does this mean? What is entailed by these two factors? The following explanation, due to their fundamental importance, will be somewhat more detailed.

The established administrative processes, standardized pathways, control mechanisms, and cherished routines must now be scrutinized from the perspective of synodality, of being a synodal Church. Creating a Church with a “synodal face” is presented by Francis as a constitutional task: if the “mystery of the Church”, her life as *Communio*, as “new community” according to Vatican II, is now to be implemented in synodal form (*volto della sinodalità*), this requires a corresponding “reform of the Roman Curia”, – but also a “renewal of the Church” worldwide. According to Pope Francis’s very vivid description of the Church’s synodality, a fundamental “reciprocity” is necessary, involving all: “the faithful people, the College of Bishops, the Bishop of Rome”.

This mutual listening and learning does not follow the established line where some teach and expect others to obey. What is required now is horizontal seeing, hearing, and learning. This may also mean not simply clinging to the status quo but giving up familiar practices

and developing new forms of coexistence, new procedures, and new administrative patterns, setting aside the common justification, “We have always done it this way” (cf. EG 33).

This is connected with one of the most difficult aspects of social entities—and this applies to the Church as well—namely, “*un-learning*”: abandoning established procedures that have proven plausible and pragmatically effective for office holders, sometimes legally secured, and which have sustained the apparatus. Together, in a synodal manner, and explicitly on the three levels named by Pope Francis, the faithful people, the College of Bishops, and the Bishop of Rome—new procedures must be developed. Understandably, this may involve considerable difficulties. Who willingly gives up the so-called tried-and-true practices, especially when linked to positions of power? In any case, Francis has created the constitutional framework and opened an experimental space for new synodal forms and strategic reflections, allowing new growth and alleviating systemic suffering.

Wisely, the Pope introduces an opening theological foundation for all sides: *all must listen together to the Holy Spirit, the Spirit of Jesus Christ*. This prevents a confrontational struggle akin to bad “parliamentarianism”. The Lord of the Church is neither the dicasteries of the Curia, the bishops’ ordinariates, the parish priests, nor any lay groups or movements, but Jesus Christ, who has commissioned her to “*Praedicate Evangelium*” (cf. nos. 1 and 2).

“Preach the Gospel” as the fundamental mission and core identity given by Jesus Christ himself proves to be the hermeneutical key for a Church of *Communio* with a synodal face, to which all are called.

5. The Service of the Primacy and the College of Bishops/Bishops’ Conferences

Nos. 5 and 6 treat the Pope and the Bishops in the usual manner of ecclesial documents. However, significant in view of the reform of the Curia is the emphasis that *both* the Pope *and* the Bishops, as *successors of the Apostles* according to LG 18, lead the Church. This has decisive consequences for the positioning of the Curia, addressed in no. 8.

Before that, attention should be focused on no. 7, which concerns the *Bishops’ Conferences*, including the associations of continental bishops’ conferences. The preamble deliberately treats the Bishops’

Conferences *before* addressing the *Curia*. They are understood as “*communio Episcoporum*”, which stands “in service of the *communio ecclesiarum*” and is “founded on the *communio fidelium*”. This strong reference to communion ecclesiology shows that no. 7 of the preamble clearly stands within the context of no. 4, where, alongside *Communio*, reference is made to synodality and the synodal face of the Church. In this threefold orientation toward *Communio*, central elements of conciliar theology are interconnected. The Bishops’ Conferences, and within them the bishops, are bound back to the *Communio* of all the faithful. The bishops are not outside or over them; according to LG II, they are part of the People of God. If their *Communio* serves the communion of particular churches and is founded upon the communion of the faithful (*basata sul*), then bishops cannot act unilaterally or monologically, merely presenting their own opinions, ideas, and notions. Rather, they should listen to their dioceses and parishes and express the *sensus fidelium* (cf. also EG 31, 119, 198).

After the Constitution was enacted by Francis, the relationship between Bishops’ Conferences, individual bishops, and the *communio fidelium* must now be further clarified, especially in light of synodality (cf. no. 4). In the Constitution, a certain tension remains. The new importance of Bishops’ Conferences, which the Pope and the Council of Cardinals jointly sought from the outset in their sessions, runs throughout the entire Constitution; they are mentioned 63 times! Their significance is particularly evident in the descriptions of the dicasteries, where the role of Bishops’ Conferences is generally highlighted, and explicit value is placed on cooperation between the Curia and the Bishops’ Conferences.

For clarification, a few examples: “The Dicastery has the task of cooperating with the Bishops’ Conferences...” or: “It places itself at the service...”; or: “Together with the Bishops’ Conferences... it encourages reflection on possible forms of inculturated liturgy and accompanies their contextualization”. (Art. 89 § 3) or: “The Dicastery offers its cooperation...”; or: “The Dicastery accompanies in cooperation with the Bishops’ Conferences, their regional and continental associations...” (Art. 164).

6. The Service of the Roman Curia (no. 8)

The fact that the reform of the Curia is not dealt with until no. 8 is a sign that the Constitution PE affects a changed positioning of the Curia. The Constitution performs a decisive *paradigm shift*, based on *Lumen Gentium*. If the Pope and the Bishops, both as successors of the Apostles, jointly lead the Church, then the Curia cannot occupy an *intermediary position* between them. The Constitution formulates this *paradigm shift* very precisely:

“The Roman Curia does not stand between the Pope and the Bishops, but places itself at the service of both, in a manner consistent with the nature of each.”

How important this paradigm shift was to the Pope and the Council of Cardinals is evident by establishing it also in Part II, the “Principles for the Service of the Roman Curia” (see the Introduction), and in Part III, the “General Norms”, Art. 1 and 3. Part II, “Principles”, provides the justification with a citation from LG 18: “Thus the Curia serves the Pope and the Bishops, who ‘together with the successor of Peter’ lead (*reggono la casa*) the house of the living God.” (cf. Principles, Introduction). This threefold anchoring, in the Preamble, the Principles, and the General Norms, expresses that this is a key element of the reform of the Curia.

Due to this paradigm shift, according to which the Curia does not occupy an *intermediary position* between the Pope and the College of Bishops, it is now necessary to jointly develop new forms of cooperation between the Curia and the Bishops’ Conferences and their regional and continental associations. This is one of the central tasks now facing the implementation of the Constitution and requires a mindset change (Mind Change) both in the Curia and in the Bishops’ Conferences.

7. All Are Missionary Disciples (no. 10)

Key elements are: Baptism; the missionary discipleship of all; the reform of the Curia also includes lay people such as women and men; lay people in leadership roles are indispensable for the good of the whole Church; respect for life and creation; recognizing the signs of the times.

What matters to the Pope, what is at stake? Simply and centrally, it is "*Praedicate Evangelium*" as the guiding principle and hermeneutical key of the Constitution! All the baptized are called to this, not only office holders such as the Pope, the Bishops, the Bishops' Conferences, or the Curia. The connection to the context of no. 4, synodality, must be kept in mind. The starting point is Baptism as the fundamental sacrament, which is the same for all. This also speaks against a clericalization of the Church. All bear responsibility from Baptism for proclaiming the Gospel and should participate responsibly in it, also in the leadership of the Church, including women and men.

In Part II of the Constitution, the Principles, no. 5 explains why lay people can participate in leading dicasteries: this occurs according to "*potestas vicaria*."

8. "The Significance of Reform" – Spirituality of the Council (no. 11)

For Pope Francis and his Constitution, reform is not merely a matter of organizational or institutional restructuring. Reform must spring from an inner transformation, from the "*paradigm of the spirituality of the Council*". The Constitution deliberately references Paul VI's speech at the conclusion of the Council on December 7, 1965, to underscore its deep significance through the spirituality of the Council.⁴ Pope Paul VI explained the "*paradigm of the spirituality of the Council*" with the "*ancient story of the merciful Samaritan*": spirituality is not simply understood as reciting a series of prayers, etc. Rather, it is about *carrying forward the "love of God"*, from which spirituality as an attitude, an inner disposition, and a way of acting originates. This love is proclaimed through service to people ("in word and deed" cf. no. 1), as Jesus did, whose face is especially to be recognized in the faces of the suffering, as the parable of the Good Samaritan suggests as a basic spiritual attitude.

This formulation at the end of no. 11 is a deliberate reference back to no. 1 of the preamble, namely that the Church "*fulfills her mission above all when she bears witness to mercy in word and deed*", which she herself has received without merit.

How important 'mercy' is to Pope Francis is especially evident in the fact that he not only established *a new Dicastery* as an expression of God's merciful love; he also deliberately placed it in third position in

the order of the dicasteries! It follows immediately after the one for evangelization, which, according to the logic of Christ's mission to his Church, "*Praedicate Evangelium*", stands first, and right after the one for doctrine. That is, the Church as a whole and all dicasteries must internalize the attitude and perspective of mercy, the love of God in Christ, who first loved us. It seems important to me to mention that Francis made this decision, uninfluenced by the Council of Cardinals! As Pope. This is also consistent with the fact that in 2016, he declared a worldwide Year of Mercy.

III. Principles for the Service of the Curia

Like the Preamble, Chapter II of the Constitution is a novelty compared to *Pastor Bonus*. In the work of the Council of Cardinals, the search for criteria and principles for reform played an important role from the beginning. Inspired by Pope Francis's Christmas address to the Curia in December 2016,⁵ Chapter II was conceived. However, it did not follow the principles and criteria that Francis had internally formulated for the Curia, which concerned the behavior and competencies of the Curia personnel.

The Council of Cardinals broadened the perspective, starting from the Preamble, to the Church as a whole: thus, in the introduction to Part II, it again emphasizes that the service of the Curia is directed toward the Pope and the Bishops/Bishops' Conferences and their continental associations. As already mentioned, the justification was drawn from *Lumen Gentium*: that the Pope and Bishops together "lead the house of the living God" (*reggono*). This formulation again takes up what is stated in no. 8 of the Preamble: if the Bishops are successors of the Apostles, the Curia cannot occupy an intermediary position between the Pope and the College of Bishops.

Accordingly, the Council of Cardinals discussed several times whether the College of Bishops could also give mandates to the Curia. Ultimately, these discussions did not find expression in the Constitution due to a lack of viable models. These considerations thus failed due to practical feasibility.

1. Decentralization

How differently the Constitution's perspective is from the Pope's Christmas address to the Curia becomes clear after the introduction and no. 1 of Part II, which refers to the collaboration between the Pope and the Bishops, immediately in no. 2: here it is about "healthy decentralization" in the Church, starting from Francis's programmatic document for his pontificate, EG, nos. 16 and 32. This dimension of decentralization was deeply rooted in the discussions of the Council of Cardinals together with the Pope. In contrast to their experiences on their continents with the Curia, often perceived as a centralist institution, the Cardinals emphasized the need for decentralization.

How difficult the Church finds "decentralization" is evident in the following: the Council of Cardinals did not concretely define what "decentralization" specifically means. Why? The Council's coordinator, Cardinal Óscar Rodríguez, for example, wrote a letter to all heads of congregations, asking them to suggest areas where they could imagine decentralization. The response was very meager. This could be interpreted as a natural self-interest in preserving the status quo.

What is at stake for Pope Francis? From the very beginning, from his first address from the St. Peter's Loggia, he expressed that it is about presiding in love, about a path of brotherhood and trust. Now, no. 2 of Principles, this understanding is constitutionally framed under the title "co-responsibility in *Communio*", the "mystery of communion" (cf. LG 8). This reference again underscores the importance of no. 4 of the Preamble. Within *Communio* and Synodality, reform must be shaped under the perspective of "healthy decentralization": that is, leaving to the competence of *pastors* those questions they know well due to their proximity, as long as they do not affect the unity of doctrine and communion – out of respect for their own magisterium (cf. DV 7).

But from the universal Church, too, there were hardly any suggestions regarding decentralization. Thus, the question arises: is the system so well established, and are the people so thoroughly socialized within the existing system, that imagination and creativity for new directions and procedural changes still need to be developed? In any case, Pope Francis, with his unusual proposal of "healthy

decentralization” at the beginning of his pontificate, cast a stone into the water that will continue to ripple into the future. The Council of Cardinals and the Constitution took up and reinforced this concern.

Here, a door is opened for Bishops’ Conferences and specifically for their continental associations: on the one hand, to develop “healthy decentralization” in their cooperation with the Curia under the guidance of the Pope, and on the other, to pursue this concern in their own internal working procedures.

2. Service of the Curia to the Mission of the Bishops (no. 3)

No. 3 of the Principles describes this service of the Curia with the following keywords: “*recognizing and supporting* the activity (of the Bishops) regarding evangelization”; “*advising, encouraging, and promoting*”; “*supporting initiatives for evangelization, the option for the poor, and contributions to the well-being of humanity and peace*”; “*in short, it is about supporting their initiatives (of the Bishops) so that peoples may receive life in abundance in Christ*”.

We also recognize here the orientation toward the guiding principle/hermeneutical key of the entire constitution from Preamble no. 1, namely “*Praedicate Evangelium*”. On the other hand, the reference to no. 8 is clear, namely the paradigm shift stated there: the Curia no longer has an intermediary position but must also serve the Bishops “*as successors of the Apostles*”.

These new behaviors of the Curia toward the Bishops and Bishops’ Conferences, this new spirit, are also deliberately taken up in Part III, the “General Norms” (cf. e.g. Art. 1 and 3 or 38–42, *Visita ad limina Apostolorum*), as well as in the presentation of the various dicasteries. And it should also be noted that Bishops and Bishops’ Conferences, in their behavior toward the Curia, must internalize and claim the constitutional behavioral change of the Curia as established in no. 3 of the Principles. Only through a mutual mindset change (Mind Change) can, according to the Constitution, new forms of cooperation between the Curia and Bishops’ Conferences be developed.

3. Taking Up Initiatives from Dioceses and Bishops’ Conferences (no. 4)

No. 4 contains, again starting from the Church’s fundamental mission, namely “*Praedicate Evangelium*” from the Preamble, a reversal in the Curia’s way of thinking: not starting from control and

issuing directives. Instead, it starts from the creative experiential knowledge and best-practice examples from the various parts of the universal Church, with their diverse local evangelization—that is, inculturated, contextual evangelization in view of the immense variety of cultures that the Church, as a truly global institution, encompasses.

If the Curia wishes to serve the universal Church, its task also includes—as a kind of platform—collecting outstanding, creative initiatives from the universal Church for the implementation of Christ’s leading mission, “*Praedicate Evangelium*”, and making them available to local churches as motivating suggestions and possibilities for evangelization. In this way, the creativity and initiatives of local churches, Bishops’ Conferences, and their continental associations, arising from the diverse cultures in which the Gospel is to be proclaimed, are recognized and appreciated. It is a positive, appreciative approach to what is accomplished in the universal Church in its various parts.

In contrast to the often practiced control mentality on the part of the Curia, which sometimes struggles to engage with inculturated evangelization, initiatives from the universal Church are now valued as a *richness* (cf. also Art. 21, no. 5, as an outcome of this criterion). How often in the past were creative initiatives in parishes, dioceses, and Bishops’ Conferences blocked, sometimes even due to preemptive obedience (“What will Rome say?”) instead of seriously recognizing the work of the Holy Spirit in local evangelization?

4. “*Potestas Vicaria*”

No. 5 provides—already indicated above under Preamble no. 10, the justification for why any believer, woman or man, can lead a Dicastery or “organism” of the Curia with the necessary leadership competence, provided it is entrusted to them by the Pope. This no. 5 received significant attention in discussions after the publication of the Constitution. What the Pope has established here contradicts an understanding of leadership tied exclusively to the ordained ministry. No. 5 establishes that what matters is the “*potestas vicaria*” in the Pope’s name.

In the Council of Cardinals, the question also arose whether this no. 5 should apply to *all* dicasteries. This question was left open.

5. Spirituality and Selection Criteria

Nos. 6 and 7 emphasize the special qualification of personnel. If the Curia is to contribute to the *Communio* with Jesus Christ (cf. Preamble no. 4), attention must be paid to inner spiritual maturity and “missionary discipleship” (cf. also Preamble no. 11 and resonance with Aparecida).

Alongside this spiritual quality, pastoral experience and, of course, professional competence, as well as the competence, according to Vatican II to perceive the “signs of the times”, are required. The Council placed particular emphasis on pastoral experience, as pastoral sensitivity is essential in dealing with questions from the universal Church. Careerism is to be prevented.

These selection criteria were formulated by the Council against the background that local churches and superiors of religious orders should provide outstanding personnel for service in the Curia, rather than, as sometimes happens, sending so-called “difficult cases” to Rome to “dispose” of them.

6. Cooperation within and between Dicasteries

Nos. 8 and 9 deal with cooperation within the Curia and call for *Communio* and participation, following no. 4 of the Preamble in the spirit of synodality.

Through regular joint meetings, both within a Dicastery and between them, transparency is to be promoted, and work plans and their implementation are to be discussed. For inter-dicasterial meetings, the Secretariat of State, which also acts as the Pope’s secretariat, is responsible. More on this under Art. 34.

7. Catholicity (no.10)

A particular concern of Pope Francis and the Council of Cardinals was the criterion of “Catholicity”: it is about representatives from the entire universal Church serving in the Roman Curia. This is understood on one hand as solidarity and as an expression of “*Communio*” (cf. again Preamble no. 4) between the Pope and the Bishops and religious communities, etc. On the other hand, attention should be drawn to a detail that might easily be overlooked: No. 10 ends with “qualified collaborators from diverse cultures”. That is, the cultural dimension is to be considered as a selection criterion for

Curia personnel. This was of particular importance to Pope Francis and the Council (cf. also no. 4 of the Principles). This brief half-sentence was formulated to address complaints about a predominantly European orientation, which made members of other cultures feel insufficiently understood. As a truly “Catholic” and global community, the Church must take this into account in the selection of Curia personnel.

The conclusion of Part II, the Principles and Criteria, once again, like the Preamble, refers to statements by Paul VI and Vatican II on the spirit of reform, which should shape both the Curia and the entire Church: namely, bearing witness to divine love in the world.

IV. General Norms

The following will not address all 43 articles of the General Norms. Rather, the aim is to present particular reform considerations during the drafting of the Constitution.

1. The Paradigm Shift

Also in the General Norms, the paradigm shift in the Curia’s position according to Preamble no. 8 is consciously anchored in Articles 1 and 3, as already mentioned above. Art. 1 again takes up the justification, namely that the Bishops are successors of the Apostles, making an intermediary position of the Curia incompatible. If, therefore, the Preamble, the Principles section, and the General Norms now establish the new model of the Curia as a *service function* to both the Pope and the Bishops, replacing the traditional model of “intermediary position”, it becomes evident what exceptional significance the Constitution attributes to this reform. Statements by individual members of the Council of Cardinals that this is the pivotal point of the Curia’s reform show how decisive this reform step is: it must be emphasized that accordingly a mindset change (Mind Change) is required both in the Curia and among Bishops, Bishops’ Conferences, and their regional and continental associations, and new forms of cooperation between the Curia and Bishops’ Conferences must be developed.

2. The Pastoral Character – Also in Cooperation with Bishops’ Conferences (Art. 2-6 and Art. 21, nos. 4 and 5)

Articles 2-6 emphasize the pastoral character of the Curia’s service. This binds its service to the context of nos. 1 and 2 of the Preamble. In the mission of Jesus Christ to the Church described there, and according to his significant example of service (Jn 13), the Curia, like the Church as a whole, is to carry out its service. The epithet “pastoral” is thus given specific content by the Preamble, removed from general vagueness. “Pastoral” is to be understood substantively from the hermeneutical key of the Constitution and from the essential mission of the Church (Preamble no. 1), namely reflecting the Good News of Jesus’ saving love (cf. Preamble, no. 2). Moreover, for the “pastoral” exercise of its service, the *synodal perspective* applies equally: the reciprocal listening and learning from one another, both internally within the Curia and externally toward the universal Church, according to no. 4 of the Preamble.

By thus highlighting the “*pastoral character*” of curial service, the Constitution acts very deliberately against certain interests in power. Such an understood pastoral service also connects the Curia with all ministers throughout the Church and builds a bridge to the “*new Communitio*” of Jesus with his disciples (cf. first section of no. 4 of the Preamble).

How important the pastoral service is considered is also evident in Art. 21, nos. 4 and 5. The competencies and procedures of the Curia are referred back to the pastoral action of the Church. The competencies of the Curia must respect those of the particular Churches and Bishops’ Conferences and promote and encourage their initiatives and proposals (formulated according to Principles, no. 4).

3. Limitation of Terms of Office (Art. 17, §4)

A problem intensely discussed in the Council of Cardinals was personnel turnover. With the duration of service, there is a risk that personnel lose contact with pastoral reality. To counter this risk – of developing an aloof official mentality and losing pastoral sensitivity in dealing with people/Bishops, and their questions, a period of five years was established.

This regulation allows Prefects to make a change after five years or, if necessary, approve a second term. This criterion of rotation enables, in addition to the pastoral argument, also the fulfillment of the criterion of “Catholicity” (see Principles no. 10).

To avoid a break in institutional knowledge in special areas, the exception of a change after 10 years was also discussed. The Pope, as the final authority in personnel matters, retains the decision-making power over each five-year step; even for Prefects.

4. General Secretariat of the Synod (Art. 33)

What Pope Francis established in principle in no. 4 of the Preamble regarding synodality finds institutional form in Art. 33 of his Constitution. It is stated in a straightforward and positive manner that all “curial institutions” are to cooperate with the “General Secretariat of the Synod”. Here, one might be tempted to quickly read on without noting that a fundamental change has occurred. The Constitution does not speak of the “General Secretariat of the Synod of Bishops”, but of the “General Secretariat of the Synod”. This is not merely a superficial name change by the Constitution. With it, a change in the mandate also occurred, which was the Council of Cardinals’ intention, following Francis’s address of October 17, 2015. It now encompasses the area of synodality as such.

Pope Francis confirmed this new orientation of the General Secretariat by entrusting it with the organization and conduct of the World Synod on Synodality, with its two sessions in October 2023 and 2024, and by approving its final document. Thus, synodality became a lasting hallmark of his pontificate.

5. Assemblies of the Heads of Curial Institutions (Art. 34)

This Article 34 was drafted to counteract a noticeable weakness of the Curia: the risk that individual dicasteries work in isolation and conceptually know too little about one another. Art. 34 thus addresses insufficient coordination within the Curia. It focuses on exchange and routine cooperation, which often relate only to individual issues. This increases the risk of conflict. Outwardly, an image of discord, even disunity, can easily emerge.

Art. 34 concerns *coherence* and *transparency*, as well as *leadership culture* as such. This is not merely generally urged. The Constitution names

concrete measures to achieve such coherence: the work plans of individual dicasteries must be presented and jointly discussed in regular plenary sessions, and reports must be given on their implementation (cf. also Principles no. 8).

Such a structural element is also helpful for orienting the Curia's work as a whole toward the general goal: "*Praedicate Evangelium*". It is also an element for *synodal leadership and governance* of the Church: through common listening, discernment, and decision-making. In such common, synodal behavior (cf. no. 4 of the Preamble) and action, complex tensions can be reduced, conflicts resolved, and a *healthy culture of error* fostered, that means an open-minded way of dealing with and learning from mistakes. In this, mutual responsibility and solid, coherent support for the Pope are also demonstrated, enabling him to lead the Church foresightedly; especially regarding synodality with Bishops' Conferences and particular Churches.

What can be concluded from such an article for *Bishops' Conferences*? In my view, Art. 34 can inspire renewed reflection on how the work within Bishops' Conferences, or at the level of regional and continental associations of Bishops' Conferences, can be shaped to achieve appropriate and effective coordination, coherence, and transparency.

On the one hand, it concerns the *kind of questions and problems*, also in the sense discussed above regarding decentralization, that Bishops' Conferences and their continental bodies should bring to the Curia. On the other hand, experience shows that individual continental associations of Bishops' Conferences often work in isolation. At most, they invite presidents from others to give a greeting at their plenary conferences. It is obvious that Africa, Asia, and Latin America share significant common challenges or possess outstanding practical examples in dealing with them. Genuine, creative cooperation seems more urgent than ever, both in social and ecological issues, in advocacy for their peoples, and in ecclesial matters affecting their continental populations in view of "*Praedicate Evangelium*".

For example, since the Synod on Synodality, awareness has grown that the "global South" must establish systematic cooperation. CELAM, FABC, and SECAM agreed on such systematic cooperation at a meeting of their presidencies in Santa Marta in October 2023 and have since begun implementing it. They do so on internal Church

matters (cf. e.g. synodality) and on societal challenges (cf. e.g. the consequences of global warming/COP).

6. *Visita “ad limina Apostolorum”* (Art. 38–42)

The new orientation and paradigm shift that the Constitution performs in the Preamble, the Principles, and the General Norms becomes visible here at the following points:

6.1. According to the Preamble and the “Principles and Criteria for the Service of the Curia”, no. 3, the conversations during the *Visita ad limina* now have a changed character: if the Curia no longer holds an intermediary position between the Pope and the Bishops, but must serve both the Pope and the Bishops, then the conversations must take place in an “open and cordial dialogue”, with the Curia offering “advice, recommendations, encouragement, and appropriate suggestions” (cf. Art. 42 §2, formulated according to Principles no. 3).

6.2. In accordance with the Principles, no. 4, the Curia should, during the *Visita ad limina*, collect suggestions, hints, and best-practice examples of innovative, inculturated evangelization from Bishops and Bishops’ Conferences, in order to generally offer more effective advisory service based on these best-practice examples (cf. Art. 42 § 2, end).

6.3. The report of the Bishops and Bishops’ Conferences must also:

a) include an *evaluation* of the support the Bishops have received from the Curia, and

b) express the *expectations* of the Bishops and Bishops’ Conferences regarding cooperation with the Curia (cf. Art. 40 § 2).

Precisely in the latter, due to the paradigm shift, there is an embedded approach to developing new forms of cooperation between Bishops, Bishops’ Conferences, and their regional and continental associations with the Curia.

6.4. The summaries of the reports of the Bishops and Bishops’ Conferences are now prepared by the Bishops and Conferences themselves, as they know what matters and what is most important in their reports (Art. 40 § 3), and no longer by a Curia employee, as *Pastor Bonus* by John Paul II still required.

This expressed mindset change (Mind Change) in the behavior of the Curia toward the Bishops and Bishops' Conferences – according to the Preamble, the Principles, and the General Norms, Art. 1 and 3 – is unthinkable in the constitution *Pastor Bonus* by John Paul II. However, a corresponding mindset change on the part of the Bishops and Bishops' Conferences is also required to implement the new spirit of the Constitution in practice.

7. General Regulations (Art. 43)

Art. 43 refers to the General Regulations for general procedures. Here arises the question of who will create this, as it is significant for drafting the respective *ordo servandus* of the dicasteries. If we consider the entire process of drafting the Constitution, during which a number of changes to the Code were already made and which the Council of Cardinals later listed at the Pope's request, it suggests forming a mixed commission of representatives from the Curia and the Council. In this way, both the intentions of the Constitution and the concerns of the personnel can be respected.

Incidentally, during the Council's meetings with the Pope, the necessity of revising **the Code based on the new Constitution** was repeatedly discussed. Such a revision must also include the perspective of synodality; that is, a kind of "**synodalization of the Code**".

V. Consultations and Implementation

The drafting process of the Constitution over the years, as mentioned at the beginning, not only took up the developments and challenges from Pope Francis's pontificate, or analyzed his relevant documents and decrees for constitutional elements. Because the Council of Cardinals was composed of members from various continents, it was possible over time to also incorporate concerns from there. For example, Cardinal Errázuriz, as president of CELAM, used a plenary assembly of this continental council of Latin American and Caribbean bishops' conferences to simultaneously gather their expectations. Lay organizations from Europe also contributed their concerns, particularly regarding the establishment and design of the new Dicastery for the Laity, the Family and Life. Or, to draft a text for the Constitution concerning the Dicastery, its Prefect, Cardinal Farrell,

came to Tübingen to work with an impromptu working group to create a draft, which then entered the Council of Cardinals' sessions via the Council's coordinator.

These few examples may show that the drafting occurred within a diverse communication process and not in an isolated committee process.

A special role was naturally also played by influence from curial circles. This was not only desired but the Council's natural expectation, as it particularly concerned the working methods and structures of the Curia. However, it was perceived as burdensome when, at times, "hidden channels" were used to "correct" draft texts or eliminate certain formulations—such as "platform", the Curia as "forum and platform", "cabinet structure", or even "subsidiarity within the Church", and the latter despite a citation from Pius XII—as incompatible with curial language usage (presumably by certain canonist circles within the Curia).

The preliminary draft was then sent to all Bishops' Conferences, all dicasteries and organisms of the Curia, and pontifical universities in Rome for consultation.

All their submissions, as well as a number of individual bishops who additionally sent their opinions in writing beyond their Bishops' Conferences, were thoroughly analyzed and appropriately incorporated into the text by the Council.

All this shows that the Constitution as a whole is based on an explicit worldwide communication process. In no way is the drafting of the Constitution limited to the Council's ideas. It rests on a dialogical process that also included curial and worldwide circles. The result was then presented to Pope Francis as a draft for his finalization.

The Pope finally published his Constitution on March 19, 2022, and put it into effect at Pentecost 2022. Thus, he created—as mentioned at the beginning—a Constitution not drafted at the so-called "green table" by an isolated committee, but shaped according to Pope Francis's process-oriented thinking from the course of his pontificate. This gives it a special quality.

Far from being merely a Constitution for the reform of the Curia, it takes the entire Church into view. It describes her essential mission

from Jesus Christ—namely *Praedicate Evangelium*, Preach the Gospel—in view of humanity, and thereby calls the Church and, within her, the Curia to a missionary conversion.

The implementation of the Constitution is accordingly a task for the entire Church: the Constitution mentions Bishops' Conferences 63 times and constitutionally establishes cooperation between the Curia and Bishops' Conferences. Consequently, implementation requires a "Mind Change" both among the Curia personnel and the Bishops' Conferences, to shape new forms of synodal cooperation under the leadership of the Pope as head of the College of Bishops.

¹ Members of the Tübingen Faculty of Theology were Prof. Bernd Hilberath, dogmatist and specialist in Vatican II, Prof. Albert Biesinger, pastoral theologian, Dr. Italo L. Cherubini, from the Fribourg Circle. At the beginning, liberation theologian Gustavo Gutiérrez from Lima and Dr. Erny Gillen from Luxembourg were also involved. For certain specific areas of interest, specialists were also included, such as Dr Ulrich Erhardt for organisational development.

² Franciscus, *Allocutio occasione L anniversariae memoriae ab inita Synodo Episcoporum* (17 October 2015), in AAS 107 (2015), pp. 1138-1144.

³ Franciscus, *Allocutio occasione L anniversariae memoriae ab inita Synodo Episcoporum* (17 October 2015), in AAS 107 (2015), pp.1138-1144.

⁴ Paul VI, *Ad Patres Conciliares habita a Summo Pontifice,- Missae concelebrationem peragente, in ultima Oecumenicae Synodi publica Sessione* (7 December 1965), in AAS 58 (1966), pp. 51-59.

⁵ Franciscus, *Ad Sodales Curiae Romanae, occasione prosequendi omina Natalicia* (22 December 2016), in AAS 109 (2017), pp. 34-49.

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