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# The Role of Pontifical Legates in Facilitating Peace

*El papel de los legados pontificios en la promoción de la paz*

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**Abstract:** The international legal personality of the Holy See provides exceptional opportunities for making peace. Through papal legates, the Catholic Church is uniquely involved in the life of the international community, and thus in the promotion of security, and in the ethical evaluation of war related issues. The article aims to analyse the theoretical and practical aspects of the role of pontifical legates in making peace. According to the hypothesis of the article, the engagement of pontifical legates in crisis management may only be fully understood through theological reflexion and supporting peace is not only one of the many tasks of pontifical legates, but the most essential one. Thus, peace support missions represent a powerful tool for cohesion between the *ad intra* and *ad extra* duties of legates, towards either a particular Church, host country or international organisation.

**Keywords:** Papal Legates, Pontifical Diplomacy, Papal Representatives, Crisis Management.

**Resumen:** La personalidad jurídica internacional de la Santa Sede proporciona oportunidades excepcionales en la construcción de la paz. Mediante los legados papales, la Iglesia Católica participa de una manera única en la vida de la comunidad internacional y por ende en la promoción de la seguridad y en la evaluación ética de las cuestiones relacionadas con la guerra. El artículo tiene como objetivo analizar los aspectos teóricos y prácticos del papel de los legados pontificios en la construcción de la paz. La hipótesis es que la participación de los legados pontificios en la gestión de crisis solo puede entenderse plenamente mediante la reflexión teológica. Además, apoyar la paz no es solo una de las muchas tareas de los legados pontificios, sino la más esencial. Por lo tanto, las misiones de apoyo a la paz representan una herramienta poderosa de cohesión entre los deberes *ad intra* y *ad extra* de los legados, ya sea para con una Iglesia particular, país anfitrión u organismo internacional.

**Palabras clave:** Legados del Romano pontífice, Diplomacia pontificia, Representantes pontificios, Gestión de crisis.

SUMMARY: Introduction. 1. Missions of pontifical legates and the promotion of peace. 1.1. *Peace mission of papal legates in the documents of the Vatican II*. 1.2. *Influence of the Vatican II on the role of papal legates in peace missions*. 2. Peacekeeping missions of pontifical legates in the light of canon law. 2.1. *Ad intra duties of pontifical legates and the promotion of peace*. 2.2. *Ad extra duties and the promotion of peace*. 2.3. *Promoting peace within international organisations*. 2.4. *Function of special envoys in facilitating peace*. 3. Training of Holy See diplomats in the light of new security challenges. 4. The role of laity in papal diplomacy to facilitate peace. Conclusions.

## INTRODUCTION

The majority of religious communities are committed to the protection of peace both on a regional and on a global level as well as to the promotion of it within their own leeway, traditions, and capacity. The international character of the Catholic Church and the special international legal personality of the Holy See provide exceptional opportunities for making peace. The Holy See holds a unique diplomatic position among religious communities while it has both formal and informal diplomatic methods when operating in the international community. Through papal legates, the Catholic Church is uniquely involved in the life of the international community, and thus in the promotion of regional and global security, and in the ethical evaluation of war and security related issues. In accordance with international law, no other religious community has similar rights regarding its own legates. The history of pontifical legates and its representation from a canon law perspective have become the central topic of numerous distinguished monographs and studies<sup>1</sup>. The pre-

<sup>1</sup> D. BINCHY, *The Vatican and International Diplomacy*, Royal Institute of International Affairs 22 (1944) 47-56. G. PARO, *The Right of Papal Legation*, Canon Law Studies, Washington 1947. G. DE MARCHI, *Le Nunziature Apostoliche dal 1800 al 1956*, Libreria Editrice Vaticana, Città del Vaticano 1957 (Reprinted in 2006). I. CARDINALE, *Le Saint-Siège et la diplomatie, Aperçu historique, juridique et pratique de la diplomatie pontificale*, Desclée, Parigi-Tournai-Roma-New York 1962. K. WALF, *Die Entwicklung des päpstlichen Gesandtschaftswesens in dem Zeitabschnitt zwischen Dekretalenrecht und Wiener*

sent article aims to analyse the theoretical and practical aspects of the role of pontifical legates in making peace, crisis management, and in the evaluation of moral questions of war. The following pages dominantly focus on the recent efforts of the Holy See to promote world peace – an endeavour in which the engagement of pontifical legates is eminent – are beyond dispute. This mission is highly recognised by discourses on both diplomatic history and security studies<sup>2</sup>. Nevertheless, these studies mainly aim to highlight the effectiveness of the Holy See in crisis management. Similarly, today's news also presents the results of peace activities, and humanitarian relief carried out by legates. Hence, one shall not expect security policy works to give deeper theological reflections on the involvement of the Church in

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*Kongress*, Max Hueber Verlag, München 1966. F. CAVALLI, *Il motu proprio. Sollicitudo omnium ecclesiarum. Sull'ufficio dei rappresentanti pontifici*, *La Civiltà Cattolica* 120 (1969) 34-43. I. MARTIN, *The Church's Relations with Foreign Governments*, *Concilium* 8 (1970) 94-103. G. BENELLI, *Validità della diplomazia pontificia*, *La Civiltà Cattolica* 123 (1972) 268-278. J. CONWAY, *Vatican diplomacy today: the legacy of Paul VI*, *International Journal Race and Religion* 34 (1979) 457-474. M. OLIVERI, *The Representatives: The Real Nature and Functions of Papal Legates*, Gerrards Cross, Buckinghamshire 1981. G. MUCCI, *La diplomazia pontificia dopo il concilio*, *La Civiltà Cattolica* 140 (1989) 534-546. D. ÁLVAREZ, *The Professionalization of the Papal Diplomatic Service, 1909-1967*, *The Catholic Historical Review* 75 (1989) 233-248. P. ERDŐ, *A pápa képviselője*, *Vigília* 55 (1990) 259-262. C. MIGLIORE – J. E. WOOD, *Msrgr. Onclin W. Chair. Church and State Changing Paradigms*, Peters Publishers, Leuven 1999. K. WALF, *The Nature of the Papal Legation: Delineation and Observations*, *The Jurist* 63 (2003) 85-105. C. D. BALVO, *Legates of the Roman Pontiff*, en *New Commentary on the Code of Canon Law*, Paulist Press, New-York 2000, 490-493. R. MELNYK, *Vatican diplomacy at the United Nations a History of Catholic Global Engagement*, The Edwin Mellen Press, Lewiston 2009. A. G. FILIPAZZI, *Rappresentanze e Rappresentanti Pontifici dalla seconda metà del s. XX*, Libreria Editrice Vaticana, Città del Vaticano 2006. M. RONAY, *Az egység elve a katolikus egyház küllügyi tevékenységében*, PhD thesis, Corvinus University, Budapest 2006. B. ESPOSITO, *Il rapporto del Codice di Diritto Canonico latino con il Diritto internazionale*, *Angelicum* 83 (2006) 397-449. P. T. BROGLIO, *The Pastoral Dimension of the Office of Papal Representatives*, *The Jurist* 75 (2015) 297-311. R. WALCZAK, *Papal Diplomacy – Characteristics of the Key Issues in Canon Law and International Law*, *The Jurist* 76 (2016) 489-529. J. TROY, *“The Pope’s own hand outstretched”: Holy See diplomacy as a hybrid mode of diplomatic agency*, *The British Journal of Politics and International Relations* 20 (2018) 521-539.

<sup>2</sup> R. G. MUSTO, *The Catholic Peace Tradition*, Orbis Books Maryknoll, NY 1986, 171. D. CORTRIGHT, *Peace: A History of Movements and Ideas*, Cambridge University Press, Cambridge 2008, 200-203.

crisis management<sup>3</sup>. These studies aim to objectively illustrate the significance, role, tasks, and achievements of international actors. The majority of documents in canon law on the activities of legates opt to analyse the legislative background of their dual role: *ad intra* in case of particular Churches and *ad extra* in relation with states and international organisations.

On the other hand, according to the hypothesis of the present article, the diplomacy of the Holy See and the engagement of pontifical legates in crisis management may only be fully understood through theological reflexion. This underlines that supporting peace as well as assessing local and global security concerns and issues on the ethics of war are not only one of the many tasks of pontifical legates, but the most essential one. As far as positive law is concerned, it is fair to assume that the new, unprecedented types of crisis highlight that almost all classic *ad intra* and *ad extra* tasks of pontifical legates include a security aspect. Thus, peace support missions represent a powerful tool for cohesion between the duties of legates, defined by legislature, towards either a particular Church, host country or international organisation. For this reason, the line between their *ad intra* and *ad extra* tasks becomes blurs in their efforts to promote global and regional security. Regardless of their appointed location, legates as well as their staff may greatly contribute to peace promotion and to the ethical evaluation of issues that are closely related to war and security. At the same time, this engagement may be prominently demonstrated in crisis regions and international organisations. In fact, the mere analysis of legislation does not necessary reveal this, however, examining other messages from the Pope and the crisis management efforts of legates certainly do.

I am substantiating my claims with qualitative researches, analyses of primary and secondary theological and canon law sources which I sharpen for the mission of papal legates.

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<sup>3</sup> F. FOLLO, *La diplomazia pontificia, cioè del Papa e con il Papa. Diplomazia di Stato e Diplomazia di Chiesa*, [https://www.assau.org/IMG/pdf/la\\_diplomazia\\_pontificia\\_mons\\_francesco\\_follo.pdf](https://www.assau.org/IMG/pdf/la_diplomazia_pontificia_mons_francesco_follo.pdf) (Downloaded on 26 August 2020).

## 1. MISSIONS OF PONTIFICAL LEGATES AND THE PROMOTION OF PEACE

After all, the goal of diplomacy is to maintain international peace and security<sup>4</sup>. However, contrary to states and international organisations, the Church does not consider peacebuilding activities as clichéd security or political objectives. For this reason, certain authors rightly refer to the mission of peace of the Holy See as a «value or faith-based» mission, as opposed to the “goal-oriented” mission of states<sup>5</sup>. While this is undoubtedly true, the Catholic mission of peace has a deeper, more theological basis. Even though the legates of the Roman Pontiff follow the norms of international law concerning diplomatic bodies and envoys (can. 362), this role is merely similar to the ambassadors of other countries or world powers<sup>6</sup>. Due to this, the right to appoint and send legates is firstly based on theological principles, namely on the papal primacy and secondarily on international law<sup>7</sup>. Furthermore, the intention to preserve and “extend” peace is most deeply related to the life of the founder and the preaching of Gospel. At the birth of Jesus, the first messengers of the good news, the angels, «proclaimed peace on Earth» (Lk 2:7-9). At the Last Supper, Jesus gave the Farewell Discourse to his disciples, saying: «Peace I leave with you, my peace I give to you» (Jn 14:27). The Risen Jesus greeted his gathered disciples with «peace be with you». In the Beatitudes, to which Pope Benedict XVI referred to as the spiritual biography of Jesus, Jesus specifically emphasises that «blessed are the peace-makers, for they will be called children of God» (Mt 5:9). In this regard, the Church has always stated that salvation would bring peace. The promotion of global and regional peace is therefore not an

<sup>4</sup> J. PADÁNYI, *Changing Security Environment, Changing Role, Changing Tasks*, en R. HORÁK (ed.), *7th scientific international conference: Environmental Protection of Population*, Vysoká škola Karla, Brno 2012, 12-22.

<sup>5</sup> F. FOLLO, *La diplomazia pontificia...*, cit., 4-5. A. HERTZKE, *Roman Catholicism and the Faith-based Movement for Global Human Rights*, *The Review of Faith & International Affairs* 3 (2005) 19-24.

<sup>6</sup> JOHN PAUL II, *Giubileo dei rappresentanti pontifici discorso di Giovanni Paolo II ai partecipanti al giubileo dei nunzi apostolici*, *L'Osservatore Romano*, 16-IX-2000, 6.

<sup>7</sup> P. ERDŐ, *A pápa képviselése...*, cit., 259.

incremental element of the mission of pontifical legates, nor is it a means of well-conceived diplomatic advocacy. It is most closely linked to the mission of the Church. It is physically impossible for the successor of Peter to be present everywhere. For this reason, the supreme pontiff exercises solicitude through the institution of pontifical legates<sup>8</sup>. In a broader sense, the earliest acknowledgement of the duty of a legate was in connection to a peace mission and was described in the Acts of the Apostles. The Church at Jerusalem sent Barnabas to Antioch to resolve differences that had presumably arisen from different traditions of the ethnic groups<sup>9</sup>. In the first centuries, the legates sent to councils took part in the calm settlement of “theological” issues that had determined the foundations of Christianity<sup>10</sup>. Considering that theological debates at that time had more than once led to violence even within the Christian community<sup>11</sup>. As the word of the Roman Pontiff was crucial in resolving the contentious disputes, the delegates also played a key role in strengthening consensus and thus regional peace<sup>12</sup>.

The diplomacy of the Holy See has achieved significant success in resolving conflicts between modern secular states as well, and thereby in consolidating international peace. The study of David Alvarez, in which he elaborated on the development of papal diplomacy between 1909 and 1967, highlights the unique duality of modern papacy seen in the foreign relations of the Holy See. Firstly, the Holy See aims to accentuate the spiritual character of the papacy. Secondly, it also strives to provide – similarly to large international actors – all the necessary

<sup>8</sup> D. MAMBERTI, *Considerazioni “non diplomatiche” sui rappresentanti pontifici*, *Ius Ecclesiae* 19 (2007) 185.

<sup>9</sup> “And the hand of the Lord was with them: and a great number believed, and turned to the Lord. Then tidings of these things came to the ears of the Church which was in Jerusalem: and they sent forth Barnabas, that he should go as far as Antioch. Who, when he came, and had seen the grace of God, was glad, and exhorted them all that with purpose of heart they would cleave to the Lord” (Acts 11:21-24). R. DILLON, *Acts*, en R. BROWN – J. FITZMYER – R. MURPHY (eds.), *The New Jerome Biblical Commentary*, Burns and oates, New Delhi 2007, 747-748.

<sup>10</sup> D. SQUICCIARINI, *Storia peculiarità e finalità della diplomazia della Santa Sede: impegno per la pace, da parte della Chiesa e dei papi dell'ultimo secolo*, *Apollinaris* 78 (2005) 502.

<sup>11</sup> S. AICHNER, *Compendium Juris Ecclesiastici*, Typis wegerianis, Brixinae 1890, 375-376.

<sup>12</sup> R. WALCZAK, *Papal Diplomacy...*, cit., 491.

training and work conditions for legates wherewith the Holy See becomes a game-changer on an international level by addressing individual, global and regional security and ethical issues<sup>13</sup>. In fact, one may observe a certain level of duality in this, as the Church evaluates security and war ethics issues using theological methods, while it is also operating with the most profane diplomatic tools in order to achieve effectiveness. However, this dual character does not induce any contradiction. Even Pope Paul VI emphasised that the papal diplomacy does not go against the spiritual character of the Church, but instead it facilitates the progress of large-scale Catholic peace missions in an international environment. Additionally, Pope Paul VI acknowledged that diplomacy is only one of the tools of successful peacekeeping<sup>14</sup>. Actually the Holy See' diplomacy played key role in facilitating peace in several conflicts of the previous centuries<sup>15</sup>. In recent times, papal diplomacy has helped to improve the frozen relationship between the United States and Cuba. The Pope also played a crucial role in settling the political crisis in South Sudan and thus in the abolishment of armed violence between the tribes residing in the newly independent state<sup>16</sup>. The contribution of pontifical legates in the preparation and coordination of such diplomatic matters is essential<sup>17</sup>. Regarding this, in 2015

<sup>13</sup> D. ÁLVAREZ, *The Professionalization...*, cit., 239, 245, 248.

<sup>14</sup> PAUL VI, Mp. *Sollicitudo omnium ecclesiarum*, 24-VI-1969, AAS 57 (1969) 473-484.

<sup>15</sup> F. FOLLO, *La diplomazia pontificia...*, cit., 5. K. BIHLMAYER – T. HERMANN, *Kirchengeschichte. Der Neuzeit und die neueste Zeit*, III, Wissenschaftliche Handbibliothek, Paderborne 1987, 400. L. LINDSLEY, *The Beagle Channel Settlement: Vatican Mediation Resolves a Century-Old Dispute*, *Journal of Church and State* 3 (1987) 435-455. G. IRANI, *Between Intolerance and Coexistence. The Vatican Maronites and the War in Lebanon*, en T. SISK (ed.), *Between Terror and Tolerance: Religious Leaders, Conflict, and Peacemaking*, Georgetown University, Washington 2011, 58-62. L. UJHÁZI, *Safety State of Iraqi Christians, "Change of Era" in Vatican Diplomacy*, *Logos: a journal of modern society & culture* 15 (2016) 155-175. J. M. KRAMER, *The Vatican's "Ostpolitik"*, *The Review of Politics* 42 (1980) 283-308.

<sup>16</sup> In 2019, Pope Francis met with the South Sudanese president and opposition leader. The dramatic gesture when the Pope kneeled and kissed the feet of the two men, asking them to embark on a path of reconciliation, did not remain ineffective. M. TOMMARRO, *Sud Sudan: Dichiarazione di Roma per porre fine alle ostilità*, 2020, Vatican News, <https://www.vaticannews.va/it/mondo/news/2020-01/pace-sudsudan-santegidio.html>.

<sup>17</sup> Ch. RIECK – D. NIEBUHR, *Microstate and Superpower: The Vatican in International Politics*, *Kas International Reports* 10 (2015) 49.

Pietro Card. Parolin, Cardinal Secretary of State, gave a keynote speech at the Pontifical Gregorian University about the “Diplomacy in the Service of Peace”. He highlighted that the Holy See seeks to better leverage its special position and opportunities to continuously support peace. He also emphasised that without the right preventive and crisis management measures, the number of armed conflicts is expected to increase<sup>18</sup>. The cardinal expects that pontifical diplomacy will better reflect the real impact and influence of the Holy See. In this regard, the role of pontifical legates will be essential. On other occasions, the Cardinal Secretary of State specifically drew attention to the role of the Church in initiating the peace process in Colombia or in resolving the situation in Nicaragua, where pontifical legates had participated as observers. He also stressed the importance of addressing the recurring crises in Africa, especially that of Mozambique. In addition to regional peacebuilding activities, pontifical legates also express the standpoint of the Holy See on security related ethical issues, such as managing migration and the refugee crisis, disarmament, in particular weapons of mass destruction, organised crime, sustainable development, etc.<sup>19</sup> He added that a new type of crisis management practice is needed, in which the papal diplomacy is more strongly involved<sup>20</sup>. According to the cardinal, the peace treaties forced by arms are unstable and they may spark new armed conflicts as well. Only reconciliation and dialogue-based crisis management may bring a long-lasting peace, and the Church plays a crucial role in achieving this<sup>21</sup>. Hence, one must regard in this sense the reform of the Roman Curia, initiated by the current Pope, that aims to create the third section of the Secreta-

<sup>18</sup> P. PAROLIN, “*Lectio Magistralis*” “*Dies Academicus*” della Pontificia Università Gregoriana, 11-III-2015, Bollettino, <http://press.vatican.va/content/salastampa/it/bollettino/pubblico/2015/03/11/0178.html> (Downloaded on 11 February 2020).

<sup>19</sup> P. PAROLIN, *Una diplomazia al lavoro della pace*, 2019, <https://www.cattolicanews.it/aperto-il-99-anno-accademico-dell-ateneo> (Downloaded on 21 July 2020).

<sup>20</sup> For the complexity of human security see: E. CONTEH-MORGAN, *Peacebuilding and Human Security: A Constructivist Perspective*, *International Journal of Peace Studies* 10 (2005) 69-86; L. UJHÁZY, *The Role of Reservists and Reserve Associations Today*, *Security and Defence Quarterly* 19 (2018) 3-12. For the issue from Catholic points of view see: A. REGINALD, *The Catholic Church's perspective of human dignity as the basis of dialogue with the secular world*, *Stellenbosch Theological Journal* 2 (2017) 64-75.

<sup>21</sup> Cit.

riat of State for the Holy See. The goal is to further develop the professional training and personal affairs of pontifical legates so that they can carry out their tasks more effectively including dealing with global security challenges and armed conflicts<sup>22</sup>.

### 1.1. *Peace mission of papal legates in the documents of the Vatican II*

Although the peacekeeping missions of the Holy See have a long, historical background, its theological aspect became pronounced mostly after social and state theoretical ideas of the Vatican II. In this given context, the role of pontifical legates is particularly linked to supporting the supreme pastoral mission of the Pope.

The documents of the Second Vatican Council deal only marginally with those who are appointed to take part in the foreign relations of the Church or serve in missions with diplomatic character. The Council mainly focused on the pastoral office of bishops. Following the Council, legislation had to be promulgated in order to harmonise the general principles of church governance and the new legal background of pontifical legates. The conservative aspect seen in the documents of Vatican II may be reasonable, considering that there was no consensus – neither prior to the Council, nor during its convocation – on the new role of pontifical legates in the Church and international communities<sup>23</sup>. Some ideas, which may be deemed clearly radical with hindsight, would have relegated the role of papal legates to merely ceremonial and diplomatic functions. For instance, Bishop Joachim Ammann reckoned that the appointment of pontifical legates may give believers the impression that the Church, similarly to all the secular powers, is a political organisation. Hence, in his view, representing the Roman Pontiff through legates prevents one from understanding the true nature of the Church<sup>24</sup>.

<sup>22</sup> POPE FRANCIS, *Audience of the Holy Father with the Roman Curia for the exchange of Christmas greetings*, 21-XII-2017, Bollettino, Sala Stampa della Santa Sede, N. 171221.

<sup>23</sup> K. WALF, *The Nature of the Papal Legation...*, cit., 88.

<sup>24</sup> Y. CONGAR, *Konzilsreden*, Benziger, Einsiedeln 1964. Especially the notes of Bishop Ammann. Cited in: K. WALF, *The Nature of the Papal Legation...*, cit., 90.

On 16 October 1963 during the general working session of the Council, it was stated that the system of papal legates has a long established, honourable tradition, yet it does not reflect back how the Church was looked by Council at the time of Pope John XIII and Pope Paul VI. On the other hand, the bishops expressed once again that the system of papal legates may show a resemblance to political actors<sup>25</sup>. It was a general endeavour to reinforce the trends promoting an active role for the laity on the international scene. Nonetheless, these extreme opinions were not aligned neither with the majority nor with the viewpoint of Pope Paul VI<sup>26</sup> because, both from a theological and a diplomatic standpoint, these approaches were not in line with the traditions and reality of the Church. One must certainly acknowledge that appointing pontifical legates is not fundamental – *conditio sine qua non* – for the Church. On the other hand, it would be particularly challenging to substitute this form of supreme pastoral solicitude towards the particular Churches and advocacy of the Church to state authorities and international organisations. It is certainly true that there are various other ways to remain in touch with the Holy Father (pastoral visits, pilgrimage, papal messages, *ad limina* visits, etc.). By their nature, these are considered peacekeeping missions as well, which promote peace among denominations, religions and communities<sup>27</sup>. Besides, the appointed pontifical legates provide to the public a perpetual and stable presence and representation of the Pope. They become heavily involved in the daily life, challenges and problems of the given particular Church and society<sup>28</sup>. In terms of peacebuilding, during the Council, the bishops also recognised that the role of pontifical legates in the context of the Cold War would be

<sup>25</sup> G. CAPRILE, *Il Concilio Vaticano II. Secondo periodo 1963-1964*, III, La Civiltà Cattolica, Roma 1966, 98.

<sup>26</sup> C. D. BALVO, *Legates of the Roman Pontiff...*, cit., 491.

<sup>27</sup> The visits offer a number of opportunities to assess local armed conflicts or other issues of great significance that affect the security environment around the globe. S. M. THOMAS – A. O'MAHONY, *Pope Francis: Extending his "Culture of Encounter" into the Arab and Muslim Worlds*, Georgetown Journal of International Affairs 2020, <https://gjia.georgetown.edu/2020/01/22/pope-francis-culture-of-encounter-in-arab-and-muslim-worlds/> (Downloaded on 19 August 2021).

<sup>28</sup> F. CAVALLI, *Il motu proprio...*, cit., 162.

revaluated and appreciated, but at the end, the Council did not provide any further details on this topic. The decree *Christus Dominus* discloses general principles about the Roman Curia that they should be «reorganised and better adapted to the needs of the times, regions, and rites especially as regards to their number, name, competence and peculiar method of procedure, as well as the coordination of work among them». The council has extended this notice to the legates of the Roman Pontiff (CD 9).

### 1.2. *Influence of the Vatican II on the role of papal legates in peace missions*

One must also accept the fact that the legislation on pontifical legates had to be adapted to the general social theory of Vatican II (LG 1) and to the concept related to bishops. The Council paid particular attention to the active engagement of the Church in addressing and dealing with social issues as well as in promoting the (international) public good. The principles determined at the Council led to a stronger emphasis on the role and commitment of the Catholic Church towards supporting global and regional security. This concept had to be also reflected in terms of the legates of the Roman Pontiff<sup>29</sup>. The council' principles on pontifical legates are disclosed both in the Motu proprio *Sollicitudo omnium ecclesiarum*<sup>30</sup> and in the new Code (cann. 362-367). However, little time has passed between the publications of the final documents of the Council and the Motu proprio. This closeness may be visible in the phrasing of the document. Even though it seeks to implement the concept of the Council<sup>31</sup>, one can still notice the influence of the CIC 1917 (cann. 265-270). However, the main ecclesiological and social concept of the

<sup>29</sup> C. FABRIS, *La diplomazia pontificia come presenza della Santa Sede nella vita delle chiese locali, presso la comunità nazionale ed internazionale*, Angelicum 83 (2006) 177-178.

<sup>30</sup> PAUL VI, *Sollicitudo omnium...*, cit., 473-484. For the analysis, see: F. CAVALLI, *Il motu proprio...*, cit., 34-43. R. GIUSEPPE, *Le nunziature apostoliche. Natura e fini della diplomazia pontificia*, La Civiltà Cattolica 149 (1998) 451-460.

<sup>31</sup> P. HÜBLER, *sub c. 362*, en *Exegetical Commentary on the Code of Canon Law*, II/1, Wilson & Lafleur, Toronto 2004, 688.

Council was already reflected in the text, according to which the legate is not a passive observer of the host ecclesiastical or secular authorities, but he plays an effective, active role in the life of the particular Church, society and international organisation<sup>32</sup>. As a direct result of the above, promoting peace and assessing the ethical and security questions related to war are integral parts of a pontifical legate's modern duties. The *Motu proprio* summarizes the task of papal legates that are adapted to the teachings of the Council. In present days, it can be clearly stated these duties coming from the council's concepts (pastoral service of the bishops within the Church [CD 58]; the function of the Church in today's world [GS 58]; the world's mission of the Church [AG 5]; the cooperation the Catholic Church with non catholic christians [UR 2], increased collaboration between the Catholic Church and other non-christian religions [NA 2]); concern security aspects too. All of this are listed also in the Code of Canon Law albeit, due its genre, their description is rather brief. One may notice that the current Code of Canon Law does not seem to emphasise the "peacekeeping mission" of pontifical legates and papal diplomacy. The CIC covers most, but not all the roles and responsibilities of legates (cann. 364-365). According to the canon law, the duty of a pontifical legate, among others, is «to strive to promote matters which pertain to the peace, progress, and cooperative effort of peoples» (can. 364, 5°). Nonetheless, this canon provides such a general description that every constructive initiative and assessment of war and security issues according to Catholic doctrines could be included in this framework. Other canons indirectly refer to the peacekeeping duty of pontifical legates. For instance, can. 365, 1° declares that a pontifical legate is to «promote and foster relations between the Apostolic See and the authorities of the state» while, according to can. 364, 6°, the function of a pontifical legate is «to collaborate with bishops so that suitable relations are fostered between the Catholic Church and other Churches or ecclesial communities». The latter has received a particular emphasis in the foreign

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<sup>32</sup> F. CAVALLI, *Spiritualità di fini e di metodi della diplomazia pontificia*, La Civiltà Cattolica 124 (1963) 138-139.

relations and security policy of the Holy See<sup>33</sup>. Hence, the reserved tone of the CIC may be understood. Due to its nature, the Code strives to provide a short and fitting summary on the legal institutions. However, the related legislation on the activities of pontifical legates, the utterance of prominent representatives of the Pope and the Holy See, analytical studies, but mostly all practices underline that the promotion of peace is strongly linked to the entrusted functions of pontifical legates<sup>34</sup>. Later, during the papacy of John Paul II, the legislation was supplemented, on 22 February 1994, by the State Secretariat, with an 80-article long document, titled *Regolamento per le Rappresentanze Pontificie*<sup>35</sup>. The document, which was intended to be temporary, was later finalised in 2003 with only minor amendments.

For the better adaptation of pontifical legates to the rapidly changing security environment, Pope Francis has created the third section of the Secretariat of State for the Holy See which deals with the personal matters of the diplomatic staff. In 2017, the Pope explained on Christmas Day to the heads of the Roman Curia that the diplomatic staff of the Holy See should participate in peacebuilding and crisis management missions on the condition that they refrain from any secular and material interest<sup>36</sup>. His Holiness expects respectful and at the same time prompt diplomatic intervention to protect humanity and individuals. He is looking for the engagement of papal diplomacy in maintaining a close connection with the states and also in building peace in an honest and persistent manner<sup>37</sup>.

<sup>33</sup> B. VUKIĆEVIĆ, *Pope Francis and the Challenges of Inter-Civilization Diplomacy*, Revista Brasileira de Política Internacional 58 (2015), [https://www.scielo.br/scielo.php?pid=S0034-73292015000200065&script=sci\\_arttext](https://www.scielo.br/scielo.php?pid=S0034-73292015000200065&script=sci_arttext) (Downloaded on 19 August 2020).

<sup>34</sup> P. FISCHER – H. KÖCK, *Allgemeines Völkerrecht*, Prug, Eisenstad 1980, 149-150.

<sup>35</sup> SECRETARIAT OF STATE, *Regolamento per le Rappresentanze Pontificie*, Libreria Editrice Vaticana, Città del Vaticano 1994. New edition 2003.

<sup>36</sup> A. GAGLIARDUCCI, *Curia reform may include an office for negotiations in the Secretariat of State*, 2018, <https://www.catholicnewsagency.com/news/curia-reform-may-include-an-office-for-negotiations-in-the-secretariat-of-state-13513> (Downloaded on 27 March 2018).

<sup>37</sup> POPE FRANCIS, *Audience of the Holy Father with the Roman Curia for the exchange of Christmas greetings*, 21-XII-2017, Bollettino, Sala Stampa della Santa Sede, N. 171221, 1-2.

## 2. PEACEKEEPING MISSIONS OF PONTIFICAL LEGATES IN THE LIGHT OF CANON LAW

The Code of Canon Law briefly describes that the Roman Pontiff has «the innate and independent right to appoint, send [...] his own legates either to particular Churches in various nations or [...] to states» (can. 362). The canon briefly illustrates the classic duality of the principal function of a legate: firstly, towards the particular Churches – *ad intra* (can. 364) and secondly towards the secular authorities and international organisations – *ad extra* (can. 365). It is fair to assume that considering the new type of security challenges of our time, such a functional-based binary distinction is seldom sustainable. The mission of papal diplomacy as well as the specific efforts made to support both regional and international peace are all affecting the classic *ad intra* and *ad extra* functions of legates. The detailed legislation on the function of pontifical legates had been already criticised after the Council for the segregation of their *ad intra* and *ad extra* duties. Some complained that the *ad intra* functions of legates had been overemphasised while their international role had been underrepresented<sup>38</sup>. From a structural point of view, it is indeed true that the *Motu proprio, Sollicitudo omnium ecclesiarum* only discusses the aspects of international law concerning pontifical legates in its second chapter. On the other hand, this was a reasonable action from theological and post-conciliar legislation aspects. The legislation primarily sought to implement into legal documents the different principles of ecclesiology between the particular and the universal Church. This was especially significant in the regulation of Church governance, and thus in the regulation on the function of pontifical legates<sup>39</sup>. Nevertheless, this could be considered as a didactical question only, even if this was further reinforced in papal messages later on, that the main mission of the pontifical legate is towards the particular Churches to demonstrate their unity with universal Church<sup>40</sup>. However, practical experiences show that boundaries

<sup>38</sup> K. WALF, *The Nature of the Papal Legation...*, cit., 89.

<sup>39</sup> J. I. ARRIETA, *Diritto dell'organizzazione ecclesiastica*, Giuffrè, Milano 1997, 329-330.

<sup>40</sup> “Voi siete, in effetti, Rappresentanti del Papa presso i Governi nazionali o presso le Istituzioni sovranazionali, ma in primo luogo siete testimoni del Suo ministero di

between the *ad intra* and *ad extra* duties are blurred when it comes to security issues. One great example to illustrate this is the situation of persecuted Christian communities. It may be difficult to say that providing spiritual, financial, diplomatic or other type of support to communities that had suffered through considerable hardship would be purely either an *ad intra* or an *ad extra* duty. On the contrary, helping Christians affects all segments of legate's duties, as for example the Syrian Civil War illustrates it<sup>41</sup>.

### 2.1. *Ad intra duties of pontifical legates and the promotion of peace*

As a result of the active foreign policy of John Paul II, the Holy See has built up, and is still maintaining today, bilateral relations with several countries, where previously it only had apostolic delegates with no diplomatic status. But, in many cases, the old "system of delegates" functioned in non-Catholic majority territories, that nowadays are considered as crisis regions due to the economic, political and security challenges. Therefore, even if the delegate was not officially accredited to those given state authorities under international law, their tasks still included the improvement of the security of Christians. The Holy See sent first delegate – the definition of which was still different at that time from what is currently included in the canon law – to the Middle East<sup>42</sup>. The task of the apostolic delegate system, established in Aleppo on 27 June 1761, was not limited to the pastoral care of Catholics but it also aimed to build a relationship with the Patriarchs of the East and Islamic religious leaders<sup>43</sup>. The book of Cardinal Fernan-

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unità presso le Chiese locali, ai cui Pastori assicurate la possibilità di un contatto costante con la Sede Apostolica". JOHN PAUL II, *Giubileo dei rappresentanti...*, cit., 6.

<sup>41</sup> M. MENICETTI, *Zenari: la pandemia sulle macerie siriane, una catastrofe inimmaginabile*, Vatican News, <https://www.vaticannews.va/it/vaticano/news/2020-04/zenari-pandemia-sulle-macerie-siriane-catastrofe-inimmaginabile.html> (Downloaded on 19 August 2020).

<sup>42</sup> The legal definition of papal legates had been clarified by the 8 May 1916 communication of the Secretariat of State for the Holy See.

<sup>43</sup> C. S. CORRAL, «Delegato Apostolico», en C. S. CORRAL – V. DE PAOLIS – G. GHIRLANDA (eds.), *Nuovo Dizionario di Diritto Canonico*, San Paolo, Milano 1993, 335.

do Filoni, *The Church in Iraq* provides a comprehensive picture on the specific peace mission of the delegates at that time<sup>44</sup>. Additionally, in other countries where the Holy See did not have a long-term diplomatic representation towards state authorities, such as Laos, Libya, Malaysia, Brunei, Mauritania, Mozambique, Myanmar, Cambodia, Vietnam, the apostolic delegate had played an important role in promoting peace. The Pope has the right to send a legate to a particular Church even today if there is no bilateral agreement between the Holy See and the given state<sup>45</sup>. However, as already highlighted, this does not mean that a legate who is only appointed to a particular Church could not support and promote regional and international security. Furthermore, apart from the international legal dimension, the office of the pontifical legate is also an ecclesiastical office in the sense of canon law<sup>46</sup>. As such, the general canonical requirement for ecclesiastical offices shall be applied: «divine or ecclesiastical ordinance to be exercised for a spiritual purpose» (can. 145). The seemingly most profane *ad extra* duties of pontifical legates also serve a spiritual purpose<sup>47</sup>. Among this, the evaluation of ethical issues related to peacebuilding and war is well accentuated<sup>48</sup>. Therefore the character of the appointed person is not negligible too. Helping the poor, and the victims of war and armed conflicts is an essential commitment<sup>49</sup>. The nationality

<sup>44</sup> F. FILONI, *La Chiesa in Iraq. Storia, sviluppo e missione, dagli inizi ai nostri giorni*, Libreria Editrice Vaticana, Città del Vaticano 2015.

<sup>45</sup> PAUL VI, *Sollicitudo omnium ecclesiarum...*, cit., n. 61.

<sup>46</sup> J. MIÑAMBRES, *Considerazioni sulla provvista di uffici ecclesiastici per presentazione presentata nel codice del 1983*, *Ius Ecclesiae* 11 (1999) 407-418. A. BRAIDA, *L'ufficio dei rappresentanti del Romano Pontefice*, *Apollinaris* 2 (1979) 175-179.

<sup>47</sup> This concept is firm by well-known canon lawyer, Ojetti reflecting general norms of ecclesiastical offices. B. OJETTI, *Commentarium in Codicem Iuris Canonici*, II, Universitatis Gregorianae, Romae 1931, 3.

<sup>48</sup> The efforts of John Paul II to accomplish all these goals were clearly shown in the speech he delivered in 1993 to the diplomatic corps accredited to the Holy See of JOHN PAUL II, *Address*, 13-I-1993, *L'Osservatore Romano* (Weekly Edition in English) 1-2, 9.

<sup>49</sup> A number of studies, published in a celebratory volume in honour of the 75th birthday of Donato Squicciarini, highlight the sensitiveness of the nuncio towards the victims and causes of a crisis in the country he was accredited to. E. KAPPELLARI – H. SCHAMBECK, *Diplomatie im Dienst der Seelsorge. Festschrift zum 75. Geburtstag von Nuntius Erzbischof Donato Squicciarini*, Styria, Graz, Wien 2020.

of a pontifical legate may influence the decision of the Holy See. Even though pontifical legates represent the Holy See instead of their country of origin, ethnic and cultural considerations must also be taken into account. The practice advocated at the council may help in this matter, according to which the universality of the Church should be more emphasised in the foreign relations of the Holy See. Additionally, alongside Italian legates, Catholics of other nations are now more widely represented<sup>50</sup>.

Moreover, studying the *ad intra* duties of pontifical legates listed in the Code, one may see that besides their pastoral duties, the contribution of legates is relevant as far as the promotion of matters which pertain to peace and crisis management is concerned (can. 364). The pontifical legate should «foster close relations with the conference of bishops by offering it assistance in every way» (can. 364, 3<sup>o</sup>). In a broader sense, this also includes the social, ethical and security issues as well<sup>51</sup>. Regarding the nomination of bishops, the pontifical legate «instructs the informational process [...] according to the norms given by the Apostolic See» (can. 364, 4<sup>o</sup>). This purely ecclesiastical process may also have significant security aspects<sup>52</sup>. In crisis regions, where there may be religious-based conflicts, it is worth to see how the legislative requests towards bishops are realised, according to which they strive to promote interreligious and ecumenical dialogue (can. 383 §§ 3-4)<sup>53</sup>. In crisis regions, the responsibility of pontifical legates is even more emphasised in order to make sure that the aforementioned criteria are met when selecting the right person. The pontifical legate also has a dual information mission, which includes a security aspect as well. Legate «sends information to the Apostolic See concerning the conditions of particular Churches» (can. 364, 1<sup>o</sup>). The legislator had

<sup>50</sup> “(...) legates of the Roman pontiff be more widely taken from various regions of the Church, insofar as it is possible. In such a way the offices and central organs of the Catholic Church will exhibit a truly universal character” (CD 10).

<sup>51</sup> This task is strongly criticised by Knut Walf, cit., 89.

<sup>52</sup> L. UJHÁZI, *Raccolta e conservazione delle informazioni prima della nomina dei vescovi cattolici*, *Antonianum* 87 (2012) 715-741.

<sup>53</sup> M. LOPERT, *Pluralizem in religioznost/Pluralism and Religiosity*, *Bogoslovni vestnik* 66 (2006) 359-371.

not specified that the Holy See would require information only about “pastoral” matters. On the contrary, it concerns “everything that touches the life of the Church and the good of souls” (can. 364, 1°). The social and security concerns may have a significant effect on the life of the Church (can. 364, 1°). Pontifical legates are credible sources of information for the Holy See in local security issues<sup>54</sup>. This is particularly true in crisis and war regions. On the other hand, pontifical legates speak on behalf of the Roman Pontiff in foreign and security policy questions.

Finally, even the three traditional missions of the Church, teach, govern and sanctify may have a meaningful security aspect with regards to the function of pontifical legates. As pontifical legates may exercise certain privileges, in order – as defined by Pope Paul VI – to fulfil their assignment more effectively<sup>55</sup>. These privileges of pontifical legates are briefly implied in the CIC (can. 366). More detailed description is provided by the *Index Facultatum Legatis Pontificiis tributarum*<sup>56</sup>, and *Index Facultatum Legatis Pontificiis in territoriis missionum tributarum*<sup>57</sup> documents. Essentially, these privileges are related to the inner workings of the Church. During crises however, the privileges linked to sacramental service, inauguration of bishops, approval of Church governance measures are more valued. Nonetheless, in many cases, international actors are unable to invoke the prerogatives granted to diplomatic corps through international law against sub-

<sup>54</sup> Cardinal Zenari provides regular update about Christians in Syria. M. ZENARI, *L'Europa può fare di più*, <https://www.rainews.it/tgr/veneto/video/2020/01/ven-Crisi-in-Medio-Oriente-cardinale-Zenari-nunzio-apostolico-Siria-Europa-puo-fare-di-piu-450041d5-b8e7-46be-a628-4de99a7c3ad1.html>; VATICAN NEWS, *Il cardinale Zenari: la Siria attende ancora pace e ricostruzione*, 2019, <https://www.vaticannews.va/it/chiesa/news/2019-12/zenari-siria-pace-ricostruzione-consacrazione-chiesa-aleppo.html> (Downloaded on 28 July 2020).

<sup>55</sup> PAUL VI, *Sollicitudo omnium...*, cit., n. 8, 474.

<sup>56</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, CONGREGATION FOR BISHOPS, CONGREGATION FOR CLERGY, CONGREGATION FOR INSTITUTES OF CONSECRATED LIFE AND SOCIETIES OF APOSTOLIC LIFE, *Index Facultatum Legatis Pontificiis tributarum*, Typis Polyglottis Vaticanis, Città del Vaticano 1986.

<sup>57</sup> CONGREGATION FOR THE EVANGELIZATION OF PEOPLES, *Index Facultatum Legatis Pontificiis in territoriis missionum tributarum*, Typis Polyglottis Vaticanis, Città del Vaticano 1999.

state actors<sup>58</sup>. This is indicated by the fact that embassies hardly stay in their original place of employment when asymmetric conflicts break out there. In numerous cases however, pontifical legates remained at the place of an armed conflict (e.g. Iraq, Syria) which is a great testament of their commitment to the peace mission of the Catholic Church.

## 2.2. *Ad extra duties and the promotion of peace*

In most countries, the pontifical legate represents the Roman Pontiff not only to particular Churches but also to the states and authorities to which they are sent. According to the principle of the Vatican II, the state and the Church are separate and independent identities, however both should seek to support the community and the public good as those serve the welfare of the same individual (GS 70). Continuous dialogue is essential for the realisation of a meaningful and joint work, which the pontifical legate with state accreditation (as figure of both the canon- and the international law) seeks to promote in a unique way (can. 365 § 1)<sup>59</sup>. The first pontifical legates – as mentioned above – were still fulfilling ecclesiastical missions. Nevertheless, with the establishment of the Papal States, the mission of papal legates gradually developed into a similar role to that of the ambassadors of states. This was due to the nature of this matter, insofar as the Pontifical State had, among the emerging European “nation states”, a geographic territory, and a population subordinated to the secular governmental power of the Roman Pontiff<sup>60</sup>. Hence, the realist term of national interest (*raison d'état*)<sup>61</sup> had inevitably become one of the duties of papal

<sup>58</sup> G. OBERLEITNER, *Human Security: A Challenge to International Law?*, *Global Governance* 11 (2005) 190.

<sup>59</sup> V. BUONOMO, *Considerazioni sul rapporto tra diritto canonico e diritto internazionale*, *Anuario de derecho canónico: revista de la Facultad de Derecho Canónico integrada en la UCV* 4 (2015) 13. G. ARANGIO-RUIZ, *On the Nature of the International Personality of the Holy See*, *Revue Belge de Droit International* 29 (1996) 354.

<sup>60</sup> A. KOENIGER, *Katholisches Kirchenrecht*, Herder, Freiburg 1926, 43-44. As of today, the governmental authority is exercised only over Vatican City itself.

<sup>61</sup> See also: F. SANTAMARÍA, *Natural Law, Constitutionalism, Reason of State, and War*, Peter Lang Publishing, New York 2005. C. MORRIS, *The Papal Monarchy. The Western*

legates. Oppositely to the Papal States and by customary international law, the Holy See had been a member of “European community”, however its international legal status had only been appreciated following the military occupation of the Papal States in 1870<sup>62</sup>. Even before the Lateran Treaty of 1929, the Holy See concluded foreign agreements, sent, and received legates. Moreover, the newly formed states post-World War I already sought to establish diplomatic ties with the Holy See. Despite the loss of territory, not only the importance of theoretical foundation for the international legal personality of the Holy See was strengthened, but also the statements of the Church on social and security issues were given further emphasis. During the World Wars, the communication of Pope Benedict XV, Pope Pius XI and Pope Pius XII would not have been authentic if the Papal States, with its territory and population, had still burdened the Holy See. These papal messages, like the papal statements in general, are not only pious recommendations to pontifical legates, but also directives in terms of foreign and security policy as well as ethical questions. This is how one must understand the *Pacem in terris* encyclical of Pope John XXIII, who convened the Second Vatican Council, which outlines the position of the Catholic Church in a new security environment challenged by the Cold War<sup>63</sup>. Pope John XXIII, who also took an active role in promoting re-

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*Church from 1050 to 1250*, Clarendon, Oxford 1989. R. KNUBBEN, *Die Subjekte des Völkerrechts*, Kohlhammer, Stuttgart 1928, 424-438.

<sup>62</sup> See also: L. DUCHESNE, *The Beginnings of the Temporal Sovereignty of the Popes*, Benziger, New York 1908. R. GRAHAM, *Vatican Diplomacy: A Study of Church and State on the International Plane*, Princeton University, Princeton 1959. E. HANSON, *The Catholic Church in World Politics*, Princeton University, Princeton 1987. G. ARANGIO-RUIZ, *On the Nature...*, cit., 355-369; J. ARAUJO, *The International Personality and Sovereignty of the Holy See*, *The Catholic University Law Review* 50 (2001) 292-336. M. BARBATO, *A State, a Diplomat, and a Transnational Church*, *Perspectives* 21 (2013) 27-48. M. BATHON, *The Atypical International Status of the Holy See*, *Vanderbilt Journal of Transitional Law* 34 (2001) 597-632. J. MORSS, *The International Legal Status of the Vatican/Holy See Complex*, *European Journal of International Law* 26 (2015) 927-946. H. CUMBO, *The Holy See and International Law*, *The International Law Quarterly* 2 (1948/49) 603-620. J. KUNZ, *The Status of the Holy See in International Law*, *The American Journal of International Law* 46 (1952) 308-314.

<sup>63</sup> JOHN XXIII, Enc. *Pacem in terris*, 11-III-1963, AAS 55 (1963) 257-304. See also: M. PRÉLOT, *Storia del pensiero politico*, Mondadori, Milano 1975.

gional peace while being on a mission in Bulgaria, Turkey, Greece and France, was conscious about the significance of field work during peacekeeping missions<sup>64</sup>.

The CIC only states that the function of the pontifical legate is «to promote and foster relations between the Apostolic See and the authorities of the state» (can. 365 § 1, 1°) and «to deal with questions which pertain to relations between Church and state and in a special way to deal with the drafting and implementation of concordats and other agreements of this type» (can. 365 § 1, 2°). The peace support activities are presented in Canon 364, which brings certain areas where the legates could improve the relation between the particular Churches and the universal Church. This Canon states that pontifical legates should «strive to promote matters which pertain to the peace, progress, and cooperative effort of peoples» (can. 364, 5°). Furthermore, it also defines that pontifical legates should foster relationship between Catholic Church and other Churches or communities (can. 364, 6°), which is strongly related to the establishment of regional and universal peace. The church-state theory concept adjusted during the council was more accentuated among the principles of the *ad extra* duties of the Church in the eventually unpublished – *Lex Ecclesiae fundamentalis*<sup>65</sup>, and in the Motu proprio *Sollicitudo omnium ecclesiarum*, VI. The Pope already regarded both the Church and state as those who serve peace, progress, and humanity. Hence, they become allies in achieving these goals. Knut Walf points out that regardless its positive tone, the Motu proprio uses rather generic terms in relation to the Church-State cooperation<sup>66</sup>. This seems to be true, and it cannot be otherwise, as the responsibilities of pontifical legates are realised firstly in the light of bilateral and multilateral agreements between individual states and international organisations and secondly

<sup>64</sup> P. KARTALOFF, *La missione diplomatica di Mons. Roncalli in Bulgaria (1925-1934)*, en M. LEONARDIS, *Fede e diplomazia le relazioni internazionali della Santa Sede nell'età contemporanea*, EDUCAT, Milano 2014, 113-133. L. BOTRUGNO, *La diplomazia pastorale di Mons. Roncalli tra Sofia e Istanbul*, en M. LEONARDIS (ed.), *Fede e diplomazia le relazioni internazionali della Santa Sede nell'età contemporanea*, EDUCAT, Milano 2014, 133-153.

<sup>65</sup> G. DALLA TORRE, *Il diritto pubblico esterno e la nuova codificazione canonica*, en *Studi in memoria di Pietro Gismondi*, I, Giuffrè, Milano 1987, 419-421.

<sup>66</sup> K. WALF, *The Nature of the Papal Legation...*, cit., 90.

in the context of current security and ethical challenges. As articulated by Pope John XXIII in 1966, the Holy See diplomats are considered as the “own outstretched hand of the Pope” in the implementation of foreign policy and peace missions<sup>67</sup>. In 2000, John Paul II addressed a message to pontifical legates, in which he especially accentuated that one of their key and perpetual goals is promoting peace. He added that there is «no true peace without fairness, truth, justice and solidarity». Therefore, these aspects should be considered as an integral part of peace missions. Pontifical legates should do their utmost to fight poverty, ensure that everyone can exercise their basic human rights and promote the integral development of the people. Thus, the collective defence of these values alone can establish the road to peace between peoples<sup>68</sup>.

In 2019, in a speech to the members of the diplomatic corps, Pope Francis summarised the expectations of pontifical legates in 10 key points: Pontifical legates should be: 1. the man of God; 2. the man of the Church; 3. with apostolic zeal; 4. the man of reconciliation; 5. the man of the Pope; 6. the man of initiation; 7. the man of obedience; 8. the man of prayer; 9. the man of love (charity); and 10. the man of simplicity<sup>69</sup>. Although seemingly this messages appears to be a pious reflection, a closer analysis of the ten points reveals that they are both closely and broadly part of the ethical assessment of new types of security challenges. The Pope expects an active participation from pontifical legates in achieving his peace mission. Considering the exact vision Pope Francis has on certain security issues – migration, freedom of religion, sustainable development, terrorism, nuclear disarmament, etc. –, it becomes clear that legates must represent his vision on these issues, in addition to the general pronouncement of the importance of peace. The Pope also demands pontifical legates to convey the will of the Church and in

<sup>67</sup> JOHN XXIII, *Mission to France: Memoirs of a Nuncio 1944-1953*, McGraw-Hill Company, New York 1966, 106.

<sup>68</sup> JOHN PAUL II, *Giubileo dei rappresentanti...*, cit., 6-7.

<sup>69</sup> POPE FRANCIS, *Incontro con i nunzi apostolici. Discorso del santo padre Francesco*, 13-VI-2019, [http://www.vatican.va/content/francesco/it/speeches/2019/june/documents/papa-francesco\\_20190613\\_nunzi-apostolici.html](http://www.vatican.va/content/francesco/it/speeches/2019/june/documents/papa-francesco_20190613_nunzi-apostolici.html) (Downloaded on 21 July 2020).

particular the successor of Saint Peter in these areas by setting aside their own conceptions. With this statement, the Pope clearly expressed that he wishes to see the delegations of the Holy See to represent his foreign and security policy even if they do not fully agree with each of the objectives. These critical remarks suggest that there may have been deficiencies as the clergy did not always share the position of the Pope in relation to security challenges. However, based on both the theological and canon law principles concerning the constitutional organisation of the Church and the (international) law on foreign representations, the pontifical legates are expected to represent the supreme power of the sending state. In the Catholic Church, this supreme power is consolidated in the hands of the Roman Pontiff. In most cases however, pontifical legates are already aligned with the peace mission of the Pope and fully support it<sup>70</sup>. A renitent behaviour is usually an exception.

### 2.3. *Promoting peace within international organisations*

Pontifical legates accredited to international organisations are only briefly mentioned in the CIC. It is stated that «Those who are designated as delegates or observers in a pontifical mission at international councils or at conferences and meetings also represent the Apostolic See» (can. 363 § 2). By the definition of the Canon, the Pope may be represented either by permanent or temporary legates (with or without the right to vote)<sup>71</sup>, although the function of the legates presupposes that the Holy See is represented before the “poli-

<sup>70</sup> For instance, Charles Daniel Balvo, the Apostolic Nuncio to Kenya and South Sudan gave a Holy Mass at the invitation of the Association of Member Episcopal Conferences in Eastern Africa (AMECEA). He expressed that he would make great efforts to help His Holiness in promoting peace in Africa, with special regards to South Sudan. AMECEA Social Communications, *Apostolic Nuncio to Kenya calls for Peace in South Sudan*, 2013, <https://communications.amecea.org/index.php/2013/12/19/amecea-apostolic-nuncio-to-kenya/>. Cardinal Mario Zenari, Apostolic Nuncio to Syria has already met several times with local Christian and Catholic leaders and he also expressed to political leaders that the Holy See hopes that peace would prevail in the region. SHAZA/MAZEN, *Apostolic Nuncio in Damascus: Syria will defeat terrorism*, 2017, <https://sana.sy/en/?p=98754> (Downloaded on 12 August 2020).

<sup>71</sup> P. HÜBLER, *sub c. 362...*, cit., 688.

tical communities”. When the new Code had been issued, the legislator was already aware of the significance of liaising with international organisations. This approach has been also outlined in the general norms of the Code of Canon Law, stating that, in addition to nations, one must also consider building relation with “other political societies” (can. 3). Furthermore, international organisations along with the accredited pontifical legates, started to play a key role in promoting the peacebuilding mission of the Holy See. After the Second Vatican Council, the Holy See has definitively and firmly abandoned its reserved standpoint towards international organisations<sup>72</sup>.

The introduction of the *Motu proprio Sollicitudo omnium ecclesiarum* is concluded by an emphasis on peace-building duties and the promotion of international common good by the pontifical legates. This section also describes shortly the cooperation with state authorities, and international organisations<sup>73</sup>. Since its establishment, the United Nation plays a key role in the foreign diplomacy of the Holy See. The diplomatic relation with the intergovernmental organisation had been initiated already by Pius XII and his successor John XXIII continued the diplomatic discussions<sup>74</sup>. During their papacy, the Holy See occasionally already participated in the meetings of certain specialised agencies and offices. However, it was Paul VI who truly recognised the importance of the organisation as far as peacekeeping is concerned. For this reason, he urged the establishment of formal diplomatic ties and as a result of his efforts, the Holy See was granted *permanent observer state* status in 1967. Currently, the Holy See has established permanent observer missions in New York, in Geneva, and in some UN agencies. One may find the importance of international

<sup>72</sup> A comprehensive explanation by: P. HÜBLER, *sub c. 362*, cit., 688. J. ARAUJO, *Papal Diplomacy and the Quest for Peace. The Vatican and International Organisation from the Early Years to League of Nations*, Sapientia Press, Florida 2004.

<sup>73</sup> “Optatum autem omnium hominum bonae voluntatis, ut Nationum sit pacificus convictus et populorum progressio foveatur, nostris hisce diebus declarant etiam Instituta Internationalia, quae vocantur, quorum scientia, rerum usus, dignitas in promptu sunt omnibus, nulli cum pareant labori ut pax et progressio populorum in tuto ponantur”. PAUL VI, *Sollicitudo omnium...*, cit., 477.

<sup>74</sup> K. WALF, *The Nature of the Papal Legation...*, cit., 97.

organisations logical, as this is the forum providing the most comprehensive opportunity for one to promote universal common good and international peace. Furthermore, it also serves as a platform for pontifical legates to express the social teachings of the Church on certain security challenges. Hence, the pontifical legate may talk about terrorism and the absolute condemnation of terrorism, nuclear disarmament, peacekeeping operations, protection of women in armed conflicts, freedom of religion, atrocities against religious communities, and its condemnation, peaceful uses of outer space, condemnation of racism and xenophobia, and sustainable development<sup>75</sup>. These security policy issues already show, and will show in the future even more, a general interest to which the Church has an adequate ethical response. Should the diplomatic staff members be well acquainted with the tradition and teachings of the Church on the issues listed above, the international forums offer a true opportunity for cooperation. Thus, when selecting the right personnel for the mission, it becomes evident that head of the mission should be assisted by those whose skills and commitment to the Catholic teachings are suitable to the task.

#### 2.4. *Function of special envoys in facilitating peace*

Although canon law does not define them as permanent diplomatic representatives of the Holy See to a state or to an international organisation, the role of cardinals who represent the Pope at a ceremony or meeting as special envoys (*missus specialis, missus extraordinarius, special envoy*)<sup>76</sup>, has recently become more important for security policy. Their mission is temporary and concerns only the task entrusted to them by the Pope. According to the current Code of Canon Law, the primary role of special envoys is the fulfilment of certain pastoral functions (can. 365). However, their involvement in tackling new types of

<sup>75</sup> For the Holy See's observations in these issues see: <https://holyseemission.org> (Downloaded on 8 August 2020).

<sup>76</sup> L. BOUSCAREN – A. ELLIS, *Canon Law. A text and Commentary*, The Bruce Publishing Company, Milwaukee 1949, 168. E. EICHMANN, *Lehrbuch des Kirchenrechts auf Grund des Codex Iuris Canonici*, I, Ferdinand Schönigh, Paderborn 1929, 200-201.

security challenges leaves no doubt that their mission is not limited to pastoral functions<sup>77</sup>. In 2003, John Paul II appointed cardinals Pio Laghi and Roger Etchegaray as special papal envoys to the United States and Iraq, respectively. Their mission was linked to the security policy of John Paul II who wished to avoid the American military intervention of Iraq. Cardinal Fernando Filoni, following the rise of the Islamic State, has received a special mandate from Pope Francis to express the support of His Holiness to persecuted Christian communities and tormented Iraqi society. In spite of the pastoral aspect of their mission, both the reason and the environment suggest a security policy element<sup>78</sup>. In the aftermath of the 2019 Easter bombings, Cardinal Filoni, once again as a special envoy, travelled to Sri Lanka to express the solidarity and closeness of Pope Francis to the Christian community there<sup>79</sup>.

### 3. TRAINING OF HOLY SEE DIPLOMATS IN THE LIGHT OF NEW SECURITY CHALLENGES

In order to tackle the challenges of a new security environment and to successfully promote peace, the diplomats of the Holy See must receive the right training. On 5 November 1963, during the sixtieth general session of the Vatican II, it had already been suggested that a formal training should be organised for pontifical legates that would provide a comprehensive understanding on the culture, history, and current situation of the host country. Additionally, papal diplomats were required to study Eastern philosophy and at least one Eastern language<sup>80</sup>. Certainly, these aspects could have been already evaluated from the perspective of a changing security environment and the peacekee-

<sup>77</sup> C. FÜRST, *sub c. 358*, en *Exegetical Commentary on the Code of Canon Law*, II/1, Wilson & Lafleur, Toronto 2004, 669.

<sup>78</sup> CATHOLIC CULTURE, *Pope names, meets with special personal envoy to Iraq*, 2014, <https://www.catholicculture.org/news/headlines/index.cfm?storyid=22252> (Downloaded on 8 August 2020).

<sup>79</sup> VATICAN NEWS, *Cardinal Filoni in Sri Lanka with Pope's solidarity for attack victims*, 2019, <https://www.vaticannews.va/en/church/news/2019-05/filoni-sri-lanka-visit-easter-attacks-pope-solidarity.html> (Downloaded on 8 February 2021).

<sup>80</sup> G. CAPRILE, *Il Concilio Vaticano...*, cit., 198.

ping efforts of the Holy See. Further analysis on this matter is provided in the study of David Alvarez, «The Professionalisation of the Papal Diplomatic Service, 1909-1967». He outlines the significant progress that had been made following World War II and during the council to enable papal diplomats to fulfil their mission in the post-world war era<sup>81</sup>. The “professionalism” of nuncios compared to that of career diplomats, the duration of the diplomatic service, the formation and experiences gained, the international character of the Church, the involvement of monks and Eastern Catholic Churches in the missions have all been strengthened<sup>82</sup>. During the training of papal diplomats, courses that are essential for the ethical assessment of new security challenges in an international context, such as diplomatic history, economy, languages, international law, geography, have received more emphasis in the curriculum<sup>83</sup>. Before being assigned to a nunciature, members of the diplomatic corps had to acquire a doctoral degree, most preferably in canon law or theology at the Pontifical Universities. The preference of a doctorate (PhD) in canon law is understandable, as only the doctoral program provides an extensive knowledge on canon law and an introduction to secular law. During theological and philosophical undergraduate studies, one only gets familiar with certain aspects of the canon law (general norms, sacraments, marriage, hierarchical constitution of the Church). Being in possession of a doctorate in canon law, candidates are entitled to participate in a two-years, shortened program<sup>84</sup>. In this case, students will study diplomatic history, international law, main languages spoken in Europe, and subjects related to international organisations, economy. Nowadays, knowing Arabic is also gaining more importance. Furthermore, students also master other useful diplomatic skills, such as information security. Last but not least, completing pastoral work prior to starting a diplomatic service has recently been implemented as a requirement for candidates<sup>85</sup>.

<sup>81</sup> D. ÁLVAREZ, *The Professionalization...*, cit., 239, 245.

<sup>82</sup> D. ÁLVAREZ, *The Professionalization...*, cit., 246.

<sup>83</sup> D. ÁLVAREZ, *The Professionalization...*, cit., 247.

<sup>84</sup> R. WALCZAK, *Papal Diplomacy...*, cit., 505.

<sup>85</sup> J. LEWIS, *Pope Francis: Future Holy See Diplomats Will Spend a Year on Mission*, <https://joansrome.wordpress.com/category/pontifical-ecclesiastical-academy/> (Downloaded on 7 August 2020).

#### 4. THE ROLE OF LAITY IN PAPAL DIPLOMACY TO FACILITATE PEACE

Both the Second Vatican Council (LG 33-34, AA 20) and the subsequent legislation aimed to settle the presumed and real difference between laity and clergy regarding “dignity and action” (can. 208). The “true equality” is further elaborated in consequent ecclesiastical documents<sup>86</sup>. However, the role of laity in Church governance has arisen as a sensitive issue<sup>87</sup>. Although, as a general rule makes it clear that actual Church governance duties are fulfilled by priests, laity however may cooperate with the hierarchy. After the council, the actual matters of concern within the Church government raised many uncertainties. Thereafter, the papal documents seemed to emphasise a rather complementary nature of the participation of laity in the governance<sup>88</sup>. As far as the institution of pontifical legates is concerned, extreme approaches have been formulated during the years of the council. For instance, laity should control the system of papal legates considering that – as it has been previously mentioned – in contrast to the spiritual nature of the Church, pontifical legates rather emphasise its political character. Hence, laity would better fit for this role<sup>89</sup>. This approach had been a recurring concern during the general sessions of the council<sup>90</sup>. Eventually, the council developed a moderate position on the role of laity in Church governance<sup>91</sup>. The basic principle of cooperation is stated in the Decree on the Apostolate of the Laity: «whether they offer themselves spontaneously or are invited to action and direct

<sup>86</sup> The most commonly known apostolic exhortation: JOHN PAUL II, Exhort. Post. Synod. *Christifideles laici*, 30-XII-1988, EV 11/ 1606-1900, especially paragraph 22.

<sup>87</sup> S. REA, *L'esercizio della potestà giudiziaria del fedele laico attraverso il prisma della Potestas gubernandi*, Stato, Chiese e pluralismo confessionale 37 (2018) 1-61. É. KOUVEGLO, *I fedeli laici e l'esercizio della potestà nella Chiesa*, Apollinaris 90 (2017) 207-230.

<sup>88</sup> JOHN PAUL II, *Christifideles laici*, cit., 22-23. H. CUMBO, *The Holy See and International Law...*, cit., 603-620.

<sup>89</sup> G. CAPRILE, *Il Concilio Vaticano...*, cit., 98.

<sup>90</sup> The following general sessions are included: 60th general session on 9 November 1963; 63rd general session on 7 December 1963; and 97th general session on 8 October 1964. G. CAPRILE, *Il Concilio Vaticano...*, cit., 98, 189, 209.

<sup>91</sup> F. OCÁRIZ, *La partecipazione dei laici alla missione della Chiesa*, Annales Theologici 1 (1987) 7-26.

cooperation with the apostolate of the hierarchy, the laity function under the higher direction of the hierarchy itself, and the latter can sanction this cooperation by an explicit mandate» (AA 20). The decree *Apostolicam actuositatem* generally indicates that it expects the lay faithful to be engaged in the international relations of the Holy See, since «a vast field for the apostolate has opened up on the national and international levels» (AA 14; «All associations of the apostolate» [AA 21]; “apostolic activities” [AA 22]; «cooperation between [...] those who do not profess Christ’s name» [AA 27]). This decree elaborates several topics (promotion of public good, social dialogue, and international solidarity [AA 14]) that are nowadays considered by professional literature as integral part of crisis management<sup>92</sup>. Hence, the decree relies on the laity, as «itinerant heralds of Christ» in dealing with these matters on an international level (AA 14). In connection with the involvement of laity in the diplomacy of the Holy see, the decree *Christus Dominus* specifically states that “finally, the fathers of the council think it would be most advantageous if these same departments would listen more attentively to laymen who are outstanding for their virtue, knowledge, and experience. In such a way they will have an appropriate share in Church affairs” (CD 10). Due to its nature, the international engagement of the Holy See also requires the special expertise of the laity. In 1975, in the apostolic exhortation *Evangelii Nuntiandi* of Paul VI, His Holiness clearly defines the areas where the laity could add value to the diplomacy of the Holy See: «world of politics, society and economics, but also the world of culture, of the sciences and the arts, of international life, of the mass media. It also includes other realities which are open to evangelisation [...]»<sup>93</sup>.

Regarding the obligations and rights of the lay Christian faithful, the Code of Canon Law provides a general statement: “Lay persons who excel in necessary knowledge [...] are qualified to assist the pastors of the Church” (cann. 225, 228).

In relation to international organisations, the *Motu proprio Sollicitudo omnium ecclesiarum* particularly mentions that lay persons

<sup>92</sup> Á. POHL, *Some Austrian and German solutions for peace support operations*, Academic and Applied Research in Military Science 6 (2007) 109-120.

<sup>93</sup> PAUL VI, Es. Ap. *Evangelii Nuntiandi*, 8-XII-1975, AAS 68 (1976) 60.

may also fulfil the role of pontifical legate who are then appointed to international organisations<sup>94</sup>. The Code already neglects this area by referring to legates as «those who represent the Holy See». However, based on the principles of the council and general missions of the faithful, the engagement of laity in the international mission of the Church may seem evident. The Pope's right to appoint legates does not only concern the clergy, but it may include the laity as well. And both historical examples and current practice underline this<sup>95</sup>. In case of those legates accredited to states and particular Churches who also fulfil pastoral duties, it seems logical to be an "ordained"<sup>96</sup>. As a head of a mission, nuncios usually have the rank of archbishop. Delegations sent to international organisations are also generally led by priests. The Permanent Observer of the Holy See to the United Nations in New York is an apostolic nuncio with the rank of archbishop, however some staff members are lay persons. The composition is similar in the specialised agencies in Geneva. Moreover, the apostolic representatives to the United Nations Offices in Vienna, Roma and Paris are also led by priests<sup>97</sup>, but the staff includes several laymen, especially in the field of foreign and security policy. The papal document *Regolamento per le Rappresentanze Pontificie* also confirms that lay persons assist the mission of international organisation<sup>98</sup>. It may also happen that a lay man represents the Holy See on a specific event. It may seem rational considering that these cases require a special foreign and security policy expertise that usually lay persons excel in. The document clearly states that the head of the mission has the opportunity to involve the laity in the mission of the Holy See working alongside international organisations. In their cases however, it is certainly required to have an unconditional commitment to Catholic values, professionalism, discretion, and all the human and

<sup>94</sup> PAUL VI, *Sollicitudo omnium...*, cit., 478-479.

<sup>95</sup> F. VALENZISE, *Storia della diplomazia pontificia e il dibattito sulla personalità giuridica internazionale della Santa Sede*, 5-6.

<sup>96</sup> P. ERDŐ, *A római pápa követői*, en P. ERDŐ, *Egyházi Törvénykönyv*, Szent István Társulat, Budapest 1997, 320.

<sup>97</sup> Further details are provided in the *Annuario Pontificio*, the annual directory of the Holy See P. T. BROGLIO, *The Pastoral Dimension...*, cit., 303.

<sup>98</sup> SECRETARIAT OF STATE, *Regolamento...*, cit., 42-51.

Catholic virtues that serve the reinforcement of a particular ethical and security policy<sup>99</sup>.

## CONCLUSIONS

The right of the Roman Pontiff to appoint and send legates has a long history, that is primarily built on the theological principle of papal primacy. Over time, specific tasks were formulated and then some duties of the pontifical legates were defined according to whether they were related to *ad extra* i.e. state authorities or *ad intra* i.e. particular Churches. In general, the latter was more highlighted, especially after the Second Vatican Council since a specific theological concept on the relationship between the particular Churches and the universal Church had been expressed. Furthermore, the Pope exercises his pastoral solicitude through pontifical legates, in a particular way. Although throughout history, pontifical legates have been actively involved in promoting peace, and this function is also mentioned in ecclesiastical legislation, however, it remained unclear how eminent these duties were. Further analysing certain activities – as seen earlier – one may notice a security policy aspect as well. Hence, promoting peace becomes a “cohesive” force during the execution of the aforementioned duties. Therefore, it is not an overstatement to say that the *conditio sine qua non* of pontifical legates is the promotion of peace. At the same time, this is not only due to the popular rhetoric of current international organisations and major political actors, or to a wording of canon law, but it is also taking into consideration a much deeper theological principle: The founder of the Church, Jesus Christ intended that his followers be “peacemakers”. This is true to all faithful, however considering the hierarchical structure of the Church, this is manifested in a peculiar way. The Holy See (as well as the Vatican) takes part in foreign policy and the pontifical legates act as the «Pope’s own hand outstretched».

Pope Francis has a prophetic ability in identifying the major security policy challenges of the 20th and 21st century. He strives to provi-

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<sup>99</sup> Cit.

de the right environment for pontifical legates so that they can provide an adequate answer to foreign and security policy related issues. He leaves no doubt that the legates, among others, are the “representatives of the Pope” and he expects them to promote and support his peace and security policy. Considering that Pope Francis does not only have abstract theological ideas about peace, but he also specifically reflects on certain security issues (migration, nuclear weapons, terrorism, organised crime, sustainable development, etc.), it has become clear that pontifical legates have specific responsibilities in these areas. This is especially true in case of pontifical legates who have been accredited to crisis regions and international organisations.

## Bibliography

### 1. *Papal and Roman Curia documents*

CONGREGATION FOR THE DOCTRINE OF THE FAITH, CONGREGATION FOR BISHOPS, CONGREGATION FOR CLERGY, CONGREGATION FOR INSTITUTES OF CONSECRATED LIFE AND SOCIETIES OF APOSTOLIC LIFE, *Index Facultatum Legatis Pontificiis tributarum*, Typis Polyglottis Vaticanis, Città del Vaticano 1986.

CONGREGATION FOR THE EVANGELIZATION OF PEOPLES, *Index Facultatum Legatis Pontificiis in territoriis missionum tributarum*, Typis Polyglottis Vaticanis, Città del Vaticano 1999.

FRANCIS, *Audience of the Holy Father with the Roman Curia for the exchange of Christmas greetings*, 21-XII-2017, Bollettino, Sala Stampa della Santa Sede, N. 171221.

FRANCIS, *Il desiderio di pace, Lettera al Gran Cancelliere della Pontificia Università Lateranense*, 12 novembre 2018, [http://www.vatican.va/content/francesco/it/letters/2018/documents/papa-francesco\\_2018\\_1112\\_lettera-cardinale-dedonatis.html](http://www.vatican.va/content/francesco/it/letters/2018/documents/papa-francesco_2018_1112_lettera-cardinale-dedonatis.html) (Downloaded on 25 May 2020).

FRANCIS, *Incontro con i nunzi apostolici. Discorso del santo padre Francesco*, 13-VI-2019, [http://www.vatican.va/content/francesco/it/speeches/2019/june/documents/papa-francesco\\_20190613\\_nunzi-apostolici.html](http://www.vatican.va/content/francesco/it/speeches/2019/june/documents/papa-francesco_20190613_nunzi-apostolici.html) (Downloaded on 21 July 2020).

FRANCIS, *Discorso al Corpo diplomatico*, 9 gennaio 2017, [http://www.vatican.va/content/francesco/it/speeches/2017/january/documents/papa-francesco\\_20170109\\_corpo-diplomatico.html](http://www.vatican.va/content/francesco/it/speeches/2017/january/documents/papa-francesco_20170109_corpo-diplomatico.html) (Downloaded on 25 May 2020).

FRANCIS, *Audience of the Holy Father with the Roman Curia for the exchange of Christmas greetings*, 21-XII-2017, Bollettino, Sala Stampa della Santa Sede, N. 171221. 1-2.

JOHN XXIII, *Mission to France: Memoirs of a Nuncio 1944-1953*, McGraw-Hill Company, New York 1966.

JOHN XXIII, *Enc. Pacem in terris*, 11-III-1963, AAS 55 (1963) 257-304.

JOHN PAUL II, *Address*, 13-I-1993, L'Osservatore Romano (Weekly Edition in English) 1-2, 9.

- JOHN PAUL II, *Giubileo dei rappresentanti pontifici discorso di Giovanni Paolo II ai partecipanti al giubileo dei nunzi apostolici*, L'Osservatore Romano 16-IX-2000, 6-7.
- JOHN PAUL II, Exhort. Post. Synod. *Christifideles laici*, 30-XII-1988, EV 11 (1988) 1606-1900.
- PAUL VI, Mp. *Sollicitudo omnium ecclesiarum*, 24-IV-1969, AAS 57 (1969) 473-484.
- PAUL VI, Es. Ap. *Evangelii Nuntiandi*, 8-XII-1975, AAS 68 (1976) 5-76.
- SECRETARIAT OF STATE, *Regolamento per le Rappresentanze Pontificie*, Libreria Editrice Vaticana, Città del Vaticano 1994. New edition 2003.

## 2. Authors

- AICHNER, S., *Compendium Juris Ecclesiastici*, Typis wegerianis, Brixinae 1890.
- ÁLVAREZ, D., *The Professionalization of the Papal Diplomatic Service, 1909-1967*, *The Catholic Historical Review* 75 (1989) 233-248.
- AMECEA Social Communications, *Apostolic Nuncio to Kenya calls for Peace in South Sudan*, 2013, <https://communications.amecea.org/index.php/2013/12/19/amecea-apostolic-nuncio-to-kenya/>.
- ARANGIO-RUIZ, G., *On the Nature of the International Personality of the Holy See*, *Revue Belge de Droit International* 29 (1996) 354-369.
- ARAUJO, J., *Papal Diplomacy and the Quest for Peace. The Vatican and International Organisation from the Early Years to League of Nations*, Sapientia Press, Florida 2004.
- ARAUJO, J., *The International Personality and Sovereignty of the Holy See*, *The Catholic University Law Review* 50 (2001) 292-336.
- ARRIETA, J. I., *Diritto dell'organizzazione ecclesiastica*, Giuffrè, Milano 1997.
- BALVO, C. D., *Legates of the Roman Pontiff*, en *New Commentary on the Code of Canon Law*, Paulist Press, New-York 2000, 490-493.
- BARBATO, M., *A State, a Diplomat, and a Transnational Church*, *Perspectives* 21 (2013) 27-48.
- BATHON, M., *The Atypical International Status of the Holy See*, *Vanderbilt Journal of Transitional Law* 34 (2001) 597-632.

- BENELLI, G., *Validita della diplomazia pontificia*, La Civiltà Cattolica 123 (1972) 268-278.
- BIHLMAYER, K. – HERMANN, T., *Kirchengeschichte. Der Neuzeit und die neueste Zeit*, III, Wissenschaftliche Handbibliothek, Paderborne 1987.
- BINCHY, D., *The Vatican and International Diplomacy*, Royal Institute of International Affairs 22 (1944) 47-56.
- BLET, P., *Histoire de la Représentation diplomatique du Saint-Siège des origines à l'aube di XIX siècle*, Vatican City, Archivio Vaticano 1982.
- BOTRUGNO, L., *La diplomazia pastorale di Mons. Roncalli tra Sofia e Istanbul*, en M. LEONARDIS (ed.), *Fede e diplomazia le relazioni internazionali della Santa Sede nell'età contemporanea*, EDUCAT, Milano 2014, 133-153.
- BOUSCAREN, L. – ELLIS, A., *Canon Law. A text and Commentary*, The Bruce Publishing Company, Milwaukee 1949.
- BRAIDA, A., *L'ufficio dei rappresentanti del Romano Pontefice*, Apollinaris 2 (1979) 175-179.
- BROGLIO, P. T., *The Pastoral Dimension of the Office of Papal Representatives*, The Jurist 75 (2015) 297-311.
- BUONOMO, V., *Considerazioni sul rapporto tra diritto canonico e diritto internazionale*, Anuario de derecho canónico: revista de la Facultad de Derecho Canónico integrada en la UCV 4 (2015) 13-70.
- CAPRILE, G., *Il Concilio Vaticano II. Secondo periodo 1963-1964*, III, La Civiltà Cattolica, Roma 1966, 98.
- CARDINALE, I., *Le Saint-Siège et la diplomatie, Aperçu historique, juridique et pratique de la diplomatie pontificale*, Desclée, Parigi-Tournai-Roma-New York 1962.
- CATHOLIC CULTURE, *Pope names, meets with special personal envoy to Iraq*, 2014, <https://www.catholicculture.org/news/headlines/index.cfm?storyid=22252> (Downloaded on 8 August 2020).
- CAVALLI, F., *Spiritualità di finì e di metodi della diplomazia pontificia*, La Civiltà Cattolica 124 (1963) 131-144.
- CAVALLI, F., *Il motu proprio. Sollicitudo omnium ecclesiarum. Sull'ufficio dei rappresentanti pontifici*, La Civiltà Cattolica 120 (1969) 34-43.

- CONTEH-MORGAN, E., *Peacebuilding and Human Security: A Constructivist Perspective*, *International Journal of Peace Studies* 10 (2005) 69-86.
- CONVAY, J., *Vatican diplomacy today: the legacy of Paul VI*, *International Journal Race and Religion* 34 (1979) 457-474.
- CORRAL, C. S., «Delegato Apostolico», en C. S. CORRAL – V. DE PAOLIS – G. GHIRLANDA (eds.), *Nuovo Dizionario di Diritto Canonico*, San Paolo, Milano 1993, 335.
- CORTRIGHT, D., *Peace: A History of Movements and Ideas*, Cambridge University Press, Cambridge 2008.
- CUMBO, H., *The Holy See and International Law*, *The International Law Quarterly* 2 (1948/49) 603-620.
- DALLA TORRE, G., *Il diritto pubblico esterno e la nuova codificazione canonica*, en *Studi in memoria di Pietro Gismondi*, I, Giuffrè, Milano 1987.
- DE MARCHI, G., *Le Nunziature Apostoliche dal 1800 al 1956*, Libreria Editrice Vaticana, Città del Vaticano 1957.
- DILLON, R., *Acts*, en R. BROWN – J. FITZMYER – R. MURPHY (eds.), *The New Jerome Biblical Commentary*, Burns and oates, New Delhi 2007, 747-748.
- DUCHESNE, L., *The Beginnings of the Temporal Sovereignty of the Popes*, Benziger, New York 1908.
- EICHMANN, E., *Lehrbuch des Kirchenrechts auf Grund des Codex Iuris Canonici*, I, Ferdinand Schönigh, Paderborn 1929.
- ERDÖ, P., *A pápa képviselete*, *Vigília* 55 (1990) 259-262.
- ERDÖ, P., *A római pápa követei*, en P. ERDÖ, *Egyházi Törvénykönyv*, Szent István Társulat, Budapest 1997, 320.
- ESPOSITO, B., *Il rapporto del Codice di Diritto Canonico latino con il Diritto internazionale*, *Angelicum* 83 (2006) 397-449.
- FABRIS, C., *La diplomazia pontificia come presenza della Santa Sede nella vita delle chiese locali, presso la comunità nazionale ed internazionale*, *Angelicum* 83 (2006) 177-209.
- FILIPAZZI, A. G., *Rappresentanze e Rappresentanti Pontifici dalla seconda metà del s. XX*, Libreria Editrice Vaticana, Città del Vaticano 2006.
- FILONI, F., *La Chiesa in Iraq. Storia, sviluppo e missione, dagli inizi ai nostri giorni*, Libreria Editrice Vaticana, Città del Vaticano 2015.

- FISCHER, P. – KÖCK, H., *Allgemeines Völkerrecht*, Prug, Eisenstad 1980.
- FOLLO, F., *La diplomazia pontificia, cioè del Papa e con il Papa. Diplomazia di Stato e Diplomazia di Chiesa*, [https://www.assau.org/IMG/pdf/la\\_diplomazia\\_pontificia\\_mons\\_francesco\\_follo.pdf](https://www.assau.org/IMG/pdf/la_diplomazia_pontificia_mons_francesco_follo.pdf) (Downloaded on 26 August 2020).
- FÜRST, C., *sub c. 358*, en *Exegetical Commentary on the Code of Canon Law*, II/1, Wilson & Lafleur, Toronto 2004, 669. International diplomacy classifies these envoys as “second class”.
- GAGLIARDUCCI, A., *Curia reform may include an office for negotiations in the Secretariat of State*, 2018, <https://www.catholicnewsagency.com/news/curia-reform-may-include-an-office-for-negotiations-in-the-secretariat-of-state-13513> (Downloaded on 27 March 2018).
- GIUSEPPE, R., *Le nunziature apostoliche. Natura e fini della diplomazia pontificia*, *La Civiltà Cattolica* 149 (1998) 451-460.
- GRAHAM, R., *Vatican Diplomacy: A Study of Church and State on the International Plane*, Princeton University, Princeton 1959.
- HANSEN, F., *Statement at High Level Meeting to commemorate and promote the International Day Against Nuclear Tests*, 2020, <https://holyseemission.org/contents//statements/5f46a79ae262d.php> (Downloaded on 20 September 2020).
- HANSON, E., *The Catholic Church in World Politics*, Princeton University, Princeton 1987.
- HERTZKE, A., *Roman Catholicism and the Faith-based Movement for Global Human Rights*, *The Review of Faith & International Affairs* 3 (2005) 19-24.
- HÜBLER, P., *sub c. 362*, en *Exegetical Commentary on the Code of Canon Law*, II/1, Wilson & Lafleur, Toronto 2004, 688.
- IRANI, G., *Between Intolerance and Coexistence. The Vatican Maronites and the War in Lebanon*, en T. SISK (ed.), *Between Terror and Tolerance: Religious Leaders, Conflict, and Peacemaking*, Georgetown University, Washington 2011, 58-62.
- KAPELLARI, E. – SCHAMBECK, H., *Diplomatie im Dienst der Seelsorge. Festschrift zum 75. Geburtstag von Nuntius Erzbischof Donato Squicciarini*, Styria, Graz, Wien 2020.

- KARTALOFF, P., *La missione diplomatica di Mons. Roncalli in Bulgaria (1925-1934)*, en M. LEONARDIS, *Fede e diplomazia le relazioni internazionali della Santa Sede nell'età contemporanea*, EDUCAT, Milano 2014, 113-133.
- KNUBBEN, R., *Die Subjekte des Völkerrechts*, Kohlhammer, Stuttgart 1928, 424-438.
- KOENIGER, A., *Katholisches Kirchenrecht*, Herder, Freiburg 1926.
- KOUVEGLO, É., *I fedeli laici e l'esercizio della potestà nella Chiesa*, Apollinaris 90 (2017) 207-230.
- KRAMER, J. M., *The Vatican's "Ostpolitik"*, *The Review of Politics* 42 (1980) 283-308.
- KUNZ, J., *The Status of the Holy See in International Law*, *The American Journal of International Law* 46 (1952) 308-314.
- LEWIS, J., *Pope Francis: Future Holy See Diplomats Will Spend a Year on Mission*, <https://joansrome.wordpress.com/category/pontifical-eclesiastical-academy/> (Downloaded on 7 August 2020).
- LINDSLEY, L., *The Beagle Channel Settlement: Vatican Mediation Resolves a Century-Old Dispute*, *Journal of Church and State* 3 (1987) 435-455.
- LOPERT, M., *Pluralizem in religioznost/Pluralism and Religiosity*, *Bogoslovni vestnik* 66 (2006) 359-371.
- MAMBERTI, D., *Considerazioni "non diplomatiche" sui rappresentanti pontifici*, *Ius Ecclesiae* 19 (2007) 183-189.
- MARTIN, I., *The Church's Relations with Foreign Governments*, *Concilium* 8 (1970) 94-103.
- MELNYK, R., *Vatican diplomacy at the United Nations a History of Catholic Global Engagement*, The Edwin Mellen Press, Lewiston 2009.
- MENICETTI, M., *Zenari: la pandemia sulle macerie siriane, una catastrofe inimmaginabile*, *Vatican News*, <https://www.vaticannews.va/it/vaticano/news/2020-04/zenari-pandemia-sulle-macerie-siriane-catastrofe-inimmaginabile.html> (Downloaded on 19 August 2020).
- MIGLIORE, C. – WOOD, J. E., *Msgr. Onclin W. Chair. Church and State Changing Paradigms*, Peters Publishers, Leuven 1999.
- MIÑAMBRES, J., *Considerazioni sulla provvista di uffici ecclesiastici per presentazione premessa nel codice del 1983*, *Ius Ecclesiae* 11 (1999) 407-418.

- MORRIS, C., *The Papal Monarchy. The Western Church from 1050 to 1250*, Clarendon, Oxford 1989.
- MORSS, J., *The International Legal Status of the Vatican/Holy See Complex*, *European Journal of International Law* 26 (2015) 927-946.
- MUCCI, G., *La diplomazia pontificia dopo il concilio*, *La Civiltà Cattolica* 140 (1989) 534-546.
- MUSTO, R. G., *The Catholic Peace Tradition*, Orbis Books Maryknoll, New York 1986.
- NAVARRO, B., *El decanato del cuerpo diplomático y la precedencia de los legados pontificios*, *Il diritto ecclesiastico* 108 (1987) 867-893.
- OBERLEITNER, G., *Human Security: A Challenge to International Law?*, *Global Governance* 11 (2005) 185-203.
- OCÁRIZ, F., *La partecipazione dei laici alla missione della Chiesa*, *Annales Theologici* 1 (1987) 7-26.
- OJETTI, B., *Commentarium in Codicem Iuris Canonici*, II, Universitatis Gregorianae, Romae 1931.
- OLIVERI, M., *The Representatives: The Real Nature and Functions of Papal Legates*, Gerrards Cross, Buckinghamshire 1981.
- PADÁNYI, J., *Changing Security Environment, Changing Role, Changing Tasks*, en R. HORÁK (ed.), *7th scientific international conference: Environmental Protection of Population*, Vysoká škola Karla, Brno 2012, 12-22.
- PARO, G., *The Right of Papal Legation*, Canon Law Studies, Washington 1947.
- PAROLIN, P., “*Lectio Magistralis*” “*Dies Academicus*” della Pontificia Università Gregoriana, 11-III-2015, Bollettino, <http://press.vatican.va/content/salastampa/it/bollettino/pubblico/2015/03/11/0178.html> (Downloaded on 11 February 2020).
- PAROLIN, P., *Una diplomazia al lavoro della pace*, 2019, <https://www.catholicnews.it/aperto-il-99-anno-accademico-dell-ateneo> (Downloaded on 21 July 2020).
- POHL, Á., *Some Austrian and German solutions for peace support operations*, *Academic and Applied Research in Military Science* 6 (2007) 109-120.

- PRÉLOT, M., *Storia del pensiero politico*, Mondadori, Milano 1975.
- REA, S., *L'esercizio della potestà giudiziaria del fedele laico attraverso il prisma della Potestas gubernandi*, Stato, Chiese e pluralismo confessionale 37 (2018) 1-61.
- REGINALD, A., *The Catholic Church's perspective of human dignity as the basis of dialogue with the secular world*, Stellenbosch Theological Journal 2 (2017) 64-75.
- RIECK, Ch. – NIEBUHR, D., *Microstate and Superpower. The Vatican in International Politics*, Kas International Reports 10 (2015).
- RONAY, M., *Az egység elve a katolikus egyház külügyi tevékenységében*, PhD thesis, Corvinus University, Budapest 2006.
- SANTAMARÍA, F., *Natural Law, Constitutionalism, Reason of State, and War*, Peter Lang Publishing, New York 2005.
- SEIDL-HOHENVELDER, I., *Transformation or Adoption of International Law into Municipal Law*, The International and Comparative Law Quarterly 12 (1963) 88-124.
- SHAZA/MAZEN, *Apostolic Nuncio in Damascus: Syria will defeat terrorism*, 2017, <https://sana.sy/en/?p=98754> (Downloaded on 12 August 2020).
- SQUICCIARINI, D., *Storia peculiarità e finalità della diplomazia della Santa Sede: impegno per la pace, da parte della Chiesa e dei papi dell'ultimo secolo*, Apollinaris 78 (2005) 499-515.
- THOMAS, S. M. – O'MAHONY, A., *Pope Francis: Extending his "Culture of Encounter" into the Arab and Muslim Worlds*, Georgetown Journal of International Affairs 2020, <https://gjia.georgetown.edu/2020/01/22/pope-francis-culture-of-encounter-in-arab-and-muslim-worlds/> (Downloaded on 19 August 2021).
- TOMARRO, M., *Sud Sudan: Dichiarazione di Roma per porre fine alle ostilità*, 2020, Vatican News, <https://www.vaticannews.va/it/mondo/news/2020-01/pace-sudsudan-santegidio.html> (Downloaded on 19 August 2021).
- TROY, J., *"The Pope's own hand outstretched": Holy See diplomacy as a hybrid mode of diplomatic agency*, The British Journal of Politics and International Relations 20 (2018) 521-539.
- UJHÁZI, L., *Raccolta e conservazione delle informazioni prima della nomina dei vescovi cattolici*, Antonianum 87 (2012) 715-741.

- UJHÁZI, L., *Safety State of Iraqi Christians, “Change of Era” in Vatican Diplomacy*, *Logos: a journal of modern society & culture* 15 (2016) 155-175.
- UJHÁZY, L., *The Role of Reservists and Reserve Associations Today*, *Security and Defence Quarterly* 19 (2018) 3-12.
- VALENZISE, F., *Storia della diplomazia pontificia e il dibattito sulla personalità giuridica internazionale della Santa Sede*.
- VATICAN NEWS, *Il cardinale Zenari: la Siria attende ancora pace e ricostruzione*, 2019, <https://www.vaticannews.va/it/chiesa/news/2019-12/zenari-siria-pace-ricostruzione-consacrazione-chiesa-aleppo.html> (Downloaded on 28 July 2020).
- VATICAN NEWS, *Cardinal Filoni in Sri Lanka with Pope’s solidarity for attack victims*, 2019, <https://www.vaticannews.va/en/church/news/2019-05/filoni-sri-lanka-visit-easter-attacks-pope-solidarity.html> (Downloaded on 8 February 2021).
- VUKIĆEVIĆ, B., *Pope Francis and the Challenges of Inter-Civilization Diplomacy*, *Revista Brasileira de Política Internacional* 58 (2015), [https://www.scielo.br/scielo.php?pid=S0034-73292015000200065&script=sci\\_arttext](https://www.scielo.br/scielo.php?pid=S0034-73292015000200065&script=sci_arttext) (Downloaded on 19 August 2020).
- WALCZAK, R., *Papal Diplomacy – Characteristics of the Key Issues in Canon Law and International Law*, *The Jurist* 76 (2016) 489-529.
- WALF, K., *Die Entwicklung des päpstlichen Gesandtschaftswesens in dem Zeitabschnitt zwischen Dekretalenrecht und Wiener Kongress*, Max Hueber Verlag, München 1966.
- WALF, K., *The Nature of the Papal Legation: Delineation and Observations*, *The Jurist* 63 (2003) 85-105.
- ZENARI, M., *L’Europa può fare di più*, <https://www.rainews.it/tgr/veneto/video/2020/01/ven-Crisi-in-Medio-Oriente-cardinale-Zenari-nunzio-apostolico-Siria-Europa-puo-fare-di-piu-450041d5-b8e7-46be-a628-4de99a7c3ad1.html> (Downloaded on 19 August 2020).