



Dariusz Mazurkiewicz

Uniwersytet Szczeciński, Szczecin | Instytut Nauk Teologicznych

ORCID: 0000-0002-3779-5025, e-mail: [dariusz.mazurkiewicz@usz.edu.pl](mailto:dariusz.mazurkiewicz@usz.edu.pl)

## **ANALIZA ZNOWELIZOWANEGO LISTU APOSTOLSKIEGO PAPIE A FRANCISZKA *VOS ESTIS LUX MUNDI***

### **ANALYSIS OF THE REVISED APOSTOLIC LETTER OF POPE FRANCIS: *VOS ESTIS LUX MUNDI***

#### **Streszczenie**

Od ponad dwudziestu lat prawodawca kościelny za pomocą ustawodawstwa powszechnego wzmocnił ochronę małoletnich i osób bezradnych przed przestępstwami seksualnymi ze strony duchownych i osób konsekrowanych. Czyni to zarówno za pomocą norm materialnych penalizujących czyny *contra sextum*, jak i przepisów formalnych mających na celu osądzenie sprawców tego typu czynów przestępczych. Dokonana 25 marca 2023 r. przez papieża Franciszka nowelizacja ustawy *Vos estis lux mundi* czyni ochronę małoletnich jeszcze bardziej skuteczną, ponieważ nie tylko definiuje przestępstwa seksualne wobec małoletnich i osób z nimi zrównanych, ale przede wszystkim penalizuje czyny polegające na działaniach lub zaniechaniach mających na celu zakłócanie lub uniknięcie dochodów cywilnych lub kanonicznych, administracyjnych lub karnych prowadzonych wobec duchownych lub członków instytutów życia konsekrowanego, stowarzyszenia apostolskiego oraz moderatorów międzynarodowych stowarzyszeń wiernych uznanych lub erygowanych przez Stolicę Apostolską. Tego typu czynów przestępczych mogą dopuścić się szeroko rozumiani przełożeni kościelni, stojący zarówno na czele Kościołów partykularnych, jak i instytutów oraz stowarzyszeń należących do różnych narodowych form życia konsekrowanego.

W nowelizowanej ustawie wprowadzone zostały przepisy zwiększające transparentność i ekonomię procesów. Dodatkowy akcent został położony na ochronę osób poszkodowanych, z jednoczesnym zapewnieniem ochrony dobrego imienia oskarżonego, który a do zakończenia postępowania korzysta z domniemania niewinności. Natomiast w zakresie prawa materialnego nastąpiło ujednoczenie norm zawartych w ustawie z innymi aktami prawnymi. Nowelizowana *Vos estis lux mundi* jest kolejnym aktem prawodawcy kościelnego służącym ochronie małoletnich i osób niemogących w pełni zdecydować o swoich czynach przed przestępstwami seksualnymi. Wydaje się przy tym, że obecne ustawodawstwo w tej materii wciąż wymaga ujednoczenia i uproszczenia, co pozwoli na skuteczniejsze stosowanie prawa.

**Słowa kluczowe:** konstytucja apostolska *Vos estis lux mundi*, ochrona małoletnich, przestępstwa seksualne, kanoniczne prawo karne, odpowiedzialność karna przełożonych kościelnych

## Abstract

For over twenty years, the ecclesiastical legislator has been strengthening the protection of minors and vulnerable persons against sexual crimes committed by clergy and consecrated persons through universal legislation. It does so both through material norms penalizing *contra sextum* acts and through formal regulations aimed at sentencing perpetrators of such criminal acts. The amendment to the *Vos estis lux mundi* act made by Pope Francis on March 25, 2023, makes the protection of minors even more effective, because it not only defines sexual crimes against minors and persons equated with them, but above all penalizes acts consisting of actions or omissions aimed at disrupting or avoiding civil or canonical, administrative or criminal investigations conducted against clergy or members of institutes of consecrated life, societies of apostolic life and moderators of international associations of the faithful recognized or erected by the Holy See. Such criminal acts may be committed by ecclesiastical superiors in the broad sense, standing at the head of both particular Churches and institutes and associations belonging to various forms of consecrated life. The amended Act introduces provisions increasing transparency and procedural economy. Additional emphasis was placed on the protection of injured parties, while at the same time ensuring the protection of the accused's good name, who benefits from the presumption of innocence until the end of the proceedings. In the field of substantive law, there was a greater unification of the norms contained in the act with other legal acts. The amended *Vos estis lux mundi* is another act of the church legislator serving to protect minors and people who cannot fully decide about their actions from sexual crimes. It seems that the current legislation in this matter still requires unification and simplification, which will allow for more effective application of the law.

**Keywords:** apostolic constitution *Vos estis lux mundi*, protection of minors, sexual crimes, canon law, criminal liability of church superiors

## Introduction

Following nearly four years of implementation of the apostolic letter *motu proprio Vos estis lux mundi*<sup>1</sup> on an experimental basis, Pope Francis has enacted amendments to this legislation. This decision came after a comprehensive review of feedback solicited from episcopal conferences, a process initiated by the Bishop of Rome in 2021<sup>2</sup>. The consultation period extended over several months. Consequently, on March 25, 2023, a revised version of the *Vos estis lux mundi* law<sup>3</sup> was promulgated, with the amendments taking effect on April 30, 2023. The primary objective of these revisions is to refine the procedures for preventing and addressing sexual offenses against minors and those similarly protected under ecclesiastical law. The revised norms, denoted as *VELM 2°*, specifically address ecclesiastical superiors, mandating them to adhere to canonical procedures when they become aware of potential offenses committed by clergy under their authority. These provisions supplement, rather than

---

<sup>1</sup> The provisions of the apostolic constitution *Vos estis lux mundi* (hereinafter *VELM 1°*) dated May 9, 2019, came into force on June 1, 2019. They were promulgated in *L'Osservatore Romano* 159, 106 (2019): 10, and subsequently published in *Acta Apostolicae Sedis* (hereinafter *AAS*).

<sup>2</sup> Circular letter from Archbishop Stanisław G. Decki (November 23, 2021), reference: SEP-D/1.2.4-5.

<sup>3</sup> Franciszek (Francis), "Konstytucja apostolska «Vos estis lux mundi»" (hereinafter *VELM 2°*), accessed October 10, 2023, [https://www.vatican.va/content/francesco/pl/motu\\_proprio/documents/20230325-motu-proprio-vos-estis-lux-mundi-aggiornato.html](https://www.vatican.va/content/francesco/pl/motu_proprio/documents/20230325-motu-proprio-vos-estis-lux-mundi-aggiornato.html).

replace, the penal and procedural statutes outlined in the Code of Canon Law<sup>4</sup> and the Code of Canons of the Eastern Churches<sup>5</sup>. They are designed to augment the existing legal framework with specific responsibilities for those entrusted with pastoral care of the Christian faithful, in alignment with the teachings and example of the Divine Master<sup>6</sup>. Moreover, *VELM 2°* introduces substantive provisions related to *contra sextum* offenses, necessitating a dual examination of both its substantive and procedural norms. The amendments will be assessed in relation to other ecclesiastical and extra-canonical laws that address sexual crimes against minors and individuals under special ecclesiastical protection. This assessment is particularly pertinent, given that *VELM 2°* represents the most recent legislative framework in this domain<sup>7</sup>.

## 1. Material Provisions in *VELM 2°*

The initial modification in the revised act pertains to the categories of individuals liable for *contra sextum* crimes. Under previous regulations, such offenses were attributable to clerics, members of institutes of consecrated life, and societies of apostolic life (Article 1 §1 of *VELM 1°*). The updated legislation expands this list to include moderators of international associations of the faithful recognized or established by the Holy See (Article 1 §1 of *VELM*

---

<sup>4</sup> "Codex Iuris Canonici, Auctoritate Joannis Pauli PP. II promulgatus" [Code of Canon Law, Promulgated by the Authority of John Paul II], AAS 75, 2 (1983): 1–317, updated Polish translation approved during the 391st Plenary Assembly of the Polish Episcopal Conference by resolution no. 19/391/2022 on March 14, 2022, (hereinafter KPK).

<sup>5</sup> "Codex Canonum Ecclesiarum Orientalium, Auctoritate Joannis Pauli PP. II promulgatus" [Code of Canons of the Eastern Churches, Promulgated by the Authority of John Paul II], Polish translation approved by the Polish Episcopal Conference (Pozna : Pallottinum, 2008), AAS 82 (1990): 1148–1259, (hereinafter KKKW).

<sup>6</sup> *VELM 2°*, preface.

<sup>7</sup> The revised Book VI of the KPK, updated by the apostolic constitution *Pascite gregem Dei* of Pope Francis (Franciszek), came into force on December 8, 2021. On the same day, by virtue of the *Rescriptum ex Audientia* of October 11, 2021, the *Normae sui delicti riservati alla Congregazione per la Dottrina della Fede*, which are an update of the norms of the Congregation for the Doctrine of the Faith from May 21, 2010, also came into force. See: "Normae de delictis de 21.05.2010 Congregationi pro Doctrina Fidei reservatis seu Normae de delictis contra fidem necnon de gravioribus delictis" [Norms on Crimes Reserved to the Congregation for the Doctrine of the Faith or Norms on Crimes Against Faith and More Serious Crimes], AAS 102 (2010): 419–434 and changes contained in: "Rescript from 17.12.2019 of the Holy Father Francis (Franciszek) to introduce some amendments to the «Normae de gravioribus delictis»", accessed October 10, 2023, <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2019/12/17/191217a.html#>; John Paul II (Jan Paweł II), "List apostolski motu proprio «Sacramentorum sanctitatis tutela»" [Apostolic Letter *Motu Proprio* «Sacramentorum sanctitatis tutela»], AAS 93 (2001): 737–739, (hereinafter SST). These norms formed the basis of the norms of the Congregation for the Doctrine of the Faith. Also worth mentioning is the "Vademecum" on certain procedural aspects concerning cases of sexual abuse of minors committed by clergy, 2nd revised edition by the Dicastery for the Doctrine of the Faith from June 5, 2022, which, although not a law, constitutes a collection of material and formal regulations regarding selected procedural issues in dealing with cases of sexual abuse committed by clergy against minors, accessed October 10, 2023, [https://www.vatican.va/roman\\_curia/congregations/cfaith/ddf/rc\\_ddf\\_doc\\_20220605\\_vademecum-casi-abuso-2.0\\_pl.html](https://www.vatican.va/roman_curia/congregations/cfaith/ddf/rc_ddf_doc_20220605_vademecum-casi-abuso-2.0_pl.html).

2°). Although the term "moderators" (*i moderatori*) is employed, it primarily refers to those who head public associations—namely, the chairpersons elected by the associations themselves or appointed by the competent ecclesiastical authority, or those designated by virtue of their own statutes (Canon 317 §1 CIC). This category seemingly encompasses chaplains, who are ecclesiastical assistants appointed by the competent authority in accordance with the same canon, and commissioners appointed under Canon 318 §1 of the Code of Canon Law, who temporarily manage the association.

The subjects enumerated in Article 1 §1 of *VELM 2°* also encompass the presidents of private associations, provided these associations are recognized by the Holy See. While private associations of the faithful enjoy greater autonomy compared to public associations, this does not exempt them from ecclesiastical oversight (cf. Canons 305 §1-2 and 323 §1-2 of the Code of Canon Law)<sup>8</sup>. According to Canon 324 §1, a private association of the faithful freely selects its president; however, recognition by the Holy See endows this role with a particular significance in relation to apostolic activities directed towards the common good, thereby imposing a commensurate level of responsibility on the association's president.

When addressing the subjects capable of committing *contra sextum* offenses as per *VELM 2°*, reference must be made to the broader legislative context provided by the Code. Under the revised Book VI of the Code of Canon Law, *contra sextum* offenses involving minors may be perpetrated not only by members of institutes of consecrated life or societies of apostolic life but also by lay faithful who hold ecclesiastical offices or functions within the Church. This broad scope is indicative of the Code's extensive reach, encompassing various lay individuals associated with both the hierarchical and organizational structures of the Church, thereby associating such offenses with the Church's reputation.

The narrower scope of *VELM 2°* in this regard can be attributed to the nature of ecclesiastical supervision. While diocesan bishops are tasked with the conferment of ecclesiastical offices within their dioceses, the oversight of ecclesiastical dignitaries or functions does not always fall under the direct purview of ecclesiastical superiors. Consequently, criminal liability in these cases is not uniformly attributable.

Regarding the material scope of sexual offenses delineated in *VELM 2°*, the legislation distinguishes between two categories of acts: the commission of sexual offenses and the failure to report such offenses to the relevant ecclesiastical and state authorities.

---

<sup>8</sup> Daniel Cenalmor, Jorge Miras, *Prawo kanoniczne* [Canon Law] (Warsaw: Wolter Kluwer, 2022), 179.

The first category enumerates four types of criminal acts, which represents an extension of the provisions found in *VELM 1°*. These offenses are specified in paragraph 1 of the revised act.

The revised legislation delineates the first specified offense as acts violating the sixth commandment of the Decalogue, committed through the use of violence, threats, abuse of authority, or coercion to compel or submit individuals to sexual acts (*VELM 2° §1 a \**)<sup>9</sup>. This formulation aligns with the corresponding provision in *VELM 1°* (Art. 1 §1 a i)<sup>10</sup>, encompassing all *contra sextum* acts committed through physical or psychological coercion or the illicit exercise of authority. Although this offense does not exclusively pertain to minors, they remain within the protected group. This offense is also addressed in the Code of Canon Law (Canon 1395 §3), with the material scope of criminal activity being congruent with *VELM 2°*. However, according to the Code, only a cleric can be held liable for this crime. Furthermore, this type of offense is not exclusively reserved to the Dicastery for the Doctrine of the Faith, unless it involves minors or those equated with them.

The subsequent crime listed in *VELM 2°* specifically pertains to the protection of minors and those similarly vulnerable. The term "minor" is clearly defined by the legislator in §2a as an individual under the age of 18. Additionally, it includes individuals who are permanently incapable of the use of reason (*persona che abitualmente ha un uso imperfetto della ragione*). However, the definition of a "helpless adult" (*un adulto vulnerabile*) as given in §2b *VELM 2°* introduces certain ambiguities. This category encompasses "any person who is sick, physically or mentally disabled, or deprived of personal freedom, which in fact, even occasionally, limits their ability to understand, desire, or resist aggression."

In *VELM 1°*, this category was referred to as a "helpless person" (*una persona vulnerabile*) with a similar definition. As noted in the analysis of the previous version<sup>11</sup>, this term encompasses a broad range of individuals. It includes those with impaired capacity for reasoning or will expression, and those unable to resist aggression, even if these impairments are intermittent. It is important to note that this concept is not explicitly addressed in the Code of Canon Law, which, according to Canon 1398 §1, 1°, protects individuals who habitually

---

<sup>9</sup> Dariusz Borek, *Sextum Decalogi praeceptum w kanonicznym prawie karnym aktualnie obowi zuj cym* [The Sixth Commandment of the Decalogue in Current Canonical Criminal Law], (Tarnów: Biblos, 2015), 72–75.

<sup>10</sup> Dariusz Mazurkiewicz, "«Normae substantiales» w li cie apostolskim papie a Franciszka «Vos estis lux mundi» w wietle wcze niejszego prawodawstwa powszechnego i polskiego prawa partykularnego" ["Substantial Norms" in Pope Francis' Apostolic Letter «Vos estis lux mundi» in Light of Previous Universal Legislation and Polish Particular Law], *Studia Koszali sko-Kołobrzeskie* 28 (2021): 463.

<sup>11</sup> Dariusz Mazurkiewicz, "Postulaty «de lege ferenda» do nowelizacji Konstytucji apostolskiej «Vos estis lux mundi»" [De Lege Ferenda Proposals for the Amendment of the Apostolic Constitution «Vos estis lux mundi»], *Studia Koszali sko-Kołobrzeskie* 29 (2022): 297–298.

possess an imperfect use of reason (*persona quae habitualiter usum imperfectum rationis habet*). The Code also includes individuals who are granted similar protection by law, suggesting that the provisions in VELM 2° may apply to them. However, it is essential to clarify that, concerning crimes against these individuals, there is no exclusive jurisdiction of the Dicastery for the Doctrine of the Faith. The revised norms of this dicastery stipulate that its jurisdiction is limited to crimes involving minors and those who are permanently incapable of using reason<sup>12</sup>.

The third offense delineated in VELM 2° pertains to the immoral acquisition, storage, presentation, or distribution, by any means, of pornographic material involving minors or individuals permanently incapable of using reason (Art. 1 §1 a \*\*\*). The final crime listed in VELM 2° involves the recruitment or incitement of a minor, a person permanently incapable of using reason, or a vulnerable adult, to participate in or present themselves for pornographic purposes, whether real or simulated (Art. 1 §1 a \*\*\*\*). These offenses should be examined together, as they pertain to what is commonly defined as child pornography. According to the legislator, this term encompasses various sexual activities related to the recording and dissemination of pornographic content involving minors and similarly situated individuals. Compared to VELM 1°, the scope of this crime has been broadened. Under VELM 2°, the crime now also includes the acquisition of such material, whereas the previous version only addressed its presentation, storage, or dissemination. Notably, the amended provision does not encompass the production of pornographic material, which represents a significant omission. This shortcoming excludes from criminal liability those responsible for the initial creation and circulation of such material. It should be noted, however, that the production of such material is penalized under Canon 1398 §1, 3° of the Code of Canon Law and is addressed in Art. 6, 2° of the Congregation for the Doctrine of the Faith's norms.

VELM 2° also requires the commission of these crimes to be for a lewd purpose (*clerico turpe patrata*), a significant enhancement over VELM 1°, where the mere act of trading in child pornography was sufficient to constitute a crime. This addition is aligned with the revised Code of Canon Law, which addresses acts contrary to public morals (*contra bonos mores*). The Congregation for the Doctrine of the Faith further extends the scope of criminal actions to include those committed for financial gain. Incorporating this provision into both

---

<sup>12</sup> *Normae sui delitti riservati alla Congregazione per la Dottrina della Fede* [Norms Reserved for the Congregation for the Doctrine of the Faith], art. 6, 1°. Dariusz Borek, *Przestępstwa zastrzeżone dla Kongregacji Nauki Wiary (normy materialne i proceduralne)* [Crimes Reserved for the Congregation for the Doctrine of the Faith (Material and Procedural Norms)], (Tarnów: Biblos, 2019), 114–115.

the Code of Canon Law and VELM 2° would be justified, as financial motives often drive such criminal activities, rather than mere lust.

Under VELM 2°, this crime can be committed against minors and individuals who are permanently incapable of using reason (*persona che abitualmente ha un uso imperfetto della ragione*). This is consistent with the broader definition found in the Code of Canon Law, which covers minors and individuals with a habitual, limited use of reason (*persona quae habitualiter usum imperfectum rationis habet*). This is an expansion from VELM 1°, which applied the term "helpless person" (*una persona vulnerabile*) more narrowly. Notably, the norms of the Congregation for the Doctrine of the Faith apply exclusively to minors, excluding crimes against individuals permanently incapable of reason from this dicastery's reserve.

Finally, the definition of child pornography in VELM 2° aligns closely with that of VELM 1°. It is described as "any depiction of a minor, regardless of the means used, engaged in explicit sexual activities, whether real or simulated, and any depiction of the genitals of minors for lewd or profit purposes" (Art. 1 §2 c). The amendment introduces the purpose of profit as an additional motive for criminal behavior. Nevertheless, the inherent criminality of such material remains unchanged regardless of its intended use. Consequently, it would be prudent to integrate the purpose-related elements of the crime into the substantive norm outlined in Art. 1 §1 a \*\*\* VELM 2°.

Referring to the final *contra sextum* offense addressed in VELM 2°, it is noteworthy that this provision mirrors the definition found in VELM 1°, but introduces a new category of victims: vulnerable adults. The current legislation underscores that both real and simulated pornographic presentations, when involving minors or vulnerable adults, constitute criminal acts.

Upon analyzing the substantive scope of the *contra sextum* offenses in VELM 2° and comparing it with VELM 1° and other protective laws, it is evident that VELM 2° achieves a more comprehensive alignment with existing legal frameworks, particularly regarding content. Nonetheless, some differences persist, which could complicate the interpretation and application of these norms.

The second category of offenses defined in VELM 2° pertains to actions or omissions intended to obstruct or avoid civil, canonical, administrative, or penal investigations related to sexual offenses committed by clerics, members of institutes of consecrated life, societies of apostolic life, and moderators of international associations of the faithful recognized or established by the Holy See. These provisions are referenced in canon law, specifically can.

193 §1 of the Code of Canon Law (CIC) and can. 975 §1 of the Code of Canons of the Eastern Churches (CCEO), which stipulate that dismissal from an ecclesiastical office requires just cause and adherence to procedural rules. Furthermore, the amended CIC introduces a new norm stating: "Anyone who fails to report a crime despite being obliged to do so by canon law is to be punished in accordance with the provisions of canon 1336 §2-4, with the addition of other penalties depending on the gravity of the crime" (can. 1371 §6 CIC).

When examining canonical offenses of this nature, it is crucial to recognize that a criminal act encompasses not only the failure to undertake legally mandated actions but also the deliberate execution of actions intended to evade accountability for *contra sextum* offenses. Thus, ecclesiastical superiors incur responsibility when they neglect to initiate a preliminary investigation in response to allegations<sup>13</sup>, prematurely terminate an investigation, or fail to forward the case to the appropriate dicastery of the Holy See. Additionally, such responsibility arises when a superior's conduct is designed to facilitate the perpetrator's evasion of legal repercussions, whether under ecclesiastical or civil law.

In comparison to the catalog of entities liable for *contra sextum* offenses as delineated in VELM 1°, the amended VELM 2° introduces an expanded scope. VELM 2° designates a broader range of ecclesiastical superiors<sup>14</sup> as liable for these offenses. Notably, two categories of superiors previously omitted are now included. The first category encompasses clerics who either currently direct or have previously directed public clerical associations with incardination authority<sup>15</sup>. These individuals are held accountable for actions or omissions that

---

<sup>13</sup> Piotr Majer, "Przeło ony ko cielny a «notitia criminis» w sprawie zastrze onego dla Kongregacji Nauki Wiary przest pstwa przeciwko VI przykazaniu Dekalogu" ["The Church Superior and «Notitia Criminis» in the Case of Crimes Reserved for the Congregation for the Doctrine of the Faith against the Sixth Commandment of the Decalogue"], *Annales Canonici* 17, 2 (2021): 49–81; Dariusz Mazurkiewicz, "Przyczyny odmowy wszcz cia dochodzenia wst pnego w przypadkach oskar e wobec duchownych o czyny «contra sextum» z osobami małoletnimi" ["Reasons for Refusing to Initiate Preliminary Investigation in Cases of Allegations against Clergy for Acts «Contra Sextum» with Minors"], *Studia Paradyskie* 32 (2022): 121–143.

<sup>14</sup> According to the legislator, these are: a) cardinals, patriarchs, bishops, and legates of the Roman bishop; b) clergy who lead or were responsible for leading as pastors of the particular Church or an equivalent entity, of the Latin or Eastern rite, including Personal Ordinariates, for acts committed during their term of office; c) clergy who lead or were responsible for leading as pastors of any personal prelature, for acts committed during their term of office; d) clergy who lead or led a public clerical association with authorization for incardination, for acts committed during their term of office; e) persons who are or were the highest superiors of institutes of consecrated life or societies of apostolic life of pontifical right, as well as monasteries *sui iuris*, for acts committed during their term of office; f) lay faithful who are or were moderators of international associations of the faithful recognized or established by the Holy See, for acts committed during their term of office (art. 6 VELM 2°).

<sup>15</sup> According to the *Annuario Pontificio* from 2018, these include: the Community of St. Martin, the Association of St. John Mary Vianney, the Work of Jesus the High Priest, the Fraternity of Diocesan Priests of the Sacred Heart of Jesus, the International Clerical Association of the Emmanuel Community, *Annuario Pontificio* (Rome: Libreria Editrice Vaticana, 2018), 1671, 1850–1851.



transpired during their tenure. This category is distinct from the superiors of religious institutes and societies of apostolic life<sup>16</sup> and pertains specifically to those referred to in canon 302 of the Code of Canon Law (CIC)<sup>17</sup>.

The second category comprises lay faithful who serve or have served as moderators of international associations of the faithful recognized or established by the Holy See. They are similarly responsible for acts committed *durante munere* (during their term of office). This extension to include new categories of ecclesiastical superiors responsible for managing church legal entities represents a significant enhancement to existing legislation. As new forms of community life within the Church emerge, the potential for sexual abuse persists, necessitating proactive measures by church authorities. This includes implementing preventive programs, addressing reports of alleged crimes, and, consequently, bearing responsibility for any failure to adhere to legal requirements.

## 2. Procedural norms

When analyzing the norms concerning investigations aimed at collecting evidence for holding church superiors accountable<sup>18</sup>, as detailed in Article 6 of VELM 2°, it is important to highlight the positive changes introduced in the current version of the Act. These changes reflect lessons learned from years of experience dealing with negligence and abuses by those in executive positions, which have often resulted in greater scandal than the *contra sextum* crimes themselves<sup>19</sup>.

Initially, attention should be drawn to Article 2 §1 of VELM 2°, which states: "Taking into account any guidelines possibly adopted by the relevant conferences of bishops, Synods of Bishops of the patriarchal Churches and major archiepiscopal Churches, or the Councils of Hierarchs of metropolitan Churches *sui iuris*, dioceses or eparchies, whether individually or

---

<sup>16</sup> Henryk Stawniak, "Kleryckie stowarzyszenie Wspólnoty Emmanuel z uprawnieniem inkardynacji" [The Clerical Association of the Emmanuel Community with the Right of Incardination], *Prawo Kanoniczne* 61, 3 (2018): 3–28.

<sup>17</sup> Giuseppe dalla Torre, "Commento al cann. 298–329" [Commentary on Canons 298–329], in *Commento al Codice di Diritto Canonico* [Commentary on the Code of Canon Law], ed. Pio Vito Pinto (Roma: Urbaniana University Press, 1985), 176.

<sup>18</sup> Bernhard Sven Anuth, "Kirchenschutz von Kinderschutz? Eine kirchenstraf- und verfahrensrechtliche Problemanzeige zum Umgang mit sexuellem Missbrauch Minderjähriger durch Kleriker" [Church Protection or Child Protection? A Problematic Church Penal and Procedural Law Approach to Dealing with the Sexual Abuse of Minors by Clergy], in *Sexueller Missbrauch von Kindern und Jugendlichen im Raum von Kirche. Analysen-Bilanzierungen-Perspektiven* [Sexual Abuse of Children and Adolescents in the Church Space. Analyses, Assessments, Perspectives], ed. Konrad Hilpert, Stephan Leimgruber, Jochen Santermeister, Gunda Werner, 129–146 (Freiburg im Breisgau: Herder, 2020).

<sup>19</sup> Damian Astigueta, "Lo scandalo nel CIC: significato e portata giuridica" [Scandal in the CIC: Meaning and Legal Scope], *Periodico* 92 (2003): 589–651.

jointly, must establish bodies or offices easily accessible to everyone for receiving notifications." In VELM 1°, this requirement was to establish such bodies or offices within one year. In Poland, this requirement was implemented as early as 2014, when, according to the *Guidelines* of the Polish Episcopal Conference<sup>20</sup>, each diocese and clerical institute of consecrated life or clerical society of apostolic life of pontifical right established delegate offices and commissions to receive notifications of crimes.

The implementation of the mandate regarding the establishment of bodies or offices for receiving notifications, particularly in the case of delegates, was executed as required by VELM 1°. However, VELM 2° introduces a more stringent regulation, stipulating that the designated entities must create such bodies or offices. This raises the question of whether non-compliance with this requirement, and thus difficulties in reporting crimes, should be construed as leading to liability under Article 1 §1 b of VELM 2°. At present, such a conclusion is not supported by the current legal framework, and the failure to establish these bodies in specific churches does not automatically constitute a criminal offense.

Furthermore, a limitation of the current regulation is its failure to impose a similar obligation on other ecclesiastical legal persons that are distinct from dioceses and eparchies but possess the authority to incardinate clergy. It would be beneficial to stipulate that allegations concerning clergy affiliated with these entities be submitted to the diocese or eparchy corresponding to the location of the service or the crime committed.

Article 3 §1 of VELM 2° introduces a significant enhancement to the reporting obligations, particularly by excluding cases where knowledge of the crime arises from the internal forum. Previously, despite the Code's explicit protection of the seal of confession (cf. can. 983 §1 CIC; can. 733 CCEO), there was no statutory provision addressing the handling of knowledge obtained from the internal extra-sacramental forum, such as spiritual direction, where individuals confide in their spiritual advisor regarding their personal conversion journey. In 2019, the Apostolic Penitentiary clarified the importance of maintaining confidentiality in such contexts, affirming that "this area necessitates a certain secrecy *ad*

---

<sup>20</sup> These regulations were amended in subsequent years. See: Konferencja Episkopatu Polski [Polish Episcopal Conference], "Wytyczne dotycz ce wst pnego dochodzenia kanonicznego w przypadku oskar e duchownych o czyny przeciwko szóstemu przykazaniu Dekalogu z osob niepełnoletni poni ej osiemnastego roku ycia" [Guidelines for Preliminary Canonical Investigation in Cases of Accusations against Clergy for Acts Against the Sixth Commandment of the Decalogue with a Minor Below Eighteen Years of Age], Resolution No. 13/366/2014 (8.10.2014), amended by Resolution No. 5/376/2017 (6.06.2017) and by Resolution No. 14/384/2019 (8.10.2019), *Akta Konferencji Episkopatu Polski* 31 (2019): 261–270.

*extra*, intrinsically linked to the nature of spiritual conversations and derived from each person's right to privacy.<sup>21</sup>"

In addressing the significance of the internal forum, the ecclesiastical legislator underscores that the Church's mission extends into this realm by dispensing graces, lifting legal impediments, and attending to matters pertinent to human sanctification. It is crucial to observe, however, that the prohibition on utilizing knowledge from the internal forum is less absolute compared to the inviolable seal of confession. While the protection of the sacramental seal is unequivocal, ecclesiastical laws permit certain exceptions. For instance, canon law restricts the solicitation of opinions from spiritual directors regarding candidates for ordination or expulsion from seminary (cf. can. 240 §2 CIC; can. 339 §2 CCEO), and forbids questioning spiritual directors about knowledge acquired in the internal non-sacramental forum<sup>22</sup>. Thus, the breach of confidentiality in spiritual direction does not equate to the violation of *sigillum* (the sacramental seal). This distinction is critical, particularly in contexts where state legal systems may not afford the same level of protection to internal non-sacramental matters as they do to sacramental confessions. For example, Polish law protects the seal of confession<sup>23</sup> in criminal proceedings but does not extend similar protections to other ecclesiastical activities, including those conducted within the internal non-sacramental forum<sup>24</sup>. Consequently, the legal requirement<sup>25</sup> to report sexual offenses against minors and those involving violence or exploitation, as outlined in Articles 197 §3-5, 198, and 200 of the Penal Code<sup>25</sup>, and Article 240 of the Penal Code, encompasses information acquired in the non-sacramental internal forum<sup>26</sup>.

Given this, it would be prudent for the ecclesiastical legislator to articulate more precise guidelines regarding the use of such knowledge and to clarify whether it can be

---

<sup>21</sup> Penitencjaria Apostolska [Apostolic Penitentiary], "Nota sull'importanza del foro e l'inviolabilità del sigillo sacramentale" [Note on the Importance of the Forum and the Inviolability of the Sacramental Seal] (29.06.2019), *L'Osservatore Romano* 148 (2019): 7–8.

<sup>22</sup> Kongregacja do Spraw Kanonizacyjnych [Congregation for the Causes of Saints], "Instrukcja «Sanctorum Mater» o prowadzeniu dochodzenia diecezjalnego lub eparchialnego w sprawach kanonizacyjnych" [Instruction «Sanctorum Mater» on Conducting Diocesan or Eparchial Inquiries in Canonization Causes] (17.05.2007), AAS 99 (2007): 465–517, art. 101 §2.

<sup>23</sup> *Ustawa z dnia 6 czerwca 1997 r. Kodeks post powania karnego* [Act of June 6, 1997, Code of Criminal Procedure], consolidated text Dz.U. z 2023, poz. 1860, art. 178, 2; Bartłomiej Pieron, "Ochrona tajemnicy spowiedzi w prawie polskim" [Protection of the Confessional Secret in Polish Law], *Kieleckie Studia Teologiczne* 11 (2012): 321–334.

<sup>24</sup> *Ustawa z dnia 6 czerwca 1997 r. Kodeks post powania karnego* [Act of June 6, 1997, Code of Criminal Procedure], art. 180 §2.

<sup>25</sup> *Ustawa z dnia 6 czerwca 1997 r. Kodeks karny* [Act of June 6, 1997, Penal Code], consolidated text Dz.U. z 2023, poz. 1963.

<sup>26</sup> Lucjan wito, Małgorzata Tomkiewicz, "Karnoprawny obowi zek denuncjacji (art. 240 k.k.) a tajemnica posługi religijnej" [Criminal Law Duty to Report (Article 240 of the Penal Code) and the Confidentiality of Religious Service], *Prawo Kanoniczne* 61, 3 (2018): 149–168.

utilized in a state forum. Additionally, if such utilization is prohibited, it should be specified whether violating this prohibition constitutes a canonical offense.

Another notable amendment is found in Article 4 §3 of VELM 2°, which expands the list of individuals who cannot be mandated to maintain silence in connection with a crime report. Besides the individual making the report, the current legislation also protects the person who claims to have been harmed, who may differ from the complainant, as well as witnesses. This likely refers to individuals who, at the reporting stage, corroborate the occurrence of the acts or attempt to establish the innocence of the accused, rather than witnesses in a procedural sense.

This provision aligns with the *Rescriptum ex audientia* of Pope Francis<sup>27</sup>, which lifted the pontifical secrecy obligation in cases involving accusations against minors and those equated with them<sup>28</sup>. In such cases, however, the standard official secrecy requirements outlined in can. 471 §2 and 1455 §1-3 of the Code of Canon Law apply, and individuals listed in Article 4 §3 of VELM 2° are not bound by these secrecy obligations.

In the context of reporting a potential crime and conducting a preliminary investigation, the legislator provides protection to the accused, as established by Canon 1321 §1 of the Code of Canon Law. Although VELM 1° previously addressed the presumption of innocence in Article 12 §7, VELM 2° extends this protection further by safeguarding the accused's reputation and private sphere (Article 5 §2). This extension is a clear reference to Canon 220 of the Code of Canon Law, which prohibits unlawful harm to a person's good name and ensures the protection of privacy<sup>29</sup>.

Nevertheless, statutory and canonical provisions allow for the imposition of preventive measures on the accused. Such measures may include removal from sacred ministry or ecclesiastical offices and duties, restrictions on movement within certain locations or territories, and prohibitions on public participation in the Most Holy Eucharist (cf. Canon 1722 CIC).

The statutory revisions also introduced changes regarding the entities responsible for handling cases of sexual crimes and issues related to investigative actions and omissions (Article 7 §1 VELM 2°). Notably, the Dicastery for the Laity, Family and Life has been added

---

<sup>27</sup> Franciszek [Francis], "Rescriptum of the Holy Father Francis to promulgate the Instruction on the confidentiality of legal proceedings" (17.12.2023), accessed 30.10.2023, <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2019/12/17/191217b.html>.

<sup>28</sup> This does not mean, however, that it does not apply to other matters covered by it, and its non-observance results in criminal liability (can. 1371 §4 KPK).

<sup>29</sup> Piotr Skonieczny, "Ochrona dobrego imienia (bona fama) w Kodeksie Prawa Kanonicznego z 1983 r. Jana Pawła II na podstawie kan. 220" [Protection of Good Reputation (Bona Fama) in the Code of Canon Law of 1983 by John Paul II based on Canon 220], *Prawo Kanoniczne* 52, 1–2 (2009): 59–84.

as a competent authority. This addition follows the structural reforms of the Roman Curia outlined in the apostolic constitution *Praedicate Evangelium* by Pope Francis<sup>30</sup>. The inclusion of this new entity aligns with Article 6 VELM 2°, which stipulates that lay individuals may also be implicated in cases of negligence and obstruction of investigations. This adjustment represents a significant extension of the Dicastery's competencies as established by *Praedicate Evangelium*.

Another significant amendment is found in Article 11 §3 VELM 2°. This provision mandates that if a metropolitan considers a report to be clearly unfounded, he must inform the competent dicastery through the papal representative and, unless otherwise directed, order the discontinuation of the investigation. Previously, under Article 10 §1, the metropolitan had the sole authority to determine the unfounded nature of the report and only needed to notify the papal representative. The revised wording implies that the metropolitan must initiate proceedings for each report and may only terminate them after determining their lack of merit, while also notifying both the papal representative and the relevant dicastery. This change limits the metropolitan's discretion, as the decision to discontinue the investigation can be reviewed by the competent dicastery, which may override the metropolitan's decision if deemed inappropriate.

The procedural adjustments in VELM 2°—though they might appear minor—enhance the efficiency of proceedings and contribute significantly to the protection of victims and the accountability of perpetrators.

It is crucial to highlight Article 13 §9 of VELM 2°, which stipulates that the metropolitan or other official conducting the proceedings must periodically submit investigation reports to the appropriate dicastery in accordance with received directives. This represents a shift from VELM 1°, where reports were required to be submitted every 30 days (Article 12 §9). The revised provision allows for the frequency of report submissions to be tailored to the specifics of each case, as determined by the evidence initially presented and the progression of individual investigative actions. Consequently, the timing of report submissions is governed not by the discretion of the investigator but by the directives of the relevant dicastery.

---

<sup>30</sup> Franciszek [Francis], "Konstytucja apostolska «Praedicate Evangelium» o Kurii rzymskiej o jej słu bie Ko ciołowi w wiecie" [Apostolic Constitution «Praedicate Evangelium» on the Roman Curia and its Service to the Church in the World] (19.03.2022), accessed 28.10.2023, [https://www.vatican.va/content/francesco/pl/apost\\_constitutions/documents/20220319-costituzione-ap-praedicate-evangelium.html](https://www.vatican.va/content/francesco/pl/apost_constitutions/documents/20220319-costituzione-ap-praedicate-evangelium.html), art. 128–141.

Similarly, Article 15 §1 of the revised VELM 2° does not stipulate a specific timeframe for completing the investigation but rather mandates that it be concluded promptly and within the timeframe established by the instructions. This contrasts with the previous regulation in VELM 1°, which imposed a 90-day deadline. The prior provision often proved challenging to adhere to due to factors beyond the investigator's control, potentially leading to expedited and superficial handling of cases to meet the statutory deadline.

Additionally, Article 18 §3 of VELM 2° now mandates that "in compliance with the instructions of the competent dicastery, the metropolitan, upon request, shall inform the person who claims to have been harmed and, where appropriate, the person who made the report or their legal representatives of the result of the investigation." This represents an enhancement from the previous legislation, which did not require informing the individual who made the report. The inclusion of this requirement is expected to enhance procedural transparency and acknowledge the role of the reporting individual as a key participant in safeguarding minors and individuals with comparable protections.

## **Conclusion**

In summarizing the examination of the provisions outlined in VELM 2°, it is evident that the scope of *contra sextum* offenses, as defined in the current version of the Act, shows improved alignment with other legislative frameworks addressing similar crimes. This harmonization pertains to offenses against minors and individuals with equivalent protections, as well as those involving violence, threats, or abuse of authority. Nonetheless, disparities remain that may complicate both the interpretation and implementation of norms designed to safeguard minors and comparable individuals.

It is important to acknowledge that offenses categorized under *contra sextum* but not included in VELM 2°—yet covered by other legal provisions—do not necessarily implicate ecclesiastical superiors or trigger investigations under Article 1 §1 b of the Act.

Furthermore, it warrants consideration whether the legal framework should delineate a more specific scope of protected persons. Focusing protection exclusively on minors and individuals permanently incapable of using reason, as opposed to the broader category of "helpless adults," might enhance legal clarity and effectiveness. The current definition of "helpless adults" remains notably expansive, which could potentially undermine the precision and applicability of protective measures.

It is also pertinent to observe that the enumeration of entities capable of committing *contra sextum* offenses in VELM 2° still requires further harmonization with other legal frameworks. The scope could be usefully expanded to include individuals associated with the institutional Church due to their chosen way of life, such as widows, consecrated virgins, hermits, seminarians, and other ecclesiastical officeholders. Under Article 1 §1a of VELM 2°, diocesan bishops and heads of legal entities as described in Canon 368 of the Code of Canon Law and Canon 313 of the CCEO could potentially be held accountable for these offenses.

Regarding procedural norms, the recent amendment to VELM 2° has notably enhanced the transparency of proceedings. This improvement is reflected in broader access to investigative information and a prohibition against imposing silence on individuals reporting crimes. Additionally, the protection of injured parties, reporting parties, and witnesses has been extended. The amendment also underscores the inviolability of the internal forum beyond sacramental contexts.

Despite these positive developments, there remains a case for further refinement. Specifically, it would be advantageous for the legislation to explicitly address the termination of proceedings. Currently, Article 18 §1 of VELM 2° stipulates that "after the investigation is completed, the Metropolitan shall forward the original documents to the competent dicastery along with his votum." Following this, Article 19 suggests that the dicastery, "unless it decides to conduct a supplementary investigation, shall proceed in accordance with the provisions of law applicable to the specific case." This is presumably in reference to the penal-administrative proceedings outlined in Canons 1717-1720 CIC. However, the law should clearly state whether the proceedings conclude with a decree from the dicastery's prefect or from the Roman Pontiff, thereby clarifying the possibility of recourse (see Canons 1732-1739 CIC and 996-1006 CCEO). The experience gained from the application of VELM 1° does not provide a conclusive answer on this matter, particularly in relation to the application of canonical norms. Furthermore, the legislation could be improved by specifying the procedure for verifying compliance with the penal decree's requirements.

In considering the current formulation of canon 1371 §2 of the Code of Canon Law, which stipulates: "Anyone who violates the obligations imposed on him by a penalty is to be punished with the penalties referred to in canon 1336 §§2-4," it is evident that VELM 2°, similar to its predecessor, does not provide specific guidelines for the enforcement of penal decrees nor designate an individual responsible for ensuring that a superior adheres to the

recommendations of such decrees<sup>31</sup>. The inclusion of such a provision would enhance transparency in the implementation of penal decrees, foster a stronger sense of justice among the faithful, and safeguard against potential penalties outlined in canon 1371 §5 of the Code of Canon Law.

A critical question arises regarding the necessity of maintaining a legal framework like VELM 2° within the ecclesiastical legal system. The principle of *ius est ars boni et aequi*—law is the art of the good and the equitable—suggests that a law should be justified by its necessity. The current question is whether the objectives of protecting minors and sanctioning ecclesiastical superiors could be adequately achieved through amendments to the existing code norms. Previously, the promulgation of the apostolic letter *Come una madre amorevole*<sup>32</sup> and VELM 1° served as essential supplements to ecclesiastical legislation, addressing accountability for negligence in safeguarding minors. However, with the recent amendments to the Code of Canon Law, including the introduction of canon 1371 §6, which states: "A person who fails to report a crime despite being obligated to do so by canon law must be punished according to the provisions of canon 1336 §§2-4, with the addition of other penalties depending on the gravity of the crime," it is worth considering whether such external legislation remains necessary.

The revised Code of Canon Law now includes provisions that could address the accountability of ecclesiastical superiors, particularly through canons 1717-1731, while canon 1405 §1 designates jurisdictional authority. It may be more effective to consolidate the handling of these crimes within a single dicastery or tribunal, rather than distributing them among various dicasteries. Simplifying the legal framework could enhance its applicability and effectiveness, thus better achieving the law's intended purpose of promoting the common good.

## **Bibliography**

Annuario Pontificio. Roma: Libreria Editrice Vaticana, 2018.

„Codex Canonum Ecclesiarum Orientalium, Auctoritate Joannis Pauli PP. II promulgatus” (Polish translation approved by the Polish Episcopal Conference). Poznań : Pallottinum, 2008. *Acta Apostolicae Sedis* 82 (1990): 1148–1259.

„Codex Iuris Canonici, Auctoritate Joannis Pauli PP. II promulgatus” (Updated Polish translation approved during the 391st Plenary Assembly of the Polish Episcopal

---

<sup>31</sup> Dariusz Mazurkiewicz, "Postulaty «de lege ferenda» do nowelizacji Konstytucji apostolskiej «Vos estis lux mundi»" [Postulates «de lege ferenda» for the Amendment of the Apostolic Constitution «Vos estis lux mundi»], 307.

<sup>32</sup> Franciszek [Francis], "List apostolski motu proprio «Come una madre amorevole»" [Apostolic Letter Motu Proprio «As a Loving Mother»] (4.06.2016), *Communicationes* 98 (2016): 34–36.



- Conference by resolution no. 19/391/2022 of March 14, 2022). *Acta Apostolicae Sedis* 75, 2 (1983): 1317.
- Anuth, Bernhard Sven. „Kirchenschutz von Kinderschutz? Eine kirchenstraf – und verfahrensrechtliche Problemanzeige zum Umgang mit sexuellem Missbrauch Minderjähriger durch Kleriker” [Church Protection from Child Protection? A Church Penal and Procedural Law Problem Concerning the Handling of Sexual Abuse of Minors by Clerics]. In: *Sexueller Missbrauch von Kindern und Jugendlichen im Raum von Kirche. Analysen-Bilanzierungen-Perspektiven*, ed. Konrad Hilpert, Stephan Leimgruber, Jochen Santermeister, Gunda Werner, 129–146. Freiburg im Breisgau: Herder, 2020.
- Astigueta, Damian. „Lo scandalo nel CIC: significato e portata giuridica” [Scandal in the CIC: Legal Meaning and Scope]. *Periodico* 92 (2003): 589–651.
- Borek, Dariusz. *Przestępstwa zastrzeżone dla Kongregacji Nauki Wiary (normy materialne i proceduralne)* [Crimes Reserved for the Congregation for the Doctrine of the Faith (material and procedural norms)]. Tarnów: Biblos, 2019.
- Borek, Dariusz. *Sextum Decalogi praeceptum w kanonicznym prawie karnym aktualnie obowiązującym* [The Sixth Commandment in Currently Applicable Canon Criminal Law]. Tarnów: Biblos, 2015.
- Cenalmor, Daniel, Jorge Miras. *Prawo kanoniczne* [Canon Law]. Warszawa: Wolter Kluwer, 2022.
- Dalla Torre, Giuseppe. „Commento al cann. 298–329” [Commentary on canons 298–329]. In: *Commento al Codice di Diritto Canonico*, ed. Pio Vito Pinto, 176. Roma: Urbaniana University Press, 1985.
- Franciszek [Francis]. „Konstytucja apostolska «Pascite gregem Dei»” [Apostolic Constitution "Pascite gregem Dei"] (23.05.2021). *Acta Apostolicae Sedis* 63, 6 (2021): 534–537.
- Franciszek [Francis]. „Konstytucja apostolska «Praedicate Evangelium» o Kurii rzymskiej o jej służbie Kościołowi w świecie” [Apostolic Constitution "Praedicate Evangelium" on the Roman Curia and its Service to the Church in the World] (19.03.2022). Accessed 28.10.2023, [https://www.vatican.va/content/francesco/pl/apost\\_constitutions/documents/20220319-costituzione-ap-praedicate-evangelium.html](https://www.vatican.va/content/francesco/pl/apost_constitutions/documents/20220319-costituzione-ap-praedicate-evangelium.html).
- Franciszek [Francis]. „Konstytucja apostolska «Vos estis lux mundi»” [Apostolic Constitution "Vos estis lux mundi"] (9.05.2019). *L'Osservatore Romano* 159, 106 (2019): 10.
- Franciszek [Francis]. „Konstytucja apostolska «Vos estis lux mundi»” [Apostolic Constitution "Vos estis lux mundi"] (25.03.2023). Accessed 10.10.2023, [https://www.vatican.va/content/francesco/pl/motu\\_proprio/documents/20230325-motu-proprio-vos-estis-lux-mundi-aggiornato.html](https://www.vatican.va/content/francesco/pl/motu_proprio/documents/20230325-motu-proprio-vos-estis-lux-mundi-aggiornato.html).
- Franciszek [Francis]. „List apostolski motu proprio «Come una madre amorevole»” [Apostolic Letter motu proprio "Come una madre amorevole"] (4.06.2016). *Communicationes* 98 (2016): 34–36.
- Franciszek [Francis]. „Rescripto to introduce some amendments to the «Normae de gravioribus delictis»” [Rescripto to introduce some amendments to the "Normae de gravioribus delictis"] (17.12.2019). Accessed 10.10.2023, <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2019/12/17/191217a.html#>.
- Franciszek [Francis]. „Rescriptum to promulgate the Instruction on the confidentiality of legal proceedings” [Rescriptum to promulgate the Instruction on the confidentiality of legal proceedings] (17.12.2023). Accessed 30.10.2023, <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2019/12/17/191217b.html>.

- Jan Paweł II [John Paul II]. „List apostolski motu proprio «Sacramentorum sanctitatis tutela»” [Apostolic Letter motu proprio "Sacramentorum sanctitatis tutela"]. *Acta Apostolicae Sedis* 93 (2001): 737–739.
- Konferencja Episkopatu Polski [Polish Episcopal Conference]. „Wytyczne dotyczące wstępnego dochodzenia kanonicznego w przypadku oskarżeń duchownych o czyny przeciwko szóstemu przykazaniu Dekalogu z osobą niepełnoletnią poniżej osiemnastego roku życia” [Guidelines for the Preliminary Canonical Investigation in Cases of Accusations Against Clergy for Acts Against the Sixth Commandment of the Decalogue with a Minor Under the Age of Eighteen]. Uchwała nr 13/366/2014 (8.10.2014), amended by resolution no. 5/376/2017 (6.06.2017) and by resolution no. 14/384/2019 (8.10.2019). *Akta Konferencji Episkopatu Polski* 31 (2019): 261–270.
- Kongregacja do Spraw Kanonizacyjnych [Congregation for the Causes of Saints]. „Instrukcja «Sanctorum Mater» o prowadzeniu dochodzenia diecezjalnego lub eparchialnego w sprawach kanonizacyjnych” [Instruction "Sanctorum Mater" on Conducting Diocesan or Eparchial Investigations in Canonization Cases] (17.05.2007). *Acta Apostolicae Sedis* 99 (2007): 465–517.
- Kongregacja Nauki Wiary [Congregation for the Doctrine of the Faith]. „Normae de delictis reservatis contra fidem necnon de gravioribus delictis” [Norms on the More Serious Offenses Reserved to the Congregation for the Doctrine of the Faith] (21.05.2010). *Acta Apostolicae Sedis* 102 (2010): 419–434.
- Kongregacja Nauki Wiary [Congregation for the Doctrine of the Faith]. „Vademecum w sprawie niektórych warunków proceduralnych dotyczących przypadków wykorzystywania seksualnego małoletnich popełnionych przez duchowieństwo”, wyd. 2 [Vademecum on Certain Procedural Aspects in Cases of Sexual Abuse of Minors Committed by Clergy, ed. 2] (5.06.2022). Accessed 10.10.2023. [https://www.vatican.va/roman\\_curia/congregations/cfaith/ddf/rc\\_ddf\\_doc\\_20220605\\_vademecum-casi-abuso-2.0\\_pl.html](https://www.vatican.va/roman_curia/congregations/cfaith/ddf/rc_ddf_doc_20220605_vademecum-casi-abuso-2.0_pl.html).
- Majer, Piotr. „Przełożony kościelny a «notitia criminis» w sprawie zastrzeżonego dla Kongregacji Nauki Wiary przestępstwa przeciwko VI przykazaniu Dekalogu” [The Church Superior and the "Notitia Criminis" in Cases Reserved for the Congregation for the Doctrine of the Faith for Offenses Against the Sixth Commandment of the Decalogue]. *Annales Canonici* 17, 2 (2021): 49–81.
- Mazurkiewicz, Dariusz. „«Normae substantiales» w świetle apostoelskim papieża Franciszka «Vos estis lux mundi» w świetle wcześniejszego prawodawstwa powszechnego i polskiego prawa partykularnego” [The "Substantial Norms" in Pope Francis' Apostolic Letter "Vos estis lux mundi" in Light of Previous Universal Legislation and Polish Particular Law]. *Studia Koszalińsko-Kołobrzeskie* 28 (2021): 457–474.
- Mazurkiewicz, Dariusz. „Postulaty «de lege ferenda» do nowelizacji Konstytucji apostoelskiej «Vos estis lux mundi»” [Proposals "de lege ferenda" for the Amendment of the Apostolic Constitution "Vos estis lux mundi"]. *Studia Koszalińsko-Kołobrzeskie* 29 (2022): 295–310.
- Mazurkiewicz, Dariusz. „Przyczyny odmowy wszczęcia dochodzenia wstępnego w przypadkach oskarżeń wobec duchownych o czyny «contra sextum» z osobami małoletnimi” [Reasons for Refusing to Initiate a Preliminary Investigation in Cases of Accusations Against Clergy for Acts "Contra Sextum" with Minors]. *Studia Paradyskie* 32 (2022): 121–143.
- Penitencjaria Apostolska [Apostolic Penitentiary]. „Nota sull’importanza del foro e l’inviolabilità del sigillo sacramentale” [Note on the Importance of the Forum and the Inviolability of the Sacramental Seal] (29.06.2019). *L’Osservatore Romano* 148 (2019): 7–8.

Pieron, Bartłomiej. „Ochrona tajemnicy spowiedzi w prawie polskim” [Protection of the Secret of Confession in Polish Law]. *Kieleckie Studia Teologiczne* 11 (2012): 321–334.

Pismo ókólne abpa Stanisława G deckiego (23.11.2021), znak: SEP–D/1.2.4–5 [Circular Letter of Archbishop Stanisław G decki (23.11.2021), sign: SEP–D/1.2.4–5].

Skonieczny, Piotr. „Ochrona dobrego imienia (bona fama) w Kodeksie Prawa Kanonicznego z 1983 r. Jana Pawła II na podstawie kan. 220” [Protection of Good Name (bona fama) in the 1983 Code of Canon Law of John Paul II on the Basis of can. 220]. *Prawo Kanoniczne* 52, 1–2 (2009): 59–84.

Stawniak, Henryk. „Kleryckie stowarzyszenie Wspólnoty Emmanuel z uprawnieniem inkardynacji” [The Clerical Association of the Emmanuel Community with the Right of Incardination]. *Prawo Kanoniczne* 61, 3 (2018): 3–28.

wito, Lucjan, Tomkiewicz, Małgorzata. „Karnoprawny obowi zek denuncjacji (art. 240 k.k.) a tajemnica posługi religijnej” [The Criminal Law Duty to Report (art. 240 k.k.) and the Secret of Religious Ministry]. *Prawo Kanoniczne* 61, 3 (2018): 149–168.

Ustawa z dnia 6 czerwca 1997 r. Kodeks karny [Act of June 6, 1997, Penal Code], tekst jedn. Dz.U. z 2023, poz. 1963.

Ustawa z dnia 6 czerwca 1997 r. Kodeks post powania karnego [Act of June 6, 1997, Code of Criminal Procedure], tekst jedn. Dz.U. z 2023, poz. 1860.

### **Chicago Style Citation**

Mazurkiewicz, Dariusz. "Analiza znowelizowanego listu apostolskiego papie a Franciszka «Vos estis lux mundi»" [Analysis of the Revised Apostolic Letter of Pope Francis «Vos estis lux mundi»]. *Studia Koszali sko-Kołobrzesk*e 31 (2024): 293–310. DOI: 10.18276/SKK.2024.31-15.

### **Oxford Style Citation**

Mazurkiewicz D., Analiza znowelizowanego listu apostolskiego papie a Franciszka „Vos estis lux mundi” [Analysis of the Revised Apostolic Letter of Pope Francis "Vos estis lux mundi"]. *Studia Koszali sko-Kołobrzesk*e 31 (2024), pp. 293-310. DOI: 10.18276/SKK.2024.31-15.