

APOLLINARIS, LXXXIII (2010)

By the year 2010, even Apollinaris –founded more than eighty years ago– is renewed, like many scientific Journals have already been and still are being renewed in order to better respond to changing conditions in the editorial world. That, in the areas of: communication - also scientific, the actual academic life and activities, in addition to the expectations and needs of current readers.

Many changes have occurred since Felipe Maroto, Francesco Roberti and Sosio D'Angelo founded in 1928 the “*Commentarium iuridicum-canonicum*” of Apollinare: “*Apollinaris*”, related in fact to the historic headquarters of the Seminario Romano, the Palazzo dell'Apollinare (today the headquarters of the Pontifical University of the Holy Cross). Since then, other Canon Law Faculties were born and have established themselves not only in Rome, along with prestigious canonical Journals, that contribute to the growth of the juridical-ecclesial culture, sharing with alumni and professionals the best contributions of each academic activity.

Also, since then, the laws of the Church were deeply renewed, particularly in terms of the method of approach, study, teaching and application; the Second Vatican Council and the review of the Pio-Benedictine Code are considered irreversible steps today. Moreover, the doctrine cannot ignore them in their deepest and most radical constituents, from an epistemological point of view.

Ever since the journal was created, the permanent and structural connection underlying Canon Law studies and proposals of the *Institutum* on the one hand, and the rest of the Occidental legal phenomenon (the *Ius utrumque*) on the other hand, has been consolidated: from Roman to civil law, to international and comparative laws. It is more than a simple ‘connection’: a real organic

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‘space’ inside a lively and varied, as well as unitary and plural *Corpus*, as is the case with the juridical phenomenon.

This applied, and continues to apply to the prerequisites for the study of the ecclesiastical juridical action within human legality as such, through the *Ius publicum ecclesiasticum*: at that time, through the legal comparison, and nowadays, in a design and proposal of a ‘separate’ Canon Law, although not ‘distant’ from the more general and shared *vivere secundum Ius*.

The aim of the Journal remains unchanged since its founding: «*de Iuris Scientia amice conversari, de cetero nihil solleciti, nisi ut valeamus pleniorum Ecclesiae Legum notitiam acquirere*». The Science of Law, and Canonical Law in particular, remains the cornerstone of the Journal, so that the complexity and diversity of ecclesial norms –not only those Latin and Oriental, but also personal and particular norms– may continue to be cultivated and valued as a richness and as a tool of renewed ecclesial communion, where the real life of faith communities can responsibly go beyond the narrow *textus Legis*, to be first and foremost *Ius*.

The essence of the Journal is unchanging: the “*Commentarius*” of the *Istitutum utriusque Juris*, seeks indeed to strengthen the explicitly legal approach to the ecclesial life, considering that the *schola textus* does not exhaust the *Scientia Iuris*, and cannot help but link it to the wider *Scientia vitae* of, as much as humanity, as the disciples of the Lord. The technical legal terms of the approach pursued by the Journal also aims to avoid ambiguous transfer and confusion between the legal and the pastoral, thus providing the several areas of the ecclesial life with specificity in reflection for a more adequate correlation and harmony.

Nevertheless, in eight decades of activity, various aspects of *Apollinaris* have already changed: the frequency and the extent; ‘sections’, more or less exclusively dedicated to elements and approaches related to ‘time’, have been added and omitted; something has been and will be recovered again in the same perspective of ‘upgrade’ to what the Journal has to offer.

While the changing conditions of mass communication, and, accordingly also the editorial, no longer seem to make primary use of the publication of Pontifical Acts or ‘apostolic acts’ as much as

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before, the diffusion of ‘technical’ Acts of the Roman Curia - difficult to find at other sources of ecclesial and juridical information - continues, however, to be useful.

In the wake of the *Institutum*’s academic activity, the orientation of the “*Commentarius*” will turn more appropriately to the doctrinal contributions that are mostly in harmony with more general topics of Law, and of Canon Law in specific, all the while bearing comparative, interdisciplinary and methodological attention, and a greater preference to the *institutional founding* than to the merely *factual evidence*. This goal is pursued with special attention given to the use of the legal ‘sources’, present and past. The purely historical dimension will retain a key role in maintaining a balance on the level of theories and circumstances, more ‘immanent’ from a socio-cultural point of view, conveniently distinguishing between an *adequately historical* approach and another *simply retrospective*.

Particular attention will be devoted to current scientific canonical research of which the *Institutum* continues to represent one of the undisputed poles. The contribution of former students will be specifically emphasized in this perspective, not only to share the results of their most recent investigations, but also to stimulate and promote new generations of researchers through their publications. All the same, the Journal will offer younger teachers of the *Institutum* the opportunity to appear as protagonists in the scientific *agorà*, participating directly in the dynamic and the fruits of rigorous academic assessment.

Last but not least, the Journal will help to share reflections as well as theoretical and doctrinal achievements resulting from the different scientific initiatives promoted within the *Institutum*, so that the activity, particularly the academic one, does not remain self-referential, but can help contribute in nursing the updating and the permanent training of the engineers of the Church Law.

Direction