

DIRECTORY
OF THE CONGREGATION OF MISSIONARIES
SONS OF THE IMMACULATE HEART
OF THE BLESSED VIRGIN MARY
CLARETIAN MISSIONARIES

ROME - 2011

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PRESENTATION

I have the pleasure of presenting you with a new edition of our Directory. Since 1999, the year in which the previous edition was published, two General Chapters have been celebrated and, in diverse congregational forums, we have studied themes and subjects that enrich our charismatic patrimony and help to consolidate our organization.

We noted in the last General Chapter the need to incorporate all these decisions and directives in the Directory. The General Government incorporated this task in its Plan of Action, which was presented in the Encounter with the Major Superiors of the Congregation, celebrated in Colmenar Viejo, Spain, in September of 2010. There it was requested that this revision be implemented.

During this last year a commission of experts has worked on the revision, which has been reviewed by the General Government in its sessions of March and October of 2011. Finally, in the session of October 18, 2011, the new text was definitively approved.

We have chosen to maintain the numeration of the Directory of 1999, reorganizing only a few numbers, to facilitate its use. Like the previous editions, the Directory follows the thematic organization of the Constitutions.

I invite to you to study this text, which offers important guidance and exhorts us to deepen the knowledge and experience of our missionary vocation, both in its personal and communitarian dimension. The new Directory captures the fundamental orientations that the Congregation has been discerning in General Chapters and other forums to promote a vigorous missionary life and to encourage a bold and creative response to the apostolic challenges of the world today.

In the Directory you will also find the norms that should guide the exercise of our government and community life at its different levels, as well as the programming of personnel formation, apostolic projects, and the management of the Congregation's assets and finances. A good knowledge and a rigorous fidelity to these norms will facilitate the harmonious development of the life of the Congregation.

May this Directory be for each of us an instrument for growth in the missionary life.

Rome, October 24, 2011
Feast of St. Anthony Mary Claret

Josep M. Abella Batlle, cmf.
Superior General

CONGREGATIO MISSIONARIORUM FILIORUM
IMMACULATI CORDIS B. MARIAE VIRGINIS
(Claretiani)
SUPERIOR GENERALIS

DECREE OF PROMULGATION

Our Congregation of Missionaries, Sons of the Immaculate Heart of Mary (“Claretian Missionaries”) is a living reality, that remains faithful to the spirit of St. Anthony Mary Claret, our Founder, expressed in our Constitutions, and renewed constantly, attentive to the social and ecclesial reality in which we live, so that our testimony of life may always be most evident and our mission most effective.

The Constitutions contain "the basic norms about the governance of the institute, the discipline of the members, the admission and formation of members, and the proper object of the sacred bonds" (can 587 § 1). The Directory develops and applies the contents of the Constitutions with rules and criteria for action, and includes the guidelines that the General Chapters have proclaimed on the life and mission of the Congregation.

Since the Directory of the Congregation was published on July 16, 1999 two additional General Chapters have been celebrated and it was necessary for these directives to be explicitly incorporated into our legislation.

The General Government named a commission to enrich the Directory with the chapter teachings, revise some of its numbers to adapt them to any changes, and to correct any errors. In several sessions of the Council’s meetings of March and October of 2011, the General Government has reviewed the text of the Directory and the proposed modifications.

Finally, in the Council session of October 18, 2011, the General Government gave its definitive approval.

With the present Decree, in accordance with our legislation, it is promulgated that the Directory of the Congregation of Missionaries, Sons of the Immaculate Heart of Mary, Claretian Missionaries, will become effective as of February 11, 2012, the anniversary of the approval of our Constitutions.

Given in Rome on the 24th of October 2011
Solemnity of St. Anthony Mary Claret

Josep M^a Abella Batlle, CMF
Superior General

José-Félix Valderrábano Ordeig, CMF
General Secretary

KEY TO ABBREVIATIONS

A) Documents of the Church

AAS	=	Acta Apostolicae Sedis.
Can.	=	Canon.
CCEO	=	Codex Canonum Ecclesiarum Orientalium (1990).
CIC	=	Codex Iuris Canonici (1983).
ES	=	Ecclesiae Sanctae (1966).
ET	=	Evangelica Testificatio (1971).
EN	=	Evangelii Nuntiandi (1975).
GS	=	Gaudium et Spes (1965).
IOE	=	Inter Oecumenica (1964).
LG	=	Lumen Gentium (1964).
MQ	=	Ministeria Quaedam (1972).
MR	=	Mutuae Relationes (1978).
OT	=	Optatam Totius (1965).
PC	=	Perfectae Caritatis (1965).
PI	=	Potissimum Institutioni (1990).
PO	=	Presbyterorum Ordinis (1965).
RC	=	Renovationis Causam (1969).
SC	=	Sacrosanctum Concilium (1963).
VC	=	Vita Consecrata (1996).

B) Documents of the Congregation

AD	=	Administration (Gen. Ch. 1967).
Ann.	=	Annales Congregationis CMF.
1AP	=	Apostolate (Gen. Ch. 1967).
2AP	=	Apostolate (Gen. Ch. 1973).
AS	=	Associates (Gen. Ch. 1973).
CB	=	Coadjutor Brothers (Gen. Ch. 1967).
CC	=	Constitutions.
CIA	=	Codex Iuris Additicii.
CPR	=	The Claretian in the Process of Congregational Renewal (Gen. Ch. 1985).
DC	=	Declaration on Charism (Gen. Ch. 1967).
Decr. Appl. RC	=	Decree applying RC to the Congregation.
Dir.	=	Directory.
E	=	Economy (Gen. Ch. 1973).
1F	=	Formation (Gen. Ch. 1967).
2F	=	Formation (Gen. Ch. 1973).
GnGv	=	General Government.
GPF	=	General Plan of Formation.
1G	=	Government of the Congregation (Gen. Ch. 1967).
2G	=	Government of the Congregation (Gen. Ch. 1973).
IPM	=	In Prophetic Mission (Gen. Ch. 1997).
MB	=	Missionary Brothers (Gen. Ch. 1973).
MCT	=	Mission of the Claretian Today (Gen. Ch. 1979).
MFL	=	Men on Fire With Love (Gen. Ch. 2009).
MNC	=	Mission to Non-Christians (Gen. Ch. 1967).
1RL	=	Religious Life (Gen. Ch. 1967).

2RL	=	Religious Life (Gen. Ch. 1973).
MLC	=	Message to Lay Claretians (1979).
SH	=	Spiritual Heritage (Gen. Ch. 1967).
SW	=	Servants of the Word (Gen. Ch. 1991).
TMHL	=	That They May Have Life (Gen Ch 2003)

C) Other Documents

Acta	=	Minutes.
Aut.	=	Autobiography of St. Anthony Mary Claret.
GnCh	=	General Chapter: XVII, XVIII, XIX, XX, XXI, XXII
EC	=	Epistolario Claretiano

D) Other Abbreviations

Cf.	=	For further information see.
Ch.	=	Chapter.
ff.	=	And following.
Ibid.	=	Same as above.
No. (Nos.)	=	Directory number (numbers).
p. (pp.)	=	Page number (s).
sess.	=	Session.

Method of Notation

1. In this edition we have kept the numeration of the 1999 Directory. **Some numbers have changed in order that the Directory might reflect a more logical development.**
2. The Constitutions are referred to as “CC” followed by the number to which reference is made.
3. When reference is made to another number of the Directory, this is placed in parenthesis and preceded by “No.” But if it is cited together with the Code of Canon Law or the Constitutions then the number is preceded by “Dir.”
4. The abbreviation “Cf.” only appears in the footnotes and in the text when the reference alluded to is not a literal quote. This is not used in the text if the citation is literal, even if it does not have quotation marks or written in italics.

PRELIMINARY CHAPTER

Article 1. General Norms

I. *Law of the Congregation in General*

1. The Congregation is governed by the universal law of the Church and by its own proper law. The latter is made up of the decrees, rescripts and other administrative acts of the Holy See for the Congregation, and of the Constitutions, Directory, and general decrees and decisions emanating from the legitimate internal authority, as well as from the sound traditions and customs.

2. Superiors should promote and all should foster an intimate knowledge of our legislation and the commitments that derive from it, so that by public and private study we may come to discover the evangelical values it contains.¹

3. Before the more important acts of government, such as the celebration of chapters, elections, appointments to offices, etc., the corresponding prescriptions of the universal law and of our own law should be read.

2. *The Constitutions*

4. The Constitutions are an expression of the action of the Holy Spirit who calls some in the Church to follow and imitate perfectly the evangelical life of Christ according to the form lived and proposed by our Father Founder. Their approval on the part of the Church testifies to the ecclesial nature of our Congregation.²

In them the nature, characteristics and most essential and permanent demands of our mission in the Church are set forth, and our lifestyle and the type of government befitting a missionary congregation are defined.³

The Constitutions have to be the central axis of our impulse for renewal **in the following of Christ.**⁴

5. The Latin text of the Constitutions is the only one recognised as authentic. Versions in other languages must be examined and declared faithful by the Superior General with his council.

6. In cases of grave necessity the Superior General, with the consent of his council, can petition the Holy See for the suspension of some constitutional norm until the next General Chapter (No. 495 a).

7. In cases of grave necessity the Superior General, with the consent of his council, can *dispense* the whole Congregation from some article of the Constitutions (No. 495 a) during the time remaining before the celebration of the next general chapter, except as provided for in No. 11 below.

8. It is the right of the General Chapter to explain the meaning of the Constitutions. In an urgent case of grave necessity the Superior General, with the consent of his council, can give a **provisional**

¹ IRL 6.

² Cf. 1 RL 5.

³ Cf. SW 3.1.

⁴ Cf. SW 13.2

interpretation, which is binding until the celebration of the next General Chapter (CC 155. 4 and 157; Dir. 495 b).

9. Neither internal norm or usage can prevail against the Constitutions, nor can superiors give their consent to the formation of a custom contrary to them.

10. The Major Superiors of the Congregation, with the consent of their respective councils can, for a just and proportionate cause, dispense their subjects from any disciplinary article of the Constitutions, unless they are expressly forbidden to do so (Nos. 457 s, 495 b).

11. It is expressly forbidden to dispense from the Constitutions:

- a. that which merely repeats or applies the universal law except in keeping with the norm of Canons 87 § 2 and 14;
- b. that which touches upon the essential points of religious life (Can. 86) and regulate the incorporation into the Congregation and formation (*Can. 587 § 1*);
- c. that pertain directly to government (Can. 587 § 1), such as those which regulate the office of superiors, both major and local, determine the number and the manner of designating the consultors and other officials, prescribe the chapters, councils, the time limit or duration of governments, and determine the mode of procedure for council meetings.⁵

3. *The Directory*

12. The Directory is the aggregate of criteria and norms of a general character for the whole Congregation, which are set forth in systematic order and constitute a complement to the Constitutions.

It is an important means for consolidating our life in common and giving a new dynamism to the spirituality and missionary activity of our Congregation.

13. The norms of the Directory are of indefinite duration and therefore they continue in force as long as they are not expressly revoked by abrogatory or derogatory norms from the competent authority.

14. The authentic interpretation of the Directory belongs to the General Chapter and, outside the chapter, to the Superior General, after hearing from his council.

15. Apart from that which is expressly forbidden and always safeguarding the norms of No. 11 above,

- a. The **Major** Superiors of the Congregation, with the consent of their Councils (No. 457 s) and for a just and proportionate cause, can dispense their subjects individually from any norm of the Directory.
- b. Only the Superior General, with the consent of his Council, can dispense the whole Congregation, a province or delegation from the norms of the Directory (No. 495 b).

4. *Documents of the General Chapter*

16. Chapter Documents, besides the properly so-called norms collected in our legislation, contain evaluations and guidelines on the being and task of the Congregation. Hence we should

⁵ Cf. CIA 1953, art. 22.

hold these documents in high esteem and strive to know and assimilate them as the authorised way of thinking of the whole Congregation and as the best commentary on the Constitutions.

5. *Decrees, Statutes and Circular Letters*

17. General decrees are norms of a general character affecting the whole Congregation or a category of its members, given by the Superior General with the deliberative vote of his council (No. 496 c).

They should be promulgated or communicated in the form that the Superior General deems fitting. They should be collected in "Annales", the official organ of the Congregation. They expire with the cessation in office of the Superior General who gave them, unless the new Superior General implicitly or explicitly confirms them.

18. Provincial superiors can dispense their subjects from general decrees if the dispensation is urgent and recourse to the Superior General cannot easily be had. Local superiors can do so only in particular cases if they cannot have recourse to the provincial superior.

19. Statutes are norms by which the competent authority defines and regulates legitimately and organically the purpose, constitution, governance and the manner of functioning of those institutions, groups, juridical persons and associations, as well as the different areas and sectors in which the life and mission of the Congregation, of its communities and members have to be expressed (*Can. 94 § 1*). Foundations and corporations are governed by their statutes, the approval of which is the competence of the same authority that creates or erects them.

20. The Major Superiors also have to promote and guide the life of the Congregation by means of circular letters. In them they develop doctrinal themes on our charism and mission, or propose organic initiatives for their growth and development. They may even convoke, declare, establish or communicate officially when something is to be done or known, within the context of their authority and competence.

Article 2. Fundamental Constitution

21. The Congregation has kept alive its awareness of being born in the Church as a community called together and consecrated by the action of the Holy Spirit and through the mediation of St. Anthony Mary Claret. As an heir to his missionary spirit the Congregation feels responsible for fulfilling his missionary initiatives and promoting those which he could not personally complete.

⁶

Our Founder has introduced us into a special understanding and life experience of Christ as the One anointed and sent by the Father and whose consecration and mission are continued in the Church. In this way Claret exercises his paternal role in our missionary family. ⁷

Living our charism integrates the spiritual richness and cultural values of the people among whom we live. ⁸

22. Our Father Founder's spiritual experience of his own missionary vocation was the organising principle of his existence and the deep motivation that shaped his whole life and apostolic activity. For us in turn, this experience becomes a source of inspiration and a stimulus for the response we must give today to our vocation in the Church and in the world.⁹ Hence it must be lived, guarded,

⁶ Cf. MCT 70.

⁷ MCT 70.

⁸ Cf. SW 13.2; TMHL 27; MFL 56.8

⁹ MCT 52; MFL 28

deepened and constantly developed by us in tune with the ever-growing body of Christ.¹⁰

The Superiors of the Congregation have the serious obligation to foster fidelity to our Claretian charism by all means within their reach, and to promote the adequate renewal that our times demand.¹¹

It belongs to **the General Government and the Governments of the Provinces and Independent Delegations** to work out relevant programs¹² aimed at a deeper and renewed living of our charism.¹³

23. Our Congregation of Missionaries, which obtained its decree of praise from Pope Pius IX on November 21, 1860 and was approved by the same Roman Pontiff on December 22, 1865, is an apostolic religious Institute of pontifical right.

24. The Congregation has two official names, which may be used interchangeably in any kind of documents, public or private (CC 1).

The first, derived from the meaning and primitive spirit given it by our Father Founder, is "The Congregation of Missionaries, Sons of the Immaculate Heart of the Blessed Virgin Mary."

The second is composed of the noun "missionaries" and an adjective derived from "Claret." This should follow the rules of each language, but in such a way that it corresponds to the Latin expression, "Missionarii Claretiani."

25. The members of the Congregation use the initials C.M.F. (Cordis Mariae Filius) after their name.¹⁴

26. The word "missionary," understood in the light of the spiritual experience of St. Anthony Mary Claret, defines our charismatic identity. The title of "Apostolic Missionary" which he received synthesises his ideal of life according to the style of the apostles. This way of life implies being disciples and to follow the Master, to live the evangelical counsels in a community of life with Jesus and the group of those who are called, to be sent and to proclaim the Good News of the Kingdom to the whole world.

The anointing of the Spirit to announce the Good News and the communion with Christ, the prophet par excellence, render us sharers of his prophetic function.¹⁵

27. By reason of our Claretian characteristic of being steadfast helpers of the bishops in the ministry of the Word, we must first of all acknowledge their personal authority and the responsibility incumbent on them as shepherds of the people of God in their particular Churches. Consequently, we should second their norms and directives, collaborating creatively and prophetically in any overall pastoral planning.¹⁶

28. We must also affirm and apply the demands of this Claretian trait in our relationships with members of the secular clergy, with other religious families and with other agents of evangelisation. Being part of a particular Church, each one of us, according to his vocation, must offer his collaboration to the one and the same mission of the Church (No. 43).

29. Our vocation is indistinguishably expressed either in the Latin Church or in any other Church

¹⁰ MR 11;MFL 45

¹¹ Cf. MR 14 c.

¹² Cf. SW 22; IPM 34.1

¹³ Cf. 2RL 7.h; **MFL 55**

¹⁴ MFL 34,35

¹⁵ Cf. VC 48; SW 6; IPM 1; MFL 42.

¹⁶ Cf. MCT 140.

“sui iuris” (CIC Cann. 111 and 112; CCEO Can. 27).

Rite is personal, and hence we should all enthusiastically live our own ecclesial traditions in accordance with the teaching of the Church, being however always ready to participate in the universal mission of the Congregation.

A candidate who comes into a Province or Independent Delegation under a Church “sui iuris” different from his own, will have to request the privilege of “bi-ritualism” before his diaconate ordination. In the same way, those who are appointed to the service of a Province or Delegation under a Church “sui iuris” different from their own will also need to request this same privilege.

30. Together with the “Teaching Sisters of Mary Immaculate (or Claretian Missionary Sisters),” “Cordimarian Filiation” and the “Lay Claretians,” we form the Claretian Family in the strict sense. All of us have St. Anthony Mary Claret as our Father, and among us we all continue the mission for which the Spirit raised him up in the Church. We are all Claretians, but each institution has its distinctive way of being such.¹⁷

Other Institutes and groups can also form part of the greater Claretian Family through their bonds with our Founder or with the Congregation, as well as through their oneness with the missionary spirit of Claret.

31. In the Claretian Family kinship is expressed and grows through personal relationships, inter-institutional communion and contributions to the development of other branches of the Family, as well as through mutual collaboration in works, projects and activities of evangelisation.¹⁸

32. The consecration to the Immaculate Heart of Mary, which our Father Founder proposed as the first formula for joining our Institute, is addressed to the overall aim of the Congregation. For this reason, the effort to attain that aim by means of the Immaculate Heart of Mary must be considered as a characteristic note of our missionary life.¹⁹

33. This consecration also expresses the spiritual experience of our Founder, who acknowledged that he was formed as a disciple and apostle of Christ thanks to a special maternal intervention of Mary. Our spirituality takes on a filial character since, through Mary, the Spirit conforms us to the Missionary Son of the Father. The presence of the Heart of Mary in our spirituality gives a mark of humility, meekness, tenderness and motherly love to our apostolate.²⁰

34. As Missionaries, Sons of the Immaculate Heart of Mary, she forms us in the forge of her mercy and love, and makes us instruments of her maternal love for humanity in the exercise of our apostolic service.²¹ Since being Sons of the Heart of Mary pertains to the charism of the Congregation:

- a) we must especially integrate this reality into our vocation;
- b) we must take care of Marian liturgical worship and popular piety,
- c) in our apostolate, as we proclaim the integral mystery of Christ, we must call attention to the role played by Mary, His Mother and ours,
- d) to do this, we must deepen our theological understanding, either through personal study or through specialised courses, and intensify our personal and community Marian living, with days of reflection, meditations, readings and shared prayer.

¹⁷ MLC, Ann 54 (1979) 245-248.

¹⁸ Cf. SW 9.3; IPM 27.

¹⁹ Cf. *El corazón de María y la Congregación en el momento actual*, Ann 53 (1978) 197-209; MCT 150-151; MFL 36.

²⁰ Cf. Aut. 687; SW 13; 15.3; IPM 20; MFL 34-35.

²¹ Cf. SW 15. 3; IMP 20; MFL 36.

35. Our Founder has left us the spiritual and charismatic portrait which describes his own experience of the missionary life by means of the short texts contained in the Autobiography (494) and which we call indistinctly “definition,” “form,” or “memorial” of a missionary. He has handed it on to the Congregation so that each missionary may carry it with him²² and have it as the guideline for his life²³.

²² Cf. EC II, 352; MFL 30-31.

²³ MFL 31

PART ONE

Missionary Life of the Congregation

CHAPTER I

MISSIONARY COMMUNITY

36. We Claretians are a community called together by the Spirit for the missionary proclamation of the Word.²⁴ Life in common, which is also the first act of mission, should be sufficiently valued by us all.²⁵

Our community consists of priests, deacons, brothers and students (*CC* 7), and is called to live a communion that integrates in a creative manner the different charisms²⁶ **and the diverse cultures present in the Congregation.**²⁷ This communion is a prophetic characteristic that will render our missionary service of the Word more credible.²⁸

37. In the way they are established, our communities should be flexible enough to allow for the best development of their activities. Hence a single community may be formed of different groups **who live in near proximity**, united not only in their superior, but also in the totality of the community.²⁹

In this case, in order to experience true Claretian fraternity, these groups should meet frequently with their brothers in the community they belong to, especially around the table of the Eucharist.³⁰

38. The community character of the Claretian charism does not allow our brothers to live alone habitually. This does not mean, however, that certain ministerial or personal reasons may not persuade Major Superiors to authorise some exceptions for a determined period of time (*Can.* 665 § 1). In any case, the religious in question must be assigned to a local community, which he should visit frequently in order to share the Claretian fraternity with his brothers.³¹

39. The local community should **be open to communion with other communities.**³² As an expression of true community spirit, the local community should show its readiness to accept the transfer of one of its members when, in the judgement of the superiors, a higher good calls for it. The same may be said with regard to the provincial community.³³

40. The Claretian Missionary achieves his fulfilment in the community through a common and effective fraternal life, a common direction and authority in the perfect exercise of charity according to the evangelical counsels, a complete sharing of goods and a community organisation of life—all for the purpose of exercising a more perfect and fruitful apostolic ministry capable of bearing witness.³⁴

In order to grow in communion, the Constitutions and other Congregational documents prescribe various dynamics such as sharing of the Word, common prayers, plenary meetings of the community, community plan of action, team work, personal plan or program of ongoing formation, community budget and other similar things to which the local and provincial superiors

²⁴ *SW* 7; *MFL* 37.

²⁵ *Cf.* *IPM* 28.

²⁶ *Cf.* *IPM* 30; *MFL* 40

²⁷ *TMHL* 72; *MFL* 56, 7.8;41.

²⁸ *Cf.* *IPM* 27, 30

²⁹ 2 *G* 34.

³⁰ *Cf.* 2 *G* 35.

³¹ 2 *G* 36.

³² 2 *RL* 35.

³³ *Cf.* 2 *RL* 37.

³⁴ *SH* 109; *cf.* *IPM* 27–29.

will attend, so as to maintain their vitality and efficacy.³⁵

41. The spirit of family life is manifested at the common table, where we are nourished by the food which our heavenly Father provides for his children, and where we listen to spiritual reading or share in fraternal conversation with our brothers.

42. Charity should lead to sacrifice and be practised through works of mercy in accord with the Congregation's tradition, and create among us a culture of solidarity: visiting prisons, hospitals, and asylums, as well as through giving alms and moral support to anyone in need.³⁶

43. The charism of Claret that we share is the source of brotherhood among us and with other persons and groups, especially with members of the Claretian family.³⁷ Therefore, charity should be extended especially to communities of other provinces, members of the Claretian Family, and of other Institutes, diocesan priests, and lay evangelisers. In this way, obedient to the bishops and our own superiors, we may all join together, according to the vocation of our Institute, in working for the Kingdom of God (No. 28).³⁸

44. We should acknowledge our benefactors through our friendship and through spiritual and material assistance.

45. In each of our houses and in the curias of Provinces and Independent Delegations there should be a register in which the names and personal data of our benefactors are inscribed.

46. Our missionary efforts must assume as a priority the inculturation of the Gospel by means of ecumenical, interreligious and intercultural dialogue.³⁹ At the same time, solidarity with the poor and marginalized demands that we identify with their reality via a concrete expression of our own personal and communal lifestyle.⁴⁰ We shall strive to create suitable communities to respond to the challenges of that reality in which we seek to evangelize.⁴¹

47. In their lifestyle, our missionaries should adapt themselves to sound local customs, as a sign of their effective pastoral concern, keeping in mind their duty of witnessing to the Gospel.

48. Just as all in the early Church were of one mind, persevering in prayer and the sharing of goods "with Mary the Mother of Jesus" (Acts 1: 14), so, united as we are by the common bond of being Sons of the Immaculate Heart of Mary, there should reign among us an intense affective and effective charity, in keeping with the greater demand for considerateness, gentleness and mutual service that are implicit in our very title.⁴²

49. Apart from our juridical and moral responsibilities, we should offer a hand to anyone who has failed in any way, imitating the goodness and kindness of Jesus. Through our works we should let them know that all is forgiven and forgotten, and that they are still vital and efficient members of the community, which does not so much dwell on the past as looks to the present and the future.⁴³

³⁵ Cf. IPM 28.1; MFL 59.1;56.1.

³⁶ Cf. 1 RL 34.

³⁷ IPM 27.

³⁸ Cf. 1 RL 34.

³⁹ TMHL 45;68

⁴⁰ TMHL 40;67.1

⁴¹ Cf. CPR, 80

⁴² Cf. 1 RL 24.

⁴³ Cf. 1 RL 33.

50. When a Major Superior sends a member of his Province or Independent Delegation to a community outside of the same, he must first resolve, in dialogue with the other respective Superiors, all issues concerning the member's economic, community, and apostolic status. On their part, the communities should receive him with a full understanding and fraternal charity.⁴⁴

51. In the Congregation there is no age limit for giving up missionary activity. Nevertheless, when an individual reaches the age established in the region for retirement, he may ask the Major Superior to allow him to go into retirement, or the Major Superior himself may decide on this course of action if he sees that it is fitting.

52. We should all show special love for our brothers who are ill, as members of the suffering Christ. We should gladly visit them and help them, seeing Christ in them. Superiors and those entrusted with the care of the sick, on their part should make sure, with all diligence and charity, that our sick brothers are provided with everything they need either to recover their health or to bear their illness with the serenity of spirit and Christian patience.⁴⁵

53. In order to provide effectively for charity toward the sick, all of our missionaries should have insurance for sickness and disability, as indicated in Nos. 583-584 below.⁴⁶

54. When a missionary dies he shall be buried at the burial site of the Claretian Province or Delegation closest to the place of his death and the funeral rites will be celebrated according to rule No. 19 of our Constitutions.

The following suffrages are to be offered on behalf of the deceased:

- a) for those who have died in the Congregation, either as professed members or as novices:
 1. Sixty Masses for each deceased member of the respective community. If the members of the community cannot celebrate them, they should have them celebrated through the provincial or general mass collector.
 2. One mass on the first anniversary of death, of each deceased member of the respective community, if possible in a community concelebration.
 3. Four yearly Masses in each community for the deceased members of the Congregation in general.
- b) An annual Mass in each community for the deceased parents of its members.
- c) When the father or mother of one of our missionaries dies, three Masses will be said for them in the community in which any of their sons reside.
- d) For our deceased benefactors, an annual mass will be offered in each community.

⁴⁴ Cf. E 20

⁴⁵ CC (1973) 27.

⁴⁶ Cf. 1 RL 33; AD 13, 15; E 16.

CHAPTER II

CHASTITY

55. Consecrated chastity is a true charism, that is, a gratuitous gift of God (I Cor 7:7; Mt 19:12). Not all are called to receive this gift, nor can all undertake it (Mt 19:11). Therefore, it presupposes a divine vocation.⁴⁷ **It is** a gift that we have received in fragile vessels and therefore it requires the continual help of Christ's power and that of the Holy Spirit, who works admirably in His Church, as well as our own continual collaboration.⁴⁸

56. As a true virtue, chastity has primarily a spiritual foundation. Therefore it must be supported by a great faith and by an ardent and impassioned love for Christ. It must be embraced after a conscious, free and joyful choice, realising that it involves both God's election and a generous response on the part of the one who professes it.⁴⁹

57. Chastity constantly increases our zeal and bears witness to our love for all people. In the practice of the apostolate, chastity, along with maturity and apostolic serenity, will enable the missionary, following the example of Jesus Christ (Lk 8:2-3; Mt 27:55; Jn 11: 5; Mk 15:40-41), of the Apostles (Rm 16:1-16; 1 Cor 9:5) and of our Founder, to co-operate in working for the Kingdom of God and his Church.⁵⁰

58. The practice of perfect chastity must be diligent, total, firm, confident; it should be a source of joy that sustains missionary zeal, and be founded on a deep and solid piety.⁵¹ On the other hand it should be accompanied by prudence which recognises the reality of dangers and of one's own weakness (2 Cor 4:7).⁵²

59. A religious' own conscience will tell him what he can licitly do, given his particular state, in matters of study, activities, diversions, reading, public entertainment, the use of mass media, etc., always, of course within the norms given on specific points by competent authorities of the Church or the Congregation.⁵³

60. In order to overcome temptations against chastity, we should make use of the available means, such as the help of a brother or a spiritual director, prayer, work, vigilance, the practice of the presence of God, the remembrance of the last things and of the Passion of Jesus Christ, calling upon Him, the Blessed Virgin and the Saints, mortification of our senses and imagination, practice of temperance, sobriety and some bodily mortification.⁵⁴

61. Our missionaries should also avail themselves of those natural means that favour mental and physical health.⁵⁵ Each of us should take care of his physical and emotional health and be ready to recognise the warning signals of a potential crisis in his life. At such times one should seek the help of his superior or of experienced counsellors who are also experts in handling psychological problems. On their part, superiors should act with sensitivity when they observe any indications that a member of the community is unhappy or shows signs of a prolonged personal anxiety or a serious

⁴⁷ SH 68.

⁴⁸ Cf. SH 71; 1RL 50

⁴⁹ SH 72.

⁵⁰ Cf. 1 RL 53.

⁵¹ Cf. SH 73.

⁵² Cf. 1 RL 53.

⁵³ Cf. SH 73.

⁵⁴ Cf. CC (1924) II, 18; 1 RL 53.

⁵⁵ Cf. PC 12.

emotional maladjustment.

Above all, they should make every possible effort to create a community life marked by true warmth and fraternal affection, so that feelings of loneliness, which are among the greatest dangers to chastity, may be reduced to a minimum in our houses.⁵⁶

62. All Provinces and Independent Delegations must develop appropriate norms, to follow in cases of improper sexual behavior, taking into consideration the norms prescribed by the Congregation, the universal Church, the local Ordinary, the Conference of Religious, and the laws of the country. These norms will need to be approved by the General Government.⁵⁷

CHAPTER III

POVERTY

63. For us, St. Anthony Mary Claret is always a relevant and authentic model of our way of living evangelical poverty. He regarded poverty as a primordial and characteristic element in his apostolic vocation and lived it accordingly, both as a way of following Christ and imitating the Apostles, and as a witness to the value and truthfulness of his ministry.⁵⁸

The authentic Claretian sense of poverty should impel us **in our daily work** to adopt an austere lifestyle, to deal with the humblest and simplest people, to avoid basing our apostolic enterprises on material considerations and to seek to use goods solely for bettering our service of spreading the Good News.⁵⁹

Our Holy Founder wrote the following concerning the early life of the Congregation: "We are living in community ... a truly poor and apostolic life."⁶⁰

64. For us, poverty must be a means of expressing the perfect brotherhood of our vocation.⁶¹ Effective poverty, which shares all goods in common, witnesses to the spiritual communion that unites the members of the community.⁶² Consequently, our poverty excludes any form of private wealth or appropriation.⁶³

65. The sharing of goods must be practiced with a truly religious spirit among communities, **provinces and delegations** of the Congregation, lest some should be in want while others have more than they need.⁶⁴

It is fitting that the whole Congregation is informed of cases in which our brothers are in special need, as may sometimes affect even whole regions or **Provinces and Independent Delegations of the Congregation**.⁶⁵

If it seems right to do so, our communities may extend this sharing to other persons or institutions outside the Congregation, offering **even** the use of our buildings or premises.⁶⁶

With even greater reason, this should be done in case of public calamities. Hospitality and

⁵⁶ 1 RL 54.

⁵⁷ **XXIV Gen Ch, Acta 13.**

⁵⁸ Cf. SH 76.

⁵⁹ Cf. SH 76; TMHL 67.1; MFL 65.1.

⁶⁰ EC I, p. 316.

⁶¹ Cf. SH 79.

⁶² Cf. ET 21; 2 RL 51.

⁶³ SH 79; Cf. IPM 25.1.

⁶⁴ Cf. SH 80; IPM 31; TMHL 74.2; MFL 65.2.

⁶⁵ Cf. 1 RL 63.

⁶⁶ Cf. SH 84; 1 RL 62; IPM 25.4.

mercy should form part of our shared poverty.⁶⁷

66. The Congregation can and should carry out its apostolate by using whatever economic means this requires, but without embarking on economic ventures that might distract us from the true interests of the Kingdom of Christ.⁶⁸

It is recommended that we make a periodic review of our works and enterprises and prudently eliminate those that are not in conformity with the criteria of the poverty we have inherited from our Father Founder.⁶⁹

67. In the administrative budget of our communities, a proportionate amount should be generously set aside in order to attend to the needs of the poor (No. 588)⁷⁰ and to support the projects that will be undertaken in their favour.⁷¹

68. Superiors should see to it that all are religiously cared for according to their needs, without allowing any unjustified differences.

Economes and administrators should exercise their role not with a spirit of ownership, but with awareness that they are administering the goods of all. Let them serve their brothers with charity and thus be attentive to their needs.⁷²

69. Work must be looked upon not only as a demand of our apostolic vocation and of our service to the community,⁷³ but also as an integral part of apostolic poverty.

Our members may accept paid work, either as a means of promoting the Gospel in certain environments or with a view to being able to exercise gratuitously their apostolic ministry later on.⁷⁴

70. It is not contrary to our collective witness to poverty to receive remuneration for work, Mass stipends, parish fees, author's fees, subsidies and alms for the community. Nevertheless, we should avoid all show of eagerness for gain.⁷⁵

Steps should be taken to create a solid patrimony that permits the gratuitous performance of certain ministries.⁷⁶

71. "Personal budgets" may be authorised if proportionate reasons so indicate, but always without prejudice to the demands of poverty and the sharing of goods, as set forth simply and radically in our Constitutions, adhering also to the following guidelines:

- a) That such budgets be presented ahead of time for the communities approval and be periodically reviewed.
- b) That the specified expenses be ordinary and habitual.
- c) That they measure up to the real needs of each religious.
- d) That in every case the accumulation of any remainder be disallowed.
- e) That in conformity with what has been prescribed, pensions, health insurance, etc., of the Missionaries form part of the community's goods.

⁶⁷ Cf. SH 80; 1 RL 63.

⁶⁸ Cf. SH 83.

⁶⁹ Cf. SH 86; MCT 176.

⁷⁰ 1 RL 63.

⁷¹ Cf. IPM 25.3.

⁷² Cf. SH 79.

⁷³ Cf. 1 RL 111.

⁷⁴ Cf. SH 78.

⁷⁵ Cf. 1 RL 61.

⁷⁶ Cf. 1 RL 60.

72. The free renunciation of patrimonial goods (CC 26) which, if possible, must be done in a civilly valid form, can only be granted to those who have completed at least ten years of perpetual profession.⁷⁷ The legitimate superior to grant this renunciation is the Superior General with the consent of his consultors (Can. 668 § 4; Dir. 496 p).

Those who do not renounce their patrimonial goods can accumulate interest on the capital, so as to defend it against monetary depreciation,⁷⁸ but they cannot accumulate income from fixed assets ceded in use and in usufruct.

73. Inheritances, legacies and similar donations, which a professed member receives from persons outside his family, are acquired for the Congregation. But if they are from relatives by consanguinity or affinity, they go into his patrimony and he can retain the basic title to them, while ceding their administration and making disposition for their use and usufruct in keeping with the law (No. 536 c).

CHAPTER IV

OBEDIENCE

74. We must live obedience as a consecration and a mission,⁷⁹ recalling the words and example of our Holy Founder, who wished us to be perfect in obedience from the very outset of our religious life.⁸⁰

75. Out of love for Jesus Christ we should obey in everything, even in matters that are non-obligatory and difficult, obeying not only our superiors, but also their delegates in their respective orders and offices, even when they are not expressly imposing a precept, but only giving a simple insinuation of their will.⁸¹

76. We Claretian Missionaries must regard obedience as an essentially apostolic virtue, recalling the words and example of our Father Founder who, as a missionary himself, always acted under the governance and direction of his superiors.⁸² This holds true for every occupation and ministry.⁸³ Hence we should avoid accepting apostolic ministries, charges or offices, whether ecclesiastical or civil, which are marginal to the interests of superiors (Can. 671; CC 50) or of the community.⁸⁴

77. The entire community has the mission of **seeking and doing the will of God**. Superiors and the other brothers constitute a unity within their different, yet always complementary, functions.

78. Dialogue demands an attitude of receptiveness, understanding and mutual respect, as well as a basic attitude of conversion, and should always unfold in a climate of charity.⁸⁵ When it is necessary, in virtue of the functions inherent in all authority, superiors can and should adopt clear positions, set down proper guidelines and make the decision they prudently consider most fitting.⁸⁶

79. The faculty to command and oblige their respective subjects in virtue of obedience and by

⁷⁷ Cf. AD 9 c; PC 13.

⁷⁸ Cf. AD 9 f.

⁷⁹ Cf. SH 88-89, 93.

⁸⁰ Cf. CC (1924) I, 108; SH 91.

⁸¹ Cf. CC (1924) II, 19; SH 91.

⁸² Cf. Aut 195; SH 93.

⁸³ SH 93.

⁸⁴ Cf. 2 RL 44; XX GnCh, Acta 20.

⁸⁵ Cf. 2 RL 28.3; SH 91.

⁸⁶ Cf. PC 14; ET 25; 2 RL 30.3.

reason of the vow belongs by proper authority to all our superiors strictly so-called, including local superiors. Vicars and consultors of the General Government, Provinces and Independent Delegations may enjoy it through legitimate and proven delegation, or when they are substituting the respective superior.

80. For a mandate or precept to be binding in virtue of the vow, it should be communicated in writing, and formulated clearly and unequivocally (Can. 37, 51).

Such precepts are not to be given without being duly pondered, and should adhere to the formulas prescribed by the law (Can. 50).

81. When a person believes that he has been injured by a superior's command, he can have recourse, alleging the motives in the case, to the proper superior or to a higher superior, according to the tenor and effects of Canons 1734 and 1737.

- a) If nothing to the contrary is stipulated for a particular case, recourse is only "in devolutivo" and not "in suspensivo." Thus, even when recourse has been made and is pending, the subject must obey until the concerned parties have received official notice of what has been provided for.
- b) Recourse to a higher superior must be carried out in due order, that is, without bypassing intermediate superiors, unless the case involved is reserved to the higher superior.
- c) Recourse to the absent superior is not had by going to him personally, without his prior consent.
- d) In recourses against Visitors the norm of No. 474 below is to be observed.

82. Generally the Major Superior may not grant his subjects permissions or licenses without first hearing from the immediate superior of the petitioner; and if he should grant them, he should communicate this in lawful form to the aforesaid superior. The latter is not obliged to recognise the permission or faculty granted to the subject by the major superior, unless he is presented with the lawful document granting it.

83. All members of the Congregation who are staying for a time in any of our communities should respect the regulations and discipline of the community which receives them, insofar as the fulfilment of the mission or duty that led them to be present there allows.

CHAPTER V

PRAYER

84. Our acts of piety should express the characteristics of our Claretian spiritual heritage, in keeping with the guidelines of the Church.

Among the characteristic elements inherited from our Father Founder, the following stand out: his Christ centred life, his Eucharistic piety, his love for the Word of God, his way of living Cordimarian sonship in close relationship with his missionary vocation, his devotion to the Apostles

and to the saints who were especially distinguished for their apostolic zeal.⁸⁷ Each individual and community should cultivate these characteristics with enthusiasm.⁸⁸

85. The piety of our communities should give primacy to sacred liturgy, especially to the Eucharist and the Liturgy of the Hours (CC 35). Other forms of community piety should be organised with the liturgical cycle in mind, so that they are attuned to the liturgy and in a certain sense derive from it and lead to it.⁸⁹ Every day, each community should devote a minimum of half an hour to prayer, preferably with the recitation of the Liturgy of the Hours.⁹⁰

86. The fidelity and intensity of prayer that our Constitutions call for is strongly recommended to the conscience and inner control of each one of us.⁹¹

87. A daily hour of personal prayer or meditation (CC 37), or a half-hour in exceptional or special cases, is considered indispensable.⁹²

88. Preserving a sound tradition of the Institute (CC 36), we should strive to say the Rosary and visit the Blessed Sacrament individually, when this is not done in community.⁹³

89. As a traditional expression of our piety, the novena to the Heart of Mary and the tridium to our Holy Founder should be celebrated in common. In this same sense other devotions, such as the Marian month and the tridium to St. Joseph, are recommended. These should be performed with simplicity and draw their inspiration from the liturgy.⁹⁴

90. The examination of conscience, according to the mind and practice of our Holy Founder, is carried out concretely at two basic times: towards midday, when it mainly has the character of mental prayer, and at night, when it has the character of a general review of the day, and can be joined to the recitation of Compline.⁹⁵

91. Each month the community dedicates a day to spiritual renewal. This can be done in different ways, in keeping with the different conditions of each house (CC 52).

Specific arrangements for the date and timetable of this day of recollection belong to the local superior, after hearing from his community.

On this day, there should be a meditation on a theme of our missionary life, a talk and an examination that might be in the form of a community review of life. Whenever possible, there should be a concelebrated Mass or some other Eucharistic act.⁹⁶

92. The spiritual exercises (CC 52) should normally be held outside one's place of work, and silence and retreat should be observed during them.⁹⁷ Types of retreat other than the Ignatian Exercises are permitted for reasons of greater effectiveness or for a variety of other circumstances.⁹⁸

⁸⁷ Cf. SH 135.

⁸⁸ THML 70, MFL 54.1

⁸⁹ Cf. SC 13; IOE 12.

⁹⁰ Cf. 2RL, Annex 5; 1 RL 114, 121.

⁹¹ Cf. 2 RL, Annex 5 C.

⁹² Cf. 2RL, Annex 5 B.

⁹³ Cf. CC (1924) II, 33; PO 18; 1 RL 125.

⁹⁴ Cf. 1RL 131.

⁹⁵ Cf. 1RL 13; 124 b.

⁹⁶ Cf. 1RL 129; 1AP 21; 2 RL, Annex 5.3°.

⁹⁷ Cf. 1RL 130; MFL 54.1.

⁹⁸ Cf. 1AP 45 c.

Concrete arrangements for these exercises are left to the director, with the approval of the superior.⁹⁹

93. Each community should frequently review its own prayer life, its fidelity to the prescribed acts of piety, and the creation of a favourable environment for prayer.¹⁰⁰

The superior will take responsibility for this community review, as one outstanding service of his mission in the community.

CHAPTER VI

CONFORMITY WITH CHRIST

94. The centrality of Christ in our lives is the root of our missionary identity; it creates and constantly renews our fraternal communion and sustains our commitment to the transformation of the world through our missionary service of the Word.

Since the Congregation is a fully apostolic Institute, our Holy Father Founder was very much aware of the witness value of our missionaries' life in the edification of the People of God.¹⁰¹

Like all our apostolic activity, this witnessing proceeds from a real inward and outward conformity with Christ the Evangeliser and from an intimate communion and friendship with him.¹⁰²

95. As the Lord always showed outwardly the inner fullness of grace which the Father lavished upon him, so should we, through our affability, spiritual joy and modesty, make God's presence manifest in the world.

We should exercise moderation in the use of our senses, so that we may not only avoid occasions of sin, but also may offer an agreeable sacrifice to God and give apostolic witness to our neighbour.

The tradition of fasting one day each week, as well as other charitable works or pious practices, should be faithfully kept (Can. 1249).¹⁰³

96. We should be on our guard against abusive speech which wounds charity, justice and prudence, keeping in mind the words of James: "If anyone thinks he is religious and does not control his tongue his religion is worthless" (Jas 1: 26).

We have been called to live in praise of God, to preach the Good News of the Son and offer mutual encouragement to one another along the way of the Lord.¹⁰⁴

97. At all times we carry with us in our body the death of Jesus, suffering together with Him that we may also share in his glory. This is necessary for those who are sent to proclaim the mystery of the cross of Christ and the glory of the Lord (2 Cor 4:10).¹⁰⁵

98. Faithful to the tradition of the Congregation, which from its outset gave a collective witness of mortification in its houses, in its way of living, travelling, eating and drinking, in clothing, furnishings, diversions, games, excursions and so forth, our missionaries should manifest their mission of being an evangelical sign, taking into account the diverse environments in which the Congregation is located and the changing sensibilities of the times.¹⁰⁶

⁹⁹ Cf. 1RL 130.

¹⁰⁰ Cf. 2RL, Annex 7.1°.

¹⁰¹ Cf. 1RL 75.

¹⁰² Cf. SW 6.

¹⁰³ Cf. 1RL 110; CC (1973) 72.

¹⁰⁴ Cf. CC (1973) 66.

¹⁰⁵ Cf. CC (1973) 70; MFL 65.1.

¹⁰⁶ Cf. 1RL 85.

99. Attendance at public entertainment and the use of **the Internet** and mass media should be governed by considerations of cultural improvement, adequate information and suitable recreation.

In this matter we should carefully avoid whatever might cause harm to our vocation, our spiritual life, our witness and our apostolic work (CC 57).

100. In its matters for review, each community should include the use of the mass media and public entertainment referred to in the preceding number.¹⁰⁷

CHAPTER VII

OUR MISSION

Article 1. Nature and Characteristics of our Mission

101. The **ministry of the Word through which we proclaim the integral mystery of Jesus Christ (CC46) to all**, is that which specifies our mission among the people of God and for which we are constituted into an apostolic institute in the Church. **Our charism in the Church is an experience of the Spirit, which configures us to Jesus Christ, the Evangelizer, in the style of Claret.**¹⁰⁸ We should live it according to the spirit and the prophetic style inherited from our Founder and enriched by the tradition of our Congregation.¹⁰⁹ This missionary vocation is the source of our apostolate and the fundamental criterion for the choice of our apostolic works.¹¹⁰

It should always inspire and guide the missionaries and each and every one of their works.¹¹¹

102. Our missionary charism includes consecration and mission,¹¹² and involves belonging totally to God and being entirely committed to the Kingdom. **Thus, the ministry of the Word implies an authentic way of being, acting, and signifying.**¹¹³ Imitating Jesus, the Prophet par excellence, we must become a sign and expression of the Word of God.¹¹⁴

103. The consecration to God constitutes by itself our first and primordial form of evangelisation¹¹⁵ and with the demands of the concrete historical reality.¹¹⁶ **Thus, our ministry of the Word is directed to the full announcement of the mystery of Jesus so that the Father's kingdom may grow in the world.**¹¹⁷

104. **We are a missionary community. The community is our first “missionary word”¹¹⁸ that announces the arrival of the Kingdom and is the seed of more fraternal relationships between individuals and people.**¹¹⁹ Fraternal life in community forms part of our missionary proclamation

¹⁰⁷ Cf. XVIII Gn Ch, sess. 36.

¹⁰⁸ SW 6

¹⁰⁹ Cf. DC 23-25; IMP 19.

¹¹⁰ Cf. MCT 72.

¹¹¹ Cf. MCT 160-162.

¹¹² Cf. MCT 72.

¹¹³ Cf. SW 21

¹¹⁴ SW 6

¹¹⁵ Cf. MCT 149,2.2.

¹¹⁶ Cf. MCH 149

¹¹⁷ SW 10.

¹¹⁸ Cf. EN 21; FLC 54; IPM 28; MFL 16.

¹¹⁹ MFL 16.

and, therefore, the mission cannot be lived on the margins of the community but within the same, participating in its life and apostolic outreach.

105. Our community is at the service of the Church. This demands of us a constant effort to identify ourselves vocationally in congregational communion and in a sense of availability for its universal mission.¹²⁰ Every apostolic work, even if one person can carry it out alone, must remain within the framework of our community and of our universal openness. For this we receive the ecclesial commission, normally through the Claretian community.

106. Our mission forms part of the mission of the Church in the service of humanity. For this very reason, without an attentive and participative study of the realities of human life in each age and place, we cannot know people's needs for evangelisation, or the characteristics our mission must have in order to respond to those needs.

We must be especially sensitive to all those aspects that most directly challenge our missionary identity, such as the absence of evangelisation, possibilities for raising up evangelisers, situations of poverty and oppression, and cultural, ideological or political movements (CC 14; 46).¹²¹

107. The attentive observation and study of the reality should lead us to an attitude of constant discernment and revision of our positions (CC 48),¹²² seeking the most appropriate means to announce and help build up the Kingdom in the world.¹²³ This attitude must be fostered on the personal as well as the community level.

108. The ecclesial nature of our mission demands that we always be attentive to the reality of the Church and to the Church's awareness of its own mission in every age and place.¹²⁴

109. Since our service to the Church is carried out in particular Churches, it is of utmost importance that we come to grasp the real situation of each one of them, so that our presence in them may be more adequate and fruitful.¹²⁵ We are committed to the consolidation of a Church of communion and participation, of dialogue and service, of solidarity, justice and fraternity, which leads to belief in the Word.¹²⁶

110. We understand our mission, with love as its key, as participation in "misio Dei,"¹²⁷ and as collaboration in the mission that the Spirit brings forth in history. Our apostolate and choice of works should be developed from options that reflect our fundamental commitment to mission, using all means and following the criteria of what is most urgent,¹²⁸ timely, and effective. Such options are constant apostolic attitudes, which should guide and articulate all our missionary action.¹²⁹ These options are:

- a missionary evangelization (n. 111)
- an inculturated evangelization (n. 112)
- a prophetic and liberating evangelization (n. 113)

¹²⁰ Cf. MCH 139.

¹²¹ Cf. GS 1; MCT 201.

¹²² Cf. MCT 163 ; MFL 64.4.

¹²³ SW 10.

¹²⁴ Cf. MCT 87; MFL 3-4.

¹²⁵ Cf. MCT 212, 214-215.

¹²⁶ SW 9

¹²⁷ MFL, 58

¹²⁸ MCH 162-166; SW 1

¹²⁹ MCH 139,160,239; CPR 68, 73-75

- an evangelization in “shared mission” (n. 114)
- an evangelization that multiplies evangelizing leaders (n. 115).

111. Within the Church, we opt for a *missionary evangelisation* according to the spirit of Claret. By means of the proclamation of the Word, we commit ourselves to be instruments of the Spirit, in order to bring the message of conversion to persons and communities, to invite them constantly to remain in the fervour of their first conversion and finally, to help local Churches to preserve a missionary openness to the universal Church. **We will ensure that the animation and ministry of the Bible will always be a dynamic part of our evangelizing commitment.**¹³⁰

112. Faithful to the principle of the incarnation, we should carry out an *inculturated evangelisation*, **integrating as the criteria and key to all our ministries the “dialogue of life” which always takes others into consideration and excludes no one.**¹³¹ **We shall strive to listen to what the Lord says to us through other religious traditions and in being open to the cultural values of other peoples.**¹³² **All of this must be done in perfect fidelity to the content of the Gospel and in total communion with the universal Church.**¹³³

113. In solidarity with the sufferings and anguish of humanity, ours must be a *prophetic and liberating evangelisation* that will help people emerge from all forms of alienation and oppression, such as the loss of a sense of transcendence, subhuman situations of poverty and injustice, and a lack of religious freedom.¹³⁴ We acknowledge and accept the risks that such a prophetic proclamation involves.¹³⁵

The General Government for the whole Congregation and the governments of Provinces and Independent Delegations within their respective competence, will establish a Secretariat for Justice, Peace, and the Integrity of Creation. We shall integrate these challenges into our community projects, taking care at the same time to collaborate with other organisations that work in these fields.¹³⁶

Imitating Jesus’ preference for the poor, answering the call of the Church and following the example of our Founder, we wish to bring to all people the message of salvation, proclaimed from the perspective of the poor and needy, who constitute the greater part of humanity.¹³⁷

114. **As members of a Church that is constituted in the communion of vocations, charisms and ministries, we assume the “shared mission” as our normal way of mission. For this reason, both the General Government as well as the governments of the Provinces and Independent Delegations will promote and support pastoral structures and formation plans that embody this commitment.**¹³⁸

115. In tune with the spirit of our Founder, we feel urged to turn our missionary proclamation of the Gospel into a force that multiplies evangelising leaders, according to the diversity of vocations that exist within the Church.¹³⁹

116. Although our apostolic vocation is universal and does not exclude any class of persons (CC 2), it is nevertheless carried out in each time and place by means of our **preferential** determined recipients.

¹³⁰ MFL 59.2; Cf. MCH 161-166

¹³¹ MFL 58.2

¹³² IPM 46.3; MFL 58.2

¹³³ Cf. MCH 167-168; IPM 16.3, 45

¹³⁴ Cf. MCT 167-168.

¹³⁵ CC46; TMHL 76.1

¹³⁶ Cf. IPM 50.3. TMHL 67.2

¹³⁷ Cf. MCT 137-176; SW50.2; IMP 52.1

¹³⁸ TMHL 37, 66.2; MFL 58.4.

¹³⁹ Cf. MCT 177-179.

Each provincial and local community should discern the preferential recipients of its mission, among those who have been pointed out on a general level,¹⁴⁰ such as **those who have not received the announcement of the Gospel,**¹⁴¹ **those who have left the Church,**¹⁴² the poor and excluded,¹⁴³ youth,¹⁴⁴ the family¹⁴⁵ and new evangelizers.¹⁴⁶

117. At this time when lay persons have recovered the active role and responsibilities that are rightfully theirs in the Church, we feel more keenly urged to give an impulse to the Lay Claretian movement, generously collaborating in their Christian, apostolic and Claretian formation. We must accompany them in their process of growth, toward the kind of autonomy that our common Founder wished for them.¹⁴⁷

A *Lay Claretian* is a Christian who has received from God a vocation as an evangeliser, to be lived in a lay context and manner, according to the missionary charism of Claret. A *Claretian Associate*, on the other hand, is a person who, either individually or as a member of a group, is associated with one of our evangelising works, projects or tasks, either as a lay person or as a priest, whether or not he or she has a vocation to one of the branches of the Claretian Family.¹⁴⁸

Article 2. Structures for Evangelisation

118. The structures and positions in which our Congregation develops its missionary activities should be maintained, reinforced, renewed or suppressed, according to whether or not they respond to the demands of the particular or of the universal Church, in keeping with our charism and our Claretian tradition (No. 22).¹⁴⁹

We have to favour those positions that facilitate the deployment of our ministries towards persons who are more needy and poor.¹⁵⁰

119. In tune with times and places, and always searching for a more participative model of the Church, we should manifest our spirit of Claretian creativity by seeking out and creating new forms of apostolate.¹⁵¹

120. Within the totality of the Congregation's commitment for evangelisation, the *missions* should be esteemed as one of our fundamental works and all members of the Institute should be disposed to exercise this apostolate. Those who feel especially called to the missions should offer themselves for this to their superiors, in imitation of our Founder.¹⁵²

121. The mission commitments, which the Congregation and some Provinces and Independent Delegations have undertaken, must be considered as their own by all members of the respective general or provincial community. This should be clearly shown not only in material and spiritual support, but also in the effective availability of all in generously covering the needs of the missionaries in these Churches, which should be the object of our preference.¹⁵³

¹⁴⁰ Cf. CPR 75.

¹⁴¹ **SW 30.**

¹⁴² Cf. MCH 190-191

¹⁴³ Cf. MCH 173, 183-184; IPM 48; **TMHL 67.1; MFL 21.**

¹⁴⁴ Cf. MCH 188-189.

¹⁴⁵ Cf. MCH 190-191.

¹⁴⁶ Cf. MCH 177-178, 185-186.

¹⁴⁷ Cf. MCT 234; IPM 33.3.

¹⁴⁸ Cf. MLC, Ann 54 (1979) 245-248; cf. 1AP 84; AS 2,4.

¹⁴⁹ Cf. CPR 76-77; SW 18.3; IPM 52.

¹⁵⁰ Cf. IPM 48.2.

¹⁵¹ Cf. MCT 177, 231.

¹⁵² Cf. MNC 3-4; SW 10.3; IPM 32, 46.

¹⁵³ Cf. MCT 233.

122. The territories of missions dependent on a province can form a dependent delegation, under a delegate superior who should receive the faculties needed for the effective governance of the delegation.¹⁵⁴

123. Mission procures are to be organised in the Congregation and the Provinces and Independent Delegations with the following objectives:

- a. to raise mission consciousness and a sense of availability among all the members of the province;
- b. to promote prayers for missions and to provide up-to-date information concerning their plans, problems and achievements;
- c. to animate Christian communities for missions and promote participation of lay missionaries, especially those born and raised in the mission region, in our work; also, to serve as a liaison between the missions and communities that are preparing lay persons for assignments in mission territories.¹⁵⁵
- d. to promote financial assistance by creating funds and by presenting projects in the name of the Congregation and other institutions.¹⁵⁶
- e. **to be in a close relationship and coordination with the Secretariat of Justice, Peace and the Integrity of Creation (JPIC).**

124. The help of lay persons is a powerful asset in the development of the Church in the missions. They can be associated with us in our mission, either as volunteers devoted solely to human development according to their abilities, or else as evangelisers. We, Claretian Missionaries, need to become aware of the important role that lay persons play in pastoral activities, and should therefore offer them channels for pastoral participation and co-responsibility.¹⁵⁷

Before incorporating lay persons into our missions, the Provinces and Independent Delegations that send them should carefully screen the candidates and provide them with the preparation they need in order to assume the responsibilities for which they are being sent.

These lay persons must sign a contract of service and collaboration, which states their working conditions, as well as the obligations the Province or Independent Delegation will undertake to cover expenses for travel and lodging, for social security and for risks connected with illness or accident throughout their period of service.

125. The missionary service of the Word can be exercised within the established structures of ordinary pastoral practice, as well as within more mobile forms aimed at enhancing it,¹⁵⁸ **such as specialized missionary teams.**¹⁵⁹

126. There is a real need for reviving the itinerant service of the Word in our Congregation, which in many places offers great possibilities for the re-evangelisation of people, for revitalising diocesan and parish institutions, and for promoting agents of evangelisation among consecrated persons.¹⁶⁰ Popular missions, which were the first historical expression of our charism, should be renewed and adapted to different times and places,¹⁶¹ **or substituted with other evangelization**

¹⁵⁴ ES II, 18; MNC 17.

¹⁵⁵ Cf. MNC 32; 2AP 138.

¹⁵⁶ Cf. IPM 32.

¹⁵⁷ Cf. MNC 32; MCT 177.

¹⁵⁸ Cf. 2AP 101.

¹⁵⁹ **MFL 61.3.**

¹⁶⁰ Cf. 2AP 104.

¹⁶¹ Cf. 1AP 44; SW 19.2.

initiatives (workshops, Bible courses, etc.). The spiritual exercises and other similar forms of the missionary service of the Word continue to be fully in line with our Claretian charism.¹⁶²

127. The urgency, timeliness and apostolic effectiveness of the mass media, which were so highly esteemed by our Founder and have been traditionally used by our Congregation, oblige us to employ them with creativity, availing ourselves of the new possibilities offered by the new technologies of communication¹⁶³, always bearing in mind the norms of universal law (Can. 831 § 2).

The Internet has to be, for us, more and more an instrument of evangelization.¹⁶⁴

128. The apostolate of the written word is strongly recommended to all, both on the popular level and on the level of specialisation. In publishing their writings, our members should observe the norms given by the local Ordinary (Can. 824 § 1). Permissions of our Institute can be granted by the Superior General or by one's immediate Major Superior (Can. 832; *CC 113.7*).

129. Christian education¹⁶⁵, which can be offered by means of various structures, is a very apt means of the missionary Service of the Word. Therefore our Congregation assumes it as its own ministry. Our educational centres in their handbooks should make known our Christian and Claretian identity with regard to evangelizing options (n. 110-116), so that they will have an Education Plan and a Pastoral Plan which explicitly states them. In all of them the pastoral department of religious education should be well organised, and should foster and co-ordinate the participation of all in the Christian and apostolic formation of teachers, students and their families, as well as exhorting informal methods and processes in the education of the faith. Special attention should be given to the selection and formation of teachers so that they are qualified to assume the characteristics of the Claretian charism and to deepen their understanding of them.

130. It is the right of the Major Superior with his Council to approve the centres for Christian education in his territory. But in the case of schools of higher education, -and the same is true if the founding of a school entails the erection of a new community-, the permission of the Superior General is required, in keeping with the norm of our law.

131. The missionary activity of Christian education is carried not only within the structures of our own centres, but also in centres that do not belong to us, public and private, and even outside all educational structures. We need to encourage new ways of Christian education for all those young persons who live outside the context of educational centres.

132. In all of our parishes, we should foster the creation of Christian communities that will be a leaven for evangelisation and make the Claretian parish a community of communities at the service of the proclamation of the Gospel.¹⁶⁶

Each parish will have a Pastoral Council that is an expression of the diversity of functions and ministries of the parish, which makes visible the complementarity, fraternity, and common mission.

133. It belongs to the Major Superior with his Council to accept parishes, unless this would also entail the erection of a new community, in which case it belongs to the Superior General, according to the norm of our law. In accepting parishes, preference should be given to those of a strictly

¹⁶² Cf. 1AP 45; SW 19.2.

¹⁶³ TMHL 68.5; MFL 61.4

¹⁶⁴ MFL 2j; 61.4.

¹⁶⁵ MFL 2.c.

¹⁶⁶ Cf. MCT 236, 177; SW 11.2; MFL 59.1.

missionary type, generously taking temporary charge of them.¹⁶⁷

134. A parish is entrusted to the Institute or to the Province, on the condition that one priest is the pastor (Can. 520) or the moderator mentioned in Canon 517 § 1.

The bishop entrusts the "cura animarum" to the pastor and parochial vicar. Those devoted to parish work should constitute an integrated and efficient team in which all contribute to an updated program of pastoral care.¹⁶⁸

The whole community should feel responsible for this mission entrusted to its members. In the written agreement between the diocesan bishop and the Major Superior (Can. 520 § 2), care should be taken to guarantee fidelity to our Claretian spirit, and there should be specifications regarding the time for which the parish is being entrusted and the conditions under which its activities are to take place.

In all parishes there will be a pastoral plan that will integrate the lines of action, options, and priority of recipients of the Claretian evangelization project (Dir. 110-116).

Article 3. Apostolic Planning

135. The apostolic action of the Congregation must be planned, programmed and evaluated on all levels: on the general level, on the level of provinces and delegations, and on that of each one of our local communities **and activities.**

In today's technological society, Planning toward objectives is a highly efficient instrument, which we should always use under the guidance of the Word of God and the animation of the Spirit.

Programming is a means for growth in missionary community, because it stimulates and channels the participation and co-responsibility of everyone.

In planning, we set determined goals for ourselves and establish the means best suited to attain them. The pastoral planning of the particular Church should also be taken into account.

136. The General Prefecture of Apostolate is the organ that animates the missionary activity in the Congregation. Therefore it must:

- a) know the reality of the apostolate in the congregation;
- b) urge the communion and collaboration among provinces and independent delegations;
- c) be a medium of communication for the various pastoral initiatives;
- d) promote and support the apostolic projects of the provinces and independent delegations, remaining faithful to the initiatives that the Church proposes as a requirement for a constant and renewed evangelisation.¹⁶⁹
- e) **to encourage the congregational options and projects in the conferences, provinces and delegations.**
- f) **to promote the coordination of the Prefects of each interprovincial Conference based on the "Claretian Missionary Project" for that zone.**

137. The Provincial Prefect of Apostolate should be the animator of all the apostolates of the Province, and according to their characteristics in the judgement of the Provincial Government, he should organise and moderate the corresponding pastoral council.¹⁷⁰

¹⁶⁷ Cf. 1AP 62.

¹⁶⁸ Cf. 1AP 65.

¹⁶⁹ Cf. 1AP 17.

¹⁷⁰ Cf. 2AP 144.

CHAPTER VIII

PROGRESS IN MISSIONARY LIFE

138. The Lord invites his followers to be perfect as their heavenly Father is perfect. Hence our missionaries should endeavour to tend toward the perfection proper to their vocation. To this end they should humbly ask for grace, maintain an attitude of continual formation, and use the practical means required for an adequate permanent formation.

Article 1. Spiritual growth

139. Community life should be a continual stimulus toward perfection in charity. One means whereby the community can foster its vitality and its spiritual and apostolic growth, **is the care of those spaces and moments that invite a warm welcome, deep communication, prayer and recreation**¹⁷¹ such as the community meeting and, with adaptations suited to our own character, the revision of life.¹⁷² Meetings with neighbouring communities can also be a useful means for fostering greater vitality, spiritual growth, and the apostolate.

140. Spiritual direction or accompaniment is earnestly recommended as a means for discerning the will of God and remaining faithful till the end (*CC 54; 73*).¹⁷³

141. The witness of those missionaries who reached holiness in our consecrated life and apostolic ministry should effectively move us to greater fidelity and commitment to our own vocation.¹⁷⁴

Therefore, knowledge of their lives should be promoted, and their living examples should be set before us as an incentive to a more intense spiritual life and a more dynamic apostolate in the Church of God.

142. Temptations can be an obstacle to advancing in holiness of life. In order to overcome them, we should avail ourselves of the following means: manifest our temptations and difficulties to those who can help us, resist temptations promptly; examine our main spiritual weakness and strengthen that area through meditations, prayers and acts of virtue. As long as a temptation lasts, we should not make any change in our way of life nor add any new resolutions or proposals. Meanwhile we should not omit or lessen our regular spiritual practices, but rather, we should increase and prolong them.¹⁷⁵

143. **Major Superiors shall seek to effectively animate the spiritual life of persons and communities, either by themselves or with their collaborators. To accomplish this task of animation, *prefectures of spirituality*, both in the General Government as well as in the governments of the provinces and delegations, should be established, in order to:**

¹⁷¹ **MFL 56.2.**

¹⁷² Cf. IRL 18.

¹⁷³ Cf. El Colegial Instruido I, Ch 34 ; SW 13.5; IPM 21.2; TMHL 70.3.

¹⁷⁴ Cf. IRL 21; MFL 54.2.

¹⁷⁵ Cf. CC (1924) II, 1,2.

- a) Promote a greater understanding and assimilation of our charismatic sources and the history of the Institute.
- b) Promote the study of our spirituality in dialogue with the spiritual and cultural traditions of the different communities where we live and serve (cf. MFL 55.3).
- c) Organize or coordinate experiences of spiritual renovation and permanent formation, as well as update and distribute materials (printed or audio-visual) that aid in the growth of the missionary life.

Article 2. Ministerial Renewal

144. The missionary must assiduously cultivate the divine and secular sciences, making an effort to achieve the level of learning one might normally expect of any cultured person. He should be always up-to-date in the study of the sciences (CC 56); for a sound cultivation of the mind is a powerful aid to the sacred ministry.

Being by vocation listeners and servants of the Word, we shall daily practice the reading of the Bible in the style of our Founder, and shall make its study one of our central concerns.¹⁷⁶

145. So that all our members may constantly perfect themselves in the sacred and profane sciences, there should be in all our houses a specialised library geared to the apostolic ministries of the community.¹⁷⁷

The plenary meeting of the community should designate a librarian who, besides preserving and enriching the library, should take special care to see that all books are in good order and are appropriately indexed.

As a general rule, library books should not be lent to those outside the community.¹⁷⁸

146. Only a community that welcomes the gift of God, heeds to the signs of the times, and allows itself to be constantly rejuvenated can carry out the proclamation of the Gospel in a credible and attractive manner.¹⁷⁹ Therefore we all have to live in a continuous process of renewal in order to be able to respond properly to the demands of our vocation.¹⁸⁰

147. In carrying out this permanent renewal, two ways must be distinguished:¹⁸¹

- 1) an *ordinary way* through reading, conferences, community meetings, retreats, etc. **In the same way, we should utilize the evangelizing processes as opportune moments for permanent formation.**¹⁸² Each Claretian has to make his own personal plan of formation integrated into the community project.¹⁸³
- 2) an *extraordinary way*, to keep all members of each province and delegation in a general attitude of permanent renewal.¹⁸⁴ Among others, the following alternatives could be offered:
 - a) intensive courses organised by the Congregation itself;
 - b) courses organised by agencies outside the Congregation;

¹⁷⁶ Cf. SW 14.1; IPM 34.8.TMHL 70.1; MFL 54.1

¹⁷⁷ Cf. CC (1973) 91.

¹⁷⁸ Cf. CC (1924) I, 138.

¹⁷⁹ IPM 34.

¹⁸⁰ Cf. CPR 67; MFL 55.2.

¹⁸¹ Cf. GPF 482-520.

¹⁸² **IPM 36.4.**

¹⁸³ Cf. As. Teques, no.89-94, in Ann 56 (1983-84) 2-70; CPR 67; SW 13.3; IPM 34.3; MFL 55.1.

¹⁸⁴ Cf. 2F 28.

- c) the establishment of a supply system that will offer each individual, after a certain number of years, the opportunity to be freed from community tasks and occupations, in order to be able to devote himself to a serious, specialised renewal in appropriate centres.¹⁸⁵

148. Because it is a very decisive phase in the consolidation of our missionary vocation, great care has to be taken with regard to the ongoing formation of young Claretians, especially during the first five years of their ministry in the case of clerical members, and during the five years that immediately follow the final profession in the case of brothers.¹⁸⁶

149. Provinces and Independent Delegations should formulate their own plan of ongoing formation as a part of their plan of action for each sexennium (Can. 659, 661), which is not to be reduced simply to a matter of doctrinal or pastoral formation, but rather aim at a deep spiritual and Claretian renewal,¹⁸⁷

Article 3. Community Organisation

150. Each local community should develop a plan for its missionary life (No. 431).¹⁸⁸ Based on a charitable dialogue, its timetable should be so scheduled (CC 57) as to assure that everyone will normally be able to attend community acts of prayer, meals, and recreation; that they will have time both to exercise their ministry or work, and prepare for it adequately; likewise, that everyone's need for a suitable period of physical and psychological rest, as well as for some time to themselves, will be taken into account.

In this connection, the customs of the country and the characteristics of each community should be borne in mind.

Accordingly, timetables and regulations will not necessarily be identical in all communities or even, in particular cases, for all members of the same house.¹⁸⁹

151. Silence plays an important role in our missionary life. In silence we receive God's Word and, like Mary, ponder it in our hearts (Lk 2:19,51), we prepare ourselves for the ministry and recoup our forces. Charity and respect for our brothers who may be praying, working or resting will help us cultivate silence.¹⁹⁰

Led by this same spirit of charity and respect, we should endeavour to attend community recreations, not only to seek our own diversion, but also to foster mutual friendship.

152. As a sign and expression of fraternal love and service, all the members of the community should take part in common tasks and domestic chores as demands of common life, so as to create an authentic family atmosphere.¹⁹¹

We should serve our brothers as we would Jesus Christ, who said: "Whatever you did for the least of my brothers, you did for me" (Mt 25:40).

153. When determining the hours to be set-aside for rest, the health of our individual members, the demands of the apostolic life and the spirit of mortification should all be taken into account.¹⁹²

¹⁸⁵ Cf. 2F 29; GPF 505-520.

¹⁸⁶ Cf. PI 70; SW 22.2; IPM 35; TMHL 73.3.

¹⁸⁷ Cf. 2F 27; MCT 137; IPM 34.1; MFL 55;56.3.

¹⁸⁸ TMHL 71.1.

¹⁸⁹ Cf. ES 26; SH 114; MFL 56.3.

¹⁹⁰ Cf. XVIII Gen Ch, sess. 36; CC (1973) 15.

¹⁹¹ Cf. CB 13.

¹⁹² Cf. 1RL 109.

154. Superiors should see to it that all the members of the Congregation enjoy a due and sufficient time for vacations.¹⁹³

In this matter each province and delegation should seriously consider its own particular situation and apply, conscientiously and in keeping with the demands of the Gospel, those criteria that it deems opportune, in conformity with our Claretian vocation.¹⁹⁴

Each community should review this point and jointly commit themselves to maintain a lifestyle proper of people who need to live by their work. Moreover, the community is a consecrated one and should give witness to poverty, also in a collective manner.

155. Missionaries who work abroad are authorised to return periodically to their country of origin, in order to enjoy some time for rest and renewal there, in keeping with the criteria mentioned above.¹⁹⁵

The frequency and length of these stays are to be determined by the provincial chapter, or by the assembly in independent delegations.

¹⁹³ Cf. XVIII Gen Ch, sess. 37.

¹⁹⁴ Ibid.

¹⁹⁵ Cf. IRL 112.

PART TWO

Members of the Congregation

Chapter IX

THOSE CALLED TO OUR MISSIONARY LIFE

Article 1. General Questions Regarding Formation

156. The formation plan for those called to the Claretian missionary life (Can. 650 § 1) is made up of the elements expressed in the following, which are gathered together and presented in our General Plan of Formation, called “Formation of Missionaries.”¹⁹⁶

The fundamental objective of formation is to promote growth in union and conformity with Christ according to the Claretian charism, in a responsible and creative manner.¹⁹⁷

Formation does not consist only in the study of a series of subjects, but of an experiential process in which the encounter with God and the Congregation help the individual to identify and to express his own identity beginning with the call he has received from God. In addition to vocational discernment, the initial formation must offer to the one in formation the necessary elements to build a foundation on which he can maintain a commitment for ongoing personal and spiritual growth throughout his life.

157. Formation should be:

- *personalised*, appealing to personal conscience and responsibility, as well as to a personalised interiorising of the values of the Claretian community and a respect for the gifts of the individual;
- *integrating* the different essential aspects of missionary life in a search for personal unity, while avoiding any dichotomising or extremist tendencies;
- *transforming that leads to increasing levels of human and spiritual maturity as the one in formation advances in his formative process.*
- *keenly sensitive* to the needs and characteristics of today’s men and women;
- *gradual and progressive*, respecting the different stages of formation, as well as the different pace and level of maturity of each individual.

158. Unless otherwise indicated, *the recipients* of formation referred to in the three following chapters are persons called to missionary life in our Congregation, whether in priestly, diaconal or lay ministries.

159. The environment par excellence in which our candidates are to receive their formation during the different periods of their course of studies is the formation community. This community is to maintain a relationship with the rest of the Congregation, openness to the realities of the world and the local Church and, when it is judged opportune, an insertion among the poor.¹⁹⁸

160. All members of the Congregation on all its different levels are *responsible* for the important task of missionary formation, *as much through their testimony of life as by their collaboration* (Can. 652 § 4; CC 76).¹⁹⁹

¹⁹⁶ *Formation of Missionaries. General Plan of Formation.* Madrid, 1994. cf. PI 66; VC 68; XXI Gen Ch, Acta 14, Ann. 60 (1991) p.253.

¹⁹⁷ Cf. VC 65.

¹⁹⁸ Cf. VC 67; PI 28; CPR 80; SW 27; IPM 59; GPF 71, 177-178.

¹⁹⁹ MFL 63.2

161. Although the principal agents of formation are the Spirit and the candidates themselves, *the formation team*, be they clerics or brothers, play a very important role in accompanying this process. Therefore, every person in formation, even if he does not reside in a formation community, must have his formator. By *formators*, we mean those entrusted with an immediate responsibility for the integral formation of our candidates (Cann. 647, 650, 651). In our tradition the novice master and the prefects are the persons whom the Congregation offers to each student for spiritual direction, leaving always freedom to the candidate to choose another person (*Can. 239 § 2*).²⁰⁰

162. So that the function of formation may be more complete, where possible there should be a *formation team with complementary abilities*. **The formators should be offered the means and resources necessary to undertake their work, and they must commit themselves to it without reservation.**²⁰¹

163. The *function* of the formation director or **formation** team is:

- to *discern*, together with the candidate, the work that God is performing in him and the ways in which God wishes him to advance;
- to *accompany him* in his various stages of growth, respecting his own pace and offering him at each moment the help **and questioning** he needs for his development;
- to *offer him* in each **formative** phase **solid doctrinal foundations and practices according to** his personal needs and future responsibilities;
- to *verify* the results he has obtained and judge whether he has the capabilities demanded of him at present by the Church and the Congregation.

164. The *formation community* is one whose principal aim is formation. It should feel obliged to achieve the objectives of the formation plan, to foster interpersonal relationships based mainly on faith and charity, and to see to it that each individual faithfully fulfils his own responsibility by way of personal service.²⁰²

165. It is advisable to involve in the formation work lay persons of both sexes who, with their knowledge and experience, can contribute to the integral formation of our missionaries in formation.²⁰³

166. It is recommended that Provinces and Independent Delegations have a *formation council*, established in the form determined by the respective government (No. 457 h).²⁰⁴

Where it exists, it also belongs to the formation council to carry out an animating and evaluating work regarding formation in its various aspects.²⁰⁵

In order to assure continuity in the formative process there must be good communication among those in charge of the different stages of the formative process, and updated reports about the candidates should be given to new formators.

167. Where this council does not exist, meetings of specialists in formation and studies should be fostered. Similar meetings should also be convoked on the inter-provincial and general levels to deal with studies, deepen our knowledge, share experiences and do overall planning.²⁰⁶

²⁰⁰ Cf. GPF 190.

²⁰¹ Cf. OT 5; 1F 75; MFL 63.5; GPF 416; Cf. Ann. 67 (2005)24 ss.; MFL 63,4.

²⁰² Cf. 2F 13 a.

²⁰³ Cf. GPF 115, 319.

²⁰⁴ Cf. 1F 84, 162; 2F 13.

²⁰⁵ Cf. 1F 162-164.

²⁰⁶ Cf. 2F 32.

168. Each province should have a formation plan prepared in conformity with the General Plan for Formation and approved by the Provincial Superior with his Council (No. 457 h). This plan should include vocation promotion and a consideration of the different stages of formation, as well as matters relating to permanent formation.

Each formation centre should apply the provincial formation plan to its own situation and draw up its own corresponding plan.

Similarly, each province or delegation will select, prepare, and accompany those who will need to assume the work of formation.²⁰⁷

169. Our academic centres should draw up their own statutes (Can. 659 § 3), detailing their objectives, orientation, selection and appointment of professors, the formation of an academic council, student participation, economic administration, etc.

These statutes should be drafted by those responsible for the centre, with the participation of the community, and are to be approved by the major superior. At these centers, the responsibility of the Rector or Director is limited to the academic area. Nonetheless, there must be good coordination with the formator, the formation team and the superior of the community.

The Claretian Professors in these centres need to be conscious not just of their contribution to academic formation, but also their participation in the holistic formation of Claretian Students.

Article 2. Vocation Ministry

170. Vocation ministry is the specific activity by which each community commits itself to foster, welcome, and accompany those who feel a vocational calling.²⁰⁸ Vocation promotion has to be a priority in each Province, Independent Delegation and community, and for every Claretian (CC 58). Every Claretian is responsible for fostering vocations, above all, by being a model for those whom God might be calling to the Claretian life.²⁰⁹ Each community should be welcoming toward vocations and should include vocation promotion within their community project and pastoral planning, assigning some member of the community to be more directly responsible for this ministry.

171. The aim of vocation ministry is to help the candidate discover his vocation in the Church and if he feels drawn to the Congregation makes an option to follow Jesus according to the Claretian charism.²¹⁰ Youth ministry that does not lead young people to make their own option for the Lord should be considered incomplete.

172. So that this option may be a viable one, a “vocational culture”²¹¹ must be encouraged in the Province or Delegation, informing the youth of the vocations that exist in Church, challenging and accompanying them in the maturation of their vocational choice young people should be presented with a broad spectrum of vocational possibilities in the Church. This presupposes on the part of those committed to youth ministry an ability to orient young or adolescent persons in the progressive discernment of their vocation, respect for the call of God and firmness in insisting on the fidelity due to the Lord.²¹²

²⁰⁷ GPF 108-109.

²⁰⁸ CVD 49.

²⁰⁹ Cf. 1F 97; IPM 36-37.

²¹⁰ TMHL 73.1.

²¹¹ GPF 280; IPM 37.7.

²¹² Cf. IPM 37.3.

With a true ecclesial sense and in collaboration with the local church, we should take care to integrate families, diocesan priests, religious, and teachers into our vocation ministry.²¹³

173. In all provinces and, whenever possible, in the independent delegations there should be at least one Claretian specifically prepared and dedicated full time to vocation ministry. In all the Provinces and Independent Delegations of the Congregation, a Claretian Vocation Team²¹⁴ should be established, which will also seek to incorporate some lay persons.

174. This team is responsible for vocational animation throughout the province or delegation, encouraging the participation of all and should draft plans for vocation promotion. In doing this it should make explicit the three modes of life in our Institute: priestly, diaconal and lay. It should not forget the task of promoting vocations to the various other groups of the Claretian Family.²¹⁵ In order to fulfil its mission, it should have the necessary resources with which to work.

The provincial government should encourage and evaluate the work of the team and that of the local communities.

175. Within the vocation ministry team of the province or delegation there should be those assigned to do a serious and responsible study of candidates according to their age and stage of development, so as to reach the best discernment possible concerning their sincerity, freedom of choice, their physical, psychological, intellectual, moral, religious, apostolic and community aptitudes, and the universal availability required by our charism. In making this discernment they should, if they deem it necessary, avail themselves of methods of psychological testing and a review of life, without prejudice to the privacy of each person (Cann. 220, 642). They will take into account the criteria expressed in the Vocational Directory and the directives of the Congregation.²¹⁶

176. Mutual collaboration between vocation teams on an inter-provincial level is desirable for an interchange of experiences, and for clarifying the objectives and the means used in vocation ministry. To this end, they should hold periodic meetings and inform all of our communities of their activities.²¹⁷ Our vocation ministry will be open to collaboration with all the groups of the Claretian Family, with other religious institutes, and with dioceses.

177. The General Prefecture of Formation should promote various vocational activities on the provincial and inter-provincial levels and keep the Congregation informed of experiences, achievements and difficulties in this area.

Each province or delegation will determine the location of the vocation ministry within the organizational chart of the institute and its relationship with the Prefectures and Secretariats. The same will apply to the General Government.

The general director of vocation ministry will seek to promote vocation activities in the different areas of the Congregation, and will be informed of experiences, successes and difficulties in this endeavor.

Article 3. Reception of Prospective Vocations and Pre-novitiate Candidates.

²¹³ Cf. VC 64; IPM 37.7.

²¹⁴ Cf. 2F 19.c

²¹⁵ Cf. MCT 186.

²¹⁶ CVD 232; “Chapter Directives regarding some subjects related to the vows of chastity” n. 3 (November 11, 2003).

²¹⁷ Cf. 2F 19 c.

A. The Minor Seminary and other forms of reception

178. The Claretian community carries out the initial reception and development of vocations through institutionalised forms such as minor seminaries or similar centres, and through other forms of welcoming vocations such as parish groups, youth groups, apostolic movements, etc. of those adolescents and young adults who have expressed a desire to be Claretians.²¹⁸

179. Admission to the Minor Seminary or to a centre of vocation discernment belongs to the local Superior, keeping in mind the opinion of the animator or the provincial team for vocation ministry; or of whoever is designated by legitimately approved statutes. Dismissal is always the responsibility of the local Superior, after hearing from the formators or those responsible.²¹⁹

B. Pre-Novitiate

180. The pre-novitiate in the Congregation is an educational institution erected to help candidates, who show signs or the seeds of a Claretian vocation, to discern and to respond to it. It also welcomes those who have concluded their studies at the Minor Seminary or other experiences of vocational reception.

181. Specific objectives of this stage include:

- providing for the integral human formation of the candidates and the harmonious development of their physical, intellectual, and moral conditions corresponding to their age;
- seeing to it that they live their gift of faith as expressed in prayer, in their self-offering to the Father through Christ in the Spirit, and in their sensitivity to the needs of others;
- enabling these candidates, as a consequence of their faith-life and as a preparation for possible religious consecration and incorporation into the Claretian community, to orient their affective life and sexuality in a mature manner, to learn how to share and make sparing use of material goods, and to be community minded in their personal decisions;
- accompanying them in discerning and cultivating their vocation and presenting them with a clear and adequate notion of the characteristics of our service in the Church, taking always the figure of our Founder as the point of reference;
- having the candidates exercising some apostolic activity.

182. Formation in the pre-novitiate should be carried-out using suitable dynamics:

- In all areas of its activities, the pre-novitiate should establish a lifestyle suited to the age, situation and educational level of its students and see to their development in keeping with sound psychological and pedagogical norms.
- Formation should be imparted in a climate of friendship, discipline and a community of faith. Students should be expected to show signs of religious sensibility and sincere piety so that, in professing and celebrating their faith with their peers, they may come to experience a close union with God and their fellow human beings. Thus they may discover an experiential awareness of the mystery of Christ and of the Church.
- Formators should foster an accompaniment and a personalized formation for the candidates, paying special attention to the experience of faith, affective-sexual integration, and human relations;²²⁰

²¹⁸ Cf. 1F 106; GPF 324

²¹⁹ Cf. 1F 86.1.

²²⁰ TMHL 73.3; MFL 63.1

- Families should be incorporated into this educative process by means of an adequate relationship with the students and by their presence in the seminary.
- Formation should be open to the social and ecclesial realities, and to the persons, works and communities of the Congregation, **and its multicultural nature**.²²¹
- An effort must be made to involve the students in this education process. This involvement should be personal, progressive, integral and objectively verifiable.

183. For admission to the **pre-novitiate**, a candidate should have the following qualifications:

- show signs **or seeds** of a Claretian vocation discernible from his basic personal aptitudes, and of his having an elementary life of faith and religious sensibility (No. 180).
- show an initial desire to follow Christ in the Congregation, either because he is openly inclined to our missionary life or because he thinks of it as a possibility for himself.

184. The admission to the pre-novitiate and dismissal from it, belongs to the Mayor Superior after hearing from the formation personnel.

185. Formation personnel at this level should possess sufficient pedagogical, apostolic, and religious preparation²²² that allows them to carry out their formation work.

The formation team should be a true model with whom the students can identify in their authenticity, joy, fraternity and the dedication they show in carrying out their formative mission.

Article 4. Postulancy

186. The Claretian postulancy is the formative stage immediately preparatory for the novitiate. These are its specific aims:

- to form a judgement as to the **maturity**, aptitude and missionary vocation of the candidate;
- to test the level of his religious instruction and, if necessary, to complete it,
- to see to it that the candidate has enough knowledge of the Congregation to allow him to make a serious initial option for it,
- to introduce him into the state of life that he is going to lead in the novitiate,
- to initiate him into acquiring habits of discipline, community-mindedness and study.

187. The formation imparted during this stage should unfold within its own particular dynamics, yet one decidedly marked by the Claretian vocation. Hence it should be carried out in a climate of openness to the Word of God, of increasing appreciation and taste for spiritual life, community experience, apostolic commitment, dialogue with the formators and trustful openness with the spiritual director.

Such an environment will allow a more exact judgement concerning the aptitudes, vocation, preparation, human and affective maturity of the candidate, so as to provide a well-founded hope that he will be able to undertake the obligations of the Claretian vocation that will be clearly put to him in the novitiate.

188. In addition to the requisites necessary for admission to pre-novitiate (n.183), the candidate should have a positive disposition to follow Jesus in the congregation.

²²¹ **TMHL 72.1**

²²² Cf. 2F 14 b.

189. It is the prerogative of the major superior, once having been duly informed by **those responsible for the pre-novitiate**, and keeping in mind the purpose and objectives of the postulancy:

- a) to determine the conditions **that the candidates need to have** for this formative period,
- b) to admit candidates and dismiss them,
- c) to determine the modality and duration of this stage, **consistent to what is indicated in n. 193.**

190. In the act of being admitted, the candidate must present a written statement, signed by himself and two witnesses - in keeping with the law of the land insofar as possible - to the effect that:

- a) his entry into the Congregation and any tasks he may perform in it are not in the nature of a work contract, and hence, if he later leaves the Institute, he will not be able to demand any compensation for works he has done or for damages he may have incurred during his stay in the Congregation (CC 59);
- b) **that he knows and accepts the norms of the Congregation concerning misconduct in sexual or financial matters, and that the Congregation is not liable for the legal and moral consequences of these acts;**
- c) that he is not aware of any **canonical** impediment to his entering the Congregation (can 597; 693);
- d) **that he does not have contractual obligations for unlawful misconduct in sexual matters or financial offenses.**

191. The postulancy of those coming from a minor seminary or from other forms of welcoming vocations may coincide with the last period of the **pre-novitiate**.

Should someone be allowed to enter the postulancy directly, the government of the Province or Independent Delegation must arrange for the most opportune and effective way **to complete this stage**, bearing in mind the circumstances of the **candidate** and organising an experience - a group experience if possible - in our communities.

192. It is recommended that the period of postulancy be spent outside the novitiate house. If it does take place in the novitiate, it should constitute a different section. In some cases **with permission of the Major Superior**, it may even be made outside our houses, but always under the guidance of an experienced religious.

193. It belongs to the Major Superior to determine the length of the postulancy.²²³ In whatever form the postulancy is carried out, it should be long enough to allow for an adequate pace to attain the end and objectives of this period of formation. In no case should it be shorter than six months nor, as a general rule, should it last longer than two years.²²⁴

194. Formation personnel in charge of postulants should have adequate preparation and, in order to assure continuity in formation, should keep in close contact with the novice master **and with those responsible for the prior formative stages and for the vocation ministry.**²²⁵

Chapter X.

²²³ Cf. Decr. Appl. RC 14.

²²⁴ Cf. RC 12.

²²⁵ Cf. RC 12,IV.

THE NOVICES AND THE NOVICE MASTER

Article 1. The Novices

195. The aim of the novitiate is to initiate the candidates into an experience of following Jesus according to the Claretian charism, so that both the Congregation and the candidates may discern whether the latter have truly been called and may hence proceed to be incorporated into the Congregation.

196. As a formative institution, the novitiate should enable the novices to lay the foundations for:

- a life of union with Jesus Christ, the Son who was sent by the Father and became incarnate of the Virgin Mary through the working of the Holy Spirit;
- a knowledge and practice of the essential demands of the Claretian religious life, as a way of following Jesus Christ, who was poor, chaste and obedient in proclaiming the Good News;
- a truly Claretian community lifestyle;
- a missionary spirit and a preparation for the apostolate in keeping with the charism of the Congregation (Can. 652).

197. The attainment of these objectives require:

- an inner and outer context that will provide the novice with a sufficient opportunity for "breaking away" and a desert experience;
- a chance to listen to and receive God's word in the liturgy and in the silence of prayer, which is the core of our spirituality;
- a growing conversion to the existential attitudes of Jesus the Evangeliser;
- an increasing co-responsibility in programming, implementing and evaluating community life;
- an acceptance of the novice master's guidance in being initiated into the life of the Congregation and in responding faithfully to one's own vocation;
- a dedication to the study of matters relating to the aim of the novitiate.

During the twelve canonical months of the novitiate, the novices should not be occupied in studies or works that do not contribute directly to the formation proper of the novitiate (Can.652 § 5).

198. *In order for the novitiate to be valid, it should be held in a house properly designated for this purpose (Can. 647 § 2).* The erection, transfer or suppression of the novitiate must be done by means of a written decree of the Superior General with the consent of his council (Can. 647 § 1; Dir. 496 f). This is to be requested by the Major Superior with the consent of his council (No. 457 m).

199. Only those candidates who do not have any canonical impediment (Can. 643) and wish to be Claretian missionaries, and possess the requisite qualities of age, physical and psychological health, aptitude, and human, spiritual and vocational maturity (Can. 642), may be admitted to the novitiate. Those who have shown progress in fulfilling the demands of religious life and apostolic activities in our Institute should be regarded as suitable candidates.

200. Before being admitted to the novitiate, all candidates should present certificates of their Baptism and Confirmation and of their free status (Can. 645 § 1). *Clergy candidates and those who come from other seminaries or Religious Institutes need to present a written report from their respective superior (cf. Can. 645 & 2 & 3).*

201. Postulants must submit to the Major Superior a written request for admission to the novitiate at least one month before they are accepted.

202. Admission to the novitiate belongs to the Major Superior with the consultative vote of his council (Can. 641; CC 69; Dir. 458 e). **But with respect to a priest, seminarian, or ex-religious, whose reports may present some doubt, the Major Superior must call for a deliberative vote of his Council.**

For any just reason the novice can be dismissed by the Major Superior (Can. 653; Dir. 271).

203. The beginning of the novitiate should be preceded by no less than five full days of spiritual exercises.

204. The canonical novitiate begins when the Major Superior or his delegate declares it begun (CC 69). For the opening ceremony it is fitting that the Congregation's own rite of initiation be used.

205. Under the direction of the government of the Province or Independent Delegation, different ways and forms of organising the novitiate may be promoted in keeping with the needs and convenience of each territory, but in such a way as to respect the fundamental characteristics of our Institute and to observe the norms of universal law.

Only by way of exception and in particular cases, through concession by the Superior General with the consent of his Council, can a candidate be allowed to make his novitiate in a house of the Institute other than the novitiate house. The candidate shall always be under the direction of a religious who acts in the novice master's stead (Can. 647 § 2; Dir. 496 m).

206. There is only one novitiate and it is valid for all, independently of whether they have a clerical or lay vocation. Nevertheless, before his first profession in the Congregation, each individual must manifest to the major superior, in writing, whether he presently desires to be a Claretian according to the lay, diaconal, or priestly vocation.

207. With regard to the relationship between novices and professed members, given the distinctive character and aims of the novitiate, on the one hand there must be a balance between the nearness the novices need to achieve a knowledge and love for the Congregation, and on the other, the fitting separation they require to safeguard their condition as novices. The government of the Province or Independent Delegation must determine the general guidelines for this relationship.

208. The novitiate ends with first profession. But if on completion of the ordinary time there still remains some doubt about the suitability of the candidate, the major superior, after hearing from his consultors, can prolong the period for another six months (Can. 653 § 2).

209. If a novice becomes gravely ill and is in danger of death, the Major Superior or even the superior of the house may allow him to make his profession "in articulo mortis," according to the norm and effects determined by the Holy See.

Article 2. The Novice Master

210. The novice master is designated by the Major Superior with the consent of his council (CC 68; Dir.457 a). He must be perpetually professed and endowed with the human, religious, and apostolic qualities that will allow him to fully accomplish his mission.

211. The novice master's role is to help the novices by his words and actions to become formed and well founded in the missionary life of the Congregation. In order to do this, he should be acquainted with and accompany each novice in his personal growth process. He should patiently and constantly initiate them in the ways of the Spirit of Christ. He should create and encourage a true community of faith and love among the novices, and explain the doctrine of our missionary life according to the teachings of the Church and the Congregation (Cann. 650-651).

212. The direction of the novices is reserved solely to the novice master, under the authority of the major superiors. In order to be able to devote himself fully to an office of such importance, the novice master should be free from all obligations and charges that might hinder him from guiding the novices. He can have collaborators who work in a team and share his responsibilities and functions. They depend on the novice master regarding all that refers to the direction of the novitiate and the implementation of the formation plan (*Cann. 650, 651 § 2*).

213. He should periodically inform the Major Superior concerning the progress of the novitiate and of each of the novices.

Article 3. Incorporation and Profession

1. Nature

214. Incorporation into the Congregation is effected by religious profession (Can. 654; CC 70).

215. In the Congregation, religious profession is effected through a consecration to God by taking the vows of poverty, chastity and obedience, and by a public act of commitment to the Heart of Mary in order to achieve the aim of the Congregation according to the Constitutions (CC 159).

First profession and temporary professions include the will to make perpetual profession and are a preparation for it.

216. Those who have lawfully left the Congregation after completing the novitiate and did not profess vows can be admitted again by the Superior General with the consent of his council, without the obligation of repeating the novitiate (Can. 690 § 1; Dir.496 h).

In these cases, the Superior General himself should assign a period of probation, after which they may be admitted to first profession of vows by the Superior General with his council (Cann. 690 § 1; 655; Dir.457 f).

2. Process of Incorporation

217. Three months before the date assigned for finishing his novitiate, the novice should submit a written petition to the major superior, asking for religious profession in the Congregation, at the same time clearly expressing his will to persevere in it, and his disposition to fulfil the Constitutions and other norms of our Congregation.

218. Before their incorporation into the Congregation, novices should be explicitly informed that superiors do not wish to admit anyone who has kept silent about any excluding impediment or has hidden any notable defect or does not have a desire to remain in the Congregation, and that in such cases, their profession would be invalid (Can. 643). Likewise, they should be informed concerning the channels and criteria for separation from the Institute, as explained in Nos. 271-282 below.

219. During the novitiate it should be made known to the novices that the Congregation will not take the responsibility for the moral and legal consequences arising from acts against consecrated chastity. Before the first profession the novices should declare in writing that they know **and accept** the will of the Congregation, **according to what is stated in n. 190.**

220. Before their first profession but after their approval for it, the novices should freely cede the administration of their goods and dispose, likewise freely, of the use and usufruct of the latter, observing, if possible, the civil formalities governing such acts (CC 27). If for a lawful reason someone should fail to make this cession and disposition, he should do so when the aforesaid reason has disappeared.

A civilly binding will must be made before perpetual profession (CC 27), but it may be made throughout the period preceding that profession. If anyone has already made his civil will before his first profession, he is not obliged to make it anew (Can. 668 § 1).

If for a just reason anyone wishes to change the dispositions he has already made in matters pertaining to patrimonial goods, he needs the permission of his major superior.

221. Temporary professions are to be made annually during the first three years. After that, they may be made for a longer period, which the Major Superior will determine after hearing from the candidate and the person in charge of his formation (Can. 657 § 2; CC 70).

222. Unless something to the contrary is expressly stated, seniority and precedence will be determined by reckoning from the time of first profession (No. 370 c).

223. Three months before the expiration date for temporary professions, candidates must submit a written petition to the Major Superior requesting permission to renew them.

224. Six months before perpetual profession, candidates will request it freely and in writing from the major superior. The Major Superior will decide whether the time has come for immediate preparation for perpetual vows, and will determine the place and manner in which it is to be carried out (No. 241).

225. Those who request perpetual profession should, a month before it takes place, write to the Superior General, manifesting to him their dispositions and aspirations as regards the missionary service of the Congregation. The Major Superior of the candidates, in turn, will send the Superior General a complete file on each of them.²²⁶

226. No one may make perpetual profession before he has completed 21 years of age (Can. 658).

227. All members of the community, especially the superior, formators, and peers, are obliged to submit a report on candidates for profession, particularly for first and perpetual profession.

In all of these cases, as well as for attempts to abandon the Congregation, it is not allowed to ask spiritual directors or confessors for information (Can. 240 § 2).

3. *Admission*

228. Admission to first as well as to perpetual profession belongs to the Major Superior with the consent of his council (CC 70-71). Admission to renewal of profession belongs to the major superior, after hearing from his consultors (No. 458 e). By Major Superior is meant the superior

²²⁶ Ann. 54 (1980) 463.

of the Province or Independent Delegation in which the candidate is enrolled, even if the latter is making his novitiate in a house of another major organism.

229. The Major Superior of the candidate and his consultors can delegate their right to grant admission to the superior and consultors of the Province or Independent Delegation where the person asking for profession is living. In this case, each and every one of the members of the council should delegate their right to grant admission. The right of a candidate to have his petition dealt with by his own Major Superior remains intact.

230. It is also the right of the candidate's Major Superior to receive professions. But by habitual delegation, superiors of the houses where the professions take place can receive them and can sub-delegate other members of the Congregation, or even persons from outside the Congregation, to do so.

The Major Superior enjoys the same faculty within his own territorial jurisdiction, with respect to candidates from other organisms who make their profession there.

231. Professions should be made on assigned days and should follow the proper rite.

232. An official record of the profession should be drawn up, and signed by the religious himself, the superior who receives the profession, the secretary **of the community**, and two witnesses. In houses where professions take place habitually there should be a special book to contain these records.

233. The local superior of the house where the profession takes place will inform the provincial secretary of the person professed concerning all professions. The provincial secretary should inform the secretary general of all first and perpetual professions and report perpetual professions to the pastors of the places where the professed were baptised (Can. 535 § 2).

CHAPTER XI

MISSIONARIES IN FORMATION AND THEIR PREFECT

Article 1. Missionaries in Formation

234. In the post-novitiate period, the work begun in the novitiate should be continued and integrally deepened in all aspects of Claretian missionary life, with a view to definitive incorporation into the Congregation and into the missionary service in the Church.²²⁷

235. The objectives **of formation** in this stage should be:

- to attain an integral human maturity, suited to the formative process of each one, toward a definitive option;
- to identify fully with their Claretian vocation and with the Congregation and its options;
- to have an intense spiritual life that will lead them, especially through prayer, to a full communion with Christ, who was sent by the Father for the salvation of humankind;
- to prepare themselves, through a solid intellectual formation, to fulfil their evangelising mission in the world;

²²⁷ Cf. 1F 123.

- to perform apostolic activities responsibly, creatively and in a spirit of teamwork;
- to attend to both the common elements of formation and the particular aspects of specific formation for the priestly, diaconal ministry, or for lay religious life.

236. In order to achieve these objectives, the following guidelines should be taken into account:

- The Word of God should be one of the axes of the whole process of formation;²²⁸
- Following Mary's example, those in formation should integrate the hearing and contemplation of God's word with an attention to historical reality and sensitivity to the problems of the people of today.
- Their painstaking study of human, theological and pastoral sciences should give them a lively understanding of the mystery of Christ and the Church and arouse in them a sense of personal availability in carrying out their evangelising mission. This study of ecclesiastical sciences cannot be carried out simultaneously with other careers.
- The work and apostolic experience they accomplish, both throughout their studies and during vacations, should help them keep in touch with the world and steadily equip them to become servants of the Word. Hence their activities should be truly apostolic and in line with the mission and options of the Congregation. They should likewise be planned, executed and evaluated in teamwork and accompanied by an assessor. To achieve this there should be a systematic program of apostolic initiation.²²⁹
- Given the universal character of the Congregation the learning of languages should be strongly encouraged in the houses of formation.²³⁰
- Young Claretians must be formed for evangelisation in "missionary community," assuming from the outset a community lifestyle that is poor and inculturated.²³¹ They should also be gradually integrated into the provincial community.
- Superiors should see to it that in our formation centres there should be some suitable priests to whom those in formation can have recourse for the sacrament of reconciliation.
- For formation to be effective, not only spiritual direction (CC 73) but also frequent personal dialogue with the formator and the implementation of a personal plan of formation is indispensable.²³²

237. Academic formation can take place in the Congregation's own centres or in seminaries or universities. In any case, Claretian formation should be cared for; moreover, for those aspiring to Orders, there should be adequate preparation for the exercise of sacred ministries.

238. For the formation of the Missionary Brothers, a formative plan should be pre-arranged within the framework of the provincial plan of formation, whereby their theological and pastoral as well as professional formation will be assured. Their strictly formative period will last until their perpetual profession. During that period each one should orient himself towards a definite area of the apostolate.

239. For formative or other reasons, it may be advisable to follow a system of inter-provincial formation centres. **It is fitting that these have the close support of the Provincial Government in**

²²⁸ Cf. SW 21.2; MFL 59.1.

²²⁹ Cf. CPR 68.

²³⁰

²³¹ Cf. MCT 228.

²³² Cf. CPR 67; SW 13.3; IPM 34.3; MFL 63.1.

whose territory the Centre is located and that the relationship between those in formation and their own province or delegation is properly cared for.

Because of the universal and multicultural character of the Congregation, intercultural formation centres on all continents will continue to be created and consolidated, with clear criteria for operating and suitable teams of formation.²³³

240. In each case, Major Superiors should determine the time and manner for carrying out any eventual interruption of one's ecclesiastical studies, but always observing the norms of the Holy See, the directives of the Congregation,²³⁴ and the circumstances of the place.²³⁵

241. A period of six month's preparation for perpetual profession should be established, during which the candidate will intensify his time for personal prayer, renew the theoretical and living foundations of the religious life, and make an evaluation of his missionary life in a more assiduous dialogue with his formation director.

The application of this norm is all the more necessary for those who reside outside the formation centre.

242. For promotion to Orders, the following conditions are required of our students: a) to have the prescribed age for each Order; b) to have a vocation to Orders in the Congregation; c) to be examined and found suitable for the ministry; d) to have the theological and pastoral formation prescribed by the Church; e) to have the virtues necessary for the exercise of the ministry; f) to have made one's perpetual profession before the conferral of the diaconate (Can. 1037), g) to have made the immediate preparation in accordance with our norm.²³⁶

243. Major superiors:

- a) Are not obliged to promote their students to Orders.
- b) Should in every case ascertain their fitness for promotion to Orders. To this end, the members of the community are obliged to report to the Major Superior regarding the fitness of candidates to diaconate and priesthood.
- c) Need the deliberative vote of their consultors for approval (No. 457 f).
- d) Can grant dimissorial letters to members of their respective organism who are to be ordained (Can. 1019 § 1).
- e) Can confer Ministries on their professed subjects²³⁷ **and delegate this conferral to another.**
- f) Shall report the ordination to the pastor of the place where the one ordained was baptized (Cann. 535 § 2; 1054.).

244. The title of ordination of our members is that of "**Common table**".

245. During the last years of study it is necessary to direct each of the students toward a particular pastoral area and, in dialogue with the major superior, the formator, and the student himself, decide upon the most suitable specialisation, in harmony with the options of the Congregation and bearing in mind the needs **of the province or delegation and of the Congregation in general.**

²³³ **TMHL 72.2; MFL 63.5.**

²³⁴ Cf. GPF 234-242.

²³⁵ Cf. 1F 126-129.

²³⁶ Cf. GPF 448, 456-458; CIA (1953) No. 401.

²³⁷ Cf. MQ No. IX.

246. It belongs to the Major Superior of those in formation to determine the time, place, manner and program for "Pastoral" formation in the strict sense, bearing in mind the norms of Cann. 255-258 and the guidelines given by the Conferences of Bishops or the Religious Superiors of the country.

247. It is urgently necessary for Provinces and Independent Delegations to see to the formation of true specialists in the theological, pastoral and anthropological sciences in order to assure a more thoroughgoing missionary action and in order to contribute to the initial and continuing formation of the members of the Congregation.

Article 2. The Prefect of Missionaries in Formation

248. Prefects are appointed by the Major Superior with the consent of his council (No. 457 a).

249. The prefect and the formation team must possess the necessary human maturity, live a serious spiritual life, show exemplary behaviour, love the Congregation and their own vocation, maintain an ecclesial sense and missionary sensibility, and have an adequate pastoral experience as well as the ability to adapt themselves to young people and get along with them.

250. The duties of the prefect are:

- to love everyone equally and know the needs of each one (CC 77);
- to inspire those in formation by his life, words, and his love for the Church and the Congregation, and to explain to them our life and mission in the world;
- to assist them personally to grow strong in their vocation and to live it with joy;
- to co-ordinate all aspects of formation;
- to foster responsibility and inner discipline in each of those in formation and to encourage communion of life among all of them.

251. Although the formation of missionaries is directly entrusted to the prefect, he will fulfil his mission in communion with the local superior. Both must be an example of unity and concord for those in formation. Each one, while fulfilling the mission entrusted to him, should look for a better formation of the young missionaries.²³⁸ The prefect, in dialogue with the **local** superior, will periodically inform the Major Superior of the progress of the formative community and of each of those in formation.

CHAPTER XII

THE MISSIONARY BROTHERS, DEACONS AND PRIESTS

252.

- a) In conformity with our Founder's plan and the Church's teaching,²³⁹ our community is made up of clerical and lay religious who share a single missionary project that closely associates them in the life, apostolic activity and common works of the Congregation, for the service of the Kingdom (CC 7).

²³⁸ Cf. *XXII Gen. Ch. Acts 17*, p. 63-64.

²³⁹ Cf. PC 15.

- b) In the Congregation, three stable categories of persons are recognised: Brothers, Permanent Deacons and Priests.²⁴⁰
- c) Each of these three categories expresses a complete vocation from an ecclesial and religious point of view, and at the same time, through its distinctive gift, enriches the manifold character of our community and further enables it for its missionary service.

Article 1. The Missionary Brothers

253. By their religious profession, our Missionary Brothers fully share in the nature of our Congregation and are called to fulfil its evangelising mission through their distinctive lay roles, in union with our deacons and priests.²⁴¹

254. Within the normal planning of our organisms, it should be seen to that our Brothers participate effectively in the evangelising work of the Congregation through **various activities, such as** catechists, liturgical animation, Christian education and other activities proper of non-ordained ministers.²⁴²

The “*missio ad gentes*” offers an extraordinary opportunity to our missionary brothers in the various contexts of lay life for a particularly incisive apostolic action.²⁴³

There are also **works which are very properly assumed by the Brothers**, inasmuch as they are closely linked to the missionary organisation of the Congregation in its various works which, in many cases, almost naturally call for lay management.²⁴⁴

Brothers may likewise collaborate with the apostolic mission of the Congregation through tasks of an internal communitarian nature, if the community should deem this fitting in view of the talents and technical aptitudes of each individual and the needs of the community itself, and given a suitable preparation (No. 152).

255. It is the obligation of Major Superiors to see to it that our Missionary Brothers receive the same Claretian formation common to all members of our Institute and that all of the times and modalities assigned for this formation in the above chapters (Chs. IX-XI) are respected. They should also arrange for their specific training in preparation for the missionary services and offices they will have to fulfil.

On their part, the Brothers should make a lifelong effort to perfect their doctrinal, spiritual and technical preparation, taking advantage of the opportunities that are offered to this effect according to the plan of ongoing formation which should exist in every province or delegation (Nos. 144-149).²⁴⁵

256. The Missionary Brothers should cultivate a spiritual life based on the knowledge and acceptance of the proper character of their missionary vocation, which is lay and religious.

By their vocation they should give witness to the Gospel in the things of this world; they should always strive for an intimate union with Christ and continually renew their missionary spirit, knowing that the world cannot be transformed or offered to God without the spirit of the Beatitudes.²⁴⁶

²⁴⁰ MFL 56.6.

²⁴¹ Cf. MB 12; SW 8; IPM 30.

²⁴² Cf. EN 73; MB 24; 2AP 110.

²⁴³ Cf. VC 76; SW 8; IPM 46.2.

²⁴⁴ Cf. SH 131-132, MB 25; **PGF 434-437**).

²⁴⁵ Cf. CB 33.

²⁴⁶ Cf. LG 31; CB 7.

Through the activities entrusted to them within the community, Missionary Brothers should strive to be a leaven of fraternity that will foster harmony and heighten the dedication of all to the works of missionary service.

Article 2. The Missionary Deacons

257. The permanent diaconate has been established in the Congregation because of its inherent affinity with our special vocation among the people of God, namely, "the ministry of the Word, whereby we communicate to people the integral mystery of Christ" (CC 46). Hence, among the manifold functions proper to the Order of diaconate,²⁴⁷ our Missionary Deacons should give preference to collaborating in the evangelisation of the people (CC 50).

258. With a view to this ministry to which they have been called, our candidates for the permanent diaconate should undergo a period of specific formation, of the length and nature stipulated by the competent Church authority and by our Congregation (Can. 236). Besides these studies, their preparation should include an appropriate pastoral practice.

259. It belongs to the Major Superior, with the deliberative vote of his council, to admit a member of the Congregation to the permanent diaconate (No. 457 f). It also belongs to this superior to see to it that the prescriptions of the universal law and of the respective Conference of Bishops are carried out, both as to the conferral and the exercise of this Sacred Order (Cann. 236, 1031).

260. In the exercise of their ministry, the missionary deacons should cultivate a spirituality proper to their Order, proclaiming the Gospel not only by word but specifically also by their way of life. They should feel this responsibility above all when the demands of pastoral planning entrust them more directly with the animation of a Christian community and with the attendant duties of cultivating it by conferring the Sacraments and offering it a more intense service of the Word.

By word and example they should promote ecclesial communion through their close union with the bishop and priests and by encouraging the faithful to participate actively in community initiatives and in divine worship.

In devoting themselves to works of charity and human welfare (Acts 6:1-3), they should strive to awaken in the Christian community a sense of justice, so that the fraternal love, sustained and expressed by the Eucharist, may become the law of life among believers.

Our permanent deacons should be very assiduous in spiritual reading, especially of the Scriptures, and in prayer. Every day they should recite those parts of the Liturgy of the Hours determined by the Conference of Bishops (Can. 276 § 2, 3).²⁴⁸

Article 3. The Missionary Priests

261. Missionary Priests share with the Missionary Brothers and Deacons the congregational life and mission. As priests they are bearers of a special service which they must offer to their brother Claretians, whose lives they should also share by undertaking the ordinary tasks that must be done in community (No. 152).

262. The Missionary Priests have a special responsibility for creating ecclesial communities and bringing them to maturity. They should direct their service of the Word and their efforts to raise up new evangelisers to this end, whatever the pastoral structures which the Congregation might have chosen in the diocese. The evangelizing and prophetic functions are intimately related to the

²⁴⁷ Cf. Pablo VI, *Sacrum Diaconatus Ordinem*, (1967), 22.

²⁴⁸ *Ibid.* 27.

pastoral and sacramental functions. Thus, missionary priests must also attend to the pastoral needs of the communities entrusted to them and, above all, to the celebration of the Eucharist.²⁴⁹

263. In preaching and in celebrating the Sacraments, and in all their ministries, they must express ecclesial communion by their fidelity to the Roman Pontiff and the Bishops. Likewise, they should be active participants in the local presbyterate and in the life of the diocesan Church.

264. All ministries should be carried out with adequate preparation. Our priests should take particular care to prepare for the ministry of the Word through prayer and meditation, through the study of sacred sciences, through a critical analysis of the situations prevalent in the Christian communities they serve, and through the cultivation of a language suited to their listeners.

Superiors should see to it that new priests are gradually initiated into their various ministries so that they will have sufficient time for immediate preparation and will not be without the attendant help of those who are more experienced.

265. The priests, since they are assigned to the ministry of divine praise, must adopt the Church's prayer as their own. Therefore they must responsibly undertake the duty of the daily and integral recitation of the Liturgy of the Hours, and continually enrich the community through their experience of liturgical life.

266. In conformity with the practice taught us by our Father Founder, alms or stipends received for the celebration of Mass are to be used for the support of the community.²⁵⁰ For this purpose, in each community a member should be assigned to collect these stipends, and everyone should celebrate Mass according to his intentions. On the provincial and general levels, there should also be someone appointed to a similar role, to facilitate the distribution of stipends and obligations acquired, in a sense of fraternal sharing. The performance of these offices is governed by the common norms given below concerning administration (No. 541 ff.).

267. In imitation of our Father Founder, all priests of the Congregation should be assiduous in the ministry of reconciliation, making this sacrament easily accessible to all persons. Even those missionaries who by reason of age or other circumstances are impeded from performing other apostolic works can effectively help the growth of the people of God by administering the sacrament of Penance.

268. When priests and deacons are prevented from devoting themselves to the services proper to their ministry, they must devote themselves to tasks in the service of the community or to collaborate in its apostolic works.²⁵¹

APPENDIX TO THE SECOND PART

Absence from the Community and Separation from the Congregation

269. Everyone has a duty to help a fellow missionary who is experiencing difficulties. A community life with the spirit of a genuine family united in the name of the Lord²⁵² encourages us to fulfil our obligations and persevere in our vocation.

²⁴⁹ PGF 453.

²⁵⁰ CC (1857) 72.

²⁵¹ Cf. CB 13.

²⁵² Cf. PC 15.

270. Superiors should consider it as one of their most basic duties to safeguard our missionaries who may be encountering difficulties in persevering. Before proceeding to the definitive or temporal separation of a missionary, superiors should exhaust all available means to dissuade him and help him change his disposition, always bearing in mind the common good.

271. Postulants and novices may freely leave the Congregation at any time or may be dismissed from it by the Major Superior for any just cause (Can. 653 § 1; Dir.458 e).

Those professed in temporary vows may, after completing the time of their profession, freely leave the Congregation. Likewise, the Major Superior may, for just and reasonable causes, exclude them from renewing their profession (Cann. 688 § 1; 689 § 1).

272. When the period of temporary profession has expired, the major superior, with the consent of his council, can exclude from renewal of vows or from perpetual profession anyone who, in the judgement of experts, is deemed unsuited to live the life of our Institute because of a physical or psychological illness, even if it was contracted after profession (No. 457 g), unless the infirmity had been incurred through the Institute's negligence or through work performed in the Institute (Can. 689 § 2). A member who **suffers dementia while in** temporary vows cannot be dismissed even though he is unable to renew the profession (*Can. 689 § 3*)

273. The Superior General, with the consent of his council, can grant temporarily professed members who freely and voluntarily request it, an indult to leave the Congregation (Can. 688 § 2; Dir.496 k). Those with perpetual vows who wish to leave the Congregation will proceed according to Canons 691 and 692.

274. The major superior, for a just cause and with the consent of his council (No. 457 i), can permit a member under his jurisdiction to live outside a house of the Institute, but for no more than a year except for reasons of ill-health, studies or the performance of an apostolate in the name of the Institute itself. The General Government must be informed of the reasons and circumstances for granting this permission.

In the case of a cleric, he must also have the Local Ordinary's license to exercise the ministry. For the effects indicated in Can. 665 § 1, an absence of more than three months should be regarded as a lengthy absence.

A leave of absence does not separate the religious from the Congregation. It only grants him the faculty to remain outside the religious house for the time mentioned in the concession, while maintaining fully the religious obligations compatible with his situation (No. 326).

275. If any member absents himself unlawfully from the religious house, the local superior shall inform the Major Superior. **After six months of illegitimate absence, the Major Superior must inform the Superior General. After two years of illegitimate absence have been exceeded, if not already done, the process of expulsion should begin.** His whereabouts should be painstakingly sought out and he should be helped to return and persevere in his vocation (Can. 665 § 2). If, despite the diligent efforts of his superiors, he persists in his attitude, he should be warned that if his absence goes beyond six months, the process of his dismissal could begin, in keeping with Can. 696 § 1.

276. With the deliberative vote of his council, the Superior General can for a grave reason grant an *indult of exclaustation* to a perpetually professed member, but not for more than three years (No. 496 i). If this concerns a priest or a deacon, the consent of the Ordinary of the place where he is going to reside is required (Can. 686 § 1).

An exclaustated religious continues to be obliged to his vows, to the vigilance and care of his superior and of the Ordinary of the place (Can. 687), but is free of those obligations that are incompatible with his new condition of life.

277. A Claretian religious on whom the Holy See has imposed *exclaustation* is to be charitably assisted, in such measure and manner as may be possible, to resolve the spiritual, moral and material difficulties he may meet in his new condition of life, taking into account the nature of the causes that motivated his exclaustation (Can. 686 § 3).

278. A priest or deacon who obtains a rescript of *exclaustation with no exercise of the ministry*, with suspension from his priestly or diaconal and religious obligations, save only those deriving from the vow of chastity, maintains his basic incorporation in the Congregation according to the modalities of the rescript, and upon completion of the time granted must have recourse to the Holy See in order to be integrated into the Congregation.

279. A deacon or priest who wishes to join the secular clergy (*secularisation*) must, upon formulating his petition to this effect, accompany it with letters from the Bishop who is receiving him into his diocese. Even after he has obtained the rescript from the Holy See, so long as he has not acquired full incardination into the diocese, he maintains his basic belonging to the Congregation, according to the modalities and conditions stipulated in the rescript itself, and must return to the Congregation if the receiving Bishop rejects him before he has completed his time of probation (Can. 693).

280. If a priest desires to obtain a dispensation from *priestly celibacy*, which entails re-entering the lay state and dispensation from religious vows, from the moment he submits his petition he can be obliged, in the judgement of the major superior, to suspend the exercise of priestly ministry and leave community life.

281. In the case of *dismissal*, whether of those who are considered "ipso facto" expelled according to the tenor of the universal law, or of temporally or perpetually professed members who can or should be dismissed from the Congregation for canonical reasons, the norms established by the universal law are to be faithfully observed (Cann. 694-703).

In those cases contemplated in the document "Chapter Directives regarding certain matters related to the vow of chastity,"²⁵³, action steps shall be taken and pertinent decisions shall be made in close dialogue with the Superior General.

282. Any prolongation of the permission for absence, that surpasses a year, and is not for reasons of illness, study or ministry, according to what has been said in n. 274, as well as the request for exclaustation or separation from the Congregation, need to be presented to the Superior General by the corresponding Major Superior with the *consultative* vote of his Council, accompanied by the reports, documentation and proofs required according to the nature of the case.

283. In every seminary and provincial curia, a register should be kept, with a personal file of all those who for any reason have been separated from our Congregation.

We should maintain an attitude of openness and communion with those who were members of our Congregation and, in the light of their new state of Christian life, wish to keep bonds of brotherhood and missionary co-operation with it.²⁵⁴

284. The *readmission* of anyone who, after professing vows, has been separated from the

²⁵³ Circular Letter of the Superior General to the Major Superiors (November 11, 2003).

²⁵⁴ Cf. XXII Gen. Ch. Acta No.17.

Congregation either of his own initiative or by the decision of his superiors is always reserved to the Superior General and his council, observing the norms of the universal law (Can. 690 § 1; Dir.496 h).

The Superior General himself and his council may dispense with the obligation of repeating the novitiate (No. 496 h). In this case before being allowed to profess vows by his major superior, the Superior General will designate a trial period, after which he may be admitted to temporary vows for the period designated by the Superior General, which in no case will be less than a year, or what had been lacking for perpetual vows (Cann. 690 § 1; 655; 657).

PART THREE

GOVERNMENT OF THE CONGREGATION

CHAPTER XIII

ORGANIZATIONAL STRUCTURE OF THE CONGREGATION

Article 1. Organisms of the Congregation

285. The Congregation has all the institutional elements it needs in order to carry out its mission successfully (CC 86). Among these elements are organisms, which may be either major or minor.

- a) Major organisms are Provinces and Independent Delegations.
- b) Minor organisms are houses and residences.
- c) Dependent delegations, mentioned in the Constitutions (CC 88), are not on a par with provinces, nor are they considered being included among major organisms in our legislation, aside from the cases in which they are explicitly mentioned.
- d) "Missions" may be either major or minor organisms, since it is their distinctive property to have a special form of government. The special characteristics of this government, apart from those indicated in the Constitutions (CC 109, 121) and in the Directory (No. 334), should be defined in the document of constitution or in another complementary document.

286. The designation of a major or minor organism as a "mission" belongs to the Superior General with his council (No. 496 e), whose decision must be made known later to the general chapter. Whenever the general government deems that circumstances warrant it, this special, habitual form of government may be established even outside mission territories proper, in provinces, delegations or houses that encounter special difficulties in evangelisation. In order to understand the word "Mission," in the sense expressed above, there should be an explicit declaration.

Article 2. Major Organisms

287. In the Congregation there can be a) formed provinces and b) independent delegations (CC 88).

- a) In keeping with what the Constitutions say of provinces in general (CC 88), within the Congregation, for a delegation to be constituted into a formed Province, it must **have more than 40 perpetually professed incardinated members²⁵⁵** and a degree of development that allows it to exercise its own directive, formative and economic governance with adequate autonomy in pursuing the Claretian mission within the local Church. This development must be manifest not only in its works and in the number of persons at work in it, but also in its cultivation of local vocations and in its having a sufficient number of persons in formation to guarantee the future vitality of the organism and its participation in the universal commitments of the Congregation.

The Provinces can have Dependent Delegations, which form part of them and are constituted by the union of various houses and residences, which have distinctive characteristics as to personnel, territory or activities, and are governed by a delegate superior of the Provincial Superior.

- b) An *Independent Delegation* is a union of various houses and residences in a determined territory, under one and the same superior who governs it with power delegated by the Superior General.

²⁵⁵ Cf. *Annales* Sept-Dec.1998 p.955.

288. Since Provinces and Independent Delegations are instances in which personnel exercise active voice on the general level, a balance must be struck between their numerical makeup and their juridical status, so as to favour an equitable representation of the Institute in the general chapter.

289. The erection and modification of the juridical status of provinces, independent and dependent delegations belongs to the Superior General with the deliberative vote of the council (CC 91; Dir.496 d) and must always be effected by means of a formal decree.

In the processes of reorganization of provinces and delegations, the General Government may provisionally determine a legal structure and a particular mode of operating, according to the circumstances.

290. No **province or independent delegation** should be erected nor modified during the year preceding the celebration of an ordinary general chapter. **One year before the celebration of the General Chapter, the General Government will adjust the legal status of the provinces that do not have the required number of perpetually professed members to maintain this juridical status.** No dependent delegation should be erected during the year preceding the ordinary provincial chapter.

291. In order to avoid the erection of non-viable Provinces and Independent Delegations, a gradual process should generally be followed according to the proofs of viability that they offer.²⁵⁶

292. What is prescribed here for the organisation of a Province or Independent Delegations should be proportionally observed for its suppression or modification (No. 496 d). When an organism lacks the elements described above, it belongs to the General Government to stimulate its recovery and begin a period of revision that will permit to adapt its juridical condition to the reality in conformity with our legislation (CC 88).²⁵⁷

293. The division of the Congregation into Provinces and Independent Delegations is governed by the principle of territoriality. The territory of each organism should be well defined in the decree of its erection and geographically demarcated in conformity with the real possibilities of the organism. Such a territory has to be redefined when it becomes advisable to do so.

For a house or residence to be ascribed to a major organism, the boundaries that have been legitimately established should be observed. At the moment of entrusting a mission territory to a determined province, the practical applications of the principle of territoriality will be established in relationship to the said province and the other organisms involved.²⁵⁸

The Superior General, with the consent of his consultants can, for grave reasons, permit a Province or Independent Delegation to found a house within the territory of another (No. 496 g), after first hearing from the provincial superior of the latter.

Article 3. Minor Organisms

294. A *house* must consist of at least three **perpetually** professed members (Can. 115 § 2).²⁵⁹

295. A *residence* is a community without fixed stability (CC 89 and 103), governed by a delegate of the major superior, removable "ad nutum."

²⁵⁶ Cf. 1RL 105.

²⁵⁷ Cf. Dir. 285-287; IPM 55.1.2.

²⁵⁸ Cf. RL 117.

²⁵⁹ XXIV Gen. Ch. acta 18

- a) The special norms by which it is to be governed must be pointed out in the decree of its establishment.
- b) When its principal superior ceases in office, the delegate also ceases in office by that very fact. But if nothing is stipulated to the contrary, his power is understood to be extended until he is either replaced by a substitute or confirmed in office.

296. The following constitute sufficient cause to erect a residence:

- a) to prepare for the foundation of a house;
- b) to exercise determined ministries on a temporary basis,
- c) to serve as a lodging for professed students or for others in charge of some activity and other similar matters.

297. All houses and residences must form part of a major organism, unless a true necessity demands that they depend directly on the Superior General, on several major superiors, or on a conference of major superiors.

It belongs to the Superior General, with the consent of his council, to ascribe a house or residence to a determined organism, after hearing from the interested parties (No. 496 g).

298. General houses are those which depend directly on the Superior General. The establishment of general houses will be effected by the Superior General with the consent of his consultors and after hearing from those Major Superiors who might be affected (No. 496 g).

Among the reasons justifying the existence of general houses, the following may be listed:

- a) a special mission that surpasses the possibilities of a province or a group of provinces;
- b) new strategic foundations in places that do not fall under the jurisdiction of a Province or Independent Delegation or which, because of geographic, ethnic or political etc., reasons cannot be entrusted to it;
- c) houses already founded by a major organism, but which, for the reasons mentioned or for other similar reasons, cannot continue to depend on it.²⁶⁰

299. The ever-growing urgency for planning that exceeds boundaries of a major organism, especially within the same country, necessitates the collaboration of different organisms in common works. Such works consequently take on an inter-provincial character and should be carried out by common accords between the Major Superiors involved.²⁶¹ The management and permanency of such works may also call for the existence of inter-provincial houses.²⁶²

The establishment of inter-provincial houses and residences belongs to the Superior General with the deliberative vote of his council (No. 496 g).²⁶³ The general government must approve the particular statutes, whereby an inter-provincial house is governed.²⁶⁴

300. Regarding the constitution and suppression of houses and residences:

- a) The erection, suppression, **juridical** modification or change of purpose of a house belongs to the Superior General with the deliberative vote of his council, according

²⁶⁰ 2RL 123.

²⁶¹ 2RL 124.

²⁶² 2RL 125.

²⁶³ Cf. 1RL 107.

²⁶⁴ 2RL 125.

to the tenor of Constitution 91 (No. 496 g). This is to be requested by the Major Superior with the consent of his council (Nos. 458 f).

- b) The erection, suppression, **juridical** innovation or change of purpose of a residence, is the competency of the provincial superior with the deliberative vote of his council (No. 457 k) and the previous written permission from the Superior General is required.
- c) **To establish a community in a diocese, whether a house or a residence, or to change its apostolic purpose**, the prior consent of the diocesan Bishop, given in writing, is required (Can. 609 § 1). **This is not necessary, however, to change the juridical status of a community.**

301. If a year elapses without a house having the number of members or other requisites for its juridical status, the Major Superior should inform the Superior General of the case, so that the latter may make an opportune decision.

302. The competent major superior's decree or authentic declaration of the constitution and juridical status of each and every one of the communities in his jurisdiction must be kept in the local, provincial and general archives.

303. During the six months immediately preceding the celebration of the ordinary provincial chapter, the juridical status of communities cannot be changed.

304. In the expansion of the Congregation the following norms should be taken into account:

- a) An adequate development of existing organisms should be assured before proceeding to create new ones.
- b) Each organism should have a plan for development based on an objective study of the situation and in keeping with the plan of the Congregation.
- c) All Provinces and Independent Delegations must participate in the universal mission of the Congregation according to their possibilities, either by having their own missions, for which they must provide personnel and economic means,²⁶⁵ or by collaborating with other organisms under the co-ordination of the General Government.

305. In order to proceed to the foundation or suppression of houses:

- a) A selective strategic criterion should be adopted which will not hinder the indispensable development of organisms in formation and will allow us to respond to the services that the Church asks of us in concrete cases.²⁶⁶
- b) Houses which no longer objectively respond to the demands or characteristics of our service should be suppressed or transformed,²⁶⁷ after having informed and heard from the relevant diocesan bishops (Can. 616 § 1).

Article 4. Mutual Aid Among the Organisms of the Congregation

306. The common service of the Church, the unity of the whole Congregation and the fraternity among all its members demand our solidarity, collaboration and mutual aid in all necessities.²⁶⁸

²⁶⁵ Cf. MI 8.

²⁶⁶ 1RL 117.

²⁶⁷ Cf. MCT 78, 162, 220; CPR 78-86.

²⁶⁸ Cf. 1RL 127-128; PO 10; MFL 62.

307. It is incumbent upon the General Government to stimulate and direct co-operation among the different organisms of the Congregation.²⁶⁹

Major Superiors should bear in mind not only the needs of their own organisms, but also those of other organisms, especially the missions.²⁷⁰

This spirit of solidarity and co-operation among all members of the Congregation should be fostered from the novitiate onward.²⁷¹

308. By virtue of their belonging to the Congregation, all its members should be available to accept any assignment whatsoever in order to answer to the most urgent needs of the Church and the Congregation.²⁷²

In particular cases, with the prior approval of the Superior General, special agreements for mutual aid may be set up between different Provinces and Independent Delegations.²⁷³

309. Mutual aid demands an equitable distribution of personnel and economic resources,²⁷⁴ carried out under the direction of the Superior General.

310. With the aim of better expressing and fostering our communion in the same spirit and in order to collaborate mutually in planning and implementing our apostolic activities, it is desirable that the Provinces and Independent Delegations of the Congregation **be coordinated in various ways.**²⁷⁵

- a) **Through the establishment of *interprovincial Conferences*²⁷⁶ that constitute an important setting for collaboration among provinces and delegations who maintain among themselves special relationships of affinity, because of geographic, cultural or similar pastoral or religious situations.²⁷⁷ These interprovincial Conferences shall have statutes to regulate their identity and functioning, and which should always be approved by the General Government. They are not, however, structures with super-provincial juridical character.**
- b) **Through *interprovincial projects*, carried out by two or more major institutes. They will be regulated by statutes that should always be approved by the Superior General, after hearing his Council.**
- c) The statutes regulating the makeup of the various organs of these federations must receive the approval of the General Government (No. 496 c).²⁷⁸
- d) Neither inter-provincial conferences nor inter-provincial commissions and councils are structures of a juridically supra provincial character.²⁷⁹

Article 5. Physical Persons

1. *Incorporation in the Congregation*

²⁶⁹ Cf. 1RL 133; TMHL 74.2; MFL 64.1.

²⁷⁰ Cf. 1RL 132; 2RL 60.

²⁷¹ Cf. 1RL 130, 134.

²⁷² Cf. 2RL 120; MFL 64.6.

²⁷³ 1RL 115 b.

²⁷⁴ Cf. 1RL 118; AD 12 b.

²⁷⁵ 2G 85; MFL 64.5

²⁷⁶ 2G 85; **MFL 64.5**

²⁷⁷ 2G 85

²⁷⁸ 2RL 87.

²⁷⁹ 2RL 88.

311. General incorporation in the Congregation is acquired through first profession.

312. The professed members and novices of the Congregation have the right to be lodged in any house of the Congregation, observing the general and special norms given by the competent superiors.

Unless there is some just cause to the contrary, they should reside in houses of the Congregation.

When one is going to reside in the territory of another province or delegation for a period of two months or more, because of study, vacation or ministry, his Major Superior should inform the Major Superior of this province or delegation.²⁸⁰

2. *Incardination into a Province or Independent Delegation*

313. All professed members must be **incardinated** in a major organism.²⁸¹ Through first profession the professed is incorporated into the Congregation and incardinated into that province or independent delegation for which the Major Superior has admitted him.

In particular cases and by way of exception, the Superior General can **incardinate** some members directly into a general house.

314. The faculty of changing the **incardination** of members of the Congregation from one Province or Independent Delegation of the Congregation to another belongs to the Superior General, taking into account the needs of the Church and fostering the availability of personnel.²⁸²

- a) Before effecting this change, he should first hear from the respective Major Superiors and from the individuals involved.
- b) The change of provincial **incardination** is effected by a formal decree, which takes effect from the day the professed person is incorporated into a house of the new major organism, unless it is stipulated otherwise in the decree of enrolment.
- c) The designation of a person to form part of the government of a province or of an independent delegation distinct from his own, itself entails **incardination** in the new organism (No. 440).
- d) Except in the case of occasional services of a definite duration, it is convenient that the designation of a member from one Province or Independent Delegation to another be made for a sufficiently long period or with incardination, so that he may feel as his own the missionary projects of the latter organism.²⁸³

315. The establishment of a new **province or independent delegation** produces, from the date of its erection, the **incardination** in it of all professed members residing in any of its houses or residences. The same occurs if a house or residence is separated from one organism in order to be incorporated into another.

3. *Local Enrolment*

316. All members of the Congregation should be enrolled in a house or residence, save for what is said in No. 318 regarding those who are exclaustated or absent.

²⁸⁰ XXIII Gen Ch, acta 14, Ann. 66, p. 426,429.

²⁸¹ Cf. 2RL 22.

²⁸² 2RL 119.

²⁸³ Cf. XXII Gen. Ch. Acts 21.

317. Local enrolment is effected through permanent assignment by the lawful Major Superior to a determined house or residence, and takes effect from the moment one is incorporated into it.

318. As regards local enrolment:

- a) Those who are exclaustrated lose their local enrolment, which they acquire anew on their return to common life.
- b) Those "on leave of absence" will abide by what is determined in the document that grants them permission to remain outside a religious house (No. 274).

4. *Effects of provincial incardination and local enrolment*

319. By **incardination into** a province or independent delegation and the **enrolment to** a house or residence, save for those exceptions that may be established:

- a) A religious becomes dependent on his own immediate Major Superior and on his local superior, obtains the right of active and passive voice, and should receive from his respective organism whatever he needs for his spiritual and temporal life, as well as the suffrages prescribed in case of death;
- b) He is obliged to put himself at the disposal of the respective organism.

320. Remaining in a house in which one is not enrolled does not suspend the effects of one's own local enrolment, but it does place the religious in dependency on the superior of the house where he is staying and obliges him to observe the order of that house, within the limits of the mandate he has received from his own superior (No. 83).

If the stay is to be a protracted one, the superiors involved should establish an agreement concerning expenses, ministries and other particulars.

CHAPTER XIV

NORMS AND ORGANS OF GOVERNMENT

TITLE I

PARTICIPATION IN GOVERNMENT

321. The Claretian Missionary, having committed himself through his consecration to live according to the calling of the Spirit with the rest of his brothers, must take active part in all that refers to his missionary life in union with the other members of the community.²⁸⁴

This participation and co-responsibility should be manifested on all levels of his involvement in the Claretian community: local, provincial, and general.²⁸⁵

Article 1 Right to Active and Passive Voice

1. *General Norms*

²⁸⁴ Cf. 2RL 11.

²⁸⁵ Cf. RL 13.

322. All those who have made perpetual profession of vows enjoy active and passive voice in our Congregation, according to the following norms.²⁸⁶

323. Those who have made temporary profession of vows will be listened to in those matters that especially affect them.²⁸⁷

324. No one can enjoy double active and passive voice.²⁸⁸

325. Only for a grave and culpable cause, recognised by universal or proper law, can a member be deprived of active or passive voice.²⁸⁹

To issue a decree depriving one of voice belongs to the chapter, should the case arise during the chapter. It belongs to the provincial superior and his council, if the right is exercised in a local instance (No. 457 i). It belongs to the Superior General and his council, in provincial and general instances.

326. Those who are lawfully absent keep the exercise of active and passive voice during their absence. Nevertheless, the major superior, with the consent of his council, can for serious reasons deprive them of this right (No. 457 i).²⁹⁰

327. Perpetually professed members with a rescript of exlaustration do not enjoy active or passive voice (Can. 687).

2. *Particular Norms*

328. Apart from exceptions that may be established, members of the Congregation will exercise their right to active and passive voice in the Province or Independent Delegation and in the local community in which they are enrolled.²⁹¹

329. Those who are enrolled in an inter-provincial house exercise their right to active and passive voice in it, in matters affecting local government and participation in the life of the community. Their participation in higher instances is effected through the Province or Independent Delegation in which each is enrolled.²⁹²

They cannot be chosen for permanent charges in their own province, except in conformity with the statutes of the house (No. 299).

330. Those who are enrolled on a permanent basis in a house of general governance, participate within it in all that refers to the community. But if they are also enrolled in a province or an independent delegation, they exercise their rights of active and passive voice in the same (No. 469 a), except in the case of the election of a delegate to the General Chapter, for which they will form their own electoral college.²⁹³ Their election or appointment to permanent charges in their own province, although valid, will not take effect without the permission or confirmation of the Superior General.

²⁸⁶ 2RL 16.

²⁸⁷ 2RL 17; Cf. 2F 9-13.

²⁸⁸ 2RL 18.

²⁸⁹ Cf. 2RL 19.

²⁹⁰ Cf. XX Gen. Ch., Acta 20.

²⁹¹ Cf. 2RL 22.

²⁹² 2RL 23.

²⁹³ Cf. 2RL 24.

Those who reside in general houses for reasons of studies, without being enrolled in them in a permanent manner, will abide by what is established in No. 332.²⁹⁴

331. Those who reside in organisms that are dependent on a province will exercise their rights to active and passive voice within that province as its own members, in conformity with the general norm (No. 334).²⁹⁵

332. Those who are locally enrolled in houses that do not belong to their Province or Independent Delegation of enrolment, by reason of studies or of ministries performed in service to their own organism, participate within such houses in all that refers to the local community. In contrast, their participation in higher instances will be carried out through their own Province or Delegation.²⁹⁶

333. Those who are locally enrolled in houses that do not belong to their own organism, by reason of a service they perform for the aforesaid community or organism to which the house belongs, will exercise their rights of active and passive voice in the latter organism both in provincial and general instances.²⁹⁷

334. Residents of organisms that are dependent on a province (a dependent delegation or mission) participate in the election of delegates to the provincial chapter according to one of the following norms:

- a) with the rest of the province following the general norm (No. 328);
- b) by constituting themselves into an electoral college in order to elect a certain number of delegates that the provincial superior and his council establishes (No. 457 d);
- c) by means of other norms that the same provincial government may establish with the approval of the Superior General and his council (No. 457 d).

It is the prerogative of the provincial superior with his council to decide in each circumstance, which of the above norms is to be applied. Nevertheless, in any case, the general principle of the right of all to be represented by a freely elected delegate must prevail.²⁹⁸

335. Perpetually professed members in initial formation will exercise their rights under the same conditions as the other members of the community in which they reside.²⁹⁹

336. Perpetually professed members in initial formation in a formation centre of the congregation will vote personally on matters of deliberative vote in the local plenary meeting. In particular cases the Major Superior, after hearing his council, may make other provisions.³⁰⁰

337. In affairs and elections of a general or provincial nature, perpetually professed members in formation will personally exercise their right of active and passive voice.³⁰¹

²⁹⁴ Cf. 2RL 24.

²⁹⁵ Cf. 2RL 25.

²⁹⁶ Cf. 2RL 26.

²⁹⁷ Cf. 2RL 27.

²⁹⁸ 2RL 28.

²⁹⁹ 2RL 29.

³⁰⁰ Cf. 2RL 30.

³⁰¹ 2RL 31.

338. In each Province or Independent Delegation there shall be *tellers* who, together with the major superior, will verify the tally of votes whenever elections by the system of written ballots are held on the level of a major organism.

The designation of tellers is to be made at the Provincial Chapter, to which it also belongs to assign their number and the form in which they are to be supplied for.³⁰² Their term of office will be till the following provincial chapter.³⁰³

In independent delegations the government of the delegation designates tellers for the time of their mandate.

To avoid possible absences or difficulties in the functioning of tellers and their substitutes, it is desirable that these charges be indicated not by personal names, but rather by positions that are held in places located near the curia.

339. In case the tellers are unable to exercise their function occasionally or habitually, the Major Superior with a consultative vote of his council has the competency to remedy this defect.

Article 2. Constitution of Positions

340. The following are organs of government: General and Provincial Chapters: General, Provincial, **Independent Delegation** and Local Governments.

341. In this Directory, "general or provincial government" is understood to mean the respective superior together with his consultors who participate in the government with deliberative or consultative vote, or in other ways, according to the cases.

342. The following offices are incompatible:

- a) That of Superior, with all those that entail the administration of goods. Although it would be better to keep the office of local economy separate from that of local superior, the two offices may be joined if need be, (Can. 636; CC 109; Dir. 427).
- b) That of Novice Master or Prefect of **Missionaries in Formation** with that of Major Superior.
- c) That of Provincial Superior, with other provincial offices and with that of Local Superior, save in case of necessity and with the agreement of the Superior General.
- d) That of General Consultor or Official, with positions in provinces.

343. If an incompatibility arises from our own particular law, it can be dispensed from by the superior to whom it belongs to provide for or confirm the positions in question.

344. Any accumulation of positions, even if they are compatible, is not fitting, especially if it is prejudicial to their proper fulfilment.

Article 3. Elections and Appointments, Renunciations, and Duration of Offices

345. When our legislation states that an election is canonical, this must be understood in conformity with Can. 119, save in those cases where our norms explicitly introduce some variant.

346. To break a tie in elections by vote, at the end of the tallies provided for each case, the governing criterion is that of seniority by first profession and subsequently that of age.

³⁰² Cf. 2RL 32.

³⁰³ 2RL 32.

347. When passive voice must be restricted to the two candidates who obtained the greatest number of votes, and there are in fact more than two candidates who have obtained an equal number of votes, then the youngest by profession or, if they coincide in this, the youngest by age, will be excluded, so that only two candidates remain for the final voting. In this case, the two candidates must abstain from voting.

For elections by the system of written ballots, what is stated in No. 383 a must be taken into account.

348. In our law, only the following are elections in the canonical sense:

- a) In the general chapter: the election of the Superior General, the general consultors and econome, and of the secretary of the chapter.
- b) In the provincial chapter: the election of the provincial superior, consultors and econome, and of the secretary of the chapter.
- c) In the province, the election of delegates to the provincial and general chapters; the direct election of the provincial superior, consultors and econome, when this has been authorised (No. 447 c).³⁰⁴
- d) In independent delegations and in the electoral college of general houses, the election of a delegate to the general chapter.
- e) In the local community: the election of the superior, vicar and econome, where the elective system has been adopted (CC 106-107).

349. The following elections require confirmation:

- a) The election of the provincial superior requires confirmation by the Superior General with the consent his council (Can. 625 § 3; CC 114). For provincial consultors and economes, he needs the consultative vote of his council.
- b) The election by the local community of the local superior (Can. 625 § 3; No. 458 b), the vicar and the econome (CC 106-107) requires confirmation by the provincial superior with the consultative vote of his council (CC 106-107).

350. Before receiving this confirmation, those elected cannot take possession of their charges or begin to exercise their functions (Can. 179 § 4).

351. In order to confirm a candidate-elect in office, over and above his suitability, which must be interpreted in conformity with the spirit of our Institute and our particular style of governance, the demands of the common good of the Congregation must be taken into account.³⁰⁵

352. Other designations to positions are not canonical elections in the proper sense.

If any of those who have a right to intervene should request it, a secret vote shall be taken for appointments of major importance, such as the government of a major organism, local superior and novice master, should always be made by secret vote.

The same procedure should be followed for any other appointment, if any of those who have a right to intervene in the appointment should request it.

353. Before proceeding to elections or appointments, informative reports should be asked for in the form established for the case.

³⁰⁴ Cf. 2RG 73.3rd.

³⁰⁵ Cf. XIX Gen.Ch. ses 56.

Out of love for the common good and for the Congregation, all should gladly and truthfully supply the aforesaid reports (Can. 626).³⁰⁶

354. Before proceeding to canonical elections or collegial designations, if it is deemed useful or convenient, a sounding with an indicative vote may be taken. A fraternal dialogue may be held with the persons who showed best in the sounding, so that the latter might manifest their disposition, difficulties or inconveniences and might be assisted in their discernment.

355. For every election or appointment, minutes should be drawn up and signed by the presiding officer and the secretary. In capitular elections and in those of the plenary meeting of the community, the presiding officer, tellers and secretary shall sign the minutes (Can. 173 § 4).

If the one elected or appointed is absent, he should be notified of his election or appointment as soon as possible (Can. 177 § 1). In the minutes, mention should be made of this notification and of its acceptance or non-acceptance. Afterwards, the one elected should acknowledge, in writing, acceptance or non-acceptance of the office for which he was elected.

356. Out of a spirit of availability, the members of the Congregation should accept any position for which they have been designated (CC 32), always safeguarding their right to set forth the reasons they may have for not accepting it or for renouncing it.

- a) If a person declines an appointment, and yet the superior insists on it, the appointee must accept.
- b) If a person declines an election, and yet the electoral college insists on his designation, the elected person remains designated but retains the faculty either of accepting or of having recourse to a higher instance (Can. 177).

357. The following principles should be respected in renouncing an office:

- a) For a just cause, it is licit to renounce a charge, which one is exercising (Can. 187).
- b) For the validity of the renunciation of a charge of government, the one renouncing the charge must do so to the authority who has the competency to make the assignment or grant the confirmation of the election by a signed written document, or an oral statement made before two witnesses (Can. 189).
- c) Once a renunciation has been presented and become effective, it cannot be withdrawn.
- d) A renunciation made without just and proportionate cause should not be accepted.
- e) If the renunciation is accepted, the renouncing party should be notified of this acceptance as soon as possible.
- f) The office in question becomes vacant when the renouncing party acknowledges the official notification of the acceptance of his renunciation. He must nevertheless remain in his office with his power extended until his successor takes possession, unless the one accepting the renunciation provides otherwise.
- g) Minutes of the results of the renunciation should be drawn up.

358. With regard to appointments:

- a) The period or time of duration of an appointment to a charge is computed from the date of the document that is transmitted to the one designated.
- b) The date of appointment should be the same for all those appointed during the periodic renewal of charges.

³⁰⁶ Cf. IRL 9-10.

- c) For the immediate designation of a local superior to the same community, his former mandate does not constitute an obstacle, if the periods that made it up were not entire and complete.
- d) In appointing, electing or confirming a superior, the criteria of Can. 624 should be taken into account in order to avoid his remaining too long in the same charge without interruption. On this matter provincial chapters, as well as assemblies of independent delegations, should determine concrete norms for their respective organisms, always safeguarding the norms of our proper law.³⁰⁷

359. Formal taking of possession is prescribed only for the office of superior.

If he is elected, notification and publication of his confirmation suffices, if it is necessary. If the corresponding major government appoints him, it suffices that the document of appointment be read to the community.

The taking of possession should be completed by making a profession of faith (Can. 833 § 8; CC 94), the handing over and acceptance of all books pertaining to government and administration. The books are handed over and accepted by being signed, dated and sealed with the seal of the organism. The handing over of the books of administration should be accompanied by a verification of the accounts.

360. Although superiors, consultors, officials and all who hold an office must remain in their office for the whole time prescribed in our law, they can nevertheless be removed from them by the one who appointed them or confirmed their election, for a grave and proportionate cause or if the common good demands it (Can. 624 § 3; CC 96; Dir. 457 a, 496 a).

The removal should not take place without having heard from the interested party, and always with the deliberative vote of the respective council, as the case may require.

361. Superiors, officials, and all who hold office can be transferred from one charge to another by the major superior, with the deliberative vote of his council, and after hearing from the interested parties, if no inconvenience is seen in doing so, for the good of the Congregation, the province, or the house (Nos. 426, 457 a, 496 a).

362. When the period for which they were appointed has elapsed, superiors as well as consultors and officials cease to hold office. Nevertheless, they must continue to exercise it with an extension of authority until their successors take possession.

363. When a Provincial Superior or a Superior of an independent delegate ceases in office for any reason during the period for which he was elected or appointed, the one designated to succeed him commences a new period. But if the person elected happens to be the same one who resigned, his re-election or new appointment will last only until the completion of his former term.

In the case of a local superior who ceases in office, the person elected or appointed to succeed him remains so only to complete the former three-year term.

A vacancy in the post of Superior General or provincial must be provided for as soon as possible by convoking the corresponding chapter (CC 123, 142; Dir. 385 a).

For the vacant post of a local superior, it belongs to the major superior, with the consultative vote of his council to determine the way of designating a superior to complete the three-year term (Nos. 419, 458 d).

Article 4. Authority in the Congregation

³⁰⁷ XX Gen Ch, Acta 22.

364. Authority in our Institute should be regarded as a service to the Church, the Congregation, and to all its members, and should be exercised according to the norms of universal law and our own proper law.

365. If in some case it becomes necessary to carry out a canonical process according to the tenor of Canons 1427 and 1483 § 3, the procedural norms of the universal law must be observed.

366. The Superior General can exercise acts of jurisdiction relating to government and internal discipline in the whole Congregation (Cann. 596, 622).

367. Provincial superiors have ordinary and proper, though subordinate, power for the governance of their respective provinces, according to the norms of Law and our Constitutions (CC 96, 111).

Superiors of independent delegations govern their organism with power delegated by the Superior General (CC 88, 118). They have the faculties of a major superior, except those that the Superior General may have reserved to himself.

368. The following can delegate:

- a) Chapters, by means of a lawful act, and superiors, either freely or with the consultative or deliberative vote of their council as the case may require, and safeguarding the norms of our legislation, can delegate the rights and faculties they possess to persons or entities of the Congregation.
- b) Councils, in extraordinary cases, can delegate to their respective superiors the right to exercise acts for which the latter would otherwise need a deliberative or consultative vote. In the cases indicated by our law (No. 229) or in others of a similar nature (No. 457 f), the Major Superior and consultors may delegate their rights to the Major Superior and consultors of another organism.

Superiors cannot delegate all of their faculties, nor can they constitute their own vicars or substitutes in place of those to whom this condition belongs by right or by the nature of their charge, without prejudice to what is stated in No. 370 b.

Moreover, in the granting and use of delegations, as well as in the faculty of sub-delegating, the norms of universal law should be observed (Cann. 129-144).

369. The service which superiors are to render their brothers demands their more or less frequent or continued presence, according to the characteristics or circumstances of their proper mission. Hence, residence in their own house, which is a canonical norm for all superiors, obliges local superiors in a special way.

370. For cases of absence from the curia or from one's own house, the following norms for supply are established:

- a) For the Superior General and for major superiors, when these are absent or impeded, their respective vicar supplies, or else this is done by the other consultors, according to their order, who are present in the curia and are not impeded.
- b) If a local superior is absent or impeded, his vicar supplies for him; if he is also absent or impeded, the other member of the local government does so. If neither of them is present, then the one designated by the superior for this purpose supplies. If no one has been so designated, then the person to whom it corresponds by order of precedence supplies.

- c) The order of precedence in responsibility for charges, even for cases of supply, is settled: first through seniority by first profession and secondly by age.
- d) All superiors can designate a substitute for officials who are absent or impeded.

371. When the Superior General is absent or impeded:

- a) he retains his authority and can, by that very fact, exercise it;
- b) he can reserve to himself whatever ordinary cases he chooses.

While he is absent or impeded, his vicar or substitute exercises authority for urgent and ordinary cases.

The authority of the Superior General and that of his vicar or the substitute supplying for him is cumulative and is understood to be exercised cumulatively in all non-reserved cases. The conflicts that may arise should be resolved by applying the principle of prevention (Can. 1415), starting from the date when the act was carried out.

372. What was stated in the proceeding number also applies, observing due proportion, to any other major or local superiors.

373. In exercising authority, vicars, substitutes and delegates should adhere to the mandates and the mind of the superior.

374. When a superior of any rank ceases in his charge before the end of his term, the respective vicar acts in his stead (CC 117, 146) until the office is provided for through a chapter election (CC 123, 142; Dir. 386 a; 389) or through a decision by the respective government (No. 419), as the case may require.

375. Immediate superiors should decisively assume responsibility for their charges and should not resort to superiors of higher rank for resolving of matters within their own competency. Nevertheless, they can always ask for guidance and criteria. In this manner governance that is more adequate to the needs of each community will be achieved.³⁰⁸

376. A superior of higher governing rank can, for a just cause, claim for himself an act proper of a superior of a governing rank lower than his own.

Article 5. Reports to be Submitted

377. In the interests of more efficient and apt religious government, and in order to foster greater responsibility in it for everyone, those responsible for the different charges and offices will present to their respective superiors an account of the way they have carried out their trust, according to the format and frequency determined by their superior.

General and provincial secretaries will give the Congregation and the provinces a report on the status of the latter.

378. Prior to the provincial chapter, the local superior, assisted by his community, must send the provincial superior a report on the status of the house, with a view to the report on the whole province that must be presented at the provincial chapter (Nos. 386; 563).

With this same end in view, the local superior, upon completing his three-year term of government, in both provinces and in independent delegations, will prepare the required triennial

³⁰⁸ Cf. SH 106.

report in duplicate, sending one copy to his respective Major Superior and depositing the other in the local archives.

TITLE II

THE ORGANIC EXERCISE OF GOVERNMENT

379. In the organic exercise of governance:

- a) Participation in authority and government is expressed through the exercise of voice and vote (No. 322 ff.).³⁰⁹
- b) The casting of votes in chapters and councils on the part of those who legitimately belong to them is not only a right granted them by the law but also a duty imposed on them for the common good, toward which all must co-operate, most especially those designated as representatives of the community (Can. 127 § 3).³¹⁰
- c) Participation in the exercise of governance by means of voting takes place in the corresponding organs through *collegiate* as well as *non-collegiate* acts, in keeping with what is specified in the law.

380. The following are *collegiate acts*:

- a) all acts carried out at the general or provincial chapter;
- b) elections made at the plenary meeting of the local community;
- c) the acceptance of the resignation from and designation to a general charge conferred by the General Chapter which for any cause should fall vacant outside the chapter, with the sole exception of the charge of Superior General (CC 145). For the said acceptance and designation, the collegiate presence of the whole General Government is required;
- d) the dismissal of a professed member in keeping with the norm of Canon 699 § 1.

381. Collegiate acts must be governed by Canon 119, always provided that our own proper law does not contain some particular norm.

In *non-collegiate acts*, the vote will be either *deliberative* or *consultative*, as provided for each case in the law itself.

Article 1. Common Norms for Chapters

382. All those who have active voice in a chapter must be lawfully convoked to it and are obliged to attend it. If someone believes that he has a just and proportionate cause for not attending, he should submit his renunciation to the competent superior.

Depending on the chapter in question, either the Superior General with his consultors or the provincial with his, will definitively accept or reject such a renunciation when submitted either by a person who attends the chapter in his own right or by a delegate after the close of the period of elections. But should the delegate submit his renunciation during the electoral period, then the body of the electors (who are to be informed of the renunciation) will manifest in subsequent ballots whether they accept it or not .

383. The election of delegates is to be regulated according to the following norms:

³⁰⁹ Cf. 1RL 92.

³¹⁰ 1RL 92.

- a) The election of delegates to provincial and general chapters will **ordinarily** be carried out according to the system of written ballots. To do this, the community will hold a plenary meeting during which the balloting will take place. The superior will enclose the ballot slips in an envelope, which he will seal in the presence of the community and see to its rapid and secure delivery to the tellers of the respective major organism.
- b) Whoever is unable, for any justified cause, to attend the aforesaid plenary meeting—and this applies likewise to those residing in a community outside their own province—will send their vote directly to the tellers, accompanied by a hand-written document justifying their voting.
- c) **In order to exercise the right to vote by e-mail, the Major Superior will ask permission of the General Government for each particular case, indicating the reasons that would justify it. Having been granted permission, the Major Superior will notify the general secretary of those who will thus exercise their voting right and their personal e-mail address from which each will send their vote to the General Secretary, as well as the dates on which the ballots will be cast. The general secretary will make the recount of all the votes received with a member of the General Government, and will send the result to the tellers.**³¹¹
- d) **Ballots are to be cast in succession, with the voters first being informed of the results of the previous balloting. All are to be carried out in canonical form and within the duly allotted time period.**
- e) Whether for a general or a provincial chapter, all delegates will be voted for from a single list of those who enjoy passive voice in the organism. After the delegates have been elected, their substitutes or seconds will be considered, according to the order of those who followed the delegates in the number of votes received in the last balloting or, subsidiarily, in the next to last balloting.
- f) On the first and second ballot, an absolute majority is required, according to the norm of Canon 119. For the third ballot, passive voice is restricted to twice the number of candidates yet to be elected who received the most votes in the preceding ballot.

384. These norms are to be observed in attending a Chapter:

- a) Anyone who attends the Chapter under two or more titles cannot cast more than a single vote in it.
- b) If someone should become a voter in his own right after being elected a delegate of his province, then his mandate as delegate ceases and his substitute replaces him in it.
- c) Anyone who is a voter in his own right at the chapter cannot be elected or sent to it as a delegate.
- d) If the Provincial Superior is impeded from attending the Chapter, the right to attend passes to the one who follows him in order (No. 370 a). If the local superior is impeded, the right to attend passes to the vicar, and in his absence to the other member of the local government; or in the case that neither of the two can attend, to the one to whom it corresponds according to the order of precedence (Nos. 222, 370 c).³¹² Delegates who are impeded are supplied for according to the order of substitutes who were elected (No. 383 d).
- e) Once the Chapter is opened, its participants cannot be changed. Hence, if during the course of the Chapter, a chapter member who was replaced by a substitute should subsequently become available, he does not regain his right to attend. And if some chapter member becomes impeded or has to absent himself definitively, he cannot be supplied or substituted for, unless he is the only representative of an organism, in which case the Chapter itself will decide the matter.

³¹¹ **XX Gen Ch, acta 12.**

³¹² Ann. 46 (1962) 304.

The above notwithstanding, if someone who is not a chapter member is elected to a position in the general or provincial government, he automatically becomes a voting member of the respective chapter.

385. Preparation for chapters involves two stages: **The first is the *announcement*** of the chapter:

- a) Generally, the **General Chapter** is announced **one year before its celebration, and a Provincial Chapter six months before its celebration. The notice shall always be given** by means of a letter or circular from the General or Provincial Superior, or from their substitute, should the case arise.

When the post of general or provincial superior falls vacant through death or some other legitimate cause, the official announcement of this situation to the Congregation or the province constitutes the announcement of the General or Provincial Chapter.

- b) The effect of the announcement of the chapter is, that from this moment on, all those acts prior to the chapter begin to take place, such as the election of delegates, the designation of chapter members which the general or provincial superiors together with their consultors can make, and other acts of this sort (Nos. 457 c, 495 c).

386. The second stage is the *convocation* of the chapter:

- a) This is done by the General or Provincial Superior, **once the election of the delegates to the Chapter is concluded**. If either of these is missing, it is made by their substitute, with the consent or advice of the consultors, as the case may require (Nos. 457 b, 463, 495 e, 499).
- b) The convocation must be made by means of a circular letter sent officially to the Congregation or to the province.
- c) From the date of the circular letter of convocation onwards, the capitular period proper begins, during which the prayers assigned by the general or provincial superior, as the case may be, must be said and other acts proper of this capitular period must be carried out.
- d) The circular letter of convocation must be sent to each of the chapter members. However, even if it somehow fails to reach a particular chapter member, the convocation officially made to the whole Congregation or province is valid and sufficient.
- e) If for any reason the superior who convoked the chapter becomes unavailable, his substitute, together with the other consultors, can change the letter of convocation as to accidentals, i. e. time, place, etc.

387. The organisation and preparation of chapters should take into consideration the following:

- a) The preparation of chapters belongs, respectively, to the general or provincial government.³¹³
- b) So that the work of chapters may be prepared in good time, all affairs, questions and themes for discussion, as well as the reports of independent organisms and of general houses (in the case of a general chapter), or of dependent organisms and of houses (in the case of a provincial chapter), must be in the hands of the general or provincial government at least four months before the day assigned for the inauguration of the chapter.
- c) Not only organisms but also individual members of the Congregation can send suggestions and proposals to the General (Can. 631 § 3) or provincial chapter, as the case may be.
- d) The general or provincial superior should prepare these matters by means of suitable commissions and, once they are prepared, should present them to the chapter members at least thirty days before the beginning of the chapter.

³¹³ Cf. IRL 15.

388. At general and provincial chapters two reports will be presented: one dealing with the state of the Congregation or the province, the other dealing with their economic situation. The preparation of these reports belongs respectively to the secretary, availing himself of the services of the prefectures, and to the econome. These reports will be previously examined and approved by the respective general or provincial councils. In drafting them, account must be taken of the reports previously submitted by lower organisms (Nos. 378, 563).

389. The following make up the *presidential table* at the chapter:

- a) at the general chapter: the Superior General or his substitute, as president; the vicar general (or, if the latter presides, the consultor who follows him by right) and the secretary of the chapter;
- b) at the provincial chapter: the Superior General or his delegate, as president; the provincial superior (and, if the latter presides, his vicar as vice-president) and the secretary of the chapter.

The new provincial superior does not form part of the presidential table until he takes possession of the office (No. 446).

Until the secretary of the chapter is elected, the general or provincial secretary fulfils the role of teller and forms part of the presidential table.

390. The members of the presidential table act as *capitular tellers*.

391. The *secretary of the chapter* must be elected at the beginning of the chapter from among its voting members, in keeping with the norms of universal law (Can. 119).

392. If the president believes it opportune to have *moderators*, the latter are his adjutants and he can either appoint them himself or leave it to the chapter to designate them.

393. Given the importance of chapters, they should be held in an atmosphere that will permit the exclusive and full dedication of all to the tasks of the chapter. The chapter is not limited to its sessions, but should allow an ample margin of time for intense community prayer and continued fraternal sharing.

No one shall absent himself from the chapter without a grave cause, acknowledged by the presidential table.

394. Elections in chapter are carried out in conformity with canon law (Cann. 164-183) and with our own legislation.

If a voting member is absent, he cannot deputise another to vote for him by proxy or cast his vote by letter (Can. 167 § 1). If he is present in the house, but absent from the session because of ill health, his written ballot is to be collected by the tellers (Can. 167 § 2).

Article 2. Common Norms for Councils

395. "Council" as used here is understood to mean the meeting of the superior or the one who acts in his stead, with his consultors.

396. General, provincial, **independent delegation** and local council meetings must be held periodically on the dates assigned for them, and also whenever the superior deems it opportune, always preceded by an adequate convocation.

The following have the right and the obligation to attend Council Meeting with voice and vote: the superior and all his consultors. The secretary and econome also attend, even when they are not consultors, but in the latter case they do so without vote.

The respective superior presides or, if he is absent or impeded his vicar does so. If both are absent, the consultor who has been designated or who follows in order of precedence does so.

In order that all those who have the right and obligation to participate in councils may in fact attend them, councils must be convoked with due advance notice, whether orally, in writing, or by other means.

Once the convocation is received, all those who have a right to participate must attend, unless they are legitimately impeded, in which case they will give the superior timely notice of their impediment.

397. In *collegiate acts*, the council and the presiding superior must be governed by Can. 119, always provided that our proper law does not contain other particular norms.

Save in those cases in which the law requires a more qualified quorum, the presence of a majority of those who must be convoked is required. In reckoning the number of this quorum, the stipulations of No. 399 c below must be taken into account.

398. In *non-collegiate acts*, the participation of the consultors are regulated by Canon 127 § 1 is principally expressed, as the case may be, by a deliberative vote or by a consultative vote (Nos. 399-400, 404).

399. For acts requiring a deliberative vote:

- a) Once all those who have a right to vote have been convoked (No. 396), the presence of a majority of them is required and suffices, unless in some case the law requires a more qualified quorum.
- b) Consultors who are absent from the house cannot vote by writing, by telephone or by proxy.
- c) Consultors who are prevented from attending the meeting, but are present in the house, are considered to be present at the meeting for all effects and can send their vote to it in the manner which the superior deems most opportune and sure, always safeguarding the secrecy of the vote when this is called for.
- d) When absent and duly convoked consultors cannot participate in the vote, the superior, with the consent of the other consultors, can complete the required quorum by convoking another perpetually professed member, who will act as substitute (No. 496 b).
- e) A matter is approved when it obtains the absolute majority of votes of those present (Can. 127 § 1).
- f) After five indecisive ballots, the decision may be tabled if the presiding superior sees fit, otherwise the decision is considered to be negative. The matter can be presented again only if new elements arise.

400. In acts of a *consultative vote*:

- a) The presence of two consultors, besides the superior, or the one who substitutes for him, is necessary.
- b) The superior must ask the opinion of all consultors who are present; otherwise the act will be null.
- c) Absent consultors can send their opinion in writing or through other means of communication. The same norm applies in the case where the superior is absent.
- d) The superior is not obliged to follow the opinion of his council. Nevertheless, he should not depart from it, above all if it is unanimous, without a reason that in his judgement is weightier (Can. 127).

Article 3. Consultors and Their Vote

401. Consultors must be effective collaborators of the superior through their counsel, their moral support, their assistance in work, and their fraternal advice.³¹⁴

402. In fulfilling their office, consultors must act: with *prudence*, in order to examine matters maturely, and give wise and just counsel; with *uprightness and religious sincerity*, in order to be able, setting aside all merely human consideration and feelings, to manifest to the superior what they think is right before God for the good of the Congregation; with *scrupulous fidelity to the secrecy of their Office*, above all when the good of the Congregation or of individuals demands it, or when the superior imposes it in the exercise of his rights (Can. 127 § 3).

403. Consultors and officials of the provincial and general curias are subject to the local superior of their domicile, in matters affecting the order of the house and religious discipline. They are not subject to him in matters proper of their office and in the performance of the latter.

404. The vote of consultors is sometimes said to be optional, insofar as the superior is not obliged to ask for it. At other times it is *obligatory*, because he is obliged by the universal or proper law to ask for it in order for his decision to be valid.

If an obligatory vote is *deliberative*, the superior cannot act against it validly; if it is *consultative*, the superior must at least ask for it in order to act validly, although he is not obliged to follow it.

A deliberative vote that is required for a specifically determined matter is to be restricted to that matter, without being amplified through interpretations extending it.

Article 4. The Curias

405. By "curia" in the juridical sense, is meant the house in which the general or provincial superior habitually resides.

The curia must be so constituted that easy access may be had to the authority of the superior or his substitute, and likewise that the latter may have ease in exercising authority.

The Superior General, vicar general and the general secretary have to reside habitually in the general curia. The Major Superior and another member of his council must reside in the provincial curia. In case of any difficulty, recourse must be made to the General Government.

406. Permission from the Superior General and his council is required in order to transfer the seat of the provincial government (No. 457 1).

407. The general government and the government of Provinces and Independent Delegations, and likewise all houses must have their own seal.

The general procurator and postulator should also have their own seals, as should those to whom superiors grant them by reason of the office or service they fulfil.

The seal must bear the inscription and official title of the Congregation (No. 24) and of the office or charge of each official. The seal should be carefully kept by the one responsible for each charge.

408. Above all in curias, so as to avoid any harm that might arise through undue delay in the handling of epistolary correspondence, official letters addressed to superiors can be opened by

³¹⁴ Cf. 1RG 45.

their substitute, in keeping with the norms that the superior himself must give for cases when he is absent or ill.

Anyone who does not want his letters to be opened by substitutes of the superior, should indicate on the outside of the envelope that they are personal, or else he should enclose them in two envelopes, indicating his reservations on the inner envelope.

Article 5. Community Books and Archives

409. It is especially incumbent on superiors to see to it that in our communities the books required by our legislation and customs be faithfully kept and maintained, namely, those of government minutes, of the secretary and chronicler, and of administration and inventories, etc.

410. Regarding archives and those in charge of them the following are to be respected:

- a) In general and provincial curias, and also in delegations, houses and residences, there should be a conveniently arranged archive in which, besides documents which the universal law orders to be kept in the archives (Cann. 1053, 1284-1306), all those written, printed or filmed documents which refer to the organism and may be of historical interest, should be collected and preserved. Also, the books of government and administration, once they have been closed, should be put in the archives.
- b) Every archive should be provided with a sufficiently detailed index or inventory of all the books and documents that are kept there, together with the indications needed for a rapid knowledge of the contents of the archives (Can. 486 § 3).
- c) Writings or reports that should be kept secret, especially if they affect someone's reputation should be kept separately and with great caution in the archives (Can. 489 § 1).
- d) No one may be allowed to remove documents from the archives or to photocopy them without permission from the respective superior and without first signing the corresponding receipt.
- e) The office of archivist normally belongs to the respective secretary, unless another person has been so designated for special reasons, mainly in the case of major archives. In any case, the archivist is dependent on the secretary.
- f) No one in charge of the archives can destroy or render useless any documents or books kept there, without the express permission of the respective superior.

411. Everything pertaining to the archives, as well as to the keeping and care of the books, must be the object of the visitor's special attention during the canonical visitation.

Article 6. The Prefectures

412. In the General Government and in provincial governments, various prefectures must be established in keeping with the agreements reached in the respective general or provincial chapters.

Various other standing groups or ad hoc structures (secretariats, procures, commissions, etc.) can be associated with these prefectures, according to their various activities.³¹⁵

413. The general prefectures of economy and secretariat are joined to the offices of economy and general secretary, respectively, by the very fact of the appointment of the latter.

The chapter itself, in electing consultors with a view to prefectures, orients the designation of the other prefects, but these designations belong to the Superior General with his council (No.

³¹⁵ 1RL 73.

496 b),³¹⁶ who can also entrust the prefectures to persons who do not form part of the General Government.³¹⁷

414. Provincial prefects can either be consultors who were elected or appointed with a view to prefectures, or they can be non-consultors.³¹⁸

- a) If they are consultor-prefects by capitular election or by appointment of the general government, then the Major Superior will need the deliberative vote of his council in order to appoint a non-consultor as prefect at a later date, or to establish new prefectures, or to organise already existing prefectures in some different manner (No. 457 e).
- b) If the prefects are not consultors, the designation belongs to the major superior, after hearing from his council (No. 458 a).
- c) The provincial ecome and secretary, by the very fact of their designation, are prefects of economy and secretariat respectively.

415. Besides the meetings or consultations they hold in their own province, it is fitting that the prefectures organise inter-provincial courses or meetings, by agreement with the respective major superiors.³¹⁹

416. The prefects directly assist the superior in government and animation. The prefects should enjoy sufficient faculties to fulfil the specific mission of their prefecture.

Chapter XV

GOVERNMENT OF THE LOCAL COMMUNITY

Article 1. Composition of the Government

417. For the designation of the local governments a choice must be made from among the options offered in the Constitutions (CC 106-107):

- a) by provincial chapters, for houses in their provinces (CC 106), **with the exception of houses of formation, which will be named by the Provincial Government.**
- b) by the corresponding group of provincials, with the approval of the Superior General, for inter-provincial houses;
- c) by the Superior General with his council, for general houses and for houses belonging to independent delegations (CC 106; Dir. 496 a);
- d) by the Major Superior with his council, in the missions, having previously heard from the members of the latter (CC 109; Dir. 457 a).

418. In residences, the Major Superior appoints the delegate superior with his council, after previous consultation with the community (Nos. 295 b, 363, 421, 457 a).

419. If during the period for which he was elected a local superior should cease in office for whatever cause, the vicar and ecome will also cease in their office, but must continue in them

³¹⁶ Cf. 1RL 58; 2RL 101.

³¹⁷ XIX Gen Ch, sess. 19.

³¹⁸ Cf. 1RL 73.

³¹⁹ Cf. 1RL 76.

with an extension of power until their successors take possession. It belongs to the provincial superior with the advice of his council to determine the manner of designating those who are to complete the three-year term (Nos. 363, 458 d).

420. If a provincial chapter fails to determine the way of designating local governments, then what was approved for this in the preceding chapter should be followed.

421. When the provincial government appoints local superiors (CC 106), there should be a previous sounding (Can. 625 § 3), not only of the province in general, but also of the particular community involved.³²⁰ In providing this information, all professed members of the organism should participate.

Article 2. The Local Superior, Consultors and Officials

422. In order to assume the post of local superior, one must be a perpetually professed member, and at least one year must have passed since his perpetual profession.

423. In the designation of the local superior, vicar and econome by community election, only the perpetually professed members of the community itself, as previously constituted by the respective Major Superior with his council, enjoy passive voice.

All priests, permanent deacons, brothers, and students who are perpetually professed, enrolled in their respective house, whether or not incardinated into the Province, enjoy the right of active voice.

424. The mode of election:

- a) The election should take place at the plenary meeting of the community. For this reason it should be convoked suitably in advance by the local superior or the one who substitutes for him in community government. The election should be carried out in canonical form and according to the norms of our proper law (No. 348) by those voters who are present. Those who are absent cannot cast their vote by writing or by telephone, nor name some proxy to vote in their stead (No. 397).
- b) In the election of the local superior, if six ballots have been cast without achieving an absolute majority, the right of appointment passes to the major superior, who will exercise it according to the tenor of the law (No. 457 a).³²¹ Once elected by the community, the local superior always needs to be confirmed by the Major Superior on whom the house is immediately dependent (Can. 625).
- c) The designation of a local superior for a third consecutive three-year term in the same house is granted only by the Superior General with his council (Can. 624; CC 106; Dir. 496 b).
- d) In the designation of the local Superior the norms established by the Provincial Chapter must be kept in mind with respect to the term of the Superior for consecutive trienniums (n. 358 d).

425. For the election of the vicar and econome also an absolute majority of votes is required,³²² but there will never be more than four ballots cast.

On the fourth ballot, the right of passive voice is restricted to the two candidates who have received the greatest number of votes on the preceding ballot, with ties being resolved according to Nos. 346 and 347 above. In case of a tie on the fourth ballot, the candidate who is senior by

³²⁰ 2RL 39 a.

³²¹ Cf. 2RL 39 b.2.

³²² Cf. 2RG 44.

profession or, in case both candidates were peers in profession, the one who is senior by age, must be considered as elected.

The vicar **and** econome always need to be confirmed by the Major Superior on whom the house immediately depends (Can. 625).

426. Election of the superior, vicar and econome by the community itself does not nullify the provincial government's faculty, even while these local charges are in effect, to assign these persons to another community according to the needs of the province (Can. 624 § 3; CC 96; Dir. 361, 457 a). In this case, one should proceed in accordance with the established norms (Nos. 363, 414).

427. In communities where the provincial government deems it necessary to join the office of econome with that of superior or vicar (Nos. 342 a, 458 c), the community should elect another of its members as consultor; **who must be confirmed by the Provincial Superior (n. 425).**

428. Although the whole community should participate and feel co-responsible in all that pertains to its missionary life, it belongs to the local superior and his council: to deal with personal cases that affect some member of the community (No. 435); to make decisions of common interest when the community cannot be convoked; to actively promote animation, above all in communities that are numerous; to present annual budgets to the community, particularly regarding extraordinary expenditures (Nos. 569-570, 572, 574) and to periodically assess them (No. 573); to approve the budgets of the activities that depend on the community with those who are responsible for them (No. 570), as well as possible additional projects foreseen in No. 574; to approve, review and sign periodically the books of the community, principally those of administration (No. 554).

429. In every community there must be a secretary, designated by the community itself (No. 432 c), whose duties are:

- a) to draw up the minutes of plenary meetings, which he will read and submit for approval at the next meeting;
- b) to prepare the monthly chronicle of the house, which he and the superior shall sign;
- c) to keep all pertinent books faithfully and diligently;
- d) to take care of the local archives and see to it that they do not lack any of the documents that concern the house, completing the archives with proper indexes (No. 410 e).

Article 3. Plenary Meeting of the Community

430. The participation and co-responsibility of all in the full range of the community's missionary life are mainly expressed in the plenary meeting which must be held in all houses in conformity with our Constitutions (CC 110). When the plenary meeting must act by deliberative vote (No. 433), it will proceed in conformity with what is stated in Nos. 323, 333-336, and 399.

431. Matters to be dealt with at the plenary meeting should be previously announced to the community.

One of the most important topics to be dealt with at this meeting is the annual planning of the community's missionary life, as well as its periodic evaluation throughout the year. This planning should mainly focus on the following points:

- a) the way evangelical commitments are being lived;
- b) prayer life;

- c) community life in its inward and outward expression;³²³
- d) pastoral activity by the community in the Church and in the social context of the place;
- e) the use of the mass media;
- f) economic concerns.

This planning should be submitted for the approval by the government of the Province or Independent Delegation at the beginning of each course of activities.³²⁴

432. The plenary meeting of the community is involved in any important matters that have to be dealt with in community, especially in the following cases:

- a) in the examination and control of the implementation of the yearly budgets of the houses and its activities (Nos. 569; 573);
- b) in the approval of official reports sent by the local superior to the major superior, especially the triennial and sexennial reports (No. 378).
- c) in the designation of lesser charges in the community.

433. It belongs to the plenary meeting of the community to decide by *deliberative vote*:

- a) the prior approval of the annual budgets prepared by the econome (No. 569);
- b) the approval of debts that are going to be contracted in conformity with what is prescribed in the law (No. 530);
- c) the approval of extraordinary expenses, according to the tenor of No. 574 below.

434. In the plenary meeting of the community, the office of tellers will be filled by the acting superior, the eldest and youngest in profession. The office of secretary will be filled by the secretary of the house and, in his absence, by the one elected by a relative majority of those assembled.

435. Specially reserved cases and responsibilities, above all if they affect persons, do not fall within the competency of the plenary meeting of the community (CC 107; Dir. 428).

Chapter XVI

GOVERNMENT OF THE PROVINCIAL COMMUNITY

Article 1. Functional Elements

436. The structure of the provincial community should express and favour communication and union among the local communities.

The provincial community, as well as the community of an independent delegation, should maintain an openness towards the community of the Institute, of which it is a part, and its Major Superior should animate and develop this sense of universal belonging, keeping his own organism open towards the other organisms of the Congregation under the guidance of the Superior General.³²⁵

³²³ Cf. 2RL 47-48.

³²⁴ Cf. 2RL 51.

³²⁵ Cf. 2RL 60.

437. Provinces and Independent Delegations have the capacity to acquire, possess, capitalise, alienate, obligate and be obligated, in such a way that they can attend to their common needs, especially those of the formation centres, with their own goods.³²⁶

438. Provinces and Independent Delegations have the right and duty to admit and train their own members. If an organism is able to admit and train more members than its own needs require, it should look to the general good of the Congregation and, if need be, should be assisted with the opportune means for their formation.

If circumstances warrant, various organisms may use common formation centres, relying on the approval of the Superior General.

Article 2. Superiors of Provinces and Independent Delegations

439. According to our Constitutions (CC 97), superiors of Provinces and Independent Delegations have the right to represent their respective organisms. They can, however, delegate this representation to other members of the organism (No. 368), and occasionally to others who may or may not be members of the Congregation.

440. Those who have the right of passive voice in the province can be elected as members of the provincial government (No. 322 ff.). In the exceptional case where a member of another organism with the right of passive voice in another province is voted for, the vote is considered valid as regards the overall tally of valid votes. However, should he obtain the absolute majority, it is understood that the chapter is giving up an election in the strict sense and is petitioning the General Government to see whether it sees fit to appoint him; in which case the appointment entails his enrolment in the new province of whose government he has been designated a member (No. 314 c).

441. To be elected or appointed a major superior, a member must be a priest and with at least five years of perpetual profession (Can. 623; CC 112).

442. The superior of an independent delegation is named by the Superior General with his council (CC 118).

Normally the provincial superior is elected at the provincial chapter (CC 114), after a sounding of all professed members of the province.³²⁷

The length of his term will be six years (CC 114).³²⁸

Observing the previously mentioned norms (Nos. 434-444) the provincial superior can be re-elected for consecutive periods in such a way as to complete a maximum of twelve years.³²⁹

443. Before proceeding to the election, the provincial chapter can ask the General Government, and the latter can approve, that the provincial superior's term of government be for three years. This approval can also be granted by the president of the chapter, if **the General Government has** previously given him the delegation to do so.³³⁰

Before the election of the provincial superior, the chapter can grant the one who would be elected the faculty to defer the taking possession of office for a period that does not exceed three months. In case the new provincial superior decides to make use of this faculty, he should propose

³²⁶ Cf. E 8.

³²⁷ ccf.f. 2RL 64.

³²⁸ XIX Gen Ch, sess. 56; 1 RL 67; 2RL 65.

³²⁹ XXII Gen Ch, Acta 19.

³³⁰ XXIII Gen Ch, acta 18.

his intended date of taking possession of office to the chapter for its approval. This norm is not to be applied in the case of a re-election for a consecutive term of office.³³¹

444. For the election of the provincial superior:

- a) there will be no more than seven ballots. For the first six, an absolute majority of votes is required.
- b) For the seventh ballot, the right of passive voice is restricted to the two who obtained the greatest number of votes in the preceding ballot, in keeping with the tenor of No. 347 above. In case there is still a tie, the senior of the two will be elected, in conformity with No. 346 above.
- c) If the person elected should decline the election, the stipulations of No. 513 below must be observed; if he is absent from the chapter, those of No. 514 below must be observed.

445. The confirmation of the provincial superior's election always belongs to the Superior General **with his Consultors** (CC 114),³³² which can delegate this faculty to the president of the chapter, even if the latter is not a member of the General Government.³³³

446. If the taking possession of office by the new provincial superior is deferred (No. 443), he will make the prescribed profession of faith when he begins to exercise his office (Can. 833 § 8; CC 94; Dir. 359) in the presence of the new and the outgoing provincial councils and the community of the curia.

447. After the provincial chapter has obtained an absolute majority of votes it can, according to the tenor of the Constitutions (CC 114, Dir. 496 a), expressly petition the General Government to grant it permission to use one of the *other methods* of designating the provincial superior:

- a) Through appointment by the General Government, after a consultation of all professed members of the province.³³⁴
- b) Through designation by the General Government from among a panel of three names presented by the province. For this, each perpetually professed member will choose a name or candidate, and the provincial tellers will draw up a list of the three persons who have obtained the greatest number of votes, resolving the tie, if it occurs, according to the norm of No. 346 above.
- c) Through direct election by all perpetually professed members (No. 348 c), in conformity with the law. Confirmation belongs to the General Government (No. 349 a).
- d) In case the provincial chapter opts for any of the above three methods, it must have recourse to the General Government (CC 114).
- e) The provincial chapter cannot proceed to employ this option until a decision has been made by the General Government or the President, providing he **is a member of the General Government** and has received prior delegation to resolve this matter.³³⁵

448. In practice, the system of *direct election* is advisable only when it would be easy to gather an assembly of the whole province in order to hold the election, in which all those indicated in No. 467 would have to take part.³³⁶

³³¹ XXII Gen Ch, Acta 17.

³³² Cf. 2RL 64.

³³³ XXIII Gen Ch, acta 18.

³³⁴ Cf. 1RL 66.

³³⁵ **XIII Gen Ch, acta 18.**

³³⁶ Cf. Asamblea de Costa Rica in Ann 52 (1976) 453.

- a) Once the provincial chapter has received the General Government's approval of the proposal for direct election, the chapter is suspended and a special convocation is sent to those who, besides the chapter members properly so-called, have active voice in the election (unless they have been already called when the chapter was convoked). In both cases, the place, dates, and times at which the election will be held must be clearly indicated. The chapter members properly so-called will of course also take part in the election (No. 467).
- b) For the validity of the act of election, at least two thirds of the perpetually professed members who have the right to vote must be present together at the assembly. Those who are absent are excluded from sending in their votes.
- c) Ballots are to be verified in conformity with what is established in Nos. 444 (for superiors) and 451 (for consultors).
- d) Once the elections have been completed and the corresponding confirmations have been received from the General Government (No. 349 a), the chapter is resumed, with only the chapter members.

Article 3. Consultors and Officials of Provinces and Independent Delegations

449. The provincial council is made up of the provincial with the consultors. Its functions are: to animate, promote and govern the provincial community toward the fulfilment of the mission of the Congregation.

450. In formed provinces, the econome cannot fulfil the office of vicar without the authorisation of the General Government (Can. 636 § 1).

Consultors and officials of Provinces and Independent Delegations can be re-elected for successive terms.

451. The provincial consultors and econome are elected at the provincial chapter by an absolute majority of votes, after a prior sounding of the province. In their election, there can never be more than four ballots, and if no one has received an absolute majority in the first three ballots, in the fourth one the right of passive voice is restricted to the two candidates who received the greatest number of votes in the preceding ballot, in conformity with what was said above (Nos. 346-347) for the election of the provincial.

- a) For their designation, too, by way of exception, the three methods indicated in No. 447 may be used. But if the second method is used, the tellers will make a list of three names for each consultorship, from the candidates chosen with a majority of votes by the perpetually professed, in order to present it to the General Government. From this list, the General Government will choose the consultors, letting the new provincial know of them first, in case he has some objection to make.³³⁷
- b) The confirmation of the election belongs to the Superior General (Dir. 349 a) **or to the President of the Chapter if he has received delegation for this.**
- c) If the post of a provincial consultor or econome becomes vacant during his term of office, his substitute will be designated by the General Government (No. 496 b).

452. Taking into account what is stated in the Constitutions (CC 116), the provincial chapter will decide on the number of provincial consultors. In formed provinces there can be a maximum of four consultors.

³³⁷ Cf. 2RL 73.

453. The provincial economer and secretary, both in formed provinces and in provinces in formation, may or may not be consultors (CC 117). The provincial chapter will decide this with regard to the economer, who must in any case be elected or designated in the same way as the consultors. But both the economer and the secretary, even if they are not consultors, have voice and vote in the provincial chapter (CC 124.2).

454. The provincial secretary is designated by the provincial superior from among his consultors. In order to be able to appoint someone who is not a consultor in the government as secretary, the provincial superior needs the consent of his council (No. 457 a).

The qualities, rights and duties of the provincial secretary must be the same, in due proportion, as those stipulated for the general secretary.³³⁸

455. In independent delegations the consultors as well as the economer, even if he is not a consultor, is also appointed in the same manner as a delegate superior (CC 120; Dir. 442).

456. In dependent delegations, both the economer and secretary must also be consultors.

Article 4. Councils

457. The Major Superior needs the deliberative vote of his council for matters in which universal law or our own law clearly states that the Major Superior needs a deliberative vote or its consent, or that the matter is entrusted to the Major Superior with his council, or also to the Provincial Government, among which are the following cases:

- a)
 - For the appointment of the superior, consultors and officials in dependent delegations;
 - For appointing a person outside the council as provincial secretary (No. 454);
 - For the appointment of local superiors, vicars and economers (CC 106; Dir. 421);
 - For a delegate superior in residences (No. 418);
 - For the appointment of masters of novices (CC 68; Dir. 210) and prefects of formation (No. 248), and for the transfer or removal of all the above (Nos. 360; 361, 426);
 - To determine the option to use in the designation of local government of dependent missions of the Organism and their appointment if necessary (CC 106-107, 109; Dir. 417 d);
- b) For advancing or delaying the ordinary provincial chapter for more than three months; for convoking an extraordinary provincial chapter (No. 463) and for the acting provincial superior to convoke the chapter (No. 386 a).
- c) For choosing those who can attend the provincial chapter by designation of the provincial government (CC 124.5; Dir. 385 b).
- d) For determining the number of delegates to the provincial chapter from those residing in dependent delegations or missions in the event that they form an electoral college (No. 334 b) and to petition the General Government for approval of the norms of their election (No. 334 c).
- e) For designating provincial prefects in the case foreseen in No. 414 a.
- f) For admission to first and perpetual profession (Can. 656; CC 70-71; Dir. 228) and for the promotion to the diaconate (No. 243 c), permanent diaconate (No. 259) and the presbyterate (No. 243 c).
- g) For excluding someone in temporal vows from renewing vows or making perpetual profession because of ill health (No. 272).

³³⁸ Cf. CC (1924) I, 32; CC (1973) 211.

- h) For approval of the formation plan (No. 168) and to determine the way of constituting the formation council (No. 166).
- i) For granting professed members a leave of absence (Can. 665 § 1; Dir. 274) and for depriving them the exercise of active and passive voice (Nos. 325-326).
- j) For requesting of the General Government the establishment, suppression and modification of houses (n. 300 a).
- k) For the creation, closing, juridical modification, or reassignment of a residence (No. 300 b).
- l) For petitioning the general government for the transfer of the provincial curia to another house (No. 406).
- m) For requesting of the general government the erection, change, or suppression of the novitiate (No. 198).
- n) For the examination and approval of provincial budgets for the following year and the state of accounts of provincial administration with the corresponding records verifying them (No. 575).
- o) For the transfer of goods from one house or juridical person to another within the same organism (No. 580); and to allow loans between them (No. 582): for the settlement of lawsuits (cf. Can. 1427 § 1).
- p) For the approval of yearly statements of the accounts of houses and activities (No. 571), and of additional budgets if that is the case (No.574) and to create new administrations (No. 551).
- q) For actualising or authorising the actions contemplated in Nos. 526, 529-530.
- r) For accepting commitments or foundations for perpetual Masses (No. 557).
- s) For dispensing with any disciplinary article of the Constitutions (No. 10) and from any norm of the Directory (No. 15 a).
- t) For determining the frequency and manner of celebrating provincial assemblies (CC 127; Dir. 466).

458. The Major Superior needs the consultative vote of his council for the following cases:

- a) For designation of provincial prefects who are not consultors (No. 414 b).
- b) For confirmation of local superiors, vicars, economes and consultors (No. 349 b) and acceptance of their renunciations (No. 419).
- c) For joining the position of economo with that of superior or vicar (No. 427)
- d) For determining the manner of designating the Vicar and Econome to complete a three-year term when one of these offices becomes vacant (Nos. 363, 419).
- e) For the admission of aspirants to the novitiate (No. 202); for lengthening the time of novitiate; for the renewal of temporary profession (No. 228); for the dismissal of novices (Can. 653 § 1; Dir. 271) and for not admitting professed members to renew temporary profession with consequent dismissal from the Congregation (Can. 689 § 1; Dir. 271); and for admission to Ministries.
- f) For requesting of the General Government the erection, change, or suppression of the houses (No. 300 a).
- g) For approving additional budgets referred to in No. 574.
- h) For all other affairs in which his council must intervene and which do not require a deliberative vote.

459. The cases that are to be decided with a deliberative or consultative vote, which are specified in the preceding numbers (Nos. 457-458), as well as the procedures to be followed in these (Nos. 398-400), also apply to the governments of provinces in formation and independent delegations, regarding matters that are within their respective competency.

460. Each province shall decide in its provincial chapter regarding the existence, nature and functions of the *Permanent Board*, as a channel of participation and responsibility (Can. 633).³³⁹
Where this Board exists, it acts under the direction of the provincial government.

Article 5. The Provincial Chapter

1. Nature and Aim of Provincial Chapters

461. The provincial chapter represents the province by acting collegially in its name within the competency assigned to it by the Constitutions (CC 126).

462. Within its ambit and scope, the provincial chapter must carry out what is said of the General Chapter with respect to the whole Congregation.

463. It belongs to the provincial superior, after hearing from the Superior General and with the latter's agreement (CC 123), to convoke a provincial chapter of any kind, according to the norm of No. 388. Moreover, in the case of an extraordinary chapter, the consent of the provincial consultors is also required (CC 123; Dir. 457 b).

The provincial superior can advance or delay the ordinary provincial chapter for three months from the date of the last ordinary provincial chapter, after hearing from his consultors. To advance or delay it as much as six months, he must obtain the consent of his consultors (No. 457 b). In both cases, the agreement of the Superior General is required.

464. The provincial chapter cannot be considered closed before the general government has confirmed the election of the new provincial government.³⁴⁰

465. The chapter does not deprive, suspend or exercise the executive power which, according to the universal law and our proper law, belongs to the provincial superior and government, nor can it nullify or rescind acts of the provincial government that are shown to be validly carried out. When the provincial chapter dictates norms on matters pertaining to the executive order, the provincial government should act in conformity with them, unless grave difficulties should arise, in which case the provincial government should inform the province and bring the matter to the attention of the General Government.

The decrees and precepts given by the provincial chapter do not have the force of law until they are approved by the Superior General with his council (CC 126; Dir. 496 c).

466. The *assemblies* referred to in the Constitutions (CC 127), although they do not have the decision-making character proper of provincial chapters, are important means of participation, co-responsibility and communion. Among their aims, the following stand out: life sharing, dialogue, mutual acquaintance and encouragement, contributing suggestions, and a review and orientation of the life of the province (Can. 633).³⁴¹ The provincial government will determine the frequency and modalities of their celebration (CC 127; Dir. 457 t).

These periodic assemblies are particularly recommended in independent delegations, which do not celebrate chapters.

2. Voting Members at Provincial Chapters

³³⁹ Cf. 2RL 74.

³⁴⁰ XIX Gen Ch, sess. 56.

³⁴¹ Cf. CC (1971) 222; CC (1973) 219; 2RL 83-84.

467. Those provided for by the Constitutions (CC 124) are voting members at ordinary as well as extraordinary provincial chapters.

The superior of a dependent delegation does not, as such, have the right to attend the provincial chapter.

If the last provincial chapter, for whatever reason, has not assigned the number of voting members to be designated by the provincial government for the next chapter (CC 124.5), that norm established by the immediately preceding chapter will be observed.

468. The election of delegates to the provincial chapter shall **ordinarily** be made by written ballots and in true canonical form, in keeping with what is said in No. 383 above.

469. In conformity with the norms established for the exercise of active and passive voice (No. 330 ff.), in each province the following enjoy active or passive voice to elect or be elected delegates to its provincial chapter:

- a) All perpetually professed members enrolled in the province and residing in it,³⁴² or in inter-provincial or general houses, with the exception of members of the General Government.³⁴³
- b) Those who are enrolled in the province, but are incardinated in a house of another organism for reasons of studies or of a ministry in service to their own province.
- c) Perpetually professed members who are not enrolled in the province, but enjoy local enrolment in one of its houses by reason of a service they are rendering to the said house or to the province to which the house belongs.³⁴⁴

Since no one can enjoy double active and passive voice (No. 324), those included in No. 469 b above have voice only in the province in which they are enrolled. Those included in letter No. 469 c have voice only in the province in which they reside.

470. So that all who enjoy active and passive voice in the election of delegates may easily exercise this right, provincial secretaries will see to it that the corresponding lists are opportunely prepared and will take care that notices and communications reach them sufficiently in advance.

471. The results of each of the elections of delegates to the provincial chapter will be communicated as soon as possible to the province by means of an authentic document. The final results must be communicated to the interested parties by means of an authentic document, and to the province by means of its "official bulletin."

Chapter XVII

THE VISITORS

472. The following are visitors in *their own right*: the Superior General, for the whole Congregation; each major superior, within the territory of his jurisdiction.

Visitors by *delegation* are those who have received a mandate from a lawful Major Superior to make a general or particular visitation.

Besides the canonical visitation, it is fitting that other visits (official or non-official) be made and in particular, visits by those with some special expertise. Someone may also be entrusted to deal with a particular matter affecting the province, its personnel or houses, without being thereby delegated to make a proper and true canonical visitation.

³⁴² Cf. 2RL 78.

³⁴³ Cf. 2RL 23,77.

³⁴⁴ Cf. 2RL 27.

473. The canonical visitor, even if he is only delegated, has the office and rights of a Major Superior during the entire duration of his mandate as visitor, and during it he enjoys the favour of the law.

474. Against the administrative acts of the visitor, one is only granted recourse "in devolutive," but not "in suspensivo":³⁴⁵

- a) to the delegating major superior, if the visitor is delegated,
- b) to the Superior General, if the visitor is a major superior;
- c) to the Holy See, if the visitor is the Superior General himself.

Hence in all these cases, such recourse notwithstanding, one must obey any command, decree or other administrative act of the visitor, until the superior to whom one had recourse either revokes or modifies it.

475. It is understood that the charge of those who are visitors in the name of another or by commission, is always revocable *ad nutum*, even after the visitation has begun.

476. Once they have finished their visitations, all visitors will give an account of them to the delegating superior, enclosing the documents of the visitation or copies of them.

477. As regards the visitation of his organism, the superior of an independent delegation is on a par with a provincial superior (CC 113.4).

Chapter XVIII

THE GOVERNMENT OF THE GENERAL COMMUNITY

Article 1. The Superior General

478. To be elected Superior General, a member must be a priest and perpetually professed for at least five years (CC 137).

479. The Superior General can delegate other members to represent the Congregation canonically and civilly, in conformity with the universal law and our own law. But such a delegate would act invalidly and illicitly if he exceeded the limits of his mandate and of the law (No. 368).

The Congregation as a whole can only be obliged canonically, civilly and morally in virtue of legitimate acts, either of the Superior General and his delegate, or of the general ecomone in acts of ordinary administration.

480. Outside the general chapter, the acceptance of the Superior General's resignation is reserved to the Holy See.

481. In houses that are immediately dependent on the Superior General, he exercises, either in person or through a delegate, those rights and privileges which the law assigns to provincial superiors with respect to their own province.

³⁴⁵ Cf. CIA 259 § 2.

If a member of the General Government presides over the election of the local government in a general house he can confirm those elected as approved by the General Government without recourse to it.³⁴⁶

Article 2. The Vicar and Other General Consultors

482. After hearing the views of the new Superior General and taking into account the needs of the Congregation, the General Chapter will set the number of consultors.³⁴⁷

Before proceeding to the election of the general consultors, the chapter will have to take into account the criteria of specialisation and of the representation of geographic and cultural areas that the new Superior General may set forth.

In any case, the consultors should be elected from the different parts of the world in which the Congregation is established (CC 145), not only for practical reasons, but in order that the General Government may express in its own inner structure the universality and communion of the Congregation.³⁴⁸

The general vicar is designated according to the tenor of No. 517.

Article 3. General officials

1. *The General Econome*

483. All administrations of the Congregation are subordinate to the general administration. By virtue of that:

- a) The general econome will receive a quarterly account from the administrations of general houses and activities and, at least once a year, from the administrations of the Provinces and Independent Delegations. Once these accounts have been received and a review of his own administration has been made, he will report on them to the Superior General and his council.
- b) The general canonical visitation will be followed by an economic audit made by the general econome or by his delegate. When the general government deems it necessary or convenient, other audits will be made to organisms and activities.³⁴⁹

484. All of the above refers proportionally to the economies of Provinces and Independent Delegations, with respect to the administrations that are subordinate to and dependent on them.

2. *The Secretary General*

485. Once designated, the secretary general must take an oath of fidelity and secrecy. He heads the general secretariat and co-ordinates all its activities.

486. The duties and office of the general secretary are:

- a) To prepare council meetings, noting what needs to be communicated to the Superior General and his consultors and submitted to the council; to distribute to the consultors, in good time, those matters that require their special study; to convoke them for the day and hour of the sessions.

³⁴⁶ XXIII Gen Ch. acta 17

³⁴⁷ XIX Gen Ch. sess. 18.

³⁴⁸ Ibid.

³⁴⁹ Cf. CPR 90-91.

- b) To draw up and opportunely present to the Superior General the list of matters that have to be dealt with in council.
- c) To draw up the minutes of the sessions and present them for approval at the following session.
- d) To communicate to those concerned the decrees and responses that the superior has decided with the consent or advice of his consultors, except in those cases where the Superior General has determined otherwise.
- e) To draw up those documents which must be published or promulgated in the name of the Superior General, with the consent or advice of his consultors.
- f) To report periodically to the Congregation, through the General Government's official and semi-official instruments of communication, for which he will be responsible. It belongs to the secretary to draw up the catalogue of members and houses.
- g) **To make the catalogue of the individuals and houses and the necrology.**

487. He shall direct the general archives, and even if a general archivist is appointed, the latter will fulfil his charge in dependence on the secretary, to whom, in any case, the secret section of the archives will be reserved. He shall maintain communication and co-ordination among all the secretariats and archives of the Congregation.

488. All of the duties indicated here for the secretary general, as well as for the way in which he must arrange and fulfil his office both as regards persons and affairs, must be observed proportionally by the respective secretaries of Provinces and Independent Delegations.

Article 4. Collaborators with the General Government

a) The General Procurator and the Postulator of Causes

489. All matters affecting the Congregation, provinces, houses and particular persons which must be dealt with before the Holy See, will be handled through the general procurator, who is designated by the Superior General, after hearing from his consultors. However, the Superior General's right to deal directly with the Holy See, as well as the right of particular parties to apply to it, remain intact.

490. He is strictly obliged to the law of secrecy concerning affairs of the Congregation and of particular persons, and can only treat them with the corresponding superiors.

491. There shall also be a general postulator before the Roman curia for causes of beatification and canonisation. He shall be designated by the Superior General, after hearing from his council.

492. The postulator, with the consent of the Superior General and after hearing from the interested parties, can appoint the necessary vice-postulators in various places, delegate them with faculties in the case, and direct and encourage their activities.

493. Both the procurator and postulator general will have their own seal for authenticating their respective official documents (No. 407). They will administer the funds of their respective competencies and both of them will present the prescribed yearly report to the Superior General (No. 377).

b). Secretariats

494. The General Government can establish some secretariats, fixing the objective and competency of each of them, and likewise their ties with a determined prefecture or with the

General Government as a whole. Those responsible for these secretariats will act in conformity with the directives and faculties they receive from the General Government.³⁵⁰

Article 5. The Councils

495. The decisions that are to be made through collegiate acts are described in No. 380. The Superior General needs *the deliberative vote* of his council, with all its members in attendance, among others, in the following cases:

- a) In order to petition the Holy See for the temporary suspension of some constitutional norm (No. 6), and to dispense the whole Congregation from some article of the Constitutions (No. 7);
- b) In order to give a provisional interpretation to the text of the Constitutions (No. 8); to dispense with one of its disciplinary articles (No. 10) and of the norms of the Directory (No. 15 b);
- c) In order to designate, by the free will of the general government, those who are to attend the General Chapter with voice and vote (CC 156.5; Dir. 385 b).
- d) In order to advance or delay the ordinary General Chapter for more than three months (No. 501).
- e) In order to convoke an extraordinary General Chapter (CC 154) or for the acting Superior General to convoke the one scheduled (No. 386 a).
- f) In order to give a general consultor who presides at the chapter of a province the delegated faculties referred to in Nos. 443, 445 and 447 e.

496. When the majority of those who have the right to vote are present, the General Council should express itself by *deliberative vote*:

- a) In order to allow the designation of the Provincial Government in accord with one of the other means foreseen in our law (CC 114; Dir. 447); to appoint the governments of Provinces and Independent Delegations (CC 118, 120; Dir. 447 a and b) and to choose the manner of designation of local governments of general houses and the independent delegations (CC 106; Dir. 417 c), and to remove and change them (Nos. 360-361); **to grant a member of the General Government authority to confirm the election of the local government of a general house community, when he presides over the voting.**³⁵¹
- b) In order to choose others from outside the council to fill the quorum needed for voting on the General Council (No. 399 d); to designate general prefects (No. 399 d) and to fill vacancies of provincial consultors and economies that occur during the period for which they were elected by their respective chapters (No. 451 c); to allow the designation of a local superior for a third consecutive three-year term in the same house (CC 106; Dir. 424 c); **to complete the quorum necessary for a Council vote even with people from outside the Government (399 d) and to grant the power to do so during the entire six-year term;**³⁵²
- c) To make general decrees (No. 17), to approve the decrees and precepts given by provincial chapters (CC 126; Dir. 465), to approve the statutes of Conferences (No. 310 c).
- d) In order to erect, suppress or modify Provinces and Independent Delegations (CC 91; Dir. 289, 292).
- e) In order to assign an organism to the category of "mission" (No. 286).
- f) In order to erect, transfer or suppress a novitiate (No. 198).

³⁵⁰ XIX Gen Ch, sess. 19.

³⁵¹ XXIII Gen Ch, acta 17.

³⁵² XIV Gen Ch, acta 12.

- g) In order to erect, suppress or innovate houses (Nos. 298-300 a) and to allow a foundation in the territory of another organism (No. 293);
- h) In order to re-admit a novice who has completed his novitiate or a professed member who has lawfully left the Institute, without their having to repeat the novitiate (Can. 690; Dir. 216, 284).
- i) In order, for a grave cause, to grant a perpetually professed member an indult of excommunication for a period not exceeding three years (Can. 686 § 1; Dir. 276).
- j) In order to petition the Holy See to impose excommunication on a perpetually professed member (Can. 686 § 3; Dir. 277).
- k) In order, for a grave cause, to grant a temporally professed member an indult to leave the Congregation (Can. 688 § 2; Dir. 273).
- l) In order to permit a perpetually professed religious to go over to another religious institute (Can. 684 § 1).
- m) In order to allow a candidate, in particular cases, to make his novitiate in a house distinct from the novitiate house (Can. 647 § 2; Dir. 205).
- n) In order to alienate goods of the Congregation, to contract debts and obligations, and to authorise the other organisms to do so (Can. 638 § 3; Dir. 528); and to petition the Holy See for approval when the actions exceed the authorised amount for each country (Nos. 528-529);
- o) In order to accept commitments or foundations for perpetual Masses (No. 557).
- p) In order to authorise the renunciation of patrimonial goods (No. 72).
- q) In order to approve the balance sheets and budgets of the general administration, provinces, independent delegations general houses (Nos. 575-576).

497. The Superior General needs the *consultative vote* of his council for all those matters for which, if a vote is necessary, the universal law or our own law:

- a) expressly demands a consultative vote;
- b) demands that he seeks his consultors' advice or opinion, or simply hears them,
- c) demands the intervention of the general council, without clearly stating that the vote must be deliberative.

Article 5. The General Chapter

1. Function and Competency of the General Chapter

498. The General Chapter is the highest authority in the Congregation and its competency is determined in the Constitutions (CC 153).

499. The convocation of the general chapter, both ordinary and extraordinary, is made by the Superior General or his substitute, according to the tenor of our law (CC 154; Dir. 495 e).

500. Above all, the chapter must maintain an attitude of supreme service to the Congregation to spur in it the Claretian missionary life and its development as an institute approved by the Church.³⁵³

This fundamental attitude inspires all the functions of the general chapter, according to the norm of the Constitutions (CC 155).

501. During the sixth year of his term, the Superior General, having heard from his consultors and for a just cause, can advance or delay the celebration of the new chapter by three months. To

³⁵³ Cf. 2RL 109.

do so for a period of more than three months, up to a maximum of six, the consent of the consultors is required (No. 495 d).

502. If the post of Superior General becomes vacant during the celebration of the ordinary chapter, a new Superior General will be elected. If the chapter being held is an extraordinary one, then the chapter will determine what refers to the election.

503. The dispositions of general chapters are obligatory from the day that the Superior General promulgates them, according to the norms given by the chapter itself. They should be published as soon as possible.

504. In order to promote communication and communion within the Congregation, the General Government will establish ways and means in the Congregation or in the various areas, such as assemblies, meetings of major superiors, regional meetings and other similar means.

2. *Participants*

505. All those who, according to Constitution 156, are voting members of the General Chapter attend the ordinary as well as the extraordinary chapter and enjoy all rights at both.

506. The superior of an independent delegation does not, as such, have the right to attend the general chapter. But these organisms do have representation at the chapter through a voting member elected by their members (CC 156. 3).

507. If the General Chapter should for any reason not have assigned the number of delegates from provinces to safeguard the proportional representation mentioned in Constitution 156.4, or the number of capitulars to be elected by the general houses or of those to be designated by the General Government, the norm established by the immediately preceding chapter will be followed (CC 156.5).

508. The election of delegates to the General Chapter on the part of Provinces and Independent Delegations will **ordinarily** be made by direct vote of their perpetually professed members, by a system of written ballots (No. 383).

To this effect, in every major organism, all of those indicated in No. 469 above, except for what is said in No. 509 regarding residents of general houses, enjoy active and passive voice to elect and be elected delegates to the general chapter.

509. Those enrolled in general houses on a permanent basis will form one or more electoral colleges for the direct election of their own delegates, as determined by the General Government, taking into account the number of members, their mutual acquaintance or other causes.(CC 156.5; Dir. 330-332).³⁵⁴

510. The results of the elections of delegates to the General Chapter must be communicated by means of an authentic document, observing the due formalities, to the Superior General or his vicar as the case may be, and to those elected. They will also be communicated to the whole province or organism by means of the official bulletin.

3. *Experts and Observers*

³⁵⁴ Cf. 2RL 113.5°, 114.5°; XXII Gen Ch Acta 21.

511.

- a) Representation of activities and ministries at the General Chapter can be achieved at the precapitular level and during the chapter itself, by means of experts in those fields.³⁵⁵
- b) If the General Government deems it fitting to propose the name of someone who can attend the General Chapter as an *invited guest*, this will require the opinion of the chapter members during the preparatory phase of the chapter.³⁵⁶
- c) The chapter, once constituted, can invite those persons that may help in the tasks proper of the chapter. It also belongs to the chapter to determine what sort of intervention may be made by any possible invited guests, both in commissions and in plenary sessions.³⁵⁷
- d) These same norms will be observed, with due proportion, in connection with provincial chapters.

4. *Elections at the General Chapter*

512. For the election of the Superior General, ballots will be repeated as many times as may be necessary until an absolute majority or, in the case of a third sexennium, a two-thirds majority is reached (CC 139).

513. If, immediately after the election, the one elected manifests his determination not to accept the election, he must manifest the motives for his non-acceptance to the chapter or to a commission composed of at least three voting members. After diligently examining these motives in the absence of the interested party, the chapter will resolve by secret vote whether or not it accepts his renunciation. If the chapter does not accept it, then the one elected must accept the post, and the president, in the name of the chapter, can even oblige him to do so in virtue of the vow of obedience. But if the chapter accepts his renunciation, they will proceed to a new election.³⁵⁸

514. If those elected are not present at the chapter, they shall be notified at the moment of their election. If they accept, they must be incorporated into the chapter. Only the general chapter, according to the prescribed form, can allow their non-acceptance, in which case they must proceed to a new election.

This same procedure must be proportionally observed in the elections held at provincial chapters.

515. Once the election of the Superior General has been effected, the president will publicly announce his name and declare him elected in the following words:

" I..... president of this chapter and in its name, proclaim..... to be elected Superior General of our Congregation of Missionaries, Sons of the Immaculate Heart of the most Blessed Virgin Mary. In the name of the Father and of the Son and of the Holy Spirit. Amen."

But if the president himself is elected, then the decree of election will be pronounced by the one who follows him in order of precedence.

516. The consultors are also elected by an absolute majority of votes, but there will never be more than four ballots. Hence, if no one has received an absolute majority of votes in the first three ballots, on the fourth ballot the right of passive voice will be restricted to the two candidates who have received the greatest number of votes in the preceding ballot. In case of a tie, the procedure will be according to the norm of No. 346 above.

³⁵⁵ Cf. 2RL 114.

³⁵⁶ XIX Gen Ch, sess. 55.

³⁵⁷ Ibid.

³⁵⁸ Cf. CC (1924) I, 61.

517. The vicar general will be freely designated by the Superior General from among the consultors elected by the chapter itself.³⁵⁹

³⁵⁹ Cf. 1RL 55.

PART FOUR
THE TEMPORAL GOODS

GENERAL PRINCIPLES

518. The temporal goods of the Congregation are fruits of our work and charity of the faithful. As necessary and useful means for our life and mission, and for the service to the poor, we should use them under the direction of the superiors and in conformity with the demands of Claretian poverty.³⁶⁰

519. The patrimonial goods that belong to the professed are those that they acquire by free title, inheritance or legacy either from their blood relations or from those related through affinity, and are added to their patrimony. They can preserve their basic ownership, but cede their use and usufruct in accordance with the law. The rest of their goods will not be considered patrimonial (CC 27).

520. As ecclesiastical goods, the properties of the Congregation must be administered with diligence and transparency according to the norms of the universal law and of our own proper law, and also in conformity with the laws of the respective country. Observing these norms and the evangelical and ethical principles that have to guide our administration, we shall avail ourselves of the various economic mechanisms,³⁶¹ always, however, keeping in mind that material goods are a means and not an end.

521. Our apostolic poverty builds up our fraternal community and it becomes manifest in the sharing of goods (CC 24-25; Dir. 64-65). Therefore:

- a) **the economic management** of goods should respond to the demands of common life, provide an effective sharing of goods among persons, communities, **provinces and delegations**, the whole Congregation, and promote a culture of solidarity, especially with the poor.³⁶²
- b) **at the beginning of its mandate the government of a province or independent delegation, with the collaboration of its economic council, will develop a detailed economic-financial plan, which will be submitted for discussion at some participatory forum of the province or delegation (assembly, meeting of superiors, etc.) before its approval; finally it will be presented to the General Government. With the help of the Congregation each Province or Independent Delegation should guarantee its financial self-sufficiency, understood as the capacity to generate its own economic resources in order to attend to its life and mission, and to co-operate in the universal mission of the Congregation (No. 287 a, 304 c). To achieve this, each organism must rely basically on its own endeavour, its creativity and work, its savings and effective sharing of assets in common and the help of the General Government.**³⁶³

Chapter XIX

THE ABILITY TO ACQUIRE, POSSESS, ADMINISTER AND ALIENATE GOODS

Article 1. Subjects of this ability

522. All organisms of the Congregation which enjoy juridical personhood, or the civil associations that represent them (CC 100; Dir. 524), and are duly recognised by law, have the

³⁶⁰ CF SH 78, 81-82.

³⁶¹ Cf. IPM 25.5.

³⁶² Cf. ET 21; SH 80; MFL 65.2.

³⁶³ Cf. IPM 31.1; TMHL 76.4.

capacity to acquire, possess, mortgage, alienate and administer goods, and to exercise any act whatsoever of ownership concerning them, always in compliance with our own dispositions and the legislation of each country.

Any other corporation, entity, association or foundation, whether of public or private character, whether of a canonical, civil, mercantile or industrial nature, to which the law grants its own juridical personhood with juridical capacity for economic activity, that is established in the context of the various organisms of the Congregation, is considered as belonging to the Congregation or to the organism to which it is ascribed. Unless the contrary is clearly stated, its goods will be considered tied to the Congregation. Nevertheless, in the case of contracting debts, the responsibilities and obligations contained in Can. 639, taken up in CC 101 and applied through Dir. 532-533 are to be applied.

523. Juridical persons in the Congregation are represented by their lawful superiors in conformity with the Constitutions (CC 97, 105). They have the faculty to exercise the acts that are described in Dir. 522, in the name of the juridical person of the Congregation that they represent.

Superiors can delegate this faculty according to the tenor of the law, but in no case can the delegate exceed the limits of his mandate and thus make the Congregation responsible for such acts, unless the superior expressly ratifies it.

Article 2. Title of Goods

524. Title of goods of any category, such as public documents and the manner they are recorded in civil registries, title deeds and bank accounts, should be made in such a way that the Congregation's ownership of them remains clearly guaranteed, choosing for that purpose suitable means in accordance with the legislation of each country, which will guarantee the right to utilise the material goods for its aims. For this purpose, whenever possible, a vernacular translation of one of the Congregation's official titles (No. 24) should be used and applied to the Congregation, a Province or Independent Delegation or a house.

When this is not possible, the legally recognised title for the Congregation in each country should be used, even if it is only as an association or a civil institution. In any case, the registry of the title in the name of a particular individual, either from within or outside the Congregation, should always be avoided. If this is not possible, special precautions should be taken that the Congregation's real and permanent ownership is always assured. The General Government should be consulted in case of necessity.

Article 3. Competencies and authorisations

525. It is the responsibility of the General Government, and proportionally of the other governments, to stimulate and direct co-operation among the different organisms (Dir. 307; 309), to put into practice the subordination of the ownership of goods in the universal context of the Congregation (CC 100; Dir. 580) and to promote a just administration and redistribution of goods at the service of the mission and the brotherhood.³⁶⁴

526. If debts are not contracted, the General Government can make and authorise acquisitions, expenditures and necessary works without limit to their quantity. The government of a **province or delegation** can do the same, within its jurisdiction, with prior **approval of** the General Government, when the amount involved in the operation exceeds 10% of the annual budget of the respective entity (No. 457 q).

³⁶⁴ Cf. IPM 31.1-3.

527. As regards the local government, it should adhere to what is determined in Nos. 572 and 574 below. But for investments in real estate, it must always have the express authorisation of the provincial superior and his council.

Article 4. Alienation and Contracting Debts

528. The Superior General, with the deliberative vote of his consultors and within the context of his jurisdiction, can dispose of the goods of the Congregation both in a gratuitous as well as an onerous manner, and constitute material rights, mortgage them, contract debts, and authorise provinces, independent delegations and houses to carry out these acts, up to the amount which the Holy See has authorised for the respective country (Can. 638 § 3).

For acts that exceed the aforesaid amount, the Superior General, with the deliberative vote of his consultors, must ask the Holy See's approval (No. 496 n).

529. A major superior, with the deliberative vote of his consultors (No. 457 q) and within the context of his jurisdiction, **and in accord with n. 526**, can dispose of the goods of the Congregation both in a gratuitous as well as an onerous manner, and mortgage them, contract debts, and authorise houses under his jurisdiction to carry out these acts, provided the amount involved does not exceed 75% of that which the Holy See has authorised for the respective country. For acts that exceed this amount recourse has to be made to the General Government (No. 496 n).

530. Local superiors, after a deliberative vote of the community in plenary meeting (No. 433 b) and within its jurisdiction, must always have recourse to the Major Superior and his council (No. 457 q) in order to dispose of the goods of the Congregation, both in a gratuitous as well as an onerous manner, and to mortgage them or contract debts.

531. Existing debts in houses and in provinces are to be reckoned by their governments as cumulative. To grant the contraction of a new debt to houses that are already in debt to the maximum amount indicated above, recourse must be had to the General Government.

532. Juridical persons in the Congregation will only be held morally, civilly and canonically responsible for obligations contracted by means of lawful acts of their superiors, in keeping with the tenor of the law (CC 101).

533. The responsibilities and debts contracted by each juridical person of the Congregation rest exclusively on that person, even when a superior of higher rank may have given the necessary permission according to universal law (Can. 639) or our own proper law (CC 101).

Article 5. On Increasing the Congregation's Patrimony and on Capitalisation

534. The following items constitute and increase the patrimony and goods of the Congregation as a juridical person in each country:

- a) The patrimony and goods of provinces, independent delegations, and general houses and institutions that are suppressed.
- b) The goods left to the Congregation in general, or to some organism or individual member of the Congregation, by means of legacies, inheritances, donations, or any other title, provided they are meant for some purpose that affects the whole Congregation.
- c) Audio-visual, literary, artistic or scientific works, rights of intellectual or industrial property, compensations for accidents, as well as bank accounts, deposits or any other bank contract

made over non-patrimonial goods and income thereof, of a Claretian who died while he was incardinated in a general house. For this purpose opportune steps are to be taken that will guarantee the Congregation as the beneficiary in these matters.

- d) The pensions, compensations for accidents, audio-visual, literary, artistic or scientific works, rights of intellectual or industrial property, as well as bank accounts, deposits or any other bank contract made over non-patrimonial goods and the income thereof, of a member who was incardinated in one of the general houses before his definitive departure from the Congregation. Whatever is due under these titles from the time of his departure will be settled by the General Government keeping in mind the provisions of Can. 702.

535. The following items constitute and increase the patrimony of a province or independent delegation:

- a) The patrimony and goods of dependent delegations and houses within their jurisdiction that are suppressed.
- b) The goods left to the organism or to one of its members, by means of legacies, inheritances, donations, or any other title, that are made expressly to the organism.
- c) The goods left to the organism or to one of its members, by means of legacies, inheritances, donations, or any other title, that are made indeterminately to the Congregation in the province or independent delegation.
- d) The goods and rights indicated in No. 534 c of Claretians who died while they were incardinated in the organism, keeping in mind what is stated in this same number.
- e) All that is listed in No. 534 d of a member who was incardinated in the organism before his definitive departure from the Congregation, keeping in mind the provisions of this same number.

536. The following items constitute and increase the patrimony of a house:

- a) All profits and earnings that individual members of the community gain through their industry or work, as well as Mass stipends.
- b) Everything that they receive through any sort of pension, assistance or insurance that comes to them through an activity or title acquired after their religious profession, or which is directly related to their condition as religious.
- c) Legacies, inheritances, donations, etc., that are left to any of its members and not assigned to a determined end outside the Congregation. Patrimonial inheritances and other goods indicated in No. 73 above, are excepted.
- d) Books, works of art, etc., published or created by members of the community, with all rights of re-edition, translation and reproduction, and manuscripts prepared for publication.

537. Author's rights devolve in favour of the house in which the author is permanently enrolled. In case of transfer, these rights devolve in favour of the new house, starting from the date of his enrolment in it.

In this matter, if particular situations affecting the author, house or publication should so advise, special agreements can be worked out between the house and the author.

538. While firmly upholding what was stated above, the Congregation, because of the demands of poverty and witness, should avoid capitalisation properly so-called.

Nevertheless:

- a) It is not considered capitalisation properly so-called, but rather savings, to have a prudential reserve fund proportionate to the needs of each organism.

- b) At any set time, any minor organism, that is duly authorised, can accumulate funds for a proximate investment toward a specific end.³⁶⁵ These funds should be deposited with the general or provincial administration, according to each case.
- c) All organisms and administrations should build up reserve funds to cover the actual or potential obligations of social benefits towards their employees, or other obligations.

539. Houses cannot capitalise or accumulate funds, keeping however in mind what is said in No. 538 above.

Provinces and Independent Delegations can have and accumulate funds in prudent measures, according to the needs of formation centres, unremunerated apostolates, missions, etc., and in foresight of cases of emergency

It belongs to the General Government to exercise vigilance so that these funds do not surpass a just measure.

The General Government can do the same, with fitting amplitude, along the same lines as Provinces and Independent Delegations; moreover it will consolidate the general procure for helping the missions,³⁶⁶ and will maintain the fund for assistance, above all in benefit of needy organisms.³⁶⁷

540. As a general rule, we should neither lend money to persons outside the Congregation nor countersign loans for them. If some reasonable motive makes this seem advisable, it must be done with due guarantees, and the norms of Nos. 529 and 531 above must be applied.

Chapter XX

ECONOMES AND ADMINISTRATORS

541. Those entrusted with the administration and control of the Congregation's temporal goods can be either economes or administrators. The former has charge of the material goods of the Congregation, a province, or a house. The latter are in charge of the economic management of a work or special activity of a local, provincial or general nature.

Both should have the proper qualifications for this work, and should combine justice and charity in the service they perform.

542. By reason of their charge, economes and administrators can licitly and validly perform acts of ordinary administration in conformity with their approved budgets, in dependence on and under the direction of their respective superior.

They can likewise perform acts of extraordinary administration, always provided that these have been approved.

In contrast, they cannot perform other acts of extraordinary administration in their own right. Such acts would be invalid or illicit if they were done without express permission from their superiors.

543. It belongs to the general economes, in conformity with the Constitutions, to care for and administer the goods that belong to the Congregation as a juridical person in the strict sense.

For this reason, he must cautiously put the goods of the Congregation to secure and productive use, and watch over and manage the bonds, titles, deposits, etc., that have been entrusted to his care, unless in particular cases the Superior General with his council should provide **by other means**.

³⁶⁵ Cf. E 5-6.

³⁶⁶ Cf. IPM 32.2; TMHL 76.3.

³⁶⁷ Cf. E 7-9; IPM 31.1.

544. The general econome must exercise a prudent watchfulness over provincial administrations for which he can make special visits either personally or through a delegate according to the provisions of No. 483 b above. **When deemed appropriate, these may be carried out with the collaboration of professional technical advisers.**

545. It also belongs to the general econome to inform the Congregation as conveniently and prudently as possible on the progress of the general administration, projects, outlooks, guidelines, etc., and above all on the contributions received from the organisms and the help given to them.

546. To collaborate with the General Administration, there will be a General Economic Council.

- a) **The General Economic Council will be composed of the president, who will be the general econome, and at least six voting members, named by the General Government. Their term of office will be for three years, but they may be confirmed for additional terms. A meeting of the voting members with president will constitute the plenary council, which must meet once a year.**
- b) **Among the members of the council, various commissions may be created, each one dedicated to the treatment of specific economic themes of the Congregation. These shall be comprised of the president and some voting members, designated by the General Government. Their meetings, whether in person or teleconference, should always be verified as the General Government or the General Treasurer require.³⁶⁸**
- c) It is the duty of the General Economic Council to give its technical opinion on important economic matters that are presented for approval by the General Government, to spell out guidelines for investment,³⁶⁹ and offer its advice on drafting and approving budgets, on investment of funds and on the revision of the general economic report for the general chapter, and on other economic and administrative matters.
- d) Each year it will inform the General Government on the progress of the general administration and on the fulfilment of our legislation on economy and administration in all of the organisms.³⁷⁰

547. What has been said of the general econome applies proportionally to provincial and local economies.

548. In all provinces and independent delegations there will be a council on economy³⁷¹ appointed by the respective government. It will consist at least of three voting members and the provincial econome as president, will have proportionally the same commitments as the general council on economy and will meet at least twice a year.

549. In fulfilling their function, administrators of special activities depend on the community or on the provincial or General Government, inasmuch as their activity is of a local, provincial or general character. Within the domain of a province, the provincial government determines whether an activity is of a provincial or local character, while the General Government determines whether it is of a general character.

In each case, the functions and powers of these administrators, as well as their relationship with their respective economies, must be precisely defined for them.

³⁶⁸ XXIV Gen Ch, acta 12.

³⁶⁹ Cf. IPM 25.5.

³⁷⁰ Cf. E 10-13.

³⁷¹ XXIV Gen Ch, acta 13.

550. Administrative work and functions always require adequate preparation and technical ability. Hence, all those who occupy posts as economes and administrators in the Congregation should receive such preparation and keep themselves up-to-date, carefully perfecting their administrative techniques, in consonance with the important objectives of the office they fulfil. In order to do so:

- a) It should be seen to during the years of initial formation that those in formation acquire the elementary notions of economy and administration.³⁷²
- b) Specialised, obligatory courses should be organised for functioning economes and administrators on the local, provincial, inter-provincial and even general levels.³⁷³

Chapter XXI

ADMINISTRATIVE MANAGEMENT

Article 1. Administrations

551. Besides the ordinary administrations customarily allowed, others should not be established except for a just cause and through an opportune decree of the **Major Superior** with the consent of his consultors (No. 457 p).

The **Major Superior** who establishes any administration must also establish special statutes for it, which will guarantee its functioning and control in conformity with the universal law and our proper law, safeguarding the demands of our poverty.

552. Economes and administrators will assume their respective charge and take possession of it by means of a formal act of entrustment and the reception of the inventory of goods and other books of administration, with the verification for existing balances and funds (No. 359).

553. Each administration will have an inventory of the goods it administers, as well as all the books necessary for the due control of the corresponding operations (Can. 1283 § 2).

554. All administrations should be fittingly reviewed and controlled by the competent superiors, by means of a periodic review and signing of books and the verification of funds. Besides economes and administrators, the superior and consultors, or the superior and the director of the activity being administered, should sign the books.

The frequency for this will generally be monthly, unless the nature of the activity suggests or demands a longer period of time.

The review and signing of books and verification of funds should also be done during the canonical visits of major superiors.

555. The administration of goods that do not belong to the Congregation, when exercised by our members with juridical responsibility on the part of the Congregation, must be regulated by the norms of the universal law and our proper law.

556. It will not be licit for any of our members to exercise public charges that entail the exercise of administration, or to be in charge of administering goods belonging to persons outside the Congregation.

If in some case there were a grave cause for accepting the administration of goods belonging to outsiders, it is necessary to obtain prior license given in writing by the respective Major Superior

³⁷² Cf. E 14 a.

³⁷³ Cf. E 14 b.

after hearing from his council, which will indicate the necessary norms to assure that no responsibility will thereby devolve upon the Congregation.

557. Commitments or foundations for perpetual Masses may not be accepted without written authorisation from the Major Superior with the consent of his consultors (No. 457 r, 496 o). Canonical dispositions should be faithfully fulfilled in this matter.

Communities that habitually do not receive Mass stipends need not keep a book for Masses. Nonetheless, for the intentions that are received, their stipends and the Masses celebrated must be noted in a separate account of the administration book of the community.

558. When it is necessary to borrow from outside sources, over and above our own dispositions and the law of the Church (Can. 639 § 5), the laws of the land must also be rigorously complied with. These operations should be realised with credit institutions of recognised reliability. Loans from individuals, even if legally allowed and less costly, must always be excluded.

559. The bank accounts, titles and goods of the Congregation, insofar as possible and as permitted by the laws of each country, shall be in the name of the corresponding entity of the Congregation, and not in the name of individuals. There should appear in them two or more signatures that will be normally of the superior, economo, consultors or directors of the activities.

560. When special reasons, such as the demands of the civic administration, make it necessary to hold accounts in the name of particular individuals, this should always be done with the permission of the superiors, adding the signature of the superior or the economo to that of the particular person involved (No. 559).

561. For ordinary transactions we are free to use any of the signatures that appear on the account or title. Regarding transactions involving a considerable amount of money, and investments in securities, the General Government and the governments of the Provinces and Independent Delegations will determine the amount and the mode of procedure. In any case, to perform any of these operations it will require the authorisation of the respective councils and the registering of two signatures.

562. At least once a year, the administrations of Provinces and Independent Delegations will send the general balance sheet of their situation, with details of the financial developments of the year, to the general administration.

563. The provincial administrations and the general administration will submit a detailed and technical economic report to their respective chapters, accurately reflecting the economic situation of houses and the province for provincial chapters, and that of the provinces and the Congregation for the General Chapter (No. 378).

Prior to this report, houses and provinces should submit the relevant data, compiled according to technical and unified formats.

564. All economos and administrators, according to the cases involved and on all levels, must faithfully comply with the orders of lawful authorities in matters involving taxes, tributes, etc.

Article 2. Accounting Plan and Budgets

565. On the congregational level and in all instances, the "accounting plan" follows a general accounting system, to assure efficiency in our administration. This system, except for some

peculiarities in each country, allows us to co-ordinate concepts, to evaluate operating criteria and to organise the state of accounts, books, etc., uniformly throughout the Congregation.

566. All the administrations of the different Provinces and Independent Delegations of the Institute should adapt themselves to this general *accounting plan*, using either the simpler single entry or the more technical double-entry system. All entries should be well kept in books, files or in some mechanised form.

567. Each major organism, according to the degree of centralisation it adopts, shall ask for a statement of the accounts of its houses as frequently as it deems advisable. But at least once every quarter, all communities should send to the provincial administration a quarterly statement of their income and expenditures, and their balance sheet, in the established format.

568. Before the close of each fiscal year, the economes and administrators must compile a budget of income and expenditure for the coming year and present it within the dates assigned by the respective superiors for their approval (No. 457 p).

569. The budgets of communities will be drawn up after considering the previous year's figures, with the participation of the members of the community, and they will be approved during the plenary meetings of the communities (No. 433 a).

570. The budgets of activities (schools, parishes, publications, **procures**, etc.)

- a) *dependant on the local community*, should be formulated separately from the budget of the local community, each one having its yearly programmes well specified and defined. They will be approved by the local government together with those responsible for these activities, after having heard from the community, **and be sent, along with the budget of the community, to the Provincial Government for its approval (n. 571).**
- b) *dependent on a Province or Delegation*, will be prepared by their administrators, with **contribution of the respective management teams.**
- c) *The budgets of the legal entities*, which are referred to in No. 522, must be prepared by those in charge of the same and must be submitted for the approval of the **General Government, the Province or the Independent Delegation, as appropriate.**

All budgets shall be prepared based on what was done in the previous year.

571. The budgets of the community signed by the local government, and the activities, **signed by those respectively responsible**, will be submitted to the **government of the province or delegation** for its approval (No. 457 p). Once approved the figures quoted in **them** will become a norm for governing the community's activities for the coming fiscal year.

572. All extraordinary expenditures or investments that are foreseen for the current fiscal year should be included in the budgets of the communities and other activities. To anticipate unexpected expenses there can be a maximum 10% of the foreseen ordinary expenses of the community.

573. Monthly or quarterly during the fiscal year, all communities and activities should meet to check the way their budget is developing, in order to avoid deviations from it and imbalances between income and outlay.

574. If in the course of the year certain extraordinary expenses arise that were unforeseen and not included in the budget, the local government can meet them out of the funds set aside in the budget for unforeseen expenses. But if the amount set aside is not sufficient to cover this

extraordinary expense, the local government must ask the permission of the provincial government, with a detailed additional budget approved by the community in its plenary meeting (Nos. 433 c, 457 p). **Those responsible for these activities will approve the additional budget and present it for approval to the respective government of the province or independent delegation** (No. 570).

575. The Economes of **Provinces and Independent Delegations** should also formulate their own budgets and submit them to their **respective governments**. Once **the budget** is approved and signed by the government of the **province or independent delegation** (No. 457 n), it shall be submitted, within the assigned dates to the General Government for its approval (No. 496 q).

576. The General Econome and General Administrators shall draw up their own budgets of income and necessary expenditure, taking into account the amounts consigned to lower organisms, and submit them to the General Government for their approval (No. 496 q).

Article 3. Balance sheets, Inventories and Archives

577. The general econome, provincial and local economies, and administrators on all levels, should keep a fully annotated record of their administration up to date, so that they may easily formulate the balances or statistics that may be necessary or required of them in order to inform the corresponding communities and organisms.

578. At the end of each year, all economies and administrators should be able to update the inventories of their respective administrations, annotating in them the acquisitions and dispositions realised during the fiscal year, as well as the corresponding percentages of depreciation of fixed assets.

579. The General Government, all of the Provinces, Independent Delegations, houses, residences **and all of the activities** must maintain an administrative archive, in the form best suited to their needs, in which they will diligently deposit and keep title deeds, wills, contracts, public documents and writings of a similar nature, as well as statements which must be kept for a determined time for tax purposes.

The originals of public documents, wills and important contracts must be kept in the provincial archives, leaving a notarised photocopy of them in the corresponding local archives.

Chapter XXII

THE SHARING OF GOODS

580. Ownership of goods in the Congregation is subordinate (CC 100). Hence, the Superior General and major superiors, with the consent of their consultors (No. 457o, 496n) and after previously hearing from the interested parties, can for a just and proportionate cause, observing the norms of law and within the scope of their respective jurisdiction, transfer the ownership of goods from one juridical person to another.

581. The sharing of goods is ordinarily effected in the Congregation by means of contributions, subsidies and loans, which will be indicated in the budgets.

The General Government, once assured of a need in the budgets, will help those Provinces and Independent Delegations that ask for their aid.

The General Government will assign the minimum obligatory contribution which all provinces, independent delegations general houses must make to the general administration, as a symbol of fraternity and of the sharing of goods.

It likewise belongs to the General Government to assign the special contributions, which economically strong Provinces and Independent Delegations must make toward the general needs of the Congregation, after a previous study of the budgets by the general council on economy and having heard from the interested parties.

What has been said of the General Government applies to Provinces and Independent Delegations in relationship to their houses, both as regards aid that must be given to them, as well as the quotas that must be assigned to them.

Moreover, since the houses cannot capitalise (No. 539), the unused cash balance of the houses, except for a prudential operating fund, will go to the Province or Independent Delegation at the end of each fiscal period.

582. A house or a Province or Independent Delegation can directly help another house or province in exceptional cases, by loans or donations or any other form of shared goods, with prior authorisation by the corresponding immediately superior government of the organism (No. 457 o).

583. All Provinces and Independent Delegations of the Congregation should be greatly concerned for their sick or elderly members. Hence, it seems fitting to make use of some of the different kinds of insurance or pension available (No. 53), in the form deemed best in each organism.³⁷⁴ The expenses for the insurance and pension of the members of the general houses will be met either by the house or the General Government.

584. When a sick, disabled or elderly member:

- a) is transferred from one Province or Independent Delegation to another, the former organism will send the latter a pension or a proportionate part of the same, equivalent to that of the other pensioned members of the organism that receives him, taking into account his years of service and the type of sickness or disability. If there is no pension system in the organism, it will send an amount agreed upon by the respective organisms.³⁷⁵
- b) **When one is transferred** from a general house to a province or delegation, **and cannot count on any type of pension upon returning to the same**, the General Government will give him a **pension taking into consideration the norms of the country** and proportionate to the time of his service.³⁷⁶

585. Care should be taken to attend equitably and charitably to the needs of those who leave the Congregation, helping them above all in their initial needs, taking into account and weighing the circumstances of each one.

This obligation is incumbent on and should be fulfilled by the Province or Independent Delegation to which the individual belonged, or by the general administration, if he was enrolled in a general house.

586. Prolonged assistance given to needy relatives of members of the Congregation will be the financial responsibility of the respective major organism, or else that of the General Government for members of general houses.

³⁷⁴ Cf. E 16.

³⁷⁵ Cf. AD 14.

³⁷⁶ Cf. AD 14.

587. The norms of the law should be fulfilled regarding both remuneration and social security or assistance of employees of our communities and activities. And we should even go beyond these norms, when charity or justice requires, **but always within the framework of labour laws and avoiding what might become in the future an unbearable burden in the contractual or working relationship.**

588. In the budgets of the different organisms, a proportionate and significant amount should be set aside for the relief of particular churches that are in need, for the poor, for missions and for social works (No. 67). The community itself should take the responsibility for its effective distribution in houses and residences. In Provinces and Independent Delegations, the respective government should take this responsibility.³⁷⁷

Chapter XXIII

ECONOMIC INFORMATION IN THE CONGREGATION

589. The openness and clarity of administrative management that should exist in the Congregation is achieved through suitable, periodic and informative reports made at all levels.

This information should be expressed:

- a) in formulating and elaborating the community budget;
- b) in implementing and periodically controlling that budget;
- c) in the financial meetings for economies that should be held in every major organism;
- d) in annual reports, at the local, provincial and general levels, of administrative activities, financial facts concerning income, expenditure and investment, and of the sharing of goods, written with the prudence demanded by circumstances.

³⁷⁷ Cf. AD 5 c.

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