



**BOOK  
OF  
CONSTITUTIONS  
AND  
ORDINATIONS  
OF THE  
FRIARS OF THE ORDER  
OF PREACHERS**

## 1. THE FUNDAMENTAL CONSTITUTION

**I.** The purpose of the Order was expressed by Pope Honorius III writing to St. Dominic and his brothers in these words: "He who ever makes His Church fruitful with new offspring,<sup>1</sup> wanting to make these modern times measure up to former times, and to propagate the Catholic faith, inspired you with a holy desire by which, having embraced poverty and made profession of regular life, you have given yourselves to the proclamation of the Word of God, preaching the name of our Lord Jesus Christ throughout the world."<sup>2</sup>

**II.** For the Order of Friars Preachers founded by St. Dominic "is known from the beginning to have been instituted especially for preaching and the salvation of souls."<sup>3</sup> Our brethren, therefore, according to the command of the founder "must conduct themselves honorably and religiously as men who want to obtain their salvation and the salvation of others, following in the footsteps of the Savior as evangelical men speaking among themselves or their neighbors either with God or about God."<sup>4</sup>

**III.** In order that we may be perfected in the love of God and neighbor through this following of Christ, we are incorporated into our Order by profession and consecrated totally to God, and in particular we are dedicated in a new way to the universal Church, "being appointed entirely for the complete evangelization of the Word of God."<sup>5</sup>

**IV.** We also undertake as sharers of the apostolic mission the life of the Apostles in the form conceived by St. Dominic, living with one mind the common life, faithful in the profession of the evangelical counsels, fervent in the common celebration of the liturgy, especially of the Eucharist and the divine office as well as other prayer, assiduous in study, and persevering in regular observance. All these practices contribute not only to the glory of God and our sanctification, but serve directly the salvation of mankind, since they prepare harmoniously for preaching, furnish its incentive, form its character, and in turn are influenced by it. These elements are closely interconnected and carefully balanced, mutually enriching one another, so that in their synthesis the proper life of the Order is established: a life in the fullest sense apostolic, in which preaching and teaching must proceed from an abundance of contemplation.

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<sup>1</sup> From the Good Friday prayer for catechumens

<sup>2</sup> Honorius III: Letter to Dominic and his companions, 18 January 1221 (MOPH XXV, p.144)

<sup>3</sup> Prologue of the *Primitive Constitutions*

<sup>4</sup> *Primitive Const.* Dist. II, c.31

<sup>5</sup> Honorius III: Letter to all Prelates of the Church, 4 February 1221 (MOPH XXV, p. 145)

**V.** Made cooperators of the episcopal order by priestly ordination, we have as our special function the prophetic office by which the Gospel of Jesus Christ is proclaimed everywhere both by word and example, with due consideration for the conditions of persons, times, and places so that faith is awakened or penetrates more deeply all life in the building up of the body of Christ, which is perfected by the sacraments of faith.

**VI.** The structure of the Order as a religious society arises from its mission and fraternal communion. Since the ministry of the word and of the sacraments of faith is a priestly office, ours is a clerical Order, whose mission the cooperator brothers, exercising in a special way the common priesthood, also share in many ways. Moreover, the total commission of the Preachers to the proclamation of the Gospel by word and work is revealed in the fact that by solemn profession they are entirely and perpetually united with the life and mission of Christ.

Since our Order in union with the entire Church has been sent to all nations, it has a universal character. In order that its mission may be fulfilled more suitably, it enjoys exemption, and is strengthened by a sound unity in its head, the Master of the Order, to whom all the brethren are bound immediately by profession since study and evangelization require mobility of everyone.

From that same mission of the Order the personal responsibility and gifts of the brethren are affirmed and promoted in a special way. On the completion of his formation every brother is regarded as a mature adult, since he can instruct others and undertake various works in the Order. For this reason the Order maintains that its own laws do not bind under sin, so that the brethren may wisely embrace them "not like slaves under the law, but like freemen established under grace."<sup>6</sup>

Finally, by reason of the purpose of the Order, a superior has the faculty of dispensation "when it seems to him to be expedient, especially in those matters which seem to impede study, preaching, or the good of souls."<sup>7</sup>

**VII.** The communion and universality of our religious life shape its government as well. Its government is noted for an organic and balanced participation of all its members for pursuing the special end of the Order. For the Order is not restricted to a conventual fraternity even though this is its fundamental unit, but extends to the communion of convents which constitutes a province, and to the communion of provinces which constitutes it as a whole. For this reason its authority which is universal in its head, namely a General Chapter and the Master of the Order, is shared proportionately and with corresponding autonomy by the provinces and convents. Consequently our government is communitarian in a special way, for superiors ordinarily take office through election by the brethren and confirmation by a higher superior. Furthermore, through chapter and council, communities have a role in exercising their own government and in settling important matters.

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<sup>6</sup> *Rule of St. Augustine*, final paragraph.

<sup>7</sup> *Primitive Constitutions*, Prologue.

This communitarian form of government is particularly suitable for the Order's development and frequent renewal. Superiors and the brethren through their delegates with equal right and freedom in General Chapters of provincials and of diffinitors, provide in common so that the Order's mission may be advanced and the Order itself be suitably renewed. This continual revision of the Order is necessary, not only on account of a spirit of perennial Christian conversion, but also on account of the special vocation of the Order which impels it to accommodate its presence in the world for each generation.

**VIII.** The fundamental purpose of the Order and the form of life flowing from it retain their value in every age of the Church. Nevertheless in times of greater change and evolution, as we are taught by our tradition, understanding and evaluation of these matters become particularly urgent. In these circumstances, it is characteristic of the Order to renew itself courageously and to adjust itself to these circumstances by discerning and testing what is good and useful in mankind's aspirations and by introducing the results into the unchangeable harmony of the fundamental elements of its life.

These elements, indeed, cannot be changed substantially among us, and they must continue to inspire forms of living and of preaching suited to the needs of the Church and of mankind.

**IX.** The Dominican family is composed of clerical and cooperator brothers, nuns, sisters, members of secular institutes, and fraternities of priests and laity. The Constitutions and Ordinations which follow concern only the brethren, unless it is expressly stated otherwise; by these regulations the necessary unity of the Order is protected without excluding a necessary diversity according to those same laws.

## **FIRST DISTINCTION**

### **ON THE LIFE OF THE BRETHREN**

**First Section:           On the following of Christ:**

on religious consecration,  
on the sacred liturgy and prayer,  
on study,  
on the ministry of the word,  
on the relationship of the brethren  
to other groups of the Order and  
to associations.

**Second Section:       On the formation of the brethren:**

on common principles,  
on vocations,  
on the novitiate,  
on profession,  
on post-novitiate formation.

**FIRST SECTION**  
**ON THE FOLLOWING OF CHRIST**

**Chapter I**  
**ON RELIGIOUS CONSECRATION**

**Art. I -- On Common Life**

2. I. We are reminded by the Rule that the primary reason why we are gathered together is that we may dwell together in unity, and that there may be in us one mind and one heart in God. This unity, moreover, achieves its fullness beyond the limits of a convent in communion with a province and with the whole Order.
- II. Rooted in the love of God, the unanimity of our life should provide an example of the universal reconciliation in Christ, which by word we preach.
3. I. As in the Church of the Apostles, so also among us communion is founded, established, and strengthened in the same Spirit in whom we receive the Word from God the Father with one faith, contemplate with one heart, and praise with one voice; in whom we who share one bread are made one body, in whom we hold all things in common and are committed to the same work of evangelization.
- II. The brethren should first establish in their own convent the Church of God for spreading their works in the world: united through obedience, joined in a higher love through the discipline of chastity, dependent more closely on one another through poverty.
4. I. So that each convent may be a fraternal community, everyone should accept and embrace each other as members of the same body, differing indeed in talent and work, but equal in the bond of charity and of profession.
- II. Conscious of their responsibility toward the common good, the brethren should readily undertake their duties within the convent and in all their works be glad to be associated with the others as well as to help those who appear to be overburdened.
- \* 5. The brethren should gladly participate in community recreations, in which mutual understanding and fraternal communion are fostered.

6. So that apostolic cooperation and fraternal communion may bear more abundant fruit, the harmonious participation of all the brethren is of great importance, "for a good which is accepted together is quickly and easily accomplished."<sup>8</sup> Consequently, conferences shall be held in every convent for promoting the apostolic and regular life.
- \* 7.
  - I. At least once a month for the furtherance of regular life, under the direction of the prior or of another brother designated by him, a conference shall be held in which, on a topic previously determined and opportunely announced, all the brethren can with sincerity and charity express their mind on those matters which concern the obligations and duties of the community.
  - II. In like manner, several times a year a regular chapter shall be held, in which, in a form determined by the conventual chapter, the brethren shall examine their fidelity toward the apostolic mission of the convent and the regular life, and shall undertake some penance. On this occasion the superior can give an exhortation on the spiritual and religious life and opportune admonitions and corrections.
  - III. Brethren who are in the period of basic formation shall have conferences and chapters under their respective masters, but they can participate fully or partially in the meetings of the whole community in accord with n. 309,
- \* 8. Superiors should take special care that the brethren living outside the convent of their assignment for the sake of the ministry can frequently return to it and be visited by others. The community should receive them with joy, support them earnestly, and by encouragement and assistance share in their labors. On the other hand, they should carry out their ministry as members of the community and readily attend conventual meetings, so that they may be nourished by others in apostolic zeal and can, in turn, edify them.
9. Following the example of St. Dominic, "who was a father and consoler of the sick and of those who were in distress,"<sup>9</sup> the superior should take special care of the sick, and should employ opportune dispensations for them even when they do not ask. Both he and all the brethren should be diligent in visiting them.
- \* 10. The older brethren or those in poor health should live in that part of the convent where they can participate in common life. Proper care should be provided for them, and they should be able to be visited by relatives and friends.

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<sup>8</sup> Humbert of Romans, *Commentary on the Rule*, XVI (*Opera de vita regulari*, ed. Berthier, I, p. 72.

<sup>9</sup> *Process of Canonization*, MOPH, XVI, p. 178, n.3.

11. The superior, either personally or through someone else, having consulted a doctor, should prudently advise a brother whose illness has become worse so that he can receive the sacraments in due time.
- \* 12. Our community life includes with special concern the brethren who suffer distress.
- \* 13. Trusting in the mercy of God, our love for those who have defected should be shown by kindness and suitable assistance.
- \* 14. Guests shall be received courteously and treated with kindness and charity.
15. I. Parents and relatives of the brethren shall be treated with due honor and respect.
- II. With gratitude the brethren shall share the prayers and merits of their apostolic work with benefactors who have helped them from either their spiritual or material resources to become more proficient in the work of the Gospel.
16. The brethren should remember faithfully those who have gone before them in the family of St. Dominic, and who provide them "with example in their way of life, fellowship in their communion, and the help of their intercession."<sup>10</sup> They should study and make known their deeds and their teaching. Furthermore, suffrages for the deceased brethren should not be lacking.

## **Art II -- On Obedience**

17. I. From the beginning of the Order, St. Dominic required the brethren to promise him community and obedience.<sup>11</sup> He himself humbly submitted<sup>12</sup> to the decisions, especially the laws, which, after full deliberation,<sup>13</sup> the general chapter of the brethren established. But outside the general chapter, he required kindly<sup>14</sup> but firmly

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<sup>10</sup> Vatican II, *Const. Lumen Gentium*, n. 51.

<sup>11</sup> *Primitive Constitutions*, Dist. I, c. 14.

<sup>12</sup> *Process of Canonization*, MOPH, XVI, p. 151, n. 33.

<sup>13</sup> Jordan of Saxony, *Libellus*, MOPH, XVI, p. 46, n. 41.

<sup>14</sup> *Primitive Constitutions*, Dist. I, c. 13.



indeed<sup>15</sup> voluntary obedience<sup>16</sup> from all to the commands which, after due deliberation,<sup>17</sup> he gave while governing the Order. A community, indeed, to remain faithful to its spirit and its mission, needs a principle of unity, which it obtains through obedience.

- II. Therefore in our profession only one promise is expressed, namely, of obedience to the Master of the Order and his successors, according to the laws of the Preachers, and thus the unity of the Order and of profession, which depends upon the unity of the head whom all are obliged to obey, is preserved.
18. I. By this profession in a special manner we imitate Christ who was always subject to the Father's will for the life of the world, and thus we are united more closely with the Church, for whose growth, together with the brethren and under the leadership of superiors representing God in their human ministry, we are dedicated for the common good of the Church and of the Order.
- II. This common good is also made known to us by the religious and apostolic desires of the community and by the interior enlightenment of the Holy Spirit promoting the mission of the Order.
  - III. Our brethren are obliged to obey their superiors in everything that pertains to the Rule (see n. 275, I) and our laws. We are not obliged to obey, nor indeed can we, in matters that are contrary to the precepts of God and the Church or contrary to the laws of the Order or in matters which do not admit of a superior's dispensation; in doubtful matters, however, we are all obliged to obey.
19. I. Obedience stands out among the vows related to the evangelical counsels. By this vow a person dedicates himself totally to God, and its actions are closer to the purpose of profession, which is the perfection of charity. Through obedience, in short, everything else which pertains to the apostolic life is accepted at one and the same time.
- II. Since we are united to Christ and the Church by obedience, whatever work and hardship we sustain in its observance can be regarded as a continuation of Christ's own offering and take on an aspect of sacrifice both for ourselves and for the Church in whose perfection the whole work of creation is fulfilled.

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<sup>15</sup> *Process of Canonization*, MOPH, XVI, p. 127, n. 6; p. 150, n. 32; p. 163, n. 43; p. 142, n. 24; p. 143, n. 25; p. 166, n. 48.

<sup>16</sup> Jordan of Saxony, *Libellus*, MOPH XVI, p. 74, n. 103

<sup>17</sup> *Ibid.*

- III. Obedience, by which "we overcome ourselves in our heart,"<sup>18</sup> contributes greatly to attaining that interior freedom which is characteristic of the sons of God and disposes us to giving ourselves in charity.
- 20. I. While the requirements of the common good bind the brethren to obey, superiors should hear them readily and take suitable counsel with them, especially in matters of greater importance, retaining, however, their authority of ordering what is to be done. Thus the whole community as one body can direct itself towards the common goal of charity.
  - II. Since the Holy Spirit guides the Church with special talents and charisms, superiors in the exercise of their authority should carefully observe the special gifts of the brethren and should discern and dispose those gifts for the good of the Church which are stirred up in the Order by the Holy Spirit to meet the needs of the times. Thus, within the limits of the common good and in accord with each one's talent, both in undertaking new works and in continuing those already begun, suitable responsibility should be recognized and freedom allowed to the brethren.
  - III. The superior, seeking God's will and the good of the community and "regarding himself happy in serving in charity rather than in governing with authority,"<sup>19</sup> should promote the free performance of duty, not servile subjection.
  - IV. Responding to their superior in a spirit of faith and of love toward the will of God and with a sense of fraternal cooperation, the brethren should endeavor sincerely to understand them, and should actively and considerately carry out what they have been told to do. In fulfilling their duties, they should strive for obedience that is prompt and diligent without delay, and simple without useless questioning.
- 21. Our entire Order, like all other religious institutes, is subject to the Roman Pontiff as its highest Superior and obliged to obey him in virtue of the vow of obedience (Can. 590).
- \* 22. I. Our brethren should not readily have recourse from a lower to higher authority to escape something imposed by obedience. If they do this, recourse should not be admitted.
  - II. If, however, there is reasonable cause for recourse, the brother should obey first, unless after taking counsel with more experienced persons, chosen with the consent both of the superior and of the brother concerned, it is established that grave harm

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<sup>18</sup> St. Gregory, *Moralia*, XXXV, P.L. 76, c. 765, in St. Thomas Aquinas, *Summa Theologiae*, II-II, q. 104, a. a1.

<sup>19</sup> *Rule of St. Augustine*.

would follow from the act of obedience.

- \* 23. If for the good of the Order or of the Church it is necessary that a particular mission be entrusted to a brother by superiors which might involve considerable danger to his life, this should never be done without consulting him. Then the superior, after making inquiries and with the advice of prudent brethren, is obliged to proceed with great caution.
- \* 24. Neither a prior provincial nor a provincial chapter can exempt any brother completely from subjection to the local superior.

### **Art III -- On Chastity**

- 25. The brethren promising chastity "for the sake of the kingdom of heaven," should follow in the footsteps of St. Dominic, who for the love of God preserved unblemished virginity throughout his life, and was so inflamed with love and zeal for souls that "he received all men in a broad embrace of charity and since he loved them all, he was loved by all spending himself fully in the service of his neighbor and in compassion for the afflicted."<sup>20</sup>
- 26.
  - I. We must value the profession of chastity as a special gift of grace, by which we cling to God more easily with an undivided heart, and are more intimately consecrated to Him. Moreover, imitating the virginal life of Christ, who for love of the Church gave himself up for her, we are totally dedicated, under the impulse of our apostolic vocation, to the Church and to a fuller love of mankind. As we accept paternity in Christ in a broader sense, we become more suitable ministers for the work of eternal regeneration.
  - II. By the practice of chastity we gradually attain more effectively purification of heart, liberty of soul, and fervor of charity, and thus greater control of soul and body, and a fuller development of personal integrity by which we can achieve a serene and healthy relationship with all people.
  - III. Furthermore, the chaste life, which the brethren profess, creates an effective service and distinctive witness of the kingdom of God present even now, and at the same time it stands as a special sign of the heavenly kingdom to come in which Christ will present his glorious Church adorned as his bride.
- 27.
  - I. Those who aspire to the profession of chastity in the Order should duly recognize the duties and dignity of marriage which represents the love between Christ and his

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<sup>20</sup> Jordan of Saxony, *Libellus*, MOPH, XVI, p. 76, n. 107.

Church, and they should understand that by the grace of God they have been called to a more profound expression of this same love.

- II. Since the observance of perfect continence touches intimately the deeper tendencies of human nature and since it is a condition in our Order for productively exercising apostolic ministry, it is necessary that the brethren progressively acquire physical, psychological, and moral maturity.
  - III. In the process of development necessary for establishing chastity more deeply and strongly, positive training and suitable aids, both human and divine, shall be provided for the brethren, so that having successfully overcome difficulties and dangers they may be able to achieve a natural and supernatural integration of their whole affective life.
28. I. Our brethren striving to persevere faithfully and to advance persistently in continence despite crises encountered in the course of a life-time, should in all circumstances maintain intimate communication with God through a friendly union with Christ nourished by Sacred Scripture and the mystery of the Eucharist. They should also be strengthened by filial love and devotion toward the Mother of God, the Blessed Virgin Mary.
- II. Under the continuing influence of the impelling charity of Christ, namely universal divine friendship, they should make themselves all things to all people in their apostolic ministry. In the common life of their religious and apostolic family, to which they are united in a closer bond through chastity, they should also cultivate fraternal love and serene friendship.
  - III. Conscious of their own weakness, the brethren should not take their own strength for granted, but without fear or timidity, they should practice mortification and control of their senses and emotions, and while they should conduct themselves compassionately with everyone, they should reject by a kind of spiritual instinct everything that leads chastity into danger.
  - IV. They should also use opportunely the natural means necessary or helpful for maintaining health of mind and body.
29. All the brethren, especially superiors, moved by fraternal communion, should help those of us who experience difficulties in the matter of chastity with expressions of the greatest charity; they should do this with sincere benevolence, by prayer, advice, and all other prudent and helpful means.

## Art IV -- On Poverty

30. Imitating the Apostles, who proclaimed the kingdom of God without gold, silver, or money, Saint Dominic and his brethren, according to the needs of the apostolate in their age, determined not to have possessions -- neither income nor money -- and, while they preached the gospel, to beg daily the bread of the community. This was the apostolic poverty in the beginning of the Order, and its spirit must also animate us according to the forms adapted to different times and places.
31. I. Hearing the Lord say, "Go sell what you have, and give to the poor, and come follow me,"<sup>21</sup> we have decided to be poor both in fact and in spirit, so that while we endeavor to convert people to heavenly things and to rescue them from the domination of wealth, we may be ourselves conquerors of greed by conformity with Christ, "who for our sake became poor, that by his poverty we might become rich."<sup>22</sup>
- II. This spirit of poverty impels us to store our treasure in the justice of the kingdom of God, with a living confidence in the Lord. This is freedom from servitude, and indeed from anxiety about earthly things, so that we may cling to God more closely, be more readily available to Him, and more boldly speak about Him. This means for us, therefore, a frugality which unites us more closely with the poor to be evangelized, but it also means a liberality toward the brethren and our neighbors, since for the kingdom of God, especially for the needs of study and of the ministry of salvation, we gladly spend our resources "so that in all the needs of this life which pass away, that charity may reign which abides forever."<sup>23</sup>
32. I. In our profession, therefore, we promise God to possess nothing by right of personal ownership, but to have all things in common and to use them under the direction of superiors for the common good of the Order and of the Church.
- II. Consequently, none of the brethren can retain as his own any goods, either money or income allotted to him in any manner whatsoever, but he must hand over everything to the community.
- III. But neither should an accumulation of common goods be admitted in the community itself which does not serve the purpose of the Order or its ministry since this would oppose the poverty which all, individually and as members of the community, have professed.

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<sup>21</sup> Matt. 19:21.

<sup>22</sup> 2 Cor. 8:9.

<sup>23</sup> *Rule of St. Augustine.*

33. Since poverty imposes on so many people the necessity of strenuous labor for simple livelihood, our brethren must give a powerful collective witness publicly by working energetically in their apostolic service, by living sensibly from an often uncertain income, and by gladly sharing their goods with those less fortunate.
- \* 34. I. The brethren should beware of collecting novelties or the comforts of life, but in all things and all places they should lead a simple life.
- II. In accord with the general norms and the spirit of the Order, provinces can determine the manner of observing poverty, having studied the circumstances of time, location, people, and ministries.
35. Superiors and syndics should so carefully provide from common resources for the true and reasonable needs of the brethren, that private life may be completely excluded.
36. Since "everyone ought to be concerned to some extent about the needs of daily life,"<sup>24</sup> religious poverty demands that all the brethren should be aware of their responsibility for the economic life of the convent (see nn. 576-577).
37. Avoiding anything that is superfluous or pretentious, our convents should be simple and suited to their purpose and so planned according to the standards of the place and time that they offend no one.
- \* 38. I. The brethren can have certain books and different equipment for personal use but in moderation and according to the determination of a provincial chapter. Those who have been assigned under obedience to special studies and duties can be given permission by the prior provincial, after consulting the local superior, to have books and suitable equipment.
- II. When brethren have been assigned to another convent, they can take with them only what the prior provincial allows according to the legitimate customs of the province.

### **Art. V -- On Regular Observance**

39. Regular observance, taken by St. Dominic from tradition or created by him, so governs our way of living that we are aided in our purpose of more closely following Christ and are able to carry out the apostolic life more effectively. In order, therefore, that we may remain faithful in our vocation, we should regard regular observance highly, cherish it in our heart, and strive to put it into effect.
40. All the elements that constitute and govern Dominican life through common discipline

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<sup>24</sup> *Primitive Constitutions*, Dist. II, c. 31.

pertain to regular observance. Outstanding among these elements are the common life, the celebration of the liturgy and private prayer, the observance of the vows, the assiduous study of truth, and the apostolic ministry: to fulfill them faithfully we are helped by the cloister, silence, wearing the habit, and penitential practices.

41. That the brethren may be able to devote themselves better to contemplation and study, that the intimacy of their religious family may be increased, and that the authenticity and character of our religious life may be revealed, the cloister must be observed in our convents.
- \* 42. All the brethren need the superior's permission for leaving the convent which can be granted in a general manner for a specific reason.
- \* 43. A brother always needs the permission of the competent superior to make a journey.
- \* 44.
  - I. Permission for a long journey should ordinarily be given in writing with the destination, purpose, and duration stated; a priest should also have a testimonial letter from his superior.
  - II. Within the limits designated by the prior provincial, a local superior can give permission for traveling.
- \* 45.
  - I. A brother who is going to spend some time in the territory of another province should notify the proper prior provincial in advance, n. 137 always being observed.
  - II. When traveling, a brother should frequent our own convents wherever we have them, in so far as possible.
46.
  - I. Silence shall be diligently observed by the brethren, especially in places and at times reserved for prayer and study; it is the guardian of all observance and contributes particularly to interior religious life, to peace, prayer, the study of truth, and the sincerity of preaching.
  - II. Silence must be regulated in a spirit of charity in such a way that it does not hinder productive communication.
- \* 47. [This Ordination about silence at meals has been abrogated.] (MA-148; QC-265)
- \* 48. Determinations about silence regarding time and place shall be made by provincial and conventual chapters according to the tradition of the Order.
- \* 49.
  - I. The brethren's food should be simple but sufficient for their needs.
  - II. All the brethren not legitimately impeded should eat at the common table.

- III. Besides the prescriptions of competent ecclesiastical authority, a provincial chapter, attentive to the Order's tradition, shall determine the forms and times of fast and abstinence; the conventual chapter shall determine the penances of the local community, especially during the season of Lent.
50. The habit of the Order consists of a white tunic with a white scapular and capuce, with a black cappa and capuce, a leather belt and rosary (see Appendix n. 3).
- \* 51. The brethren should wear the habit of the Order in our convents as a sign of our consecration, unless for a just cause the prior provincial shall have determined otherwise. Outside the convent, ecclesiastical laws being observed, the direction of the prior provincial shall be followed.
52. I. By their religious consecration and apostolic vocation, the brethren are urged more than the rest of the faithful to deny themselves, take up their cross, and to proclaim in body and soul the death of Jesus, and thus they shall gain for themselves and for others the glory of the resurrection.
- II. In imitation of St. Dominic, "who while he lived in the flesh walked in the spirit, not merely refusing to satisfy the desires of the flesh, but destroying them,"<sup>25</sup> the brethren should practice the virtue of penance especially by carrying out faithfully everything that pertains to our life.
- \* 53. I. It is the task of provincial and conventual chapters, allowing for the different circumstances of places and people, to prescribe new forms of penance derived from a contemporary mode of living, especially for the seasons of Advent and Lent.
- II. Each brother should also add other works of mortification to discharge more fully the duty of penance.
50. To foster regular observance and a healthy reform of the brethren, corrections can be given by superiors, moderators of the centers for institutional studies, and masters of the brethren in basic formation.
- \* 55. I. The seriousness of a transgression shall be judged mainly by the injury to the common good and not according to the sin that may be involved.
- II. The principal forms of penance are: to perform certain spiritual exercises, to undergo certain forms of mortification or deprivation, to do certain works useful for the community.

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<sup>25</sup> Encyclical Letter of Blessed Jordan of Saxony, 1223, AFP 22 [1952], p. 183.



## Chapter II

### ON THE SACRED LITURGY AND PRAYER

56. The brethren shall follow the example of St. Dominic, who both at home and on the road, day and night, was diligent in the divine office and in prayer and celebrated the divine mysteries with great devotion.

#### Art. I -- On the Sacred Liturgy

57. According to the desire of St. Dominic, the solemn and common celebration of the liturgy must be maintained among the principal duties of our vocation.

In the liturgy, especially in the Eucharist, the mystery of salvation is present and at work which the brethren share and contemplate and even proclaim in preaching to others so that they may be incorporated into Christ through the sacraments of faith.

In the liturgy, together with Christ, the brethren glorify God for the eternal plan of his will and for the wonderful order of grace, and they intercede with the Father of mercies for the whole Church as well as for the needs and the salvation of the whole world. Therefore, the celebration of the liturgy is the center and heart of our whole life, whose unity especially is rooted in it.

58. The brethren shall celebrate conventual Mass and the Liturgy of the Hours publicly, and since the liturgy is an action of the whole people of God, the participation of the faithful in our celebrations must be encouraged.
59. I. Celebration of the conventual Mass is the center of community liturgy. For the memorial of the death and resurrection of the Lord is the bond of fraternal charity and the primary source of apostolic strength.
- II. For this reason it is preferable that the conventual Mass be concelebrated, because in this way the unity both of the priestly ministry and of the community is more properly signified.
- III. The daily celebration of the Eucharistic Sacrifice is recommended for all priests because, even if the faithful are not present, it is an action of Christ and of the Church.
- IV. The brethren who are not priests should participate in Mass daily.
60. To foster the conversion of one's entire life by the virtue of penance, the brethren should receive sacramental confession frequently.

- 61. I. In our communities the conventual Mass and Liturgy of the Hours shall be celebrated daily in choir.
- II. Where because of a legitimate impediment the common celebration of the conventual Mass and the whole office cannot be held, at least Lauds and Vespers should be celebrated. If this situation is habitual, it should be acknowledged by the prior provincial with his council.
- III. When, for a just cause, the Liturgy of the Hours cannot be celebrated in choir, it shall be carried out in another suitable location especially so that the faithful may be able to participate actively in the liturgical prayer of the brethren.
- 62. I. Taking into account the circumstances of apostolic life, the order of the hours shall be so arranged in every community that through their celebration the different times of day will be truly sanctified.
- II. Lauds as morning prayer and Vespers as evening prayer are the twofold hinge of the daily office; they are to be regarded as the principal hours and celebrated as such.
- 63. All brothers are bound to the celebration of conventual Mass and Liturgy of the Hours in choir. Everyone shall be mindful of this common obligation. Those, however, who cannot be present at the community celebration, shall say the Liturgy of the Hours privately if they are solemnly professed. They shall say at least Lauds and Vespers privately if they are simply professed.
- \* 64. [This Ordination about cooperator brothers substituting the rosary for divine office has been abrogated.] (QC-273; W-190)
- 65. It is fitting that at least some part of the divine office should be sung, especially those parts which of their very nature distinctly require music. Our celebrations, however, should be characterized by simplicity and moderation.

#### **Art. II -- On other Forms of Prayer**

- 66. I. Since the contemplation of divine things and intimate conversation and friendship with God are to be sought not only in liturgical celebrations and in reading Scripture but also in diligent private prayer, the brethren shall zealously cultivate this type of prayer.
- II. All the brethren are to spend at least half an hour in mental prayer at a time to be determined by the conventual chapter and, in so far as possible, in common.
- 67. I. The brethren are to worship Christ in the Eucharistic mystery so that from this wonderful relationship they may derive an increase of faith, hope, and charity.

- II. The traditional devotion in the Order to the Virgin Mother of God, Queen of Apostles as well as an example of meditation on the words of Christ and of obedience in one's own mission, should be cherished by the brethren.

They shall recite daily a third part of the rosary in common or in private, according to the determination of a provincial chapter and maintaining suitable harmony with the liturgy. This form of praying leads us to contemplation of the mystery of salvation in which the Virgin Mary is intimately associated with the work of her Son.

- III. The brethren shall foster true devotion and veneration toward St. Dominic, the mirror of our life, and for the saints of the Order that they may be moved to imitate them and may be strengthened in the spirit of their vocation.

68. Each year all the brethren shall spend six full days in spiritual exercises, pondering the word of God in their heart and praying more earnestly.

- \* 69. The prayers to be said at meals shall be determined by a provincial chapter or by the prior provincial with the consent of his council.

### **Art. III -- On Suffrages for the Dead**

70. I. From All Souls' Day to Advent, every priest shall celebrate one Mass and brothers who are not priests shall participate in one Mass for deceased brothers, sisters, familiars, and benefactors.

- II. In each convent a Mass of the Dead shall be celebrated:  
on February 7 for the anniversary of fathers and mothers;  
on September 5, for the anniversary of benefactors and *familiares* of the Order;  
on November 8 for the anniversary of brothers and sisters.

- \* 71. I. In every convent properly so called, the conventual Mass shall be celebrated for the deceased mentioned above once a week. In this Mass, the prayer of the faithful with petitions for the dead shall be said. However, where the conventual Mass cannot be said (see n. 61, II), one Mass shall be applied for the dead.

II. Exceptions from this directive are: Holy Week, Easter Week, the week in which Christmas occurs, as well as weeks in which Mass for the Dead is celebrated whether because of an anniversary (n.70, II), the death of a brother (n.73), or of a Pope (n.74.).

III. Once a week a third part of the rosary shall be recited by all the brethren for the

deceased mentioned above.

- \* 72. At least once a day, the psalm *De profundis* shall be recited in common by the brethren for deceased brethren and benefactors.
- \* 73. On the death of a brother:
  - I. The convent where he dies and the convent to which he was assigned shall celebrate for him the Office and Mass for the Dead.
  - II. In the whole province of his affiliation:
    - 1. each priest and each convent will celebrate one Mass;
    - 2. each brother who is not a priest shall participate in one Mass.

The same shall be done in the convent of his assignment if a brother was assigned outside his province of affiliation.
  - III. In the whole Order:
    - 1. On the death of the Master of the Order, each priest shall celebrate one Mass and each brother who is not a priest shall participate in one Mass;
    - 2. On the death of the Master or ex-Master of the Order, each convent shall celebrate a Mass for the Dead.
- \* 74. On the death of a Pope, each convent shall celebrate a Mass for the Dead.
- \* 75. Besides the suffrages listed above, others can be prescribed by a provincial chapter.

## Chapter III

### ON STUDY

#### Art. I. -- On the Importance of Study and its Sources

76. St. Dominic included study, ordained to the ministry of salvation, as an essential part of his plan for the Order: in this was no small innovation.<sup>26</sup> He, who himself always carried with him the Gospel of St. Matthew and the Epistles of Saint Paul,<sup>27</sup> directed the brethren to schools,<sup>28</sup> and sent them to the major cities "so that they might study, preach, and establish a convent."<sup>29</sup>
77. I. Hence "before all else, our study should aim principally and ardently at this that we might be able to be useful to the souls of our neighbors."<sup>30</sup>
- II. By study the brethren consider in their heart the manifold wisdom of God and prepare themselves for the doctrinal service of the Church and of all mankind. It is all the more fitting that they should devote themselves to study, because from the tradition of the Order they are more specially called to cultivate mankind's inclination toward truth.
- III. Study of this kind must be pursued according to the different requirements of each subject; it requires strict discipline and the application of all one's abilities.
78. The light and source of our study is God, who spoke in former times and in different ways, and last of all speaks in Christ, through whom the mystery of the Father's will, after the sending of the Spirit, is fully revealed in the Church and enlightens the minds of all people.
79. The brethren should contemplate and study divine revelation of which Sacred Scripture and Tradition constitute a single sacred deposit, and from the perennial instructional value of its overall plan, they should learn to discover the many paths of gospel truth, even in created things, in human works and institutions, as well as in different religions.
80. In all things the brethren should think with the Church and exhibit allegiance to the varied

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<sup>26</sup> *Primitive Constitutions*, Prologue.

<sup>27</sup> *Process of Canonization*, MOPH XVI, p. 147, n. 29.

<sup>28</sup> Humbert of Romans, *Legend of St. Dominic*, MOPH XVI, p. 400, n. 40.

<sup>29</sup> *Process of Canonization*, MOPH XVI, p. 143-144, n. 26; ee Jordan of Saxony, *Libellus*, MOPH XVI, p. 50, n. 51.

<sup>30</sup> *Primitive Constitutions*, Prologue.

exercise of the Magisterium to which is entrusted the authentic interpretation of the word of God. Furthermore, faithful to the Order's mission, they should always be prepared to provide with special dedication cooperative service to the Magisterium in fulfilling their doctrinal obligations.

81. The brethren should study attentively the writings of the Fathers of the Church and distinguished witnesses of Christian thought who, with the help of different cultures and the wisdom of the philosophers, labored to understand the word of God more fully. Following their thinking, the brethren should respectfully listen to the living tradition of the Church, seek dialogue with the learned, and open their mind to contemporary discoveries and problems.
82. The best teacher and model in fulfilling this duty is St. Thomas, whose teaching the Church commends in a unique way and the Order receives as a patrimony which exercises an enriching influence on the intellectual life of the brethren and confers on the Order a special character.

Consequently, the brethren should develop a genuine familiarity with his writings and thought, and, according to the needs of the time and with legitimate freedom, they should renew and enrich his teaching with the continually fresh riches of sacred and human wisdom.

83. Continuous study nourishes contemplation, encourages fulfillment of the counsels with shining fidelity, constitutes a form of asceticism by its own perseverance and difficulty, and, as an essential element of our whole life, it is an excellent religious observance.

## **Art. II -- On the Promotion of Study**

84. The brethren should apply themselves to study with perseverance and in promoting study they should recognize that they are all colleagues and under obligation to one another; such mutual collaboration will become more effective if it is organized by appropriate structures.
- \* 85.
  - I. The brethren should cultivate the sciences, especially the sacred sciences, not only for preparing immediately for ministry but for their own cultural development.
  - II. For achieving this purpose it is necessary to set aside certain periods at stated times reserved for more intensive study.
- \* 86.
  - I. Because of the continual advance in culture and the complexity of its problems, it is necessary that some brothers, especially professors, be assigned to higher studies either in centers of the Order or in other centers.
  - II. These brothers should have suitable conditions for working with experts in their own and allied disciplines, and they should enjoy reasonable freedom for research,

discussion, and communication in fidelity to the Order and the Church.

- III. If doctrinal difficulties arise, and the controversy is not settled, brothers shall be heard by superiors with the help of experts designated by each party and acceptable to each party, always saving the right of recourse to higher superiors.
87. I. Superiors shall value study highly and promote it earnestly, and they should see to it that all the brethren have the means and opportunity for study.
- \* 88. It is especially the responsibility of the conventual prior to:
- 1. arrange with suitable frequency for conferences and community discussions with professors from the convents of studies or with other experts from the Order or from outside on doctrinal questions, particularly those which are relevant to the ministry of the brethren;
  - 2. see to it, **together with the conventual lector and the librarian**, that the library is supplied with necessary books and that an adequate sum of money is spent annually for its improvement. (MC-251; C-165)
- II. There shall be a conventual lector of studies to assist the superior in fostering the intellectual life of the community, unless the superior himself fulfills this office.
89. I. It pertains principally to the prior provincial:
- 1. to see to it that in planning according to n.107 below, sufficient attention is given to the needs of the intellectual life and the doctrinal apostolate, maintaining what is said in n.226 about the formation of the brethren;
  - 2. to collaborate with the Master of the Order in promoting the doctrinal mission of the Order;
  - 3. to promote cooperation between the convents and the brethren of his province as well as with other provinces, especially neighboring ones;
  - 4. to foster the participation of the brethren in meetings on studies pertinent to their duties or ministry;
  - 5. to make sure in canonical visitation that what has been prescribed about study is observed correctly, particularly concerning the state of the library;
  - 6. to determine annually with his council a sum of money necessary for the promotion of studies.

- II. In this task he shall be aided by a commission on the intellectual life of the province. The members of this commission are the regent of studies who is its chairman, the moderator of the center of institutional studies, the promoter of permanent formation, and others who are elected according in the manner determined by provincial statute. It shall be the duty of this commission, under the authority of the prior provincial, to:
    - 1. give advice in matters of more importance pertaining to studies;
    - 2. propose and apply the *Ratio Particularis* of the province;
    - 3. coordinate the activities of the centers of studies of the province;
    - 4. report to the provincial council each year concerning the status of the intellectual life of the province.
  - III. He shall also be aided by a provincial promoter of permanent formation, appointed by the provincial chapter, whose duties and concerns are determined by the chapter.
  - IV. An analogous method for promoting studies shall be established for the vicariates of a province in their statutes.
- \* 90. I. It pertains principally to the Master of the Order:
- 1. to see to it that the entire Order fulfills its mission through diligent study suited to the needs of the times;
  - 2. to establish and promote centers of higher studies which, because of the requirements of the work or of the office, ought to be under his immediate care;
  - 3. to stimulate cooperation between provinces, and, when opportune, to encourage the establishment of convents or centers of studies common to several provinces.
- II. In discharging all these duties, the Master of the Order shall be aided by the assistant designated for matters pertaining to the intellectual life **as well as by the permanent commission for the promotion of study in the Order.** (MC-252; C-166)
91. I. Although the intellectual life should flourish in every convent, nevertheless there should be centers where the brethren can dedicate themselves to study in a special manner.
- II. A center of studies in the Order is a community of brothers who apply themselves to study full time and in a stable manner; it shall be established with at least three



brothers endowed with the necessary qualifications; it shall be furnished with a suitable library and other work aids, as well as with stable economic resources.

- III. A center can be a part of another community, namely, a conventual community. It can count among its members brothers from other convents.
  - IV. The rights and obligations of any center of studies of a province, and even the manner in which it is governed, are to be included in the *Ratio Studiorum Particularis* of the province and approved with it.
  - V. Centers of studies of the Order should be esteemed for truly scientific value and should maintain relationships with similar institutions and the university world of the region.
92. Among the centers of studies which should exist in a province, these are the principal ones:
1. a center of institutional studies, which is a community constituted of the students of the Order and the professors who direct their basic philosophical and theological studies according to the tradition of the Order;
  2. a center of higher studies, which is a community of brothers who offer a curriculum in which academic programs at least to the level of the licentiate are taught; such are the ecclesiastical and university faculties which belong to the Order itself or which are placed under its care;
  3. a center of special studies, which is a community of brothers who apply themselves to research and publications and programs in some special area, even without an actual teaching program;
  4. a center of permanent formation, which is a community of brothers who investigate, and either prepare or provide, suitable programs on everything which pertains to permanent formation especially for those who exercise a ministry in the Church.
92. bis. I. The moderator of any center of studies of a province is appointed in the manner to be determined by provincial statute.
- II. The council of moderators or the body of major officials of each center is determined according to the statutes of each center, with due regard for the provisions of paragraph I.
- III. The relationship between the council of moderators of any center and the regent of studies in his role as head of the commission on the intellectual

life of the province is determined in the *Ratio Particularis* of studies of the province.

93. I. In every province there shall be a regent of studies who shall, under the authority of the prior provincial and with the advice of the commission for the intellectual life of the province, according to the statutes of the province:
1. promote and coordinate, as head of the commission for intellectual life of the province, the total intellectual life of the province
  2. maintain special care for the center of institutional studies of the province and see to it that the *Ratio Studiorum* of the province and other legislation of the Order are observed in that center;
  3. cooperate in implementing the program for permanent formation;
  4. collaborate with the conventual lectors in the promotion of study in the convents of the province;
  5. help other centers of studies in the province, according to their proper statutes, and foster collaboration among them and with the center of institutional studies of the province;
  6. help the prior provincial in solving doctrinal questions;
  7. see to the planning of the intellectual life of the province and to the preparation of specialists by the province and by the centers of studies required of the Order.
  8. present an annual report to the Master of the Order.
- II. For anyone to be nominated for the office of regent, it is required that:
1. he is provided with an academic title such as is required for the professors of a center of higher studies;
  2. he has some experience of teaching, especially in the theological or philosophical disciplines;
  3. he is noted for his dedication to study and to doctrine.
- III. The regent is proposed by the provincial chapter and is appointed by the Master of the Order for a four-year term. While he is in office:
1. he is *ex officio* a member of the provincial council;

2. he is *ex officio* head of the commission on intellectual life;
  3. he has a financial subsidy in the budget of the province;
  4. he cannot be named to offices which draw him away from the discharge of his duty.
- \* 93. bis. I. To establish or accept a center of higher studies as well as a university, besides observing the requirements of law and fulfilling academic conditions, it is necessary that:
1. a petition supplying reasons be made by a provincial chapter;
  2. a decree of approval be given by the Master of the Order.
- II. Centers of higher studies and universities which belong to the Order in any way shall make an annual report to the Master of the Order on their actual condition.
- III. Approval of the prior provincial and his council, given upon the advice of the commission for intellectual life of the province, is required to establish a center for special studies or a center for permanent formation. (A-201):
- \* 94. I. Scientific degrees in the Order are:
1. the lectorate;
  2. the masterate in sacred theology.
- II. If any province shall have considered it opportune, it can refrain from conferring the degree of lector.
- \* 95. The examination for the lectorate shall be made according to the procedure and conditions determined in the general and particular *Rationes Studiorum*.
- \* 96. The masterate in sacred theology is conferred on those brethren who are recognized as eminent in promoting the sciences, especially the Sacred Sciences.
- Excellence of this kind is established by an ability for stimulating and leading doctrinal reflection and research as well as by published works of outstanding value and by significant status gained in a scientific field even outside the Order.
- \* 97. I. For anyone to be promoted to the masterate in sacred theology, it is required:

1. that he is commendable for his way of life and for prudence;
  2. that after the completion of complementary studies he shall have devoted himself fully to intellectual work for at least ten years;
  3. that he be presented **by the commission on the intellectual life to the provincial chapter** and the he be proposed by two-thirds of the vocals of the **same chapter**, or by the Master of the Order, if this concerns a brother living in a convent or institute immediately subject to him; (B-245)
  4. that a commission **of at least three experts in the scientific specialization of the one to be promoted who have been** chosen by the Master of the Order expresses a favorable judgment on the value of his work and his capacity to pursue it; (B-245)
  5. that he be promoted by a general chapter or by the Master of the Order with his council.
  6. **that the recently promoted master give a public lecture** (B-245)
- II. No one can be promoted to the masterate in sacred theology except in the preceding manner.

## Chapter IV

### ON THE MINISTRY OF THE WORD

#### Art. I -- On Basic Requirements

98. Following the example of St. Dominic, who was most desirous of the salvation of all men and of all nations, the brethren should realize that they have been sent to all men, groups, and nations, believers and unbelievers, and especially to the poor. They should focus their attention on preaching the gospel and establishing the Church among the nations, and on explaining and strengthening the faith in the Christian people.
99. I. The ministry of the word is a participation in the prophetic office of the body of bishops and thus preachers must first accept the whole gospel and seek a living understanding of the mystery of salvation as it is handed down and explained by the Church. Dominican preaching should always be marked by an evangelical spirit and by sound doctrine.
- II. That the salvific influence of our preaching can reach everyone, it is necessary not only to consider the circumstances and aspirations of those whom we address but also to establish a living relationship with them so that the updated preaching of the revealed word, the law of all evangelization, may endure especially among those who are far from the faith. Thus our mind is opened at the same time to the spirit of God and to the hearts of those to whom the word is preached so that it receives a communication of the light of the Paraclete, as well as of his love and strength.
- Consequently, the brethren should learn to recognize the Spirit working in the midst of the people of God, and to perceive the treasures hidden in the various forms of human culture, by which human nature is more fully revealed, and new paths are opened to truth.
- III. The brethren should strive to develop their spiritual life and human virtues, lest by their conduct they refute what they preach.
100. I. The ministry of preaching is a communitarian task, and it pertains primarily to the whole community; thus, in the beginning of the Order a convent was called "Sacred Preaching" (*sacra praedicatio*).
- II. The cooperator brothers have a role in the apostolate of the whole community not only by their work of providing for the needs of the convent but also by a ministry properly so called both by working with the priests and by engaging in their own apostolic activity according to their talents.

- III. The superior together with the brethren should ponder and accept this common duty of preaching so that the whole community becomes responsible for it; the right of the superior shall be maintained, however, of deciding upon and accepting any particular ministry.
  - IV. In fraternal conferences, the brethren should discuss among themselves their apostolic experiences and difficulties so that they can submit them to common study and, with the combined resources in these special groups, they may be able to exercise their ministry more effectively.
- \* 101. I. Wherever the brethren exercise the ministry they should cooperate with the bishops in planning the apostolate whether on the diocesan or national level.
- II. Collaboration with other priests and religious is strongly recommended, especially in those matters which pertain more to our charism so that the works of our apostolate and that of others mutually complement each other in the common service of the Church.
  - III. Since the laity by reason of baptism and confirmation are deputed to the apostolate, we must strive with them to make the Church present and lasting in all areas of society as the sacrament of salvation.
  - IV. Finally, seeing in all men of good will the image of God the creator and the hope of salvation, the brethren must not hesitate to collaborate with them, even though they still cannot proclaim the Gospel to them.
- They should study the human virtues and the methods of discussion and dialogue which in a special way are required for cooperation with individuals of another persuasion.
102. To teach sacred doctrine by word and by writing and the other disciplines which promote the spread of the faith and its understanding pertains essentially to the Dominican vocation.
- \* 103. I. The brethren should be involved in universities, institutes, and scientific centers as well as in schools of a different type and level whether they belong to us or to others, especially as professors and as religious assistants.
- II. Specially prepared brethren should endeavor to collaborate with experts in the various sciences both by taking part in their research and by seeking ways of communicating with them the truth of the Gospel, so that the advance of culture may lead to a clearer perception of the human vocation and may inspire souls to a deeper understanding of the faith.

\* 104. To spread the truth and to inform public opinion properly, the brethren with a special talent who have been provided with training should zealously use the instruments of social communication (mass media).

105. I. The ministry of the word, in whatever form it may be exercised, is intimately connected with the sacraments and is brought to perfection in them. For the Christian life is born, nourished, and strengthened by the word and the sacraments. The faithful, therefore, are to be instructed about them so that they may be able to understand them as signs and may be properly disposed to receive them.

II. Since the Eucharist is the center of the Church's life, and the source and summit of all evangelization, the brethren, eagerly contemplating the grace of this great mystery, should strive to ponder its importance for their own salvation and that of others and its power and richness as well as to urge the faithful to participate frequently, actively, and reverently, in the breaking of bread.

III. The sacrament of penance and its administration are intimately connected with the ministry of the word because the conversion of heart which preaching seeks to inspire is brought to perfection by pardon and reconciliation with God and the Church and, furthermore, because it leads harmoniously to the enlightenment and formation of conscience as well as to growth in gospel spirituality.

The brethren, therefore, should prove themselves always ready and willing for the fruitful administration of the sacrament of penance. In exercising this ministry they should be attentive to the development of the sciences about human nature as well as the particular circumstances and sensitivities of each of the faithful. For a similar reason, they should have high regard for education for Christian living.

## **Art. II -- On Priorities and Planning**

106. I. The brethren must cultivate preaching in any form whatsoever. However, in determining the order of priority in ministry, they must consider the needs of the Church made known by her voice and by the signs of the times, which they are bound to support by their distinctive vocation.

II. Therefore, they should choose those forms in preference to others which serve better the promotion of the faith whether among non-believers, or in human areas which are developing outside the faith, or among believers to strengthen and perfect their faith.

III. With this norm in mind, it pertains to a province to determine according to local needs and available resources, the more important objectives for the brethren's ministry, and periodically to make a critical review of the obligations which burden the apostolate.

IV. It is the task of the Master of the Order and his council to sustain cooperation

between provinces for pursuing ministerial priorities appropriately especially when the matters to be treated have international importance both in the religious and in the social order.

- \* 107. A province or vicariate shall draw up a plan of its total apostolate and prepare the brothers for this, and it shall arrange an ordering of its resources on the basis of unity, strength, and apostolic continuity. This planning shall take into account the actual needs of the Church and of the same province or vicariate as well as a projection of problems in the future.

### **Art. III -- On Preaching to the Whole World**

- 108. I. The mission of the Friars Preachers in the service of the Church, namely, to preach the name of Jesus Christ to the nations, is the duty of the entire Order. This work is carried out in various ways according to the different conditions either of the Church or of the countries, groups, and people to whom it is directed. However, it is always to be done according to the fundamental principles of the ministry of the word and in a manner befitting the charism of the Order.
- II. Missionary activity should aim toward having the missionary, by the evangelical witness of his life and preaching, make present the magnetic power of the Gospel of Christ as the true basis of salvation, and thus bring together the people of God by cooperating in the liberation and reconciliation of mankind.

The missionary shall organize his activity for building up the Church in the countries or regions where it has not yet taken root and for reviving the faith and christian life in areas where the Church has suffered a setback, in such a way that he shall always regard himself in the service of the local Church.

- \* 109. I. The brethren should be particularly concerned about the religious and human problems of the poor and of the working class, especially of those who are far from the faith.
- II. Provinces should search for and establish those forms of life and of preaching through which the apostolate can respond more suitably to the objective needs of these people.
- \* 110. Among the changes affecting christian life, especially from the advance of the sciences, the arts, or human culture, the brethren should try particularly to discern those values which provide pathways toward a more vivid perception of God and to concentrate on solving the problems this evolution has stirred up in people's minds so that the preaching of the Gospel can generate a purer and more mature commitment to the faith.
- \* 111. **The brethren shall always be prompt to initiate or pursue discussions or opportunities for true dialogue with followers of other religions or with non-believers.** (O-218; MC-



257) They should remember, however, that special preparation is clearly needed to meet the problems arising from such activity.

- \* 112. Superiors shall be more concerned about establishing convents in the missions than about retaining territories so that the brethren, with the greatest liberty according to the proper charism of the Order, can apply themselves to the ministry of the word.
- \* 113. I. The care of the missions pertains to the whole Order; therefore, every brother should help the missions in whatever way he can. It pertains to the Master of the Order, in collaboration with the provinces concerned, to supply help, so that the brethren of one or of several provinces may be sent to the service of local churches.  
  
II. Our missionary activity is governed:
  - 1. by common law and by special decrees of the Holy See;
  - 2. by the Constitutions and by particular statutes drawn up by the provinces.
- \* 114. I. To carry out missionary activities more fully and effectively, fraternal cooperation between provinces working in the same territories should be fostered.  
  
II. There should also be a collaboration of all the provinces in the total missionary activity of the Order, so that provincials should willingly offer suitable brothers for pursuing this common endeavor.  
  
III. In administering the affairs of the missions, the Master of the Order shall be aided by the assistant designated for matters pertaining to the apostolate.
- \* 115. Those should be chosen for missionary work who have already given signs of a missionary vocation and are well prepared for pursuing it. Special training for missionaries, both clerics and cooperators, should be given in a convent of the missions or in a specialized institute where they can learn the vernacular language, customs, history, culture, and pastoral aspects of the people.
- \* 116. [This Ordination about diversity and harmony in missionary activities has been abrogated.] (T-55)
- \* 117. Our missionaries should keep in mind that the purpose of the missions is aimed at forming communities of the faithful and at enabling them to provide for their own needs as soon as possible. They should see to it, therefore, that a particular church is provided with a sufficient number of local priests, religious, and laity and has the ministries and institutions that are necessary to lead and develop a christian life under their own bishop.
- \* 118. Since religious life is a distinctive sign of the heavenly kingdom and, through a more

intimate consecration to God made in the Church, manifests clearly and also signifies the interior nature of the christian vocation, our missionaries should diligently promote the religious life under native forms from the initial foundation of the Church.

- \* 119. I. As far as possible our missionaries should establish regular life and strive to live in full community.
  - II. To this end, a convent should be established as soon as possible in which Dominican life should be represented according to the needs, ability, and special quality of the people evangelized so that it may truly be seen as something indigenous and not foreign to their country. Ascetical and contemplative traditions whose seeds were often sown by God in ancient cultures even before the preaching of the Gospel should be adopted in so far as they correspond to Dominican life.
  - III. Dominican vocations should be promoted as soon as possible so that the Order may be firmly established and a native province can be founded and can endure.
- \* 120. A province established in missionary territory should demonstrate a missionary spirit, so that it not only makes its own countrymen sharers of the gospel message, but also strives to preach it to other nations.
  - \* 121. Research centers shall be set up in which the religious and socio-cultural heritage of countries shall be carefully studied and those elements that are compatible shall be synthesized into Catholic unity. These centers are particularly consonant with the special apostolate of the Order and should be promoted principally with the assistance of the different provinces.
  - \* 122. With special care the brethren should promote the education of children and youths because this contributes greatly among developing nations to raising the level of human dignity and to preparing for more humane conditions of life.
  - \* 123. To promote unity among all Christians, the brethren shall be attentive to fostering an ecumenical spirit among Catholics and entering into true and sincere dialogue with non-Catholics so that the scandal of division may be avoided and cooperation in social and technical matters, as well as in cultural and religious, may be established.

#### **Art. IV -- On Preaching to the Faithful**

- 124. I. By their preaching, the brethren should lead Christians gradually to maturity and responsibility in the faith so that the Church may be renewed and strengthened in its witness to the Gospel.
- II. The brethren should give special attention to the homily and other forms of preaching

which, closely connected with the liturgical action and with the sacraments, should penetrate the life of the faithful more deeply.

- \* 125. The brethren should provide special spiritual and doctrinal assistance to priests, religious, and others to whom the task of educating people in the faith is entrusted.
- \* 126. Our churches should be centers of preaching, liturgical life, Christian community, and apostolic inspiration.
- \* 127. Since the apostolate of the Order in many places is carried out effectively in parishes, the brethren to whom this charge is entrusted should devote themselves to this work with great diligence, especially through the ministry of the word.
- \* 128. I. Superiors should see to it that a convent to which a parish is entrusted or united has the necessary conditions and a sufficient number of the brethren to combine properly parochial ministry with conventual life.  
  
II. The number of parishes in each province should be regulated in such a way that there remains a sufficient number of the brethren who can be available more fully and more freely for other ministries of the word of God.  
  
III. The competent superior for accepting a parish is the prior provincial with the consent of his council unless the provincial chapter shall have determined to reserve this faculty to itself. (T-58) **or the council of a vicariate with the approval of the provincial council.(A-203)**
- 129. Since the Marian rosary is a way to contemplate the mysteries of Christ and a school for developing evangelical life, it should be regarded as a form of preaching appropriate for the Order in which the teaching of the faith is conveyed in the light of the Blessed Virgin Mary's participation in the mystery of Christ and of the Church.

Therefore, the brethren should preach the use of the rosary fervently which is to be considered a characteristic mark of the Order, and promote its associations so that it may become more vital each day.

- \* 130. I. As heralds of the Gospel of Christ, the brethren, aware of their great responsibility for the unity of the people of God, should endeavor to foster an ecumenical spirit among Catholics, so that the work of reconciliation may always continue to develop.  
  
II. Theological research on ecumenical questions is of distinct importance, and the brethren equipped with the proper scientific competence should promote ecumenical work in sincere collaboration with other expert theologians and institutes.

## **Art. V -- On the Social Aspect of our Ministry**

- \* 131. The task of preaching the kingdom of heaven, which has already been begun by the Incarnation of the Word of God and tends toward the restoration of all things in Christ, urges us to promote the right order of society.
- \* 132. I. It is particularly important to enlighten and arouse the conscience of the people of God about all the requirements of their place in human society so that their resources may be joined together in a common effort and undertaking with all men of good will to establish on earth the kingdom of justice, of brotherly love, and of peace.  
  
II. To achieve this, it is necessary especially to assist with the formation of the laity and to recognize and foster their proper mission and activity in building modern society.
- \* 133. The brethren, together with experts in the various social fields, should diligently engage in a study of the human and moral problems which always arise in changing conditions and give close attention to the theological aspects of these questions.
- \* 134. In its social aspect, our apostolate should be and should be seen to be a true servant of mankind confirmed by efforts and measures undertaken on their behalf and marked principally by full evangelical freedom independent especially from any faction.
- \* 135. [This Ordination on the position of Preacher General in the Order has been abrogated.]

## **Art. VI -- On Jurisdiction and Permission for Publishing**

- \* 136. The brethren shall have proper faculties for preaching and hearing confessions. (Can. 764, 765, 966 and following)
- \* 137. The brethren shall not preach within the boundaries of another province without the previous consent of its prior provincial, given at least habitually.
- \* 138. The brethren approved in the Order's examination for hearing confessions, by the very fact of their approval given in writing by the examiners, have delegated jurisdiction over persons subject to the Order, except nuns, and over others living day and night in our houses. (Can. 967-969)
- \* 139. The brethren shall keep ever in mind the fact that their public statements (in books, newspapers, radio, and television) reflect not only on themselves but on their brothers, the Order, and the Church. For this reason, they should be particularly attentive to developing a sense of dialogue and mutual responsibility with their brothers and with their superiors in

arriving at an opinion. They should pay special attention to this critical dialogue with major superiors if their statements or writings deal with disputed matters of some importance.

139. bis. I. The brethren need the permission in writing of their major superior to publish books.
  - II. If the major superior has doubts about giving permission on account of problems concerning faith or morals, he should appoint a commission of three experts to study the work.
  - III. If the major superior does not grant permission, he ought to communicate the reason to the author.
  - IV. An author who has been denied permission by a major superior can have recourse to the Master of the Order. In this situation the Master shall appoint a commission to examine the text. The judgment of the Master of the Order is considered definitive
- \* 140. When a book has been published, one copy shall be sent to the archives of the Order, and another to the archives of the province.

## Chapter V

### ON THE RELATIONSHIP OF THE BRETHREN TO OTHER GROUPS OF THE ORDER AND TO ASSOCIATIONS

141. All the groups composing the Dominican family (see n.1, IX), share its common vocation, and each in its own special way serves the mission of the Order in the world.
142. The nuns of the Order, according to the plan of St. Dominic, dedicate themselves totally in their contemplative religious life to communion with God, whereby the apostolic life of the brethren as well as of the other groups of the Dominican family is nourished while the nuns provide a witness of prayer, silence, and penance.
- \* 143. The close spiritual communion of the nuns with the brethren is strengthened by a juridic bond by which the nuns are united with the Order in the manner prescribed in their own constitutions.
144. Imbued with the spirit and zeal of Saint Dominic, the sisters give witness to the gospel in word and in work, joined with the brethren in close communion in building up the people of God.
- \* 145. Therefore, the brethren and the sisters should establish collaboration and apostolic planning together.
- \* 146. With fraternal concern our superiors should provide the nuns and sisters every kind of assistance; the brethren, according to the arrangement of the superiors, should willingly minister to them in doctrinal, sacramental, and pastoral service.
147. The members of secular institutes, which are affiliated with the Order, embrace profession of the evangelical counsels in the world according to the spirit of St. Dominic.
- \* 148. The brethren should encourage the perfection of the members and the growth of their institutes and establish fraternal collaboration with them so that they may be able to carry out a fruitful apostolate in the world.
149. I. Lay fraternities of the Order are associations of lay people who, joined together by a special gift of God in the apostolic spirit of St. Dominic, "aim to achieve their salvation and that of others" by profession of the evangelical life according to the form of living in the world adapted by the Order and formally approved for their state of life.  
  
II. There are also fraternities of priests who strive to develop their life and ministry in the spirit of St. Dominic.

- \* 150. The brethren should take particular care to encourage these fraternities and to establish mutual collaboration with them, so that the ministry of the Order may be more fully carried out in different areas of both the Church and the world.
- \* 151. The organization and government of these fraternities shall be determined in their rule.
- 152. The associations attached to the Order, by fostering the renewal of Christian life in the people of God, serve the spiritual welfare of the faithful and, at the same time, provide the Order with collaboration in some particular apostolate. (See Appendix n. 4.)
- \* 153. Therefore the brethren, according to the circumstances of time and place, should promote the confraternities of the Order, especially of the Most Holy Name of Jesus and of the Most Holy Rosary, and our other associations, so that they may be of benefit to the faithful. Their own statutes shall be retained for their organization and government.

## SECOND SECTION

### ON THE FORMATION OF THE BRETHREN

#### Chapter VI

#### ON COMMON PRINCIPLES

154. Following the requirements of our legislation and of our *Ratio Formationis Generalis*, formation should aim at this, that beginners are led gradually to the fullness of the life and apostolate which are proper to the Order.
155. To engage in formation profitably, on the part of the candidate the following qualifications are required: physical health, psychological maturity proportionate to his age, suitability for social life, a consistently sound Christian life, aptitude, the right intention, and the free will of consecrating himself to God and the Church in the Dominican way of life.
156. Primary responsibility for his own formation lies with the candidate himself, in free cooperation with the grace of a divine vocation, and under the guidance of masters and of other assistants.
157. The brethren who are suitably chosen and carefully prepared are to be placed in charge of formation. Several can collaborate in this work of formation, but one should be in charge of coordinating the whole process of formation.
- \* 158. Where it seems opportune to a provincial chapter, a formation council, distinct from the conventual council, can be established to work on matters pertaining to the whole process of formation and, in this way, to help the master in his duty. The provincial chapter or the prior provincial with his council shall determine the composition and duties of this council.
159. The master has responsibility for both the spiritual life and for discipline in so far as both are required for the full instruction of those to be formed, leaving to them, moreover, the freedom of approaching other priests for more personal spiritual direction.
160. The convent of formation shall be organized in such a way that, while maintaining the requirements for training, the conditions of the actual life they will eventually be expected to lead will be presented to the candidates in a suitable progression.
- \* 161. Truly fraternal common life should flourish in the convents of formation so that, while retaining appropriate group distinctions, those to be formed can actively and gradually participate in the life of the community to acquire a more sound and complete training. Therefore, all the brethren should be conscious of their own responsibility in the formation of the younger brethren.



162. Every province shall arrange suitable practical experiences in accord with the age and background of its candidates to develop their personal and religious maturity as well as their preparation for the apostolate.
- \* 163. There shall be a *Ratio Formationis* for the whole Order, approved by a general chapter or by the Master of the Order, to be revised from time to time, which will set forth the spiritual principles and the fundamental educational norms for the training of the brethren, leaving to the provinces the responsibility of developing regulations appropriate to the circumstances of times and places.
164. Although the formation of the brethren lasts for many years with interruptions of studies to gain experience and is spread out over various stages, nevertheless it ought to be conceived and carried out in practice as a continuous and progressive process whose integration arises from a unity of purpose. Therefore, the different periods of formation detailed below must be understood in the light of this unity.

## Chapter VII

### ON PROMOTING AND FOSTERING VOCATIONS

- \* 165. I. All the brethren, especially those whose apostolate is among adolescents and young men, should consider it as a duty of their own Dominican vocation to work actively and prudently to foster vocations to the Order.
- II. All should remember, however, that the life and apostolate of every brother and of every community is the primary invitation for entering Dominican life.
- \* 166. I. Where it seems advisable, an apostolic school for the training of young aspirants can be established with the previous approval of the Master of the Order and the consent of the chapter or council of the province.
- II. The statutes of the school and the rules for conduct shall be drawn up by the brethren more skilled in this area with the authority and approval of the prior provincial and his council.
- \* 167. I. *Where it seems advisable*, before they are admitted to the novitiate, aspirants to the Order are to be prepared for the novitiate for a period of time. (Omit "where it seems advisable":C-170; B-250)
- II. The time, form, and location of this preparation shall be the duty of the provincial chapter or of the prior provincial with his council to determine.
- III. In order to achieve this purpose, a province may legislate a time of pre-novitiate as the first step towards leading religious life. The purpose of this time is to prepare the aspirant for the novitiate, especially by catechetical instruction and some initiation into leading community life well and to give the Order a chance to discern the suitability of the aspirant for undertaking Dominican life. (MC-260; C-171).
- 168. I. To be admitted validly to the novitiate, candidates must have completed seventeen years of age.
- II. To admit those into the Order who left our Order or another religious institute requires, in addition to the consent of the provincial council:
  - 1. admission by the prior provincial, if they left during the novitiate.
  - 2. admission by the Master of the Order, with the consent of his council, if they left at the completion of the novitiate or after profession, observing the prescriptions of Canon 690,1.

- \* 169. I. Clerical aspirants shall not be admitted to the novitiate unless they have completed those studies which are required in their own country for admission to higher or university studies.
- II. They should have a suitable knowledge of the Latin language or strive to acquire it as soon as possible.
- III. For cooperator brothers, secondary education or its equivalent is required according to the determination of a provincial chapter.
- \* 170. Before anyone may be admitted to the novitiate, superiors are obliged to obtain all the documents required by law, and any other information which appears to them necessary or useful for this purpose.
- \* 171. The right of examining and admitting candidates for the novitiate pertains to the province. A special committee of the brethren along with a chairman shall be constituted for carrying out the aforesaid examination.
- \* 172. Each province shall determine in an appropriate statute how and by which brothers the aforesaid examination is to be carried out.
- 173. I. When the examination of candidates is completed, the committee is brought together and, by secret vote, renders a judgment on the admission or rejection of each candidate.
- II. The chairman of the committee then presents a complete report on proceedings to the prior provincial to whom it ultimately pertains to decide about the admission of a candidate in such a way, however, that he cannot admit someone rejected by the special committee.
- \* 174. I. The declarations mentioned in the appendix shall be made before witnesses to the candidates who have been admitted, and this shall be verified in the book of admissions by the signature of the candidates themselves. (See Appendix n. 5.)
- II. A protestation shall be made to those candidates that they can claim no remuneration for any work performed for the Order; a document of this protestation signed by the aspirant shall be prepared. (See Appendix n. 5.)
- III. Before beginning the novitiate, an aspirant should free himself from all secular business, and any money or other possessions he may have brought with him shall be kept in a common deposit, and if he leaves the Order without having made profession, they shall be returned to him.

- IV. Each province shall decide about the expenses of formation.
175. The Master of the Order, the prior provincial in his own province, the prior or subprior *in capite* of the convent in which the aspirant is to receive the habit, and their delegates can lawfully give the habit.
- \* 176. Vestition can take place before the beginning of the novitiate or during the novitiate according to the determination of a provincial chapter.

## Chapter VIII

### ON THE NOVITIATE

177. The novitiate is a time of probation directed to this purpose, namely, that novices may come to know more deeply their divine and, indeed, Dominican vocation, may experience the Order's way of life, may be formed in the Dominican spirit in mind and heart, and manifest their intention and suitability to the brethren.
178. I. Before the beginning of the novitiate, aspirants shall complete spiritual exercises for at least five full days.
- II. The novitiate begins when designated by the legitimate superior, in accord with n.175. Notification of this designation and of affiliation (nn. 267,268) shall be entered in the book of admissions (see Appendix n. 6) and signed by the novice and two witnesses.
- III. The novitiate lasts at least one year. According to the determination of a provincial chapter, this year can be interrupted or divided into parts in such a way, however, that a full novitiate will be completed within a space of two years. One or more time periods of special formative activity for completing the training of the novices can be spent outside the novitiate community. In all these matters, the prescripts of Canons 648-649 shall be observed.
- IV. Should a doubt exist about a novice's suitability even after the completion of the novitiate year either continuously or with interruption, the time of probation can be extended by the prior provincial but not beyond six months.
- \* 179. There shall be a common novitiate for clerical and cooperator brothers; the novitiate made for the cooperator state is valid for the clerical state and *vice versa*. However, a transfer from the cooperator state to the clerical state and *vice versa* must always be made with the permission of the prior provincial with his council.

180. I. The novitiate must be made in a convent established for this purpose by a decree given in writing by the Master of the Order with the consent of his council in which regular and apostolic Dominican life actually thrives.
- II. The Master of the Order, with the consent of his council, can concede in particular cases and by way of exception that a candidate can make the novitiate in another house of the Order under the guidance of an approved religious who assumes the role of master of novices (cf. Can. 647,2).
- III. The major superior can permit a group of novices to live for a stated period of time which he designates in another house of the Order (cf. Can. 647,3).
181. The direction of the novitiate pertains to the novice master. The master and the novices, however, are subject to the prior for whatever relates to the discipline of the whole convent.
182. I. Masters of novices are appointed by a provincial chapter, or, if it is necessary to make provision for this outside a chapter, by the prior provincial with his council (see Appendix n. 7), the Master of the Order having been notified.
- II. They remain in office until the date designated by the following chapter for the new master to take office.
- III. Since the formation of candidates depends in no small way on lasting continuity in this office, the removal of masters outside a chapter should not take place without a grave cause.
183. I. A novice can leave the Order freely, or for a just cause can be dismissed by the competent superior.
- II. The competent superior for dismissing a novice is the proper prior provincial, or, if there is danger in delay, the prior with the consent of his council, in which case an appropriate report must be sent to the prior provincial.
- \* 184. The dismissal or free departure of a novice shall be recorded in the book of admissions.
- \* 185. During the time of the novitiate, the master shall have discussions with the conventual chapter and council at least twice and send a written report about this to the prior provincial.
186. It is the master's special duty to discern the novices' vocation and to form them for the life of the Order, following the things contained in our laws and in the *Ratio Formationis* so that with a right intention and a firm will they may advance in their vocation.

- \* 187. I. The novices shall be instructed thoroughly by the master and his assistants in the history of salvation, in Sacred Scripture, in liturgy, and in the principles of Christian life, and about the priesthood.
  - II. They shall also be instructed thoroughly in the nature of religious life and especially in the history, spirituality, and laws of the Order; they shall be introduced to our observance in such a way that its spiritual and apostolic value becomes apparent.
  - III. They shall be encouraged to develop human and Christian virtues so that by humility of heart, eagerness of spirit, and self-denial they may develop a richer spiritual life. They shall be taught how to approach the sacraments of penance and the Eucharist more fruitfully and apply themselves to mental prayer.
- \* 188. It is proper that novices be filled with a missionary spirit, that they understand the conditions and needs of people living in the world and realize "how they must be fervent in preaching at the proper time."<sup>31</sup> Their training, therefore, should be not only theoretical but practical as well, even through participation in some degree in the apostolic activities of the Order.

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<sup>31</sup> *Primitive Constitutions*, I, 12

## Chapter IX

### ON PROFESSION

189. I. By our profession we dedicate ourselves to God, following Christ to lead an evangelical life in the Order so that our baptismal consecration achieves its effect more fully.
- II. By this profession of obedience we intend to accept the obligation of fulfilling the evangelical counsels, renouncing good things without doubt of great value but without detriment to the development of the human person. Embracing Christ's self-emptying, at the same time we share his life in the Spirit. In this way, if we remain faithful, we shall be witnesses in the Church in a more explicit way to the good things of the kingdom of heaven.
- III. Moved by filial devotion, in our profession we also promise to obey the Virgin Mary, Mother of God, as the most loving Mother of our Order.
- IV. When, however, in the same profession we also promise obedience to St. Dominic, we intend to observe fidelity to his spirit and his ideal.

#### Art. I -- On the Two Forms of Profession

190. Two forms of profession are made in the Order: first, simple and temporary after the novitiate; the other, solemn and thus perpetual.
- \* 191. I. Within the two-month period which precedes making simple profession and within the six-month period which precedes making solemn profession, a brother shall be examined and the declarations shall be made to him according to those matters which are contained in the appendix. (See Appendix n. 5.)
- II. Concerning the subject matter of the examination, he shall be questioned about both the obligations of our profession and the human and spiritual motives which attract him to consecrate his life to God through profession in the Order.
- III. While maintaining n. 207, the right of conducting the examination belongs to the convent where the brother made his novitiate or where he is actually assigned, and the examiners are the brethren designated by the prior provincial or by the prior with his council, **according to what is determined in the statute of the province** The examination, however, can be held outside the convent of the novitiate or of his assignment. (C-172; B-252)

192. I. When the examination is completed and a report on its result has been given to the prior of the convent, admission of a brother to profession shall be subject to a vote first of the chapter and then of the council of the convent. Before the vote is taken, the one who is presiding shall discreetly inform the vocals of the results of the examination and shall ask them whether they have any particular information about a candidate.
- II. The prior shall give a report on all these matters to the prior provincial.
193. The Master of the Order, the prior provincial in his own province, the prior or the subprior *in capite* of the convent in which profession is to be made, and their delegates, can validly receive any profession.
194. Profession shall be made in the convent designated by the prior provincial and ordinarily in the presence of the community. However, in exceptional cases, with the consent of the prior provincial, it can be made outside a convent of the Order. A record of the profession made shall be entered in the book of professions, and it shall be signed by the brother who made profession and by two witnesses. (See Appendix n. 8.)

#### **Art. II -- On Simple Profession**

195. I. When the novitiate has been completed, a novice ordinarily shall make simple profession and, indeed, for three years.
- II. This profession is made for three years; according to the statute of the province it can be made for one or two years, but in such a way that it must be renewed to complete three years (see Canon 655).
196. For the validity of first profession, it is required:
1. that he who is about to make profession shall have completed his eighteenth year of age;
  2. that profession be made after a validly completed novitiate, unless by a dispensation of the prior provincial it is anticipated but not by more than fifteen days.
  3. that the consent of the majority of the chapter and council of the novitiate has been given;
  4. that the consent of the prior provincial has also been given or even of each prior provincial if it happens that a novice is being instructed in another province.



- \* 197. In convents and houses, where, according to the norm of LCO 315 bis (see below) and 333, the council is not distinct from the chapter, the second vote is given by the provincial council; in vicariates it is given by the council of the vicariate. (A-210)
- \* 198. A prior provincial can reject a novice admitted both by the chapter and the council, but he cannot admit a novice rejected by either of them. If the prior provincial of a novice's province of affiliation has not given his consent, the prior provincial of the province in whose convent the novitiate has been made can, with the consent of his council, admit as a son of his own province a novice who freely and expressly consents to this arrangement in writing.

199. I. Simple profession must be made with this formula:

"I, brother N.N., make profession and promise obedience to God, and to Blessed Mary, and to Blessed Dominic, and to you brother N.N. Master of the Order of Friars Preachers and to your successors (or: to you brother N.N. Prior Provincial of the province...; or: delegated...; in place of brother N.N. Master of the Order of Friars Preachers and his successors), according to the Rule of Blessed Augustine and the Constitutions of the Friars Preachers, that I will be obedient to you and your successors for three years (or: one year)."

II. If, however, the Order does not have a Master at the time of profession, the one making profession promises obedience to the brother presiding in the place of the Master of the Order, without mentioning any name.

200. I. During the time of simple vows, a brother retains the ownership of his possessions and the capacity of acquiring other possessions. However, whatever he acquires by his own activity or acquires in view of his religious status is acquired for the Order.

II. However, before simple profession, a novice, for the entire time he will be bound by simple vows, must concede the administration of his possessions to anyone he prefers, even to the Order, and dispose freely of their use and usufruct. He is also permitted to make a will regarding his present possessions or those that may come to him in the future.

III. If the concession or disposal of property mentioned in paragraph II has been omitted because of a lack of possessions and afterward something does come to him, the concession or disposal shall be made or repeated according to the norms stated in Paragraph II despite his having made simple profession.

IV. Within sixty days before solemn profession -- sooner would be invalid -- a brother must renounce all the possessions he actually owns or expects with certain hope, in favor of anyone he prefers under the condition that profession will follow.

- V. To change these arrangements for a just reason, a brother needs the permission of the major superior. (CIC, 688. par. 2)
- \* 201. I. After the first three-year period of simple vows, brothers can renew simple profession, either at their own free request or at the suggestion of the superior, but not beyond another three years, in which case vows must be renewed each year. A provincial chapter can determine, however, that simple profession will ordinarily be extended after the first three-year period.
- II. Those who, bound by perpetual or even solemn vows, transfer to the Order from another religious Institute with the permission of the Master of the Order and the proper superior general and with the consent of each council, cannot make solemn profession except after a three-year period of time, the superior general of the "a quo" institute having been informed of the three-year trial period to be fulfilled in the Order (see Can. 684, 1 and 2).
- \* 202. Only one's own prior provincial can validly admit someone to a renewal of simple profession, a consultative vote of the chapter and council of the convent in which the brother has been assigned having been taken previously (see Can. 656).
- \* 203. I. Profession must be renewed on the same recurring day when the time for which it was made expires (see Appendix n. 9).
- II. The prior provincial has the faculty of permitting for a just cause that the renewal of temporary vows be anticipated for a particular period of time but not beyond a month.
- \* 204. I. Simple (temporary) vows cease:
  1. when the time for which they were made or renewed has elapsed;
  2. by an indult to leave the Order granted by the Master of the Order with the consent of his council (see Can. 688);
  3. by dismissal from the Order made in accord with the norm of common law (see Can. 694- 704).

### **Art. III -- On Solemn Profession**

- 205. When the time of simple profession has been completed, a brother should either make solemn profession or return to the world.
- 206. For the validity of solemn profession, it is required:

1. that admission be made by one's own prior provincial, after consulting the prior provincial of the province in which a brother is living if the location is different;
  2. that a vote be taken of the chapter and council of the convent of assignment in which a brother has lived during the immediately preceding year.
- \* 207. I. When a brother has spent the year immediately preceding solemn profession, which can be computed for a cleric as a scholastic year, in a convent of his own province, the prior provincial can admit him to profession if the vote of the chapter and the vote of the council are both favorable, or if the vote of at least either one is favorable, but not if both are contrary. **In convents and houses where, according to the norm of nn. 315 bis and 333**, the council is not distinct from the chapter, another vote is given by the council of the province, or by the council of the vicariate in vicariates. (A-212; O-227)
- II. When a brother has spent the aforesaid year outside his proper province, the vote of the chapter and the vote of the council are only consultative. In this case, however, a vote of the council of the province of affiliation is always required. If it is favorable, the prior provincial can admit the brother to profession, but not if it is contrary.
- III. If a brother has not yet lived for a year in the convent where he is assigned and is due to make solemn profession, the convent in which he spent the immediately preceding year gives the vote of the chapter and council in accord with n. 206,2, but before this vote is taken, the convent where he is actually living must give an informative vote.
- \* 208. Solemnly professed brothers assigned to a convent outside their own province by reason of study do not have voice in the chapter when it considers admitting brothers to profession from other provinces; they can, however, be consulted before the vote of the chapter and the council if the profession of students from other provinces living with them in the convent is considered.
- \* 209. Besides the report on the vote of the chapter and council to be sent by the prior, other personal and academic reports on each candidate shall be sent by the master and by **the moderator of the center for institutional studies**, if this concerns students, to the prior provincial. (A-214; O-227)
- \* 210. With no intervening delay, solemn profession must be made on the same recurring day when the time for which temporary profession was made expires unless it is anticipated with a dispensation of the major superior for a just cause but not beyond three months (see Can. 657,3). But if temporary profession was legitimately extended and temporary profession was renewed by the religious, this brother, all things being observed that must be, can be legitimately admitted to solemn profession even before the period has elapsed for which the

extension was made.

211. The same formula is used as in first profession, except that the words "until death" are said at the end.
212. After solemn profession, whatever temporal goods are acquired by the brethren under any title whatsoever, are acquired for the Order, the province, or the convent according to the norms of our laws.

## **Chapter X**

### **ON POST-NOVITIATE FORMATION**

#### **Art. I -- On Common Principles**

213. I. Post-novitiate formation is directed toward strengthening and developing all the novitiate training and to completing that experience both on the part of the Order and on the part of the individual brothers.
  - II. Therefore, for the period of time determined in our laws, the brothers shall live in a convent of formation where, under the care of a master, they shall dedicate themselves earnestly to understanding more fully and putting into practice the values and demands of their vocation in a faithful and responsible fulfillment of their Dominican profession.
  - III. On the appointment of masters, their duration in office and their removal, the norms in n.182 for the master of novices shall be observed.
- \* 214. I. The master shall guide the brothers, according to each one's capacity, gradually to acquire religious and apostolic perfection according to the spirit of the Order; he shall teach them that the following of Christ is the supreme rule of our life, teach them to think with the Church, to accept and preserve the spirit of St. Dominic and the healthy traditions of the Order, to recognize clearly the signs of the times and to judge them in the light of faith.
  - II. Led by love for their Dominican family which accepts them and enriches them with its manifold tradition, the brothers should realize that religious life gives them a firmer stability in a way of life, proven teaching for attaining perfection, fraternal communion in the company of Christ, and freedom strengthened by obedience.
  - III. Within the time of the studentate the master shall have a discussion, at least once during the year, with the conventual council and send a report of this to the prior provincial. If a brother is studying in a province not his own, the prior provincial of

the province of affiliation shall be informed of this discussion. (A-215)

215. So that religious training may be permeated with an apostolic spirit, the convent of formation should be organized in such a way that the apostolate flourishes in it and the brothers, each according to his ability, are introduced to it gradually and prudently by real and active participation.
215. bis. After their first profession the brethren can be instituted into the ministries of reader and acolyte so that they may be prudently and gradually prepared for the apostolate.
- \* 216. I. To foster religious formation, natural gifts which contribute greatly to human maturity should be encouraged and integrated so that stability of spirit as well as the ability of making important decisions and of accepting one's own responsibilities may be developed.
- II. So that the adaptation of religious life may truly correspond to the needs of the world, the brethren, according to each one's talent and ability should acquire not only suitable information about current social practices and reasons for thinking and feeling, but they should learn also to assimilate and judge this in the light of their Dominican vocation.

#### **Art. II -- On the Formation of Cooperator Brothers**

217. I. Upon the completion of the novitiate, the cooperator brothers shall spend three full years in a convent designated for their formation, under the care of their own master for spiritual and cultural formation and under the care of the regent or some other suitable brother appointed by the prior provincial with his council for intellectual and professional formation.
- II. The master of cooperators can be assisted in fulfilling his office by a solemnly professed cooperator brother.
218. After the three-year period of simple profession, the formation of cooperator brothers, whether or not they are in solemn vows, shall be continued for at least two years in a suitable convent under the care of the local superior, according to the norms established by the provincial chapter.

- \* 219. I. The formation of the brothers must be directed to this purpose that their personal qualities and Christian virtues may be developed in such a way that they can live a truly Dominican life and become able, in a manner appropriate to them, to share the life and government of the community.
- II. Made sharers in the apostolate of the Order by their profession, the brothers shall be prepared for exercising suitable apostolic activity so that they might become true cooperators in the mission of the Order.
- III. Since the cooperator brothers are very often different in talent and since their activity in the Order can be exercised in many ways, it is necessary to provide them formation suited to each one's ability, keeping in mind the needs of the Church and of the Order in each locality.
- \* 220. I. Nourished by a solid training in a knowledge of the faith, especially of Sacred Scripture and liturgy, the brothers should learn from these sources how they must guide and develop their lives.
- II. Similarly, without neglecting their general education, they should be instructed in the arts and technical skills which will better suit the needs and ministry of the province; if possible, such studies should be recognized by some form of certification.

**Art. III -- On the Religious Formation  
of Clerical Brothers**

- 221. Having made first profession, clerical brothers ordinarily transfer to the studentate where normally they remain until the priesthood or until the end of their institutional studies so that they may continue and complete their full formation.
- \* 222. So that they may be strengthened in the Dominican spirit and in the observance of regular discipline, priests professed in temporary vows must remain for at least three years in the studentate under the direction of the master, or in some other place under the direction of a priest according to the determination of the prior provincial with his council.
- \* 223. Since clerical brothers are destined to Dominican life in exercising a priestly apostolate, they shall be formed in such a way that imitating Christ they learn to combine their religious life with the requirements of their future priesthood, always aiming toward a fuller integration of their Dominican vocation.
- \* 224. The gradual training of the student brothers should be conducted in such a way that religious life is nourished by study and study by religious life.

- \* 225. I. According to the norms drawn up by each province, from the first years of the curriculum of studies, suitable periods of experience in various apostolic activities should be undertaken regularly under the guidance of experts, insofar as possible during the academic year and especially during vacation time.
- II. According to the needs of different provinces and the decisions proposed by respective chapters or councils, interruption of studies is permitted for the sake of these experiences if this seems necessary for formation.

#### **Art. IV -- On the Intellectual Formation of Clerical Brothers**

- 226. Student brothers should hold in high regard and put into practice what was said in nn. 76-83 about the importance and the sources of study. They must be aware that the study they undertake pertains to the very nature of the life to which they have bound themselves by profession.
- \* 227. Only brothers who are found capable for such studies shall be admitted to pursue our institutional studies.
- \* 228. I. Studies should be distinguished by precision and scientific method.
- II. Since intellectual formation consists mainly in developing the ability to make judgments, therefore a critical knowledge of sources, an understanding of principles and a method of thinking correctly shall be developed most carefully so that the brethren become able to pursue study on their own initiative and by carefully prepared dialogue.
- 229. Studies are governed:
  - 1. according to the general *Ratio Studiorum* where whatever is necessary for the overall planning of studies and for the doctrinal unity of the Order is contained;
  - 2. according to the particular *Rationes Studiorum* developed for the needs of specific places and times.
- 230. It pertains chiefly to the Master of the Order:
  - 1. to establish centers of institutional studies;
  - 2. to appoint regents;

3. to draw up the general *Ratio Studiorum*, to promulgate it, and to modify it suitably to meet changed contemporary circumstances;
4. to approve particular *Rationes Studiorum*

231. It pertains chiefly to the prior provincial:

1. with his council, to determine the more suitable manner for attending to the formation of the brethren, keeping in mind what is said in n.234;
2. with his council, the commission on the intellectual life having been consulted, to propose the regent to the Master of the Order, of this must be done outside the chapter;
3. to prepare suitable professors for the intellectual formation of the brethren;
4. to impose on brothers the office of teaching in centers of studies of the province according to the statutes of these centers;(W-225; R-335; A-218)
5. to submit the *Ratio Particularis* of studies the Master of the Order for approval.

232. If possible, institutional studies shall be made within the Order according to the special characteristics of our study (nn. 76-83). However, if it seems opportune that they not be completed within the Order, a province, with the consent of the Master of the Order, shall arrange a more suitable manner for attending to the formation of the brethren, preserving always fidelity toward the doctrinal tradition of the Order.

233. I. Each province shall have its own center of institutional studies to provide the students of the province an intellectual formation according to the tradition of the Order and also of the province. The corps of professors in this center, constituted according to the particular *Ratio Studiorum* of the province, under the presidency of a moderator, has the responsibility for the institutional studies of the brothers even if they take their studies outside the center itself or even outside the province.
- II. A center of institutional studies, in which the whole curriculum required by the general *Ratio Studiorum* of the Order is to be provided by the center itself, shall offer in the best possible manner intellectual formation according to the tradition of the Order. In so far as possible, provinces shall establish and strengthen such centers.
- III. In places where, because of a reduced number of students or a lack of suitable professors or because of the advantage of collaborating with other institutions for the good of the Church, a provincial center of studies does not provide a complete curriculum and the students, with the consent of the Master of the Order, attend



institutions or departments not belonging to the Order, a center should provide, nevertheless, some courses or exercises for the students so that they may have a real experience of study within a community of the Order, especially on topics which pertain to the doctrinal tradition of the Order.

- IV. When students are sent to centers of institutional studies of another province for their institutional studies, they remain assigned to the center of institutional studies of their own province; they return to it for at least some experiences of study within their own province, and are subject to the body of professors of that center insofar as the planning and coordination of their studies is concerned.
- V. When students are sent to centers of higher studies of the Order and to other centers of higher studies, they are subject to the regent of studies for the planning and coordination of their studies.

234. Within the Order cooperation in institutional studies can be accomplished:

- 1. By constituting in a particular nation or region, n. 233 being maintained, an interprovincial center of institutional studies having its own particular statutes in which the entire curriculum according to the *Ratio Generalis* of studies of the Order can be provided for brethren of several provinces.
- 2. by providing in the center of one province a part of the curriculum (for example, the philosophical formation for students of two or more provinces) and another part in the center of another province. This collaboration is to be governed according to a particular statute agreed upon among the provinces;
- 3. by offering to provinces which send students to the center of another province some participation, at least consultative, in the government of that center;
- 4. by sending students to centers of higher studies of the Order, especially international centers, n.233 being maintained.

235. In governing the convent of studies, the prior shall ensure favorable conditions for the intellectual formation of the students and shall allow freedom for the brothers upon whom this formation depends within the limits of each one's responsibility.

236. The moderators of the center of institutional studies shall be appointed according to the proper statutes of the center itself, LCO 92 bis being observed.

237. I. A center of institutional studies is directed by the corps of professors under the presidency of the moderator. In the center of studies, it is the duty of this corps to promote everything that pertains to study while always maintaining concern for the

integral formation of the brethren. It shall be the task of particular *Rationes* to determine which teachers belong to the corps of professors *pleno iure* and what is to be the manner of participation of the students in this corps.

- II. In the exercise of their office, the body of moderators of this center is subject to the prior provincial. However, they are subject to the conventual prior in everything that concerns the religious life and the government of the community.
  - III. The professors and students, under the authority of the moderator, shall work together willingly to promote study.
- \* 238. For anyone to be appointed a professor in institutional studies, it is required that after his own institutional course of study, he shall have completed complementary studies particularly in the material of his own specialty according to the determinations of the *Rationes Studiorum*. Furthermore, he should have suitable experience in pastoral ministry and training in the art of teaching.
- \* 239. Professors should devote themselves to study with diligent perseverance so that they may become more and more expert in their specialty and capable of scientific research. Moreover, they should be aware that moderate pastoral activity is helpful to them in their work of study and of teaching.
- \* 240. I. Professors should strive to establish true intellectual communion among themselves and with the students as well and in this way they will devote themselves more effectively to the formation of each and every student.
- II. As opportunities arise, the brethren engaged in ministry should be invited to have discussions with the professors and with the students on questions which affect people to a great degree and thus provide an incentive for studies.
241. The curriculum of institutional studies includes philosophical and theological disciplines as well as pastoral training.
- \* 242. With regard to the teaching of philosophy and theology, those things which are stated in the decree *Optatam Totius* of the Second Vatican Council (nn. 13-19) shall be followed with particular attention to:
1. a scientific study of sources especially, indeed, of Sacred Scripture which pertains to theology;
  2. the importance of seeking a systematic synthesis by speculative means under the guidance of St. Thomas as teacher (see n.82 above);

3. the more urgent problems of particular times and places.
- \* 243. Upon the recommendation of the corps of professors and with the permission of the prior provincial, brothers can be sent to universities to take some of their studies even during their basic study curriculum, keeping in mind each one's talents and the regional conditions; in this case, coordination with the intellectual formation proper to the Order shall always be preserved. Furthermore, when these university studies are finished, brothers shall not neglect completing the studies proper to the Order if they are not yet fulfilled.
  - \* 244. I. Brothers shall pursue complementary studies in special institutes according to the determinations of the province's planning (see n.107 above) taking into consideration each one's ability and interest.
    - II. During the institutional course of study, they can begin some preparation for these studies.
  - \* 245. The proper time and the manner of taking the vote on religious department (*de moribus*) before examinations shall be determined by the provincial chapter, while maintaining the prescriptions of n.251, III.

**Art. V -- On Brothers to be Ordained and Those  
Newly Ordained to the Priesthood**

246. Only those brothers can be promoted to orders, who:
  1. have the necessary qualifications;
  2. are presented by their own major superior;
  3. are approved by the conventual council, whose duty it is to examine whether they have what is required for ordination;
  4. are professed by solemn vows .
- \* 247. I. Superiors shall admit no one to orders, as long as there is no agreement, through careful examination, about his religious conduct, his suitability for the priestly office, and his progress in studies.
  - II. Superiors must not fail to question each of those to be ordained to make certain that they freely and knowingly want to be promoted to orders in the religious state.
248. I. After the council's approval, and the completion of the examination on the order to

be received in the presence of examiners designated by the provincial chapter, the major superior shall prepare dimissorial letters to be sent to the diocesan bishop, observing what the law requires (see Appendix n. 10).

- II. A prior provincial shall not grant dimissorial letters except to sons of his own province or with the consent of the prior provincial of their province of affiliation to brethren assigned in his province.
- \* 249. I. Student priests, living outside the studentate, shall be introduced gradually by the prior or by another priest designated by the prior provincial, to the priestly life and apostolate by appropriate conferences and activities.
    - II. They shall, however, always be under the jurisdiction of the prior of the convent, while safeguarding the rights of the regent concerning study.
- \* 250. I. Young priests, after completing the curriculum of studies, should apply themselves with a sense of responsibility to the religious and apostolic life so that, conscious of the special problems which can affect the early years of their priesthood, the priestly ministry can truly nourish and integrate their spiritual and intellectual life.
    - II. The brethren, especially superiors, should help young priests fraternally in their ministry and assist them with advice.
- \* 251. I. A special examination must precede the exercise of the office of confessor. **The manner of taking this examination is determined in the *Ratio Generalis Studiorum*.** (Approved O-233; abrogated by MC-271)
    - II. Brothers must undergo the first examination within six months from the completion of the theological institutional curriculum of studies **or within six months from ordination to the priesthood if this is postponed for any reason.** (O-233)
    - III. Before these examinations, the vote on religious conduct (*de moribus*), mentioned in n.318,4, is required.
- 251. bis.. The fundamental task of permanent formation is the renewal and maturation of the brethren according to various "ages" of their life, so that they may always become more apt for announcing the Word of God to the nations, who are marked by the circumstances of the contemporary world.

In the provincial community the task of permanent formation pertains to the prior provincial, assisted by the provincial promoter of permanent formation. In the conventual community the task belongs to the conventual prior, assisted by the conventual lector, and to the conventual chapter. In any other community the task

belongs to the superior.

251. ter. I. In every province there is a promoter of permanent formation, whose duty it is under the authority of the provincial:
1. to work out yearly programs of permanent formation with the assistance of the commission on the intellectual life of the province;
  2. at least once a year to coordinate with priors and conventual lectors and superiors of houses the programs of the province and the convents and houses; the regent of studies is to be consulted when there is a question of studies;
  3. to be in communication with other centers and institutions for permanent formation and with experts in this field.
- II. The provincial promoter of permanent formation is appointed for a four-year term by the provincial chapter. During his term of office:
1. he is the moderator of the province's center for permanent formation, LCO 92 bis, paragraph I, being observed;
  2. he is a member of the commission for the intellectual life of the province;
  3. he has an allocation in the annual budget of the province.

**SECOND DISTINCTION**  
**ON THE GOVERNMENT OF THE ORDER**

- First Section:**                    **General Norms:**  
on the structure of the Order;  
on the law by which the Order is governed.
- Second Section:**                **On Government Itself:**  
on the government of a convent;  
of a province;  
of the whole Order.
- Third Section:**                  **On Elections:**  
on elections in general;  
on the election of a conventual prior, of a regional  
prior, and of a vicar provincial;  
on elections for a provincial chapter;  
on the election of a prior provincial;  
on the other elections to be made in a provincial chapter;  
on the election of the Master of the Order.
- Fourth Section:**                **On Economic Administration:**  
on the principles of administration;  
on administrative procedure;  
on administration in particular.

## **FIRST SECTION**

### **GENERAL NORMS**

#### **Chapter XI**

#### **ON THE STRUCTURE OF THE ORDER**

252. The Order of Friars Preachers, which is ruled by a general chapter and the Master of the Order, is made up of provinces, each of which is ruled by a provincial chapter and the prior provincial.

Each province is made up of convents and houses, which are governed by a prior or superior.

#### **Art. I -- On Provinces**

253. I. A province consists of at least three convents, two of which must have at least ten vocals. Furthermore, all the vocals of the province shall number at least forty.

II. A province must have territory distinct from the territory of other provinces.

254. Every province has the right:

1. of incorporating to itself as sons those who enter its novitiate;
2. of providing suitably for the formation of its brethren, and, provided the necessary conditions are present, of having its own novitiate and center of institutional studies
3. of celebrating a provincial chapter;
4. of taking part in general chapters.

\* 255. To establish a new province, besides the conditions given in n.253, it is necessary that there be a well-founded hope that from vocations in its own territory it can develop further in the regular and apostolic life.

256. It pertains to a general chapter or to the Master of the Order with his council to establish provinces, to divide them, to unite one with another, or to suppress them.

\* 256. bis. (B-254)

- I. For the union of two entities (provinces, vice-province or vicariates) the following are required:
  1. The vote of the council of each entity in regard to mutual matters concerning the union
  2. Consultations of the brethren and the chapters of all the convents and houses in the same entities, to be done in a way worked out in the individual entities
  3. A special statute approved by the Master of the Order for the celebration of a chapter of each entity, in which the entities vote whether the union is to be proposed to the Master of the Order and for the celebration of the first meeting of the new entity after the manner of a chapter .
  4. The decision of the Master of the order with his council; the first superior of the new entity is appointed by the master of the order.
- II. The union of two entities and the union or fusion of several entities should be done in the way described in I, with appropriate changes being made.
- III. In the case of the division of a province, the manner of proceeding shall be worked out by the provincial council and approved by the master of the Order with his council.

257. I.
  1. The Master of the Order, with the consent of his council, can establish a vice-province which has, in the territory assigned to it, two convents properly so called and twenty-five vocals; furthermore, it should be able to provide from its own resources for maintaining the conditions stated for founding a new province.
  2. Over a vice-province there is in charge as a major superior, a vice-provincial, elected by the chapter of the vice-province. A vice-province has the obligations and rights of a province.
- II. In a territory where no province or vice-province exists, because of local needs or the firm hope of implanting the Order in a permanent manner, the Master of the Order, having consulted first the brothers assigned to the vicariate and having consulted the council of the pertinent province, can, with the consent of his council, establish a general vicariate with a determined territory, which shall be governed by statutes prepared by the vicariate and approved by the Master of the Order and his council.

In this case, having consulted the brothers of the vicariate, a vicar general is appointed



the first time by the Master of the Order for four years.

Relations between this general vicariate and other vicariates which may exist in the same place shall be determined according to n. 395.

258. I. If any province for a period of three years shall not have three convents or thirty-five vocals assigned in the province and habitually living there, the Master of the Order, having consulted his council, shall declare that it no longer enjoys the right of participating in general chapters as a province and shall reduce it to a vice-province **or to a general vicariate** (B-255) according to the norm of n.257, I, unless a general chapter shall already have been convoked.
- II. When a province which has been reduced to a vice-province as in I for a period of three years shall again have the necessary conditions, the Master of the Order must declare that it enjoys all its rights.
- III. In regions where a provincial chapter cannot be celebrated because of adverse circumstances, the Master of the Order, with the consent of his council, can provide, while maintaining equity, for the manner in which a province will be represented in a general chapter.
- \* 259. I. Provinces are named and ranked among themselves according to current traditions (see Appendix n.11). Those that may be founded thereafter shall be ranked according to the time of their establishment.
- II. Consequently, those who represent a province, such as a prior provincial, a diffinitor, or an elector, are ranked among themselves according to the order of provinces.

## Art. II -- On Convents

260. I. In our legislation the word *convent* is understood to be a community which has at least six brethren assigned and habitually living there, of whom five enjoy active voice and at least four are priests.

A community which does not have these conditions is called a *house*.

- II. Whatever is said of *convents* is also valid for *houses*, unless expressly stated otherwise.
261. I. To establish or suppress a convent, the requirements of law having been observed (see Can. 609-612; 616), the following are necessary:
1. a petition made by a provincial chapter explaining the reasons;

2. approval by the Master of the Order;
  3. a decree given in writing by the Master of the Order for validity.
- II. When this concerns transferring or reestablishing a convent in the same city, the decision of the prior provincial with the consent of his council suffices.
  - III. A province is not permitted to establish a convent within the territory of another, except with the consent of the Master of the Order, and of the council of the province in which the foundation is intended to be made.
- \* 262. When a house has the conditions required by our law for a convent properly so called, the prior provincial, having consulted the chapter of the community and if the council of the province approves, shall establish that house as a convent by his own decree, and the brothers shall elect a prior.
  - \* 263. When a new community is immediately established as a convent properly so called, the prior provincial shall appoint the prior according to the norm of n.373, 1.
  - \* 264. No convent can be reduced to the condition of a simple house except by a provincial chapter.

**Art. III -- On the Incorporation  
of the Brethren**

- 265. The brethren are incorporated into the Order by first profession.
- \* 266. The brethren are ranked among themselves according to profession in such a way, however, that superiors precede others.
- 267. Every brother must be incorporated into a province. This incorporation which is brought about with the beginning of the novitiate is called affiliation.
- \* 268. Before beginning the novitiate, it must be declared expressly to postulants of another province for what province an aspirant is being received as a son. If, however, he shall have been admitted without any such determination, he will be a son of the province in which he began the novitiate.
- \* 269. Transfiliation from one province to another can be made by the Master of the Order, with the consent, however, of each prior provincial and his own council.
- 270. I. Assignment is the appointment of a brother to some province or to a definite convent with all rights and obligations unless it is clearly stated otherwise.

- II. Assignment is either direct or simple, or indirect by reason of office or of studies.
  - III. Assignment, however, outside one's own province for the purpose of study does not suffice for having voice in elections. **The prior provincial of the province of assignation, with the previous consent of the prior provincial of the province of affiliation determines other rights and obligations of the brother assigned by reason of study, number 208 being observed.** (B-256, with an ordination)
  - IV. Assignment by reason of office applies only to superiors; that made by reason of study applies only to students outside the province.
  - V. Every brother needs a direct assignment to a definite convent from the time of first profession and without a time limit. An indirect assignment by reason of office lasts only for the term of **office**. **The prior provincial of the province of assignation, with the previous consent of the prior provincial of the province of affiliation determines the duration of indirect assignment by reason of study** **When the time of indirect assignment has elapsed**, the direct or simple assignment revives. (B-256, with an ordination)
- \* 271. I. A general chapter or the Master of the Order can freely assign brothers to any province or convent; a provincial chapter, however, or a prior provincial can make assignments within their own province.
  - II. A brother who has been assigned simply to a province by the Master of the Order or by a general chapter, needs an assignment to a definite convent besides.
  - III. Direct assignments of the brethren (see Appendix n. 12) **and indirect assignments by reason of studies** shall be made in writing (B-257)
- \* 272. As soon as possible and not beyond a week from its reception, the letter of assignment shall be read before the community in the convent to which a brother is sent. From that moment a brother's appointment to that convent begins, even if he cannot be present immediately.
- The superior should note the reading of the assignment in the council book and notify the superior of the convent of previous assignment about this.
- \* 273. Temporary appointment of a brother to a province or convent is called *deputation*, given in writing by a major superior and imposing the obligations of an assignment which have not been expressly excluded but not granting its rights, saving, however, the right of participating in elections in the convent of his assignment.
  - \* 274. Ordinarily deputation is not made for a period beyond six months. By way of exception,

however, especially because of teaching, it can be made for a year.

## Chapter XII

### ON THE LEGISLATION GOVERNING THE ORDER

#### Art. I -- On the Distinction of the Laws of the Order

275. I. Led by an evangelical spirit and supported by the rule of St. Augustine, our Order is governed, besides by all the laws of the Church and the decrees and privileges which concern us (see Appendix n. 13), by the following:
1. the constitutions of the Order;
  2. the ordinations which are found either in the Book of Constitutions and Ordinations, or in the acts of general chapters;
  3. the ordinations of the Master of the Order;
  4. legitimate customs.
- II. Whenever the word *constitution* is used in our legislation, it bears a strict meaning applicable only to constitutions properly so called; however, the words *our laws* or *our legislation* indicate both constitutions and ordinations (see Appendix n. 1).
276. I. A particular statute shall be considered as a *constitution* only when it shall have been accepted by three successive general chapters and, indeed, by way of inchoation in the first chapter, approbation in the second, and confirmation in the third. This method of proceeding must also be observed for the abrogation or substantial change of constitutions.
- II. One most general chapter, however, is equivalent to three general chapters.
277. Inchoations which are made in general chapters do not begin to have force until they have been approved and confirmed by two other chapters and have become constitutions, unless, perhaps, the inchoation was made by way of an ordination.

However, inchoations which are contrary to constitutions shall not be made with an ordination except rarely and for an urgent cause, which must always be stated expressly by a chapter.

278. Every province is also governed:
1. by the statute of the province;

2. by the ordinations of a provincial chapter;
  3. by the ordinations of the prior provincial as well as of others who in various ways are in charge of a province.
279. I. The statute of a province is the collection of ordinations on the life and government of convents and of the province, especially in those matters which, according to our legislation, are to be determined by each province.
- II.
    1. One provincial chapter is competent to make ordinations to be inserted in the statute of the province, and to change them or abrogate them;
    2. the statute of a province or the changes to be made in it, just as all other ordinations of a provincial chapter, must be approved by the Master of the Order.
  - III. Changes to be inserted in the statute of the province which affect the manner of celebrating a provincial chapter begin to have force only from the celebration of the following chapter.
280. Every convent is also ruled by the ordinations of its superior and of others who in various ways can take his place.
281. Our legislation and the ordinations of superiors do not bind the brethren under sin but to a penalty only, unless by reason of a formal precept or because of contempt.

**Art. II -- On the Promulgation, Duration,  
Interpretation, and Dispensation  
of the Laws of the Order**

- \* 282. I. Constitutions and ordinations of general chapters are promulgated by publication in the acts of general chapters or in another manner determined by the same chapters; unless otherwise expressly stated, they begin to have force two months after promulgation counting from the date on which the letter is signed by which the Master of the Order presents the acts of the chapter to the brethren.
- II. However, the ordinations of the Master of the Order are promulgated and begin to have force in the manner determined by him.
283. I. A general chapter has the power of declaring that a particular law of ours does not bind because of special circumstances of time and place or other factors indicated in the declaration itself. In the interval from one chapter to another the Master of the Order, having consulted his council, has the same power.

- II. If such a declaration is still proven opportune, it shall be renewed in each general chapter.
284. The ordinations of a general chapter and of the Master of the Order retain their binding force until they have been revoked by a similar authority.
- \* 285. I. Ordinations which have remained in force through five successive chapters and in the sixth have been approved, shall be inserted in the book of constitutions and ordinations.
  - II. Ordinations which are found in the book of constitutions and ordinations can be revoked by a general chapter until the next chapter; if, however, the second chapter confirms what the first has done, they are definitively abrogated (see Appendix n. 2).
- \* 286. I. Ordinations which are found in the statute of a province remain in force until they are revoked by a provincial chapter, n.279, III, being maintained.
  - II. Other ordinations of a provincial chapter remain in force until the date when the acts of the following provincial chapter begin to have force.
- \* 287. The ordinations of superiors and of those who take their place cease with their office, n.284 being maintained.
- \* 288. Ordinations made in canonical visitations remain in effect until the next visitation made by a similar authority.
289. I. The legitimate customs of the Order or of a province retain the force of law until they have been revoked by a general or a provincial chapter.
- II. Customs contrary to the constitutions and the ordinations which are found in this book are rejected.
290. The authentic interpretation of our laws pertains to a general chapter. However, when this concerns the interpretation of constitutions, this interpretation does not acquire the force of a constitution unless it has been approved by three successive general chapters.
291. If any doubt occurs about some text of our laws outside the time of a general chapter, a declarative interpretation by the Master of the Order must be observed.
292. I. It pertains only to a general chapter or to the Master of the Order to dispense from the laws of the Order, either for the whole Order or permanently for a province, or a convent, or the brethren.
- II. A prior provincial in his province and a conventual prior in his convent can dispense

the brethren in matters which are not reserved to a higher superior.

- \* 293. Dispensations, nominations, and similar matters issued in any way whatever by a general chapter or by the Master of the Order without a time limit remain in force until they have been revoked by a similar authority; issued in any way whatever by lesser chapters or superiors, they remain in force until the promulgation of the acts of the following chapter or until their successors take office unless something different is expressly stated in our legislation.

### **Art. III -- On the Formal Precept**

294. A formal precept which binds gravely:

1. shall not be given unless it concerns something of itself or from circumstances grave according to our laws, after prudent consideration and sufficient investigation, and only in a case of true necessity;
2. must always be given in writing, for a specified period of time and must define precisely what is to be done or what is to be omitted;
3. must be expressed in the required formula, namely: "we command (or we forbid) in virtue of obedience."

295. A general and provincial chapter, as well as superiors and others with delegation from them, can give a formal precept.

- \* 296. Precepts cease either by the passage of time or the termination of the authority of the one giving the precept.

297. A precept is invalid:

1. if it is not given in writing or if the required formula mentioned in n.294 is omitted;
2. if a local superior imposes a precept on an entire community without the previous consent of the prior provincial or, in case of urgent necessity, of the conventual council; or if the prior provincial imposes it on the whole province without the consent of his council.

## **SECOND SECTION**

### **ON GOVERNMENT ITSELF**

297. bis. In transacting business, that factor has the force of law which, the majority of those who must be convoked being present, is satisfactory to the majority absolutely, that is, which exceeds half the number of votes cast without counting invalid votes and abstentions, canon 127, paragraph I, being observed.

### **Chapter XIII**

#### **ON THE GOVERNMENT OF A CONVENT**

##### **Art. I -- On the Conventual Prior**

298. A conventual prior has ordinary power according to the norm of law, both for the internal forum and the external forum, for the brothers assigned to his convent or residing there.

299. A prior, "not taking pleasure in ruling but in serving with charity"<sup>32</sup>:

1. should promote regular and apostolic fraternal life;
2. should provide for the brethren's needs;
3. should be concerned that the brethren fulfill their own obligations.

\* 300. A prior should:

1. frequently preach the word of God to the brethren and offer the Sacrifice of the Mass for them;
2. should willingly seek the advice of the brethren, encourage them to be responsible, and foster the collaboration of all for the good of the community and the salvation of mankind.

301. I. Ordinarily a prior takes office by canonical election confirmed by a superior. He continues in office not beyond three years, after which the same office can be accepted again, but not immediately for a third term in the same convent.

II. His term of office begins from the date of acceptance and is terminated on the same date at the end of three years.

\* 302. I. If it should happen that a prior's three-year term of office is terminated within the three months which precede the celebration of a provincial chapter or the election of a prior provincial, the prior's authority is extended until the completion of the chapter, or if a prior provincial is elected outside a chapter, until the prior provincial has taken office.

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<sup>32</sup> *Rule of St. Augustine*



- II. Where, for a just cause, it may seem not to be expedient that the election of a prior be celebrated within a month after a vacancy of the office, the prior provincial, having consulted the chapter of the convent, can appoint the out-going prior or the subprior *in capite* as his vicar for the government of the convent for not longer than six months, unless within that six-month period a provincial chapter is to be celebrated.
- \* 303. If he judges it opportune, a prior can appoint as his vicar any priest assigned to his convent who shall have whatever authority the prior shall have granted to him.
- \* 304. In the absence of the prior, the subprior, and the vicar, the priest who is older in the order of profession, having active voice and assigned to the convent, shall be regarded as vicar.
- \* 305. A prior who is prevented by illness from properly fulfilling his duties shall resign from office if hope of recovering his health is not evident within six months.
- \* 306. At the end of his term of office, a prior shall present a report on his administration according to the procedure given in the statute of each province.

### **Art. II -- On the Conventual Chapter**

- 307. The conventual chapter is a gathering of the brethren under the chairmanship of the prior to consider or to resolve those matters which pertain to the common and apostolic life as well as to the good administration of the convent.
- 308. I. The brethren who enjoy active voice in the convent belong to the chapter.
- II. When there is a question of acceptance for profession, all solemnly professed brothers have a vote and must be convoked in accord with n. 208.
- \* 309. I. There shall be a secretary for the chapter elected by the chapter in a single scrutiny.
- II. At the prior's discretion and with the consent of the chapter, the professed brethren who are non-vocals can occasionally be summoned and heard without, however, having a vote.
- 310. It is the business of the chapter:
  - 1. to elect the prior as well as a socius or socii of the prior going to a provincial chapter, n.490 being observed;
  - 2. to give consent to the appointment or removal of a subprior when the prior proposes this;

3. to elect the members of the conventual council according to the norm of n. 315, 2:
  4. to vote in accord with nn. 192, 197, 202, 206, and 207 for the admission of brothers to profession;
  5. to send to a provincial and a general chapter petitions or questions to be examined there;
  6. to elect a conventual lector.
- \* 311. I. It is also the business of the chapter:
1. to organize community life within the limits of our laws in matters which are left to the discretion of the convent according to the determination of a provincial chapter;
  2. to treat matters that in the chairman's view are more serious concerning the apostolate and the temporal administration of the convent, while preserving the rights of the prior provincial.
  3. In order that the common life serve the apostolate and be enriched by the work of the brethren, each convent should work out its own program or schema of apostolic life. The schema, prepared and reviewed by all, should be approved by the prior provincial. In this way individual activity approved neither by the community nor by the prior provincial will be eliminated.
- II. A provincial chapter shall determine what matters are to be determined with a decisive vote in the conventual chapter.
- \* 312. I. The right of convening the chapter, which must be held several times a year, pertains to the chairman alone.
- II. The convening of the chapter must always be done publicly and in writing.
- III. Before the chapter, capitulars can propose matters to be discussed to the chairman; if one-third of the chapter proposes some business, the chairman is obliged to present it for discussion. During the chapter, no business shall be proposed unless the chairman shall have given consent for it or shall have called for it.
- IV. Lest anything to be decided in chapter should be proposed abruptly, the entire agenda shall be made known to the vocals at least a day or two before the chapter is assembled provided there is no danger in delay.

- V. When there is a question of admission to profession, at least half must be present of those who have voice and reside habitually in the convent.
- VI. The chairman can determine what must be kept secret.
- \* 313. I. In reaching decisions a simple majority of votes, not counting abstentions, is sufficient, canon 127, paragraph I, being observed.
- II. If the votes are tied, the chairman can postpone the decision for a short time before he settles the matter.
- III. Ordinarily matters shall be decided by secret votes.

### **Art. III -- On the Conventual Council**

- 314. The conventual council, under the chairmanship of the prior, is a gathering of the brethren whose consent or advice he is obliged to seek according to our laws.
- 315. The members of the council are:
  - 1. the subprior;
  - 2. at least two brothers who are vocals but never more than eight, elected for three years by the conventual chapter and approved by the prior provincial. The number of those to be elected shall be decided by the chapter itself;
  - 3. in convents of formation, moreover, the master of novices and of student and cooperator brothers, as well as the moderator of the center for institutional studies.
- \* 315. bis. In convents where there are eight or fewer vocals, upon a petition of the conventual chapter, the prior provincial can grant that the council of this convent not be distinct from the chapter. (A-240)
- \* 316. The secretary of the council is elected by the council itself in a single scrutiny; if he is not one of its members, he has no vote. He shall record in a book reserved for this purpose the matters discussed and the resolutions of the council.
- \* 317. I. Except in cases expressly stated in the law, the votes of the council are decisive and not merely consultative.
- II. In more urgent cases when more members cannot be present, it is necessary that at least two councillors besides the chairman be present. (O-240; MC-278)

- III. The syndic shall always be summoned to participate in council deliberations without, however, having a vote unless he is already a member of the council.
- IV. Other officials of the convent shall be summoned to the council to be heard when the business to be dealt with pertains to their office.

318. It is the business of the council:

- 1. to give consent for the appointment or removal of the syndic;
- 2. to vote in accord with nn. 192, 197, 202, 206, and 207 for the admission of brothers to profession;
- 3. to dismiss both a postulant and a novice in an urgent case;
- 4. to give the *de moribus* approval required by our legislation for those about to take examinations or to receive orders;
- 5. to approve the report of the syndic and of other administrators as well as to decide all other matters concerning economic administration in accord with nn. 563,I, and 568;
- 6. to decide all those matters which are left by a provincial chapter to the review and decision of the council.

- \* 319. The council shall meet at least once a month and shall conduct its business according to the rules given above for the conventual chapter, nn. 312 and 313.

#### **Art. IV -- On the Officials of a Convent**

320. The subprior takes the place of the prior and provides him assistance in the administration of the convent.

321. The subprior shall have the qualifications required in n.443, I and II.

- \* 322. I. A subprior is to be appointed by the prior within three months after he accepts the office of prior, according to the norm of number 310 , # 2.If he is not appointed within this period, the right of appointing him reverts to the prior provincial. He can be reappointed to a second term immediately but not to a third term without the consent of the prior provincial.
- II. The subprior remains in office until the newly elected prior appoints a subprior according to the norm of paragraph I.

- III. If the subprior ceases to hold office for some other reason the prior must appoint a new subprior within a month; otherwise the right of appointing him reverts to the prior provincial. (I, II, III: MC-279; C-175)
- \* 323. Ordination abrogated. (O-242; MC-280)
- \* 324. In the absence of the prior, the subprior can preside over the conventual chapter and council and can also appoint a vicar for a short time.
325. When a prior leaves office, the subprior is designated *in capite*, and from then until a new prior is present in the convent, the subprior by virtue of his office has the same authority and jurisdiction as a prior.
- \* 326. A subprior *in capite* cannot make notable changes in the convent and is obliged to present a report on his administration to the new prior in the presence of the council.
326. bis. I. A conventual lector is elected for three years by the conventual chapter and is confirmed by the prior provincial.
- II. It is the duty of a conventual lector, according to the determinations of a provincial chapter:
1. to promote a study of the questions which might be connected with the program of those matters which the conventual chapter has decided (n. 307) are to be done in the apostolic life;
  2. to see to it that the decisions of the commission on the intellectual life of the province which have been confirmed by the prior provincial are put into practice in his convent;
  3. to promote conferences on contemporary questions;
  4. to promote the permanent formation of the community as a help to the prior.
327. The syndic of the convent, under the direction of the prior, is the administrator of temporal goods; he exercises his office according to the norms established for administration.
- \* 328. I. Any brother enjoying active voice can be appointed syndic of the convent provided he is truly qualified for this office.
- II. He is appointed for a three-year period and can be appointed immediately for another three years but not for a third time except with the consent of the prior provincial.

- \* 329. I. When the office of syndic is vacant, the prior is obliged to see to the appointment of a new syndic within a month, observing n.318,1.
- II. A conventual prior is forbidden to fulfill the office of syndic himself.
- \* 330. A prior **with the consent of the conventual council** appoints the sacristan and the librarian. **For the appointment of other officials he may deem useful he does not need the consent of the council.** (O-244; MC-282)

A provincial chapter shall determine the conditions, length of service, duties, and other opportune matters for each official.

### **Art. V -- On the Government of Houses**

- 331. A superior in his house has ordinary power according to the norm of law just as a prior in his convent and is bound by the same obligations, the necessary modifications having been observed.
- 332. I. A superior of a house is appointed for three years by the prior provincial, having consulted the brethren of the house, or by the regional prior if this concerns a brother assigned in a regional vicariate and unless the statutes of the vicariate provide otherwise. He can be appointed in the same manner for another three years immediately following, but not for a third time.
- II. The three-year period having elapsed, the prior provincial or regional prior is obliged to appoint a superior within a month. However, a superior of a house shall remain in office until his successor is present in the house, unless the prior provincial shall have determined otherwise.
- \* 333. The council of a house shall not be distinct from the chapter. The superior, however, shall decide nothing without consulting the vocals or obtaining their consent in those matters for which a conventual prior needs advice or consent.
- \* 334. In case of necessity, according to the judgment of the prior provincial, the superior himself can discharge the office of syndic.
- \* 335. I.
  - 1. A filial house dependent on a convent can be established by a provincial chapter;
  - 2. the superior of the convent shall appoint the vicar, who acts in all matters according to the directions given him by the same superior.

- II. Norms for the manner of appointing the vicar, for sending the brethren to a filial house, and for their rights and obligations in relation to the convent shall be determined by the provincial chapter.
  - III. The brethren living in a filial house, although assigned to the convent, shall not be counted to make up the total number of brethren required for a convent properly so called.
- \* 336. The provincial chapter shall determine norms for the brethren living outside a convent or house, especially concerning their rights and obligations toward the convent of their assignment.
  - \* 337. What has been established above for convents and houses holds good also for convents and houses which are immediately subject to the Master of the Order, unless in a particular case the Master of the Order himself shall have determined otherwise.

#### **Chapter XIV**

#### **ON THE GOVERNMENT OF A PROVINCE**

#### **Art. I -- On the Prior Provincial**

- 338. I. The prior provincial is a major superior and the proper ordinary of the brethren.
- II. In his province he has power corresponding to that which the Master of the Order has in the whole Order, and with greater authority, to the power a conventual prior has in his own convent.

339. The duties of the prior provincial include:

1. he should strive with all his abilities to promote in his province the spirit and authentic life of the Order. Discerning the signs of the times, he should encourage the brethren to serve the people of God in the ministry of the word as diligently as possible;
2. he should have the common good of the Order very much at heart. He should willingly report to the Master of the Order on the life of the brethren and their apostolate, and he should foster collaboration between the provinces of the Order;
3. he should promote cooperation between the province and the hierarchy and between the province and other religious families so that the needs of the local church may be understood better and provided for more fully.

\* 340. The prior provincial is obliged to visitate his whole province twice in four years by himself if he can or by someone else. He shall, however, visitate the convents of the novitiate and the studentate each year.

\* 341. The prior provincial:

1. at the end of a visitation shall convey to the brethren his observations and ordinations in writing;
2. after a visitation he shall report to the Master of the Order, both on the brethren, whether "they are persevering in peace, assiduous in study, fervent in preaching,"<sup>33</sup> and faithful in regular observance, and on the relationships between the province and convents and the ecclesiastical authorities;
3. within three months before leaving office, he shall send a report on the state of the province to the Master of the Order, in such a way that it reaches him before the new election.

\* 342. The prior provincial shall have a register in which he shall record his activities.

343. Ordinarily, a prior provincial takes office by canonical election confirmed by a superior, and he continues in that office for four years. He can be elected to another four years but not immediately for a third time unless the required interval of time has been dispensed.

\* 344. I. The four-year term is computed from one provincial chapter to another, disregarding the few days, weeks, or months which occasionally fall short of or exceed the

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<sup>33</sup> *Constitutions*, (1954 edition) n. 452, II)



completion of the four-year period, and it is terminated on the day immediately before the vigil of the beginning of the provincial chapter.

- II. If it should happen that a prior provincial's four-year term ends when the Order has no Master or within **four** months before a general chapter (see n. 354, I), in either case it is understood that his term is extended until the following provincial chapter which will be celebrated after the completion of the general chapter.(A-247; O-246)
345. I. A prior provincial can at will appoint any priest as his vicar whether over the whole province or over any part of it.
- II. 1. A vicar provincial appointed in this way has whatever authority the prior provincial shall have granted excepting always the appointment or removal of superiors;
  - 2. the vicar's office expires with that of the prior provincial who made the appointment.
- \* 346. When he leaves his province or, in any case, the country, the prior provincial should appoint a vicar.

If no vicar shall have been designated, the socius of the prior provincial becomes the vicar *ipso facto* unless the provincial chapter shall have determined otherwise.

## **Art. II -- On the Vicar of the Province**

347. The vicar of the province has the same authority as the prior provincial.
- \* 348. I. When a prior provincial leaves office in accord with n.344,I, the vicar of the province, according to the determination made in the statute of the province will be: either the prior of the convent where the next provincial chapter is to be celebrated or, if that convent does not have a prior at that time, the prior of the convent where the last chapter was celebrated and so on back -- or the prior provincial himself who has left office.
- II. When the prior provincial leaves office for any other reason, the vicar of the province will be the socius of that provincial up to the day immediately before the vigil of the provincial chapter, from which day the vicar will be the conventual prior where the next provincial chapter is to be celebrated or if that convent does not have a prior at that time, the prior of the convent where the last chapter was celebrated and so on back. If there is no socius, the procedure of paragraph I should be followed. (QC-240; W-248)
  - III. When a prior provincial is prevented from exercising jurisdiction, recourse must be

made to the Master of the Order. If recourse is not possible, the socius of the prior provincial becomes the vicar of the province, as given above in paragraph II.

- IV. A prior provincial who is prevented by illness from properly fulfilling his duties without hope of recovering health within six months, shall resign from office.
  - V. If he cannot express his desire to resign or does not wish to do so, the socius of the prior provincial must summon the provincial council and preside over it even without the prior provincial. This council can have recourse to the Master of the Order who shall convoke an extraordinary elective chapter (see n.351, II) or appoint the vicar of the province as the vicar of the Master of the Order.
- \* 349. The vicar of the province remains in office until the newly elected or postulated prior provincial is present in the place where the chapter is being held who, from that moment, shall discharge the office of vicar of the province and preside over the chapter.
  - \* 350. Anyone who shall have discharged the office of vicar of the province on the death or removal of the prior provincial must give a report on his administration to the provincial chapter.

### **Art. III -- On the Provincial Chapter**

- 351. I. A provincial chapter, over which the vicar of the province or the prior provincial presides, is a gathering of the brethren who meet to discuss and to decide those things which pertain to the fraternal and apostolic life and to the good administration of a province as well as to hold elections for a province.
  - II. Besides the ordinary chapter mentioned in the preceding paragraph, an extraordinary chapter solely for carrying out the election of a prior provincial can be held.
- \* 352. The vocals of a provincial chapter are:
    - I. 1. regional priors;
    - 2. vicars provincial elected according to the norm of n.389;
    - 3. conventual priors; **the subprior if the prior cannot be present on account of sickness or another grave reason approved by the prior provincial.** (MC-283; C-178)
    - 4. socii of priors going to a chapter, in accord with the norm of n.490;
    - 5. delegates of the brethren, in accord with the norm of nn. 497-501;

6. **a delgate of a non-prioral house with at least four brothers enjoying active voice in the territory of any nation where there is not another house of the same province.** (B-263)
7. the prior provincial who immediately before the chapter completed his term of office in that province.
- II. If the number of vocals of a provincial chapter elected according to the norm of the constitutions is less than twenty, the statute of the province can provide -- but if the number is less than ten, it must provide -- for supplementary vocals who, however, shall be not more than three. These vocals are to be constituted by election and not by personal right.
- III. If it shall have been determined in the statute of the province, a non-prioral house can send one delegate to a provincial chapter, **in a manner equivalent to a convent, when the house is established in a foreign nation where no presence of the same province exists.** (T-87; MA-139; addition in italics by A-248; material in bold abrogated by B-263 )
353. A chapter shall be celebrated regularly every four years or when a prior provincial is to be elected and, indeed, at a time determined by provincial custom.
- \* 354. I. If, however, it should happen that the chapter is to be held within six months before a general chapter, counting from the first day of the month determined in the acts for its celebration, the provincial chapter shall be postponed until after the promulgation of the acts of the general chapter to a date which the Master of the Order shall have designated after consulting the prior provincial.
- II. The celebration of a provincial chapter shall not be omitted even if a prior provincial has already been appointed.
- III. If it should happen that a prior provincial ceases to hold office before the end of the four-year term, when a general chapter has already been convoked but three months before its celebration, the Master of the Order, upon the petition of the council of the province, can allow the celebration of an extraordinary provincial chapter for electing a prior provincial (see nn. 503,II, and 351,II). (MA-94; abrogated by Avila, A-249)
- \* 355. The chapter, which the vocals shall not fail to attend, shall be convoked by the prior provincial or by the vicar of the province at least three months before it is to be celebrated.
- \* 356. When the letter of convocation has been received:

1. the election of delegates mentioned in n.352, I,5, shall be held and in convents having the right, the election of the socius or socii of the prior going to the chapter shall be held under the chairmanship of the subprior;
  2. three months before the beginning of the chapter, the prior provincial shall send a report on the state of the province and the more serious problems existing in the province, and the officials of the province (see nn. 376-381) shall also send a report on their areas of competency, to the capitulars and the convents;
  3. in every convent of the province, a discussion shall be held under the chairmanship of the prior in which the reports described in n.2 shall be examined and proposals or petitions to be sent to the chapter for the good of the province or the convent shall be determined.
- \* 357. It shall be determined in the statute of the province:
1. whether to have preparatory commissions;
  2. the day on which the election of the prior provincial and the diffinitors of the chapter shall be held;
  3. how many diffinitors of the chapter are to be elected, namely, four, six, or eight;
  4. whether, how many, and when councillors of the province are to be elected;
  5. the day on which the elections for the general chapter shall be held.
- \* 358. A provincial chapter shall be celebrated in the following manner:
- I. on the day before, or on the very day designated for the beginning of the chapter:
    1. the testimonial letters shall be examined by the three vocals senior in the Order in such a way, however, that serious difficulties shall be referred to the chairman (praeses) and vocals of the chapter;
    2. after the vocals have been approved, one actuary, or even two, if that is necessary, shall be appointed by the chairman with the consent of the vocals;
    3. the chapter commissions shall be formed from the vocals themselves by the chairman with the vocals;
    4. each commission shall elect its chairman and choose its secretary in a single scrutiny.

- II. The chapter shall begin with the celebration of the Mass of the Holy Spirit. In the prayer of the faithful after the homily, petitions shall be made for the successful outcome of the chapter, and for the living and the dead, mentioning by name those who have died in the Lord since the last chapter.
- III.
  1. Together with the reports presented by various superiors as determined in the statute of the province, among the matters to be considered by the commissions, there should be questions on apostolic activity, the state of personnel, the disciplinary and economic aspects of the province;
  2. the conclusions of each commission, when put in writing, shall be set out in a suitable place so they can be examined by all the vocals before the plenary sessions;
  3. afterwards, under the direction of the chairman of the chapter, the plenary sessions of all the vocals shall begin, and it will be the duty of all the vocals to decide which conclusions of the commissions are to be retained so that they can be defined by the diffinitors.
- IV. When all these things have been done, the chairman with the diffinitors shall discuss and decide whatever they judge to be necessary or useful in such a way, however, that those things **approved** or rejected by a majority of the vocals cannot be changed. (C-179 approved the term in bold; B-264 abrogated it)
- V. It also pertains to the diffinitorium:
  1. to make admonitions, ordinations, declarations and petitions;
  2. to give assignments, to fill offices or positions, and other matters in accord with our laws.
- \* 359. In a provincial chapter all matters shall be decided ordinarily by secret vote. If sometimes the votes are tied, the chairman (praeses) shall break the tie with his vote.
- 360. Full ordinary power according to the norm of law belongs to the chairman (praeses) and the diffinitors over the whole province, convents, and brothers, until the end of the chapter, n.361, II, being observed.
- \* 361.
  - I. The chapter shall be terminated within a month. However, with the consent of the Master of the Order, it can, in a special case, be extended for fifteen days.
  - II. For a reasonable cause, approved by the Master of the Order, the chapter can be interrupted, but not beyond fifteen days. During the interruption, the authority

mentioned in n.360 belongs to the prior provincial.

- \* 362. I. The *processus verbalis* (official report) of each session shall be prepared by the actuary which, having been approved by the chapter and signed by the chairman (praeses) and the actuary himself, shall be placed in the archives of the province.
- II. The place and date of the next provincial chapter shall be assigned in the acts.
- III. The names of the deceased brethren, to which a brief synopsis of their life is added, shall be placed in the acts.
- IV. The acts shall be written in Latin or a modern language accepted by the general council and five copies, certified by the signatures of the chairman (praeses), the diffinitors, and the actuary, and by the seal of the province, shall be sent to the Master of the Order as quickly as possible so they can be examined and approved.

If the acts are not written in one of the languages accepted by the general council, a translation shall be made into Latin or into one of those languages and five copies of the translation shall be sent to the Master of the Order with the addition of two copies in the original language.

After corrections have been made, the Master shall send a letter of approval along with the text to the province. One copy of the acts shall be sent to the archives of the Order and another for publication in abbreviated form in the *Analecta* of the Order.

- \* 363. I. The acts may not be published before the approval of the Master of the Order. After approval, however, they shall be printed either in Latin or the vernacular, promulgated by the prior provincial, and sent to the convents of the province. Moreover, they shall be read publicly in each convent according to the determination of the chapter itself.
  - II. The authority of the acts begins from their promulgation and is terminated with the promulgation of the acts of the following chapter.
- \* 364. A prior provincial cannot change or rescind the acts of a chapter, nor can such authority be delegated to him by the diffinitors; he can, however, interpret the acts of a chapter and in a particular case dispense from them.

#### Art. IV -- On the Provincial Council

365. In each province there shall be a provincial council whose consent or advice the prior provincial must seek according to our laws and common law.
366. Provided they are assigned to the province or are sons of the province assigned to convents under the immediate jurisdiction of the Master of the Order yet not belonging to the general council, the following belong to the provincial council:
1. the ex-prior provincial immediately leaving office;
  2. the regent of studies
  3. the socius of the prior provincial;
  4. the diffinitors of the last provincial chapter, until the following chapter;
  5. the councillors that may have been elected by the provincial chapter (see n.519,II) until the following chapter.
- \* 367. The secretary of the council, elected by the council in a single scrutiny, does not have a vote if he is not one of its members and is bound to secrecy just as the other members. He shall record in a book reserved for this purpose the matters discussed and the resolutions of the council.
- \* 368. I. Councillors cannot be removed or cannot resign their office, except with the consent of the Master of the Order. If it should happen that a councillor leaves office outside a provincial chapter, a new councillor designated by the provincial chapter shall be substituted for him with the approval of the Master of the Order.
- II. All must be summoned to the council and be present at its deliberations unless they are dispensed by the prior provincial for a just cause.
- \* 369. I. In more urgent cases when more are not able to be present, it is necessary that besides the chairman at least two councillors must be present. (O-248; MC-288)
- II. When there is concern about matters pertaining to the studium, the professors, and the students, or even about an apostolic school, the regent and **the moderator of institutional studies** shall always be present. (A-251; O-248)
- \* 370. I. The syndic of the province shall always be summoned to participate in the deliberations of the council without, however, having a vote unless he is already a member of the council.

- II. When there is concern about matters pertaining to their office, the master of novices or students, and of cooperator brothers, the directors of schools and of colleges, and other province officials shall always be present that they may be heard.
  - III. When something of particular importance concerning his community is discussed, the superior should also be present.
- \* 371. Lest anything that is to be decided should be proposed abruptly, the councillors should be informed of the agenda in due time unless a particular decision is urgent.
372. I. The duty of the provincial council is to assist the prior provincial in properly fulfilling his office especially in those things which have been established by the provincial chapter and which in the course of time appear to be useful or necessary for promoting the apostolate and regular life.
- II. In the provincial council important business shall be decided by a decisive vote, unless it has been determined otherwise in our laws.
  - III. If sometimes the votes are tied, the chairman (praeses) shall break the tie with his vote, canon 127, paragraph I, being observed.
- \* 373. Among other things, the following must be dealt with in the provincial council:
- 1. the appointment or removal of a regional prior and of a conventual prior;
  - 2. the presentation or removal of a pastor, **the chapter of the community to which the parish is entrusted having been consulted** (C-180; B-267);
  - 3. the establishment of a house as a convent, in accord with n.262;
  - 4. the cassation of a decision of a conventual chapter or council, excluding the councillors assigned to that convent;
  - 5. the transfiliation of a brother;
  - 6. the temporary exclusion of a brother from active voice for some grave reason;
  - 7. a declaration of fact for the dismissal of a brother in accord with common law (can. 694,2).
- \* 374. Those things which by our law pertain to the competency of the diffinitorium of a provincial chapter can be treated and settled by the prior provincial with his council if necessity arises outside the chapter, except for nn. 279, II, and 358, IV.



- \* 375. I. To the first provincial council that will be held following the completion of the two-year period after the confirmation of the prior provincial, the prior provincial is obliged to summon, besides the members of the council, regional priors, vicars provincial, and conventual priors, unless it shall have been determined otherwise by the provincial chapter for regional priors, vicars provincial, and priors in remote regions.
- II. In this council meeting, all those things are to be treated that shall seem useful for the good of the province; especially whether the ordinations and exhortations of the last provincial chapter have been put into practice shall be examined.

**Art. V -- On the Officials of a Province**

- 376. I. In each province there shall be a socius of the prior provincial who shall assist him in the government of the province.
- II. The socius shall be a priest who has completed at least thirty years of age.
- III. He shall be appointed by the prior provincial with the consent of the diffinitorium of the provincial chapter.
- \* 377. Ordinarily the socius should not be a local superior or a pastor.
- 378. In each province there shall be a syndic (bursar, economic administrator, procurator, steward, treasurer) who shall have charge of the goods of the province in accord with the norms established for administration.
- \* 379. Neither the prior provincial nor a local superior may discharge the office of provincial syndic.
- \* 380. It pertains to a provincial chapter to appoint various officials according to the needs of each province and to determine their duties.
- \* 381. An archivist, appointed by a provincial chapter, has charge of the archives of the province in which are stored:
  1. documents which have been kept in the office of the prior provincial or of other officials and are no longer needed for government;
  2. documents of suppressed convents;
  3. unpublished writings, letters, or other documents of the deceased brethren or of other people which appear to be of some value for the history of the province.

- \* 382. The prior provincial shall have a secret archive in which are kept secret documents, the importance of which he is bound to convey to his successor. These documents shall be burned after the death of the brothers mentioned in them provided this can be done without prejudice to those who are still alive.
- \* 383. Documents pertaining to the actual government and administration of a province shall be kept either in the secretariate of the province or with the officials concerned. (See Appendix n. 14.)

### **Art. VI -- On Regional Vicariates**

- 384. I. When a province has outside its own territory in some nation or region at least fifteen vocals and one convent properly so called, a provincial chapter can unite them into a regional vicariate so that the apostolic activity and regular life of the brethren can be better coordinated.
- II. It pertains to a regional vicariate:
  - 1. to have its own statutes approved by a provincial chapter;
  - 2. to celebrate its own chapters according to the norm of the vicariate statutes;
  - 3. to admit candidates to the novitiate and to first profession.
  - 4. to admit to solemn profession and sacred orders unless there is another provision in the provincial statute.
- \* 385. I. A regional prior is in charge of the vicariate and has, in addition to the faculties granted by the provincial chapter, the right to:
  - 1. assign brothers who are in the vicariate, the rights of the prior provincial being respected;
  - 2. confirm a conventual prior according to n.467 and appoint superiors of houses according to n.332, unless the vicariate statutes provide otherwise;
  - 3. participate *ex officio* in the provincial council, unless something different has been determined in the provincial statutes;
  - 4. participate *ex officio* in a provincial chapter (see 352,I,1).
- II. 1. A regional prior is elected for four years by the vocals assigned in the region and is confirmed by the prior provincial with the consent of his council;

2. when the time for which the regional prior was elected has been fulfilled or when he has ceased to hold office in any way whatsoever, his office shall be exercised by the prior older in the Order in the same vicariate until the confirmation of a successor;
  3. what has been determined for a conventual prior in n.302,I, holds for a regional prior, with appropriate modifications.
- \* 386. I. In every vicariate there shall be a council whose consent or advice the regional prior must seek on important transactions according to the norm of vicariate statutes.
- II. The number of these councillors and the manner of their election or appointment shall be determined by the vicariate statutes.
- III. When the Prior Provincial according to the norms in LCO or determined in the Statutes of the province or vicariate needs to treat of matters which concern the vicariate, he must first consult the vicariate council before consulting the provincial council; in cases where he confirms, appoints, or removes the regional prior, he consults only the provincial council. (O-250)
- \* 387. All the brethren, especially those living outside the convent, shall gather periodically to discuss matters of the apostolic and regular life and, if the occasion presents itself, to formulate specific proposals for a future provincial chapter.
- \* 388. The officials of a regional vicariate shall be appointed according to the norm of the statutes.
- \* 389. Where the conditions for a regional vicariate indicated in n.384 above are wanting, a provincial chapter can establish a provincial vicariate and draw up a special statute for it. If there are at least ten vocals, they have the right of electing a vicar provincial; otherwise, having consulted the brethren, a vicar provincial shall be appointed by the prior provincial.

### **Art. VII -- On Cooperation among Provinces**

- \* 390. I. To exercise the apostolate of the Order more effectively in the service of the Church, it is necessary that provinces which are in the same region or country, especially those which are in the territory of one episcopal conference, be united not only by a bond of fraternal charity and that they help one another occasionally by mutual support, but also that they cooperate regularly in so far as possible according to special norms accepted by those same provinces.
- II. The same must be said about houses or convents under the immediate jurisdiction of

the Master of the Order so that the collaboration of all entities of the Order in any one place may be attained effectively.

- \* 391. The following can be used to foster collaboration among the provinces of one region or nation:
  1. regular meetings between the priors provincial or other officials, such as the masters of novices, and the masters of students and of cooperator brothers, of regents, professors, promoters, etc.;
  2. interprovincial conferences or commissions for the study of common problems;
  3. national or regional promoters for different activities;
  4. a common novitiate or **studentate** (MC-292; C-181) **or common centers**, (A-261) according to norms to be approved by the Master of the Order;
  5. an agreement entered into with the consent of the Master of the Order **for the erection of interprovincial convents** and for making assignments from one province to another. (MC-292; C-181)
- \* 392. If it should happen that the provincial chapters of one region are held at the same time, their diffinitoria can have a common meeting for several days to promulgate common admonitions, declarations, or ordinations.
- \* 393. I. Where a province or vice-province has already been established and the members of other provinces are sent there to exercise the apostolic ministry, their work must be regulated in collaboration with the province or vice-province of that territory so that, united in the same spirit and life, they may cooperate effectively together especially for the coordination of the apostolate in that territory, and so that, solicitous for the common good, they may promote the development of the Order in that region.  
  
II. To foster this cooperation, suitable norms shall be drawn up in writing between the provinces of the place and the province which has brothers exercising the ministry in those territories with the consent of the chapter or council of each province and approved by the Master of the Order. These norms shall be reviewed and evaluated every fourth year by those to whom they pertain so that they retain a realistic relationship to the pastoral needs of the local church.
- \* 394. The brethren belonging to different provinces who work in the same region where no province has been established, should endeavor to exercise their apostolic ministry with mutual collaboration and, if possible, under unified direction according to norms established in common agreement by the provinces concerned so that the work of evangelization might

be exercised more fully and the foundation of a new province might be gradually prepared. These norms shall be reviewed and evaluated every fourth year by those to whom they pertain so that they might be put into practice

- \* 395. I. Conferences of priors provincial and regional priors as well as vicars shall be established according to nations or regions so that fraternal collaboration is truly organized and has a permanent character. These conferences shall be assembled regularly according to norms drawn up by the participating members and approved by the Master of the Order.
- II. To foster these mutual relationships, the assistants of the Master of the Order shall visit these regions frequently and remain there for some time. At an opportune time, they shall inform the Master of the Order and the general chapter about the activities and progress made there.

## **Chapter XV**

### **ON THE GOVERNMENT OF THE WHOLE ORDER**

#### **Art. I -- On the Master of the Order**

- 396. The Master of the Order, since he is the successor of St. Dominic and the principle of the Order's unity, is the proper and immediate prelate of all the brethren, convents, and provinces, in virtue of the profession of obedience made to him by every member.
  - 397. He obtains his office by canonical election and remains in it for nine years. The time is computed from one elective chapter to the next elective chapter, disregarding a few months -- not, however, exceeding six months -- which fall short of or exceed the completion of nine years.
  - 398. I. For a grave reason the Master of the Order can appoint and remove priors provincial, conventual priors, and any other officials, as well as prioresses of monasteries subject to the Order, and restrict their functions and authority; he can also do in the Order whatever he and the diffinitors of a general chapter can do according to our laws.
  - II. During his term of office, the Master of the Order is obliged to visitate the whole Order, either by himself, by his assistants or by others, at least twice.
  - III. The Master of the Order cannot surrender the rights of his office to the prejudice of his successors.
- \* 399. Whenever in letters or rescripts of the Master of the Order the term "by the authority of our

office" (*auctoritate officii nostri*) or some other phrase equivalent to it is used, it is to be understood to embrace both the ordinary and any other kind of authority entrusted to his office.

400. The Master of the Order can appoint vicars for assisting him, either over the whole Order or over one or more regions, one or more provinces, one or more convents.
401. I. A vicar over the whole Order has the same power as the Master himself unless something else is provided for in law or in his letter of appointment. Other vicars have whatever authority the Master himself shall have determined.
- II. All continue in office until they shall have been recalled by the Master of the Order.
- III. The office of vicar over the whole Order expires when the Master of the Order leaves office; the office of other vicars, however, continues until arranged otherwise by the new Master.

#### **Art. II -- On the Vicar of the Order**

402. The vicar of the Order is the one who, when the Master leaves office outside a chapter, takes the place of the Master of the Order until a Master has been elected.
403. On the death of the Master or his removal from office, the first assistant according to the order of profession has the power *ipso iure* which belongs to the vicar of the Order. However, he must convene the general council as soon as possible so that from among the assistants the vicar of the Order may be elected.
404. I. It pertains to the elected vicar of the Order to convoke the vocals for the election of the future Master, to prepare the general chapter (see n.415) and to preside at the election of the same Master.
- II. He cannot remove from office the assistants of the previous Master, the priors provincial or conventual priors, and he cannot appoint a new assistant or change anything in the state of the Order.

#### **Art. III -- On the General Chapter**

405. A general chapter, which has the highest authority in the Order, is a gathering of the brethren representing the provinces of the Order for discussing and deciding those things which pertain to the good of the whole Order and, if the occasion presents itself, for electing the Master of the Order.
406. Three general chapters are recognized in the Order: an elective chapter, a chapter of

diffinitors, and a chapter of priors provincial.

407. The following are assembled and have voice in an elective chapter:

1. ex-Masters of the Order;
2. each prior provincial;
3. from each province, a diffinitor of a general chapter;
4. vice-provincials and vicars general, concerning which in n. 257;
5. a socius of the diffinitor of a general chapter from provinces having at least one hundred professed religious, excluding, however, those who are assigned in vicariates and those directly assigned to houses under the immediate jurisdiction of the master of the Order;
6. a socius of the prior provincial going to a general chapter from provinces having at least four hundred professed religious, excluding, however, those who are assigned in vicariates; and those directly assigned to houses under the immediate jurisdiction of the master of the Order;
7. a delegate from a province having at least ten and up to one hundred brothers assigned in vicariates or houses of the province outside the boundaries of the province, elected from among them and by them according to provincial statute; furthermore, from a province having one hundred and one to two hundred brothers assigned in vicariates, another shall be elected delegate and so on in succession.
8. From among brethren directly assigned to houses under the immediate jurisdiction of the master of the Order, two delegates if they total less than one hundred, three delegates if they total one hundred or more, chosen according to the norm of # 407-bis.

II. In transacting business after the election of the Master:

1. the recently elected Master of the Order;
2. ex-Masters of the Order;
3. all those mentioned in I, 2-8;
4. diffinitors of a general chapter;

5. vice-provincials and vicars general, concerning which in n. 257, II;
  6. socii of priors provincial and diffinitors and delegates of brothers from the vicariates who took part in the election.
407. bis. For the election of delegates going to an elective general chapter, brethren of houses under the immediate jurisdiction of the master of the Order are to be joined among themselves by the general council so as to form two or three elective colleges, depending on the number of delegates to be elected. Each college must have at least twenty-five vocals. The same general council will provide for the manner of conducting this election.
408. The following are assembled and have voice in a general chapter of diffinitors:
1. the Master of the Order;
  2. ex-Masters of the Order;
  3. diffinitors elected by each province;
  4. delegates elected from each vice-province and general vicariate;
  5. delegates of other vicariates, chosen in accord with n.409 bis, excluding, however, regional priors and vicars provincial.
  6. One delegate from among the brethren assigned to houses under the immediate jurisdiction of the master of the Order if the total is less than one hundred, two if the total is one hundred or more, elected according to the norm of LCO 409-ter.
409. The following are assembled and have voice in a general chapter of priors provincial:
1. the Master of the Order;
  2. ex-Masters of the Order;
  3. each prior provincial;
  4. each vice-provincial and vicar general concerning which in n. 257, II;
  5. delegates of the vicariates chosen from regional priors and vicars provincial in accord with n.409 bis.
  6. One delegate from among the brethren assigned to houses under the immediate



jurisdiction of the master of the Order if the total is less than one hundred, two if the total is one hundred or more, elected according to the norm of LCO 409-ter.

409. bis. Each province which has at least ten brothers assigned in vicariates or houses of the province outside the boundaries of the province has the right to send one delegate elected from and by those brothers according to the statute of the province to a general chapter either of diffinitors or priors provincial. A special arrangement shall be made by the Master of the Order with his council so that half of the provinces shall be represented in one chapter and the other half in the next.
409. ter. For the election of delegates going to a general chapter of diffinitors or priors provincial, all the brethren of the houses under the immediate jurisdiction of the Master of the Order are to be gathered among themselves by the general council to constitute elective colleges. Each of these colleges should have at least twenty-five vocals. The general council will provide for the way in which this election is conducted. (C-187; B-276 with an ordination)
410. I. Some of the assistants of the Master of the Order designated by the Master himself and the syndic of the Order are present, who have the right to speak without, however, having a vote.
- II. A delegate from every convent permanently under the immediate jurisdiction of the Master of the Order, as well as experts designated by the same Master can be summoned and heard without, however, having a vote.
411. I. A general chapter shall be held:
1. every three years;
  2. whenever the office of Master of the Order shall have become vacant.
- II. A chapter can, if it shall have judged it opportune, announce the next chapter within a shorter period of time.
412. This is the sequence of general chapters: an elective chapter, a chapter of diffinitors, a chapter of priors provincial, and so on.

From an elective chapter a new series of chapters begins according to the aforesaid order even if the election of a Master must be held before the completion of a nine-year period.

- \* 413. I. The place and time of a chapter shall be determined by the preceding chapter. The date assigned for the beginning of a chapter shall not be postponed or anticipated more than six months except with the consent of a majority of the provinces.
- II. A general chapter shall be convoked by the Master or vicar of the Order by circular letter eight months before the date assigned for the celebration of the chapter. Prayers for the successful outcome of the chapter shall be indicated in this letter.
- III. When the office of Master of the Order is vacant, an elective chapter shall be convoked within a month from the date of the vacancy. This time period can be extended but not beyond six months if there is a truly grave reason and a majority of the provinces shall have given consent.
- IV. With the consent of his council, the Master or vicar of the Order can, for a just cause, change the designation of the location for the next general chapter.
- \* 414. The Master of the Order shall appoint a secretary general of the chapter who shall have charge of everything that pertains to the preparation and organization of the chapter.
- \* 415. I. Once the convocation has been made, the brethren who have the right shall send to the Master or vicar of the Order the petitions and questions which they wish to propose to the chapter.
- II. Besides the vocals of the chapter, the right to submit proposals belongs to:
  1. all superiors, the assistants of the Master of the Order, and the procurator general;
  2. any chapter and council as well as an assembly of moderators of the center of institutional studies;
  3. any religious provided that his proposal is undersigned by at least five brothers enjoying active voice, or is presented by any one of the vocals who shall judge whether the petition ought to be submitted or not;
  4. monasteries or federations of our nuns; provincial or national councils of fraternities of St. Dominic.
- III. Councils general or federations of congregations aggregated to the Order can submit their requests and suggestions concerning the Dominican family to a general chapter.
- IV. 1. questions to be proposed to the general chapter by those who have the right or faculty to do so shall be sent to the Master of the Order six months before the celebration of the chapter;

2. they shall be explained briefly and also composed in Latin or a modern language accepted by the general council and submitted on as many separate pages as there are distinct questions. (A-272; O-259)
- V.
1. the Master of the Order will see to it that the questions mentioned in IV, 1, assigned to different commissions according to differing material, are conveyed to each member of the chapter as soon as possible;
  2. members of these commissions are: brothers having voice in the chapter (according to the norm of nn. 407-409 bis) and the assistants of the Master of the Order (according to the norm of n. 410); priors provincial mentioned in n.258, vice-provincials and vicars general of territories pertaining to no province or vice-province or a delegate from the same in accord with the norm of nn. 407-409; (QC-251; W265; tech. A-273)
  3. then the vocals shall inform the Master of the Order immediately of the three commissions to which they wish to belong according to their order of preference, saving always the right of the Master of the Order to arrange things freely according to the needs of the chapter;
  4. the Master of the Order shall then appoint the chairmen of the commissions and inform the capitulars about the commission to which each one has been assigned so that in the meantime they may study more carefully the questions which have been assigned to their own commission.
- \* 416. Before the two-month period which precedes the celebration of a general chapter, each prior provincial shall send to the Master of the Order a critical report, approved by the provincial council, concerning the state of the province according to the form designed for this purpose by the general council in which more serious problems and statistical aspects are illustrated distinctly. A copy of this report shall be distributed to each of the vocals at the chapter.
- \* 417. A general chapter, under the chairmanship of the Master or vicar of the Order, shall be celebrated in the following manner:
- I. on the day before the beginning of the chapter:
    1. the testimonial letters of the vocals shall be examined by three of the brethren designated by the chairman (praeses) in such a way, however, that serious difficulties shall be referred to the vocals of the chapter;
    2. at least two actuaries who can be assisted by other secretaries shall be designated by the chairman (praeses);

3. three revisors shall be designated from the vocals with the consent of the chapter whose task it will be to verify at the proper time the texts that have been approved;
  4. the chairman (praeses), having consulted the chapter, shall confirm the distribution already made among the various commissions which can be modified if he deems it opportune.
- II. The chapter shall begin with the celebration of a Mass of the Holy Spirit. After the homily, in the prayer of the faithful, petitions shall be made for the successful outcome of the chapter and for the living and the dead.
1. in the first session of the general chapter, the method of procedure shall be discussed;
  2. the commissions begin their work. The chairman of each commission, having heard the preference of the other members, shall designate a secretary from the vocals or from the other participants who shall record accurately the *processus verbalis*; a commission shall conduct and conclude all business by public or secret votes; the chairman of a commission shall report to the chairman (praeses) of the chapter as well as to the chapter itself in plenary sessions. The resolutions of each commission, when put in writing, shall be distributed to all the vocals as well as the other participants before the plenary sessions;
  3. the Master shall give a report on the state of the Order;
  4. the Master shall give a report on his personal receipts and expenses to the commission on economic administration which shall inform the chapter about it;
  5. in an elective chapter, the election of the Master of the Order shall be conducted on the fifth day from the beginning of the same chapter;
  6. the vocals with the Master shall discuss and decide business by maintaining the vote of the majority and, indeed, by a secret vote when the chairman (praeses) or a significant number of the vocals requests it. If the votes are equal, the matter shall be postponed for further examination and a new vote. If the voting is still equal, the chairman (praeses) of the chapter shall break the tie with his vote. Questions shall be resolved by way of admonition, declaration, or ordination, and if a new constitution is to be formulated, this shall be done in clear statements;
  7. vocals can propose questions to be discussed even during the time of the celebration of the chapter, and they shall determine the schedule for discussing them;

8. within two days after every session, the *processus verbalis* as well as the approved texts verified by the revisors shall be set out in a suitable place so they can be examined by all. If a doubt should arise about an approved text, the revisors shall refer the matter to the chapter as soon as possible;
  9. in the acts the time and place of the next chapter shall be indicated;
  10. during the chapter the acts shall be prepared and signed by the chairman (praeses), the revisors, and the actuaries.
- III. If it should happen that the Master is away from the chapter, he shall appoint a vicar from among the vocals who will take his place in all matters.
418. I. It is strictly forbidden lest priors provincial dare to produce anything through their decisions prejudicial to the diffinitors or diffinitors to the priors provincial. And if they shall have attempted to do this, it shall be held null and void.
  - II. The secrecy of the chapter must be observed by all the participants concerning those matters which can cause harm or prejudice to the Order or to the brethren. The chairman (praeses), however, can determine if anything else must be kept under secrecy.
- \* 419. I. The *processus verbalis* of the sessions, signed by the Master of the Order and the actuaries, together with the documents pertaining to the chapter itself shall be placed in the archives of the Order.
  - II. The printed acts of the chapter shall be sent as soon as possible to all the provinces; there shall be at least two copies in every convent of the Order, and they shall be read in the manner that has been determined by the chapter itself.
420. The Master of the Order cannot change the acts and decrees of a chapter but he, and he alone, can dispense from them and clarify their meaning.

#### **Art. IV -- On A Most General Chapter**

421. A most general chapter (see n.276,II) is composed of the Master of the Order, ex-Masters of the Order, priors provincial, and two diffinitors from each province, elected by a provincial chapter.
422. The two diffinitors of a most general chapter:
  1. must be elected for this purpose, either in a provincial chapter or in an extraordinary elective chapter;

2. they should have the same qualifications as diffinitors of a general chapter, except that those can be elected who served as diffinitors in the immediately preceding general chapter.
423. I. A most general chapter shall not be convoked unless the majority of the provinces request it, and it shall be announced two years beforehand unless the need for it is urgent.
  - II. The same regulations shall be observed for its convocation, preparation, and celebration as for general chapters.

#### **Art. V -- On the General Council**

424. I. Under the chairmanship of the Master or vicar of the Order, or of their vicar, the general council is composed of the assistants of the Master of the Order and of the procurator general, **and the syndic of the order**, (B-279) whose consent or advice is required according to our laws and common law.
- II. The Master of the Order can convoke the councillors to seek their advice and opinion whenever it shall seem beneficial to him even if this is required by no law.

#### **Art. VI -- On the Assistants to the Master of the Order**

425. I. The assistants general help the Master of the Order in the exercise of his office over the whole Order; with their consent or advice the Master governs the Order, discussing and deciding questions of major importance for the life of the whole Order.
  - II. The assistants general of the Master of the Order are to be not less than eight and not more than ten. Two of them are put in charge of matters concerned with the apostolate and the intellectual life in the Order respectively; to the others is entrusted the concern for the relationship of the provinces with the Order, and for other matters which may be committed to them by the Master of the Order (see n.428).
- \* 426. It pertains to the assistant for the apostolate in the Order, mainly:
1. to assist the Master of the Order in everything which concerns the ministry of the word;
  2. to deal with problems arising from the apostolic life and evangelization for the whole Order;
  3. as a special function concerning the missions of the Order, to negotiate their

business with the Holy See, to help the Master of the Order in the government of the missions, and to gather and communicate mission information.

- \* 427. I. It pertains to the assistant for the intellectual life in the Order, mainly:
  - 1. to help the Master of the Order in the promotion of the Order's doctrinal mission according to LCO 90,II;
  - 2. to help all the provinces that they may best provide for both the initial and permanent intellectual formation of the brethren;
  - 3. to attend to all matters which pertain to centers of study under the immediate jurisdiction of the Master of the Order, including scientific institutes and the Leonine Commission;
  - 4. at suitable times to bring together the regents and promoters of one or more regions; to foster congresses, etc.;
  - 5. to negotiate business with the Holy See concerning studies in the Order.
- II. Other duties, which might impede him in the exercise of his office, shall not be imposed on the assistant for the intellectual life.
- \* 428. I. The other assistants foster the mutual relationships of the provinces with the Master of the Order and help him by communicating the decisions as well as the directive norms of the central government to the provinces committed to them, by knowing the provinces well, and according to the arrangement of the Master of the Order, by often being present in them, **and also by visiting them in his place**. However, they enjoy no authority over individual provinces. (O-264)
- II. Their chief function is to help the provinces and to promote collaboration between those of the same region, putting into practice what has been said about this in nn. 390-395. According to the decision of the Master of the Order, they can also be put in charge of some Secretariates.
- 429. I. All the assistants are appointed by the Master of the Order, remain in office for six years, and can be appointed again for another six years, always leaving freedom for a new Master of the Order to change the brethren belonging to the general council.
- II. **The appointment of the assistants for the apostolate and for the intellectual life is to be made after all of the priors provincial have been heard.** (B-280)
- III. The appointment of assistants for the relationships of the provinces with the Master

of the Order shall be made after previously consulting the priors provincial concerned, who, agreeing among themselves on the matter beforehand, shall present three names to the Master of the Order. **The Master of the order must appoint one of these three or ask that three new names be submitted.** (B-280)

- \* 430. At least three months before the beginning of a general chapter, each assistant shall send to all the vocals of the general chapter a critical report on the more serious problems within the area of his competency.

#### **Art. VII -- On the Other Officials of the General Curia**

431. I. Other officials of the general curia are: the procurator general, the postulator general of causes of beatification and canonization, the secretary general of the Order, the syndic of the Order, the archivist, and the general promoters. Some experts and co-workers for the Master of the Order and the curia can also be present.

Some of these officials and experts can be chosen from among the assistants of the Master of the Order.

- II. They are appointed by the Master of the Order himself, having consulted his council, and remain in office for six years; they can be appointed again for another six years, always leaving freedom for a new Master of the Order to change the brethren belonging to the general curia.
- III. The Holy See shall be notified of the appointment of the procurator and postulator general.

432. It is the duty of the procurator general to transact business with the Holy See, according to the faculties granted him by the Master of the Order.

- \* 433. Every brother shall conduct the special business of a house or province with the Holy See through the mediation of the procurator of the Order whose competency it is to provide this service, saving always the right of anyone to manifest his desires to the Roman Pontiff with full liberty (see *Lumen Gentium*, n. 37), and saving LCO nn. 426,3; 427,5, and 434,1.

- \* 434. The postulator general for causes of beatification and canonization:
  - 1. discharges his office according to the norms established by the Holy See and the statute approved by the Master of the Order;
  - 2. gives reports to each general chapter on the state of each cause.



- \* 435. The secretary general of the Order:
  1. is in charge of the general secretariate;
  2. discharges the office of secretary of the general council but without having voice;
  3. is distinct from the secretary general appointed for a general chapter to be celebrated.
  
- \* 436. I. The syndic of the Order has charge of all goods according to the norms established for administration.
  - II. He shall always be summoned to participate in the deliberations of the general council without, however, having a vote unless he is already a member of the council.
  
- \* 437. I. The archivist has charge of the general archives, where documents pertaining to the history of the Order are preserved, according to the norms given above for provincial archives (nn. 381-383) with appropriate modifications.
  - II. No one shall be admitted into the archives of the Order except with the special permission of the archivist; moreover, nothing shall be conveyed to externs who wish to inspect documents of a more recent period except with the permission of the Master of the Order.
  
- \* 438. I. It is the duty of the promoter general for nuns and sisters:
  1. to assist the Master of the Order and the procurator general in matters concerning the nuns and sisters;
  2. to gather information concerning them or for them and to communicate with them and the different provinces.
  - II. It also pertains to him to have charge of the secular institutes connected with the Order or to be connected in the future.
  
- \* 438. bis. I. In the general curia immediately after the Master of the Order come:
  1. the assistants of the Master of the Order, and among themselves according to the order of profession;
  2. the procurator general of the Order;
  3. the other brothers belonging to the curia, and among themselves according to the

order of profession.

- II. In general chapters, however, the assistants, according to their own seniority, come immediately after the priors provincial.
  - III. No brother shall be assigned to the general curia besides those who belong to it according to the constitutions.
- \* 438. ter. We ordain that in institutions immediately subject to the jurisdiction of the Master of the Order, the presiding officials are appointed for a six-year term by the Master of the Order after he has consulted the members of the institutions and the assistants who are concerned; they can be reappointed to the same office again.

## **THIRD SECTION**

### **ON ELECTIONS**

#### **Chapter XVI**

#### **ON ELECTIONS IN GENERAL**

##### **Art. I -- On Electors and those Eligible**

439. In every election, only those who enjoy active voice in the Order and belong to the elective chapter can cast a vote.
440. Besides the conditions assigned by common law, to enjoy active voice it is required that one be solemnly professed.
- \* 441. The following lack active voice:
1. anyone who is exclaustated, during the time period of the indult and for a year from the date of his return;
  2. anyone whose petition for exclaustation or secularization has been sent by the prior provincial to the Master of the Order, while the petition is pending;
  3. one who has permission from his major superior to live outside a convent of the Order (CJC 665, 1) unless this permission was granted for the sake of recovering health, by reason of study, or to carry out an apostolate in the name of the Order.
  4. anyone who has left the Order illegitimately, for five years from the date of his return, unless the prior provincial with his council shall have extended or even shortened the time, provided that the returning member remain without voice for at least three years from the date of his return.
  5. anyone who has been legitimately deprived of active voice.
442. I. No one can grant active voice to any brother who according to our laws does not belong to the elective chapter or who lacks active voice.
- II. Within two months before an election, affiliations, assignments, or the conferring of any offices which of their nature give or take away the right to vote in any chapter shall not be made easily.

443. I. For one to enjoy passive voice, it is required that he already have active voice, unless there is some other provision.
- II. When it is a question of the election of superiors, in order for one to be elected or postulated, it is also required:
1. that he be a priest;
  2. that he be solemnly professed for three years;
  3. that he be actually approved in the Order for hearing confessions.
- \* 444. Major superiors shall propose no one to electors to be elected unless there is some necessity present, and then they shall propose at least three although it is lawful for vocals to elect someone else outside that group.

**Art. II. -- On the Convocation of Electors  
and their Obligation to Vote**

445. I. For any election, all vocals must be convoked by him who *de iure* is to preside over the election. In the convocation itself, the time and place for holding the election shall be indicated. Failure to convoke does not stand in the way of election if those who were overlooked are present nonetheless, Can.166,3, being observed.
- II. An election shall be held within the time specified for each office, and when that time has elapsed without having been used, the right of election is lost and provision for the office reverts to the competent superior.
446. I. Since the right of electing is principally for the public good of the Order, all electors are obliged to obey the convocation to an election.
- II. Those who, without a just cause approved by the major superior, abstain from voting in an election of superiors, shall remain deprived of active voice for any election whatsoever for a full year, to be counted from the date of the abstention mentioned above.
447. I. An elector, certain of his right to elect and that a convocation has been made, is obliged to come to an election even if he did not receive a convocation notice.
- II. Doubtful electors, also coming of their own accord, must be admitted to the election, but under protest.

**Art. III -- On the President (chairman),  
Secretary, and Tellers**

- \* 448. I. In every election a president (praeses), a secretary, and at least two tellers shall be present.
- II. The secretary, if he is not designated by our laws and thus summoned and present or otherwise appointed, shall be elected before everything else by secret vote and in a single scrutiny in the first meeting of the election. He can be elected from the brethren not belonging to the chapter, and he can be given an assistant and a substitute elected in the same manner.
- III. The secretary or his assistant must be present at every session. All the acts of the election shall be recorded accurately by the one who exercises the office of secretary, and, having been signed at least by the secretary himself, the president, and the tellers, shall be carefully preserved in the files of the chapter.
- IV. In the same meeting or at the beginning of the elective session, tellers shall be elected from among the vocals by a secret vote, in a single scrutiny and all at once.

**Art. IV -- On the Procedure of Voting**

- 449. I. Since every form of voting by proxy is excluded, only the electors present can cast a vote.
  - II. Every election is carried out by way of a scrutiny by secret votes written on ballots and, indeed, written by the electors themselves since our legislation excludes election by compromise.
  - III. For the validity of a vote, it is required that it be free, secret, certain, determined, and absolute. (See Can. 172,1.)
  - IV. According to our law, no one can validly vote for himself.
- 
- 450. I. When a scrutiny has been legitimately conducted, that brother shall be considered as elected who shall have obtained an absolute majority, that is, a majority that exceeds half the number of votes without counting null and void votes.
  - II. To obtain this majority, several scrutinies can be conducted, but unless it is otherwise provided, the election is terminated with the third scrutiny, in which a relative majority suffices.

- III. In the scrutiny in which the election is terminated and a relative majority suffices, if the votes are tied, the one who is older in the Order shall be considered elected.
  - IV. When this concerns a postulation, at least two-thirds of the votes are always required. (Cf. CJC, 181, 1 and LCO 297 bis). In cases where, in the last ballot, according to our laws, only two candidates can be presented, where one needs postulation but lacks two-thirds of the votes, the other is considered to be elected.
- \* 451. In the election of superiors, on the day of the election itself or on the preceding day, a Mass of the Holy Spirit shall be celebrated according to the rubrics.
  - \* 452. In the actual election of superiors, this is the procedure:
    1. the electors, having met at the appointed time and place and the invocation of the Holy Spirit having been made, the president, tellers, and secretary shall take the oath on fulfilling their duty faithfully and on observing secrecy about the transactions in the sessions even after the election is completed;
    2. the secretary calls the names of the individuals who by law must be present as electors; if they are present, they shall answer;
    3. objections, if there are any, against the admission or exclusion of any vocal must then be raised. [N.B. A-280 and O-273 deleted former n. 4, concerning the giving of absolution.]
    4. the president shall remind the vocals that no one can validly vote for himself;
    5. the ballots having been distributed by the secretary, the vocals shall write down their vote in this manner:
 

*I elect or I postulate N.N.*, indicating both the given name and surname. In every case the complete formula, *I elect or I postulate*, shall be used;
    6. if anyone of the vocals present in the convent is confined to his room by illness, the tellers shall then go to him together, and obtain his written vote. If the sick person is unable to write, he can authorize someone else to write down his vote, or he may even by word of mouth declare his vote to the tellers by whom, however, it should be immediately written down;
    7. the tellers and then the vocals beginning from the older, place their folded ballots in an open container;

8. the ballots shall be counted by the tellers. If their number does not exceed the number of voters, they shall then be unfolded; otherwise, they shall be burned immediately, and the electors shall write out a new ballot;
  9. the tellers shall read the ballots and tabulate the votes;
  10. the tellers shall compare their tabulations and after they have found them in agreement, the ballots shall be burned;
  11. then the president shall read out in a clear voice the names of each one who has received any vote;
  12. objections, if there are any, against the process of the election itself must then be raised;
  13. with the consent of the majority, the process of the election can be interrupted between scrutinies, but the last scrutiny must be held on that same day;
  14. if the required majority is obtained, the president shall declare brother N.N. to have been canonically elected or postulated for such and such office. If the president himself has been elected, the declaration shall be made by the first teller;
  15. objections, if there are any, against the character of the one elected must then be raised;
  16. the document of election shall be drawn up and signed by the president, the tellers, and the secretary.
- \* 453. I. When an election needs confirmation, the document of election shall be drawn up in duplicate in the form of a *processus verbalis*. In it the various scrutinies shall be noted and also any objections against the validity of the election provided they were made at the proper time (see n.452: 3,13, and 16). One copy shall be sent to the one who is to give the confirmation; the other shall be preserved in the conventual or provincial archives (see Appendix n. 15).
- II. When, however, an election does not need confirmation, one copy of the document of election signed in the aforesaid manner shall be given to the one elected, except for nn. 515,V, and 532,3; the other copy, together with the *processus verbalis*, shall be preserved in the files. (See Appendices nn. 23, 24, 26.)
454. He who confirms an election intends to remedy all defects and, in the case of postulation, to dispense from all impediments which are within his power.

- \* 455. The letter of confirmation shall not be sent to the one elected or postulated but to his superior or to another brother who will deliver it to him.

### **Art. V -- On the Nullity of an Election**

456. I. An election is null:
1. if more than a third of the electors shall not have been summoned (see n. 445, I);
  2. if someone outside the college shall have been admitted knowingly;
  3. if someone who lacks active voice shall have been admitted and it is established that without his vote the one elected would not have received the required number of votes;
  4. if in a scrutiny it is found that the number of votes exceeds the number of voters;
  5. if anyone shall have voted for himself and without that vote, inasmuch as it was in-validly cast, would not have received a majority of the votes.
- II. If any of the vocals has been overlooked and therefore absent, the election is valid, but at his insistence, the oversight and absence having been proved, it must be declared null and void by the competent superior even after confirmation, provided that it has been established juridically that recourse had been made at least within three days from receiving notice of the election.

## **Chapter XVII**

### **ON THE ELECTION OF A CONVENTUAL PRIOR**

#### **Art. I -- On Electors and those Eligible**

457. To enjoy active voice in the election of a prior, besides the conditions mentioned in nn. 439 and 440 and excepting n.458, it is required that one be directly assigned to the convent where the election is to take place.
- \* 458. I. The brethren who by reason of their work have habitual residence outside the convent of their assignment do not enjoy voice in the election of a prior except after their definitive return. (See Appendix 16.)
- II. For other cases of lengthy absence or notable distance of the brethren from the convent of their assignment, the provincial chapter shall determine the conditions under which these same brethren can take part in the election of a prior. (See n. 336.)



459. I. To be elected a conventual prior a brother ought to be prudent, charitable, and zealous for regular observance and the apostolate.
- II. Besides the conditions mentioned in n.443, it is required for the validity of an election:
1. that the one elected shall not have been the prior in the same convent for the immediately previous two successive three-year terms;
  2. that he does not actually exercise the office of visitator general, regent of studies, moderator of the center of institutional studies, master of novices or student brothers.
460. I. If any brother is not eligible because of one of the impediments stated in n.459, II, the vocals can postulate him from the competent superior to whom it clearly pertains to confirm the election.
- II. A brother thus postulated and appointed, having accepted the office and taken possession of it is *ipso facto* relieved of any incompatible office unless he has been dispensed by the Master of the Order.

#### **Art. II -- On the Convocation of Electors**

461. I. When a prioral vacancy occurs, saving n.302, II, the subprior *in capite*, or the president (chairman) appointed perhaps by the prior provincial, shall convoke the vocals as soon as possible so that together:
1. they shall determine the date and the hour of the election in such a way that those who are absent can easily come at a convenient time, not, however, beyond a month from the known vacancy;
  2. they shall review the list of vocals. If a doubt should arise, however, about the right of any brother (see n.447, II), the matter shall be referred to the prior provincial who shall resolve it;
  3. they shall determine whether a caucus shall be held on the brother to be elected.
- II. When the time of the election has been determined, each of the vocals, even those who are absent, shall be summoned by the subprior or by the president (chairman).
- III. If the convocation was made in the prescribed manner and nevertheless does not reach an elector, he cannot be described as neglected, but it is the duty of the one who made the convocation to show that he did so in the prescribed manner.

- \* 462. If, however, the subprior *in capite* or the president (chairman) after four days from the known prior vacancy does not wish to assemble the vocals as requested by a majority of the vocals (see n.461, I), the oldest of the vocals in the Order shall convoke them. If he himself shall be unwilling, then the next oldest shall do so and so on.

### **Art. III -- On the Actual Process of the Election**

- \* 463. The subprior *in capite* shall preside over the election or, if there is no subprior, a brother elected in a single scrutiny by the vocals from within their group of electors unless the prior provincial shall have chosen to preside directly or through a delegate.
- 464. I. An election cannot be extended beyond seven scrutinies. Even in the last scrutiny an absolute majority is required, and if it is not obtained, provision for the office reverts to the prior provincial. However, if this concerns a postulation, n.450, IV, shall be observed.
- II. The election is carried out according to the norm of n.451-452.

### **Art. IV -- On the Confirmation or Cassation of an Election and its Acceptance**

- 465. The election of a conventual prior needs the confirmation of the prior provincial or of the regional prior if this concerns a brother assigned to a regional vicariate and elected for a convent in the same vicariate unless the statutes of the vicariate provide otherwise.
- 466. An election must not be announced to the one elected, nor can he accept or refuse it before confirmation.
- \* 467. I. Having consulted some of the more prudent brethren not belonging to the community of the electors, the prior provincial can confirm or cassate an election and accept or reject a postulation as he shall have judged it to be advantageous for the good of the Order even though the election shall have been carried out according to the norm of law; he shall not, however, defer his decision beyond necessary delays.
- II. If a legitimately made postulation shall seem to the prior provincial to merit confirmation, he himself shall have recourse to the Master of the Order for a dispensation; having obtained it, he can confirm the one postulated according to the norm in Paragraph I.

- \* 468. Before confirming an election, the prior provincial is obliged to seek the consent:
  - 1. of the Master of the Order if the one elected or postulated is assigned to a convent subject to the immediate jurisdiction of the Master of the Order;
  - 2. of the prior provincial of the province of assignment if the one elected or postulated is assigned in another province; and also of the prior provincial of affiliation, if he shall have been assigned outside the province of his affiliation.
- 469. I. An elected prior can accept or refuse his election (see n.466); but the prior provincial can command him, even under formal precept, to accept the burden of the office of prior.
- II. A prior actually in office cannot be forced to accept the office of prior of another convent.
- \* 470. I. The one elected shall sign in his own hand his acceptance or refusal on the letter of confirmation itself, indicating the date; this shall be done before two witnesses who shall also sign the letter.
- II. If he refuses, he shall explain the reasons for his refusal to the prior provincial.
- III. He who refuses or who within five days after having received the letter of confirmation shall not have accepted, loses every right gained from the confirmation.
- 471. The letter of confirmation and of acceptance shall be read in the presence of the community. Then, when the profession of faith has been made by the one elected (see Appendix n. 18), he is understood to have taken possession of the office of prior (see n.301).
- \* 472. When disapproving an election or postulation, the prior provincial shall always state expressly in writing that he is cassating the aforesaid election or postulation (see Appendix n. 19); otherwise, the vocals cannot proceed to a new election.
- \* 473. I. The letter by which an election is cassated or a postulation is rejected or an accepted refusal is announced shall be sent to the one who presided over the election, and he shall be informed whether there is occasion for a new election.
- II. When this letter is received, if a new election is to be held, the president must convoke the electors within a month in accord with n.461.
- III. The new election shall be held under the presidency of the subprior or the brother already elected in accord with n.463 with the same secretary and tellers as in the preceding election and observing the same procedure except for the obligation of

celebrating the Mass of the Holy Spirit.

**Art. V -- On the Transfer of the Right of  
of Appointing a Conventual Prior**

474. Provided n.373,1, is observed, the right of appointing a conventual prior (see Appendix, n. 20) reverts to the prior provincial:
1. when a convent at the time of a prioral vacancy does not have the conditions mentioned in n.260; if it has the conditions but one or more of the vocals will not or cannot cast their vote, then one vocal is sufficient to carry out an election legitimately provided the last day of a month's duration is awaited;
  2. when all the vocals shall have renounced their voice and shall not have been reinstated by the prior provincial;
  3. when the vocals have not elected or postulated within a month of the known prioral vacancy, or of the cassation or non-acceptance of the preceding election;
  4. when after three months have elapsed from the prioral vacancy, the convent, for any reason whatsoever, still shall not have a confirmed prior, LCO 302, II being observed.
  5. when in the process of the election there have been seven futile scrutinies;
  6. when the vocals elect the same brother again after the first election has been cassated, unless that election was cassated only because of a defect of form and not because of the character of the one elected;
  7. when there have been two or at most three elections confirmed by the prior provincial and not accepted by those elected, then after the second election the prior provincial can, and after the third, he must, appoint a prior.
- \* 475. If a prior provincial does not appoint a prior within a month from the known reversion of the right to himself, the right of providing for the office reverts to the Master of the Order.
- \* 476. An appointed prior is bound to give his acceptance or refusal of the office in writing in the same way as an elected prior. (See nn. 469-471.)

**Chapter XVIII**

**ON THE ELECTION OF A REGIONAL PRIOR  
AND VICAR PROVINCIAL**

**Art. I -- On the Election of a Regional Prior**

- \* 477. I. The president (praeses) of the election is that brother who actually governs the vicariate in accord with the norm of 385, II, 2, or, if he is out of office, the senior in the Order from the superiors of that region.
  - II. After consulting the regional council, it pertains to him to determine the time of the election and to notify all the vocals within a month, however, of the known vacancy of the office.
  
- \* 478. The electors are the brothers enjoying active voice who are assigned to the vicariate directly or indirectly by reason of office.
  
- \* 479. I. Provided n.443 is observed, for anyone to be elected validly as regional prior, it is required that:
  - 1. he shall have completed thirty years from his birth and ten years from first profession;
  - 2. he shall not have been regional prior in the same region for the two four-year terms immediately preceding.
  - II. If any brother cannot be elected because of the lack of one or more of the conditions mentioned in Paragraph I, 1 and 2, the brethren can postulate him to the prior provincial who can dispense from the interstices and make provision according to n.467.
  
- \* 480. I. It pertains to the provincial council or to the regional council to determine whether the vocals must meet in special session to hold the election or vote by mail.
  - II. If the election is carried out in a special assembly:
    - 1. the president (praeses) and the place of the election shall be given as in n.477;
    - 2. in the actual process of the election, n.464 shall be observed (see Appendix n. 15).
  
  - III. If, however, the vocals cannot gather together conveniently, the following norms shall be observed:

1. within the time determined by the president (n.477, II), each vocal shall write his vote on a ballot in accord with n.452,6;
  2. then, after the ballot is placed in an envelope, he shall write in his own hand his name and place of residence on the carefully sealed envelope. After that, he shall enclose the first envelope in another envelope and send it to the president (praeses) with some particular inscription so that it can be easily recognized.
- IV. When the time determined for the reception of ballots has elapsed, the president (praeses) with the regional council shall make this scrutiny:
1. when all the external envelopes have been opened in the presence of the council, the names of the electors written on the outside of the inner envelopes are examined to see whether each of them has the conditions required for active voice; if anyone does not, his vote shall be considered null and void;
  2. the number of vocals and of envelopes is compared;
  3. the envelopes shall be opened and burned before the ballots are unfolded;
  4. the votes shall then be examined in accord with n.452, 10, 11, and 12;
  5. if the majority required for election or postulation is obtained, a decree of election shall be drawn up by the president (praeses), and an authentic document of the election shall be prepared and sent to the prior provincial in accord with n. 453, I (see Appendix n. 21). All the vocals shall be notified by letter of the result of the election;
  6. if, however, an absolute majority is not obtained in the first scrutiny, the president (praeses) with the council shall determine the time for a new and final scrutiny to be held and shall inform by letter both the prior provincial and the vocals of all that has taken place;
  7. a provincial chapter, however, can determine that a third or even a fourth scrutiny shall be held if in the second or third an absolute majority is not yet obtained;
  8. but in the final scrutiny, whether it is the second (n.6) or the third or the fourth (n.7), **if an absolute majority is not obtained, provision of the office reverts to the prior provincial. (cf. n. 464) (B-283)**
481. I. For the confirmation or cassation of the election of a regional prior and his acceptance, nn. 465-473 shall be observed.

- II. The right of appointing a regional prior reverts to the prior provincial, n.373,1, being observed:
1. when at the time of the vacancy in the office of regional prior, the vicariate does not have the conditions stated in n.384; then, however, nn. 483 and 484 must be observed in the appointment of a vicar;
  2. when all the vocals shall have renounced their voice and shall not have been reinstated by the prior provincial;
  3. when for any reason whatsoever a regional prior has not been elected or postulated within six months of the known vacancy;
  4. when in the process of election there have been seven futile scrutinies (cf. n.480, II, 2);
  5. when the brethren elect the same brother again after the first election has been cassated, unless that election was cassated only because of procedural form and not because of the character of the one elected;
  6. when there have been two or at most three elections confirmed by the prior provincial and not accepted by those elected; then after the second election the prior provincial can, and, after the third he must, appoint a regional prior.

**Art. II -- On the Election of  
a Vicar Provincial**

482. What has been established in nn. 477-481 for the election of a regional prior applies also, with appropriate modifications, to the election of a vicar provincial (see n.389).
483. When a vicar provincial must be appointed by the prior provincial, the brethren, who in accord with n.478 would have active voice in the election, shall first be consulted (see Appendix n. 22).
- \* 484. I. The consultation of the vocals shall be made through letters to be sent to the prior provincial in which each vocal shall indicate three names according to his order of preference.
- II. The prior provincial shall appoint as vicar provincial one of the three who received a greater number of votes unless he shall have judged it to be advantageous for the good of the Order to appoint another brother.

## Chapter XIX

### ON ELECTIONS FOR A PROVINCIAL CHAPTER

#### Art. I -- On the Election of Specialists (Periti)

- \* 485. According to the determination of a province, specialists can be present at a provincial chapter but with consultative voice only.
- 486. [This Constitution about the electors and those eligible as specialists or "periti" at a provincial chapter has been abrogated.]
- \* 487. [This Ordination about the method of electing specialists or "periti" for a provincial chapter has been abrogated.]
- \* 488. [This Ordination about the relationship of elected specialists or "periti" to a provincial chapter has been abrogated.]

#### Art. II -- On the Election of the Socius of a Prior going to a Provincial Chapter

- 489. The socius of a conventual prior going to a provincial chapter is the brother elected by a convent to have voice in a provincial chapter.
- 490. I. The right of electing a socius of a prior going to a provincial chapter belongs to those convents only which for six months before the celebration of a chapter have eight vocals, unless by chance in that year the stated number shall have been diminished by the death of a brother.
- II. Convents, however, that have at least sixteen vocals have the right of electing two socii, three if they have twenty-four vocals, and four if they have more than thirty-two.
- III. The brethren in a convent which does not have a sufficient number of vocals to elect a socius of the prior going to a provincial chapter shall be included in some college for electing a delegate.



- \* 491. I. The electors are the brothers enjoying active voice and assigned to the convent even though they live habitually outside the convent of their assignment, but in such a way that those who, in accord with the norm of n.497, II, have been joined to a specific elective college, are in no way to be counted among the number whereby the socii of a prior going to a provincial chapter shall be determined (see n. 458, II).
- II. Those, however, who under any title whatsoever are already included among the vocals of a provincial chapter cannot participate in the aforesaid election.
- 492. While maintaining n.443, I, all the electors are eligible except for those who shall have exercised the same office for the same convent in the immediately preceding chapter.
- \* 493. I. The election must be held within the time stated by the prior provincial.
- II. It pertains to the subprior with the consent of the vocals in accord with nn. 461 and 462 to set the date of the election as well as to preside over it.
- \* 494. I. The election is held according to the manner indicated in the norm of n.452.
- II. In convents where several socii are to be elected (see n.490, II), one is elected after another.
- III. For every election, if no candidate receives an absolute majority of votes by the third scrutiny inclusively, in a fourth and final scrutiny those two only can be presented who received the greater number of votes in the preceding scrutiny, n.450, III, being observed.
- \* 495. A socius shall have a testimonial letter of his election signed by the tellers (see Appendix n. 23) without which he shall not be admitted to the provincial chapter unless the fact of his election is established without doubt from another source.
- \* 496. I. A socius does not have voice except in the chapter for which he shall have been elected. More over, his election is not valid if the chapter shall be delayed beyond a year.
- II. If, however, the election of a prior provincial must be held several times because of cassation or the refusal of the one elected, the same socius shall be admitted to the new election.
- III. If it should happen that an elected socius is impeded before the beginning of a chapter, another can be elected in his place.

**Art. III -- On the Election of Delegates  
going to a Provincial Chapter**

497. I. While observing n.491, II, and with the exception of those who according to the norm of number 352, I, 6 and III are already represented the following elect a delegate to a provincial chapter, provided they enjoy active voice (see nn. 440 and 441):
1. brothers directly assigned to houses of the province;
  2. unless it is indicated otherwise in the statute of the province, brothers directly assigned to houses or convents under the immediate jurisdiction of the Master of the Order, excepting always those who belong to the general council;
  3. brothers indirectly assigned outside the province, provided they are not superiors.
  4. brethren assigned to convents for which an agreement has been entered into according to LCO 391, numbers four and five, provided that they are not superiors.
- II. While maintaining n.490, I, concerning the number of vocals for the election of the socius of a prior, other vocals living outside the convent who for a grave reason cannot participate in the election of the socius in the convent of their assignment (see n.491) shall be included in a specific elective college by the prior provincial with his council.
- III. While maintaining the requirement of n. 443, I, all the brothers having active voice in the election of a delegate are also eligible from the college itself to which they belong.
- \* 498. The vocals shall be divided according to number and regions into several colleges by the provincial chapter or by the prior provincial with his council in such a way that any one college does not have less than **eight** or more than **fifteen** vocals. If in some particular region the vocals are less than **eight**, they shall be added to another elective college.(A-286)
- [ II. A provincial chapter can determine in the provincial statute that the number of vocals in any one electoral college shall be not less than eight and not more than nineteen.]  
**Paragraph II is abrogated. (A-286)**
- \* 499. I. It pertains to the provincial council or to the regional council to determine for each elective college whether the vocals must meet in special session to hold the election or vote by mail.
- II. If the election is to be held in a special assembly:

1. the president (praeses) and place of the election shall be determined by the provincial or regional council;
2. in the very act of election, nn. 452 and 494, III shall be observed;
3. after the election of a delegate, provision shall be made in the same manner for a substitute in case of necessity.

III. If, however, the vocals cannot gather together conveniently:

1. each vocal shall write his vote on a ballot and send it in a double envelope to the prior provincial or regional prior in accord with n.480, III;
2. when the time determined for the reception of ballots has elapsed, the prior provincial or the regional prior with his council shall make the scrutiny in accord with n.480, IV, 1-4;
3. if the majority required for election is obtained, all vocals shall be informed by letter of the result of the election;
4. if, however, an absolute majority is not obtained in the first scrutiny, the provincial or regional prior with his council shall proceed according to the norms of n.480, IV, 6, and 7. In the final scrutiny, whether it is the second, third or fourth, only those two can be presented who achieved the greater number of votes, with number 450, III remaining in force.
5. in the event of the incapacity of a delegate, he shall be held to be the substitute who in the final scrutiny obtained second place according to the number of votes, n.450, III, being observed.

- \* 500. Testimonial letters of election shall be sent to those elected in accord with n.453, II (see Appendix n. 24).
- \* 501. Delegates do not have voice except for the chapter for which they shall have been elected in accord with n.496, I and II.

## **Chapter XX**

### **ON THE ELECTION OF A PRIOR PROVINCIAL**

#### **Art. I -- On the Time of the Election**

502. The election of a prior provincial shall be celebrated regularly in a provincial chapter, or extraordinarily in a simple elective congregation (see n.351, II).
503. I. If it should happen that a prior provincial ceases to hold office before the end of the four-year term, the Master of the Order, after consulting the vicar and the council of the province, shall determine the date of the election and the conditions, namely, whether the prior provincial shall be elected in an ordinary provincial chapter or in a simple elective congregation.
- II. In this case, the Master of the Order can shorten or extend the four-year term of the prior provincial to be elected in such a way that the following election can be celebrated again in the customary provincial chapter at the usual time.
- \* 504. When the election of a prior provincial is to be held in a simple elective congregation, the electors are the brethren who according to our laws constitute a provincial chapter, and thus everything which is prescribed for a provincial chapter, on the convocation of the vocals and on the different elections to be held, must be observed.

#### **Art. II -- On those eligible**

505. I. For anyone to be eligible for the office of prior provincial, besides the conditions mentioned in nn. 443 and 459, I, it is required that:
1. he shall have completed thirty years from his birth and ten years from first profession;
  2. he shall not have been prior provincial in the same province for the two four-year terms immediately preceding;
  3. he is not a visitator general in the same province.
- II. If any brother cannot be elected because of a lack of one or more of the conditions mentioned in I, 1, 2, and 3, the brethren can postulate him to the Master of the Order.

### **Art. III -- On the actual Process of the Election**

506. The election of a prior provincial cannot be extended beyond seven scrutinies. Even in the last scrutiny an absolute majority is required; however, if this concerns a postulation, n.450, IV, shall be observed.
- \* 507. I. The vicar of the province, or a vicar appointed perhaps by the Master of the Order for the election, shall preside over the election.
- II. Two tellers shall be designated in accord with n.448, IV.
- III. The actuary of the chapter shall fulfill the office of secretary. If the election must be held in a simple elective congregation, the secretary of the conventual council can discharge the office of actuary.
- \* 508. I. The election itself shall be carried out in accord with nn. 451 and 452.
- II. The document of election in an authentic copy shall be sent to the Master of the Order; another copy shall be preserved in the archives of the province (see n.453, I, and Appendix n. 25).

### **Art. IV -- On the Confirmation or Cassation of the Election**

509. I. The election of a prior provincial always needs the confirmation of the Master of the Order.
- II. The Master of the Order can confirm or cassate the election as he shall have judged it to be advantageous for the good of the Order.
- \* 510. After the letter of confirmation or appointment has been received, the procedure follows according to nn. 469-471.
- \* 511. If it should happen that an election is cassated or refused, a new election shall be held before the end of the chapter, or, if the election was held in a simple elective congregation, within a month from the known cassation or acceptance of a refusal.
- \* 512. I. The right of appointing a prior provincial reverts to the Master of the Order:
1. when the electors on the day designated for the election have neither elected nor postulated but held seven futile scrutinies;

2. when for any reason whatsoever a province has been without a legitimate prior provincial for six months.
- II. After a third election, confirmed and not accepted, the Master of the Order can, and after a fourth, he must, appoint a prior provincial.

## **Chapter XXI**

### **ON OTHER ELECTIONS TO BE HELD IN A PROVINCIAL CHAPTER**

#### **Art. I -- On the Election of the Diffinitors of a Provincial Chapter;**

513. The diffinitors of a provincial chapter are the brothers who are elected by all the vocals of a provincial chapter to decide, together with the president (chairman), the more important business of the chapter.
514. I. To be capable of being elected a diffinitor of a provincial chapter, besides the conditions stated under n.443, I. it is required that:
  1. he shall not have served as a diffinitor in the immediately preceding provincial chapter;
  2. he is not the prior provincial who shall have completed his term of office immediately before the chapter;
  3. he is assigned in the province, or is a son of the province under the immediate jurisdiction of the Master of the Order, provided that he does not belong to the general council.
- II. Even brothers who are not from the midst of the vocals of the chapter can be elected diffinitors in which case they have voice in all the elections of the chapter except in the election of the prior provincial if it must be repeated.
515. I. The election of diffinitors is held on the day assigned (see n.357) under the presidency of the vicar of the province or the prior provincial according to the norm of n.507.
- II. By secret vote it shall be determined whether they shall be elected all at once or one after another.
- III. With the consent of the majority of the vocals, a caucus on those to be elected can be

held before the election.

IV. Ruling out every kind of postulation, the election shall be carried out in the following manner:

1. if the diffinitors are to be elected all at once, the election is terminated in the seventh scrutiny in which a relative majority suffices;
2. if, however, they are to be elected one after another, then for each diffinitor, if no candidate shall have achieved an absolute majority of votes by the third scrutiny inclusively, in a fourth and final scrutiny, those two only can be presented who in the preceding scrutiny shall have obtained the greater number of votes, the regulation of n.450, III, being maintained.

V. No document of election shall be drawn up, but only the results of the election shall be recorded in the acts of the chapter.

516. The election of diffinitors needs no confirmation so that their authority begins immediately after their election and acceptance.

\* 517. During the chapter, the diffinitors take first place everywhere after the prior provincial, and among themselves according to the order of profession.

\* 518. If, during the chapter, any one of the elected diffinitors should be unable to serve, another can immediately be chosen in his place by the same vocals.

\* 519. I. The election of councillors, if any are to be elected (see n.357), shall be held in the same manner as the election of diffinitors. Substitute provincial councillors shall also be elected in the provincial chapter according to the number and manner indicated by provincial statute; they shall be proposed as substitutes, with the approval of the Master of the Order, for those who leave the council for any reason whatsoever.

II. All brothers enjoying passive voice and assigned in the province can be elected as well as sons of the province assigned to houses or convents under the immediate jurisdiction of the Master of the Order, provided that they do not belong to the general council, even if in the preceding four-year term they exercised the same office under any title whatsoever.

## Art. II -- On Elections for a General Chapter

520. I. A diffinitor of a general chapter is understood to be a brother elected in a provincial chapter of any province, to whom active voice in a general chapter is conferred *ipso iure*.
- II. The socius of a diffinitor, elected in the same manner, has the right of taking his place in case of necessity.
- III. With the same right of taking his place, the socius of a prior provincial going to a general chapter is elected in the same way.
- IV. In an elective general chapter, the socius of a diffinitor considered in n. 407, I, 5 and the socius of a prior provincial considered in n. 407, I, 6, have voice.
- \* 521. I. In every provincial chapter, two diffinitors general and two socii must be elected. Those who have been elected in the first place shall be considered elected for the first chapter in which diffinitors will take part whether it is an elective chapter or a chapter of diffinitors only; those, however, who have been elected in the second place shall be considered elected for the second such chapter unless before exercising their office another provincial chapter shall have intervened.
- II. Three distinct brothers must be elected as socii of the diffinitors and socius of the prior provincial.
522. To be capable of being elected a diffinitor of a general chapter or a socius of a diffinitor or of a prior provincial, it is required that:
1. he is a son of the province or assigned in the province for at least six years if he is not a son of the province;
  2. he shall not have defined or elected under the same title in the immediately preceding general chapter.
  3. That he not be directly assigned in houses under the immediate jurisdiction of the Master of the Order.
- \* 523. All shall be elected one after the other by all the vocals of the chapter. In each election if all the way to the third ballot inclusive, no candidate has achieved an absolute majority, in the fourth and last scrutiny only those two who in the previous scrutiny had the greater number of votes can be voted upon, the prescription of n. 450, paragraph II remaining in force (A-291; O-281)



- \* 524. Testimonial letters, signed by the president (chairman) of the chapter and the diffinitors (see Appendix n. 26) shall be given to those elected as diffinitors of a general chapter and as socii; otherwise, they shall in no way be admitted to the position of diffinitor or to the election of the Master of the Order unless their right shall have been established in some other way.
- \* 525. I. If, before the celebration of a general chapter, an elected diffinitor should perhaps be elected or appointed a prior provincial in his own or in another province or should be impeded in any other way, the socius of the diffinitor shall be substituted in his place *ipso iure*.
  - II. If, however, the socius of a diffinitor or of a prior provincial shall be impeded or not available, in his place shall be substituted one of the diffinitors of the preceding provincial chapter, who has the conditions required in n.522, beginning with the older in the Order.

## **Chapter XXII**

### **ON THE ELECTION OF THE MASTER OF THE ORDER**

- 526. The Master of the Order is always elected in a general chapter convoked especially for that purpose in accord with n.413.
- 527. To be capable of being elected as Master of the Order, it is required that one shall have completed not less than thirty-five years from the time of his birth and ten years from first profession as well as possessing the conditions given in nn. 443 and 459, I.
- 528. The election of the Master of the Order shall be conducted on the fifth day after the opening of the chapter (see n.417, II, 5) even if all the electors shall not have assembled.
- \* 529. On the day before the election, the electors, summoned by the president (praeses), can have a caucus among themselves on the Master to be elected.
- \* 530. On the day of the election or the day before, a Mass of the Holy Spirit shall be celebrated in every convent of the Order.
- \* 531. I. The vicar of the Order shall preside over the election, that is, either the ex-Master of the Order who has left office or the vicar according to our legislation (see n.417).
  - II. The secretary (actuary) of the election shall be the first secretary (actuary) of the chapter.
  - III. The tellers shall be designated in accord with n.448, IV.

- \* 532. The election itself shall be conducted according to n.452 with these exceptions:
  1. the scrutinies must be repeated until some brother is elected by an absolute majority of votes;
  2. the electors shall not leave the chapter room before the new Master has been elected except, however, the tellers to receive the votes of infirm vocals if there should be any;
  3. an official document shall not be drawn up but a faithful report of the whole election with its various scrutinies shall be recorded in the *processus verbalis* of the chapter.
  
- 533. The election of the Master of the Order does not need confirmation.
  
- \* 534. I. The election shall be announced immediately to the one elected who, if he is absent, shall come to the chapter as soon as possible.  
  
II. Unless he has grave reasons, the one elected is bound to accept his election. But if he shall not have accepted and the capitulars shall have permitted this refusal, they must proceed to a new election as soon as possible.
  
- \* 535. After the election has been completed and accepted, all the brethren present in the convent shall be summoned and the name of the one elected shall be disclosed.
  
- \* 536. The Master, if he is present, or as soon as he shall have arrived, shall make the profession of faith in the presence of the chapter before he performs any act as Master of the Order.

## FOURTH SECTION

### ON ECONOMIC ADMINISTRATION

537. Proper administration demands that each and every one of the brethren share in the responsibility for the temporal goods of the community even in the way in which they use them. This implies a genuine relationship to poverty of which it can be called a practical exercise. Officials, however, shall administer economic affairs with diligent care as faithful and prudent servants in the service of charity.

#### Chapter XXIII

### ON THE PRINCIPLES OF ECONOMIC ADMINISTRATION

#### Art. I -- On the Purpose of Administration

538. I. Economic administration deals principally with the material things which are necessary for the daily life of the brethren and their apostolate; it then extends to the buildings in which the community lives and prays, their furnishings and their maintenance. In like manner, prudent administration must also provide in due time a capital reserve for emergencies.
- II. The primary source of all these goods is the diligent work of the brethren and moderation in their use and in expenditures even though we accept the donations of benefactors with a grateful spirit.
- \* 539. I. Since the inordinate accumulation of goods must not be permitted, in the event that in any convent immovable, movable, or capital goods shall be truly superfluous, it is the duty of a provincial chapter to dispose of them, having consulted the council and chapter of the convent.
- II. These goods shall be applied to the needs of one's own province, or, after consulting the Master of the Order, shall be offered to the Order or to a more needy province.

#### Art. II -- On the Subject (or Agent) of Administration

540. Not only the Order, but also each province and convent can acquire, possess, and administer temporal goods.
- \* 541. In this section on economic administration, the word *Order* is taken for the juridical person having, under the immediate jurisdiction of the Master of the Order, convents and institutes equivalent to a province.

542. I. Institutes and projects, although they may belong to a convent, or a province, or the Order, and are under the jurisdiction of the respective superior, can enjoy certain rights according to the statute of administration of a province or of the Order.
- II. In the same manner, their administration can be entrusted to designated officials whether of a convent, or of a province, or of the Order, who shall be considered as delegated administrators.
- III. Within the limits of the statute of administration of a province or of the Order, superiors can appoint an individual brother to complete a particular project.
- \* 543. The Master of the Order and a prior provincial can have a separate personal account for personal and special expenses.
544. Besides superiors and syndics, delegated or appointed administrators, if they have the required approval, can also validly incur expenses and perform juridical acts of ordinary or extraordinary administration.
545. I. If a convent, or a province, or the Order, through its superiors and ordinary or delegated administrators shall have contracted debts and obligations within the limits of their office, the moral person itself is bound to answer for them.
- II. In the same way, if an appointed administrator shall have contracted debts and obligations, that moral person shall answer for them in whose name the transaction took place.
- III. If a brother shall have contracted debts and obligations without any permission of a superior, he himself must answer for them, but not the Order or a province or a convent.

**Art. III -- On the Object of Administration,  
or on the Right to Goods**

546. Unless otherwise determined by a provincial chapter, the following belong to a convent:
1. whatever the brothers assigned there acquire by their work and industry, either in respect to the individual or to the convent as well as their personal compensations of any kind whatsoever, saving nn. 174 and 200,V;
  2. gifts made in favor of the convent;
  3. all the goods legitimately acquired in the course of time, whether they are immovable, or movable, or capital, and their income.

\* 547. When a convent has been suppressed, its goods revert to the province, the requirements of law having been observed.

548. Unless otherwise determined by a provincial chapter, the following belong to a province:

1. the income of the work of the prior provincial;
2. gifts made in favor of the province;
3. gifts made for the education of candidates, novices, and students, as well as for the support of the missions or for other projects which depend on the direction of the province;
4. the income from projects and institutes whose expenses the province has assumed;
5. the income from the work of brethren assigned or working outside their own province, in accord with n.600;
6. inherited goods of any kind whatsoever of the sons of the province as well as free legacies, that is, which are left to the brethren without any intention of the benefactor manifested previously in writing or before witnesses, saving n.200;
7. immovable, movable, or capital goods acquired by a province in the course of time, and their income;
8. taxes imposed on the convents by the provincial chapters.

549. To the Order belong:

1. immovable, movable, and capital goods, both of the Order and of institutes immediately subject to the Master of the Order, and their income;
2. the income of the work of the brethren in those institutes and of those working in the general curia, as well as gifts made to them without any special condition, saving n.600;
3. taxes imposed on provinces by a general chapter;
4. taxes on convents or institutes immediately subject to the Master of the Order, imposed by him with his council;
5. all other income coming in favor of the Order.

## Chapter XXIV

### ON ADMINISTRATIVE PROCEDURE

#### Art. I -- General Rules

550. Temporal goods, both immovable and movable, must be administered according to the norms of ecclesiastical law and our own legislation, as well as according to the special statutes on administration of a province or of the Order.
551. While observing ecclesiastical legislation and our own, all the conditions required by civil law on economic administration shall be observed exactly.
- \* 552. A province, in accord with its needs, must have an administrative statute which shall be part of its general statute in which everything pertaining to the administration of temporal goods shall be determined more precisely. This statute must be included in the acts of a provincial chapter and shall not be changed easily in substance.
- \* 553. In accord with the purpose of n.552, the Order shall have its own administrative statute approved by the Master of the Order with his council.
- \* 554. By ecclesiastical law, the Order, a province, and a convent have their own juridical personality. However, when this is not recognized by the State, they must acquire some civil personality according to the determination of the statute of a province or of the Order.
- \* 555. I. The goods of societies or associations which assume civil legal personality in behalf of a convent, a province, or the Order before the State are really our goods and must be treated as such.
- II. Therefore, the legal representative of the civil person which acts in behalf of a convent, or a province, or of the Order, or of any institution belonging to them can take only those actions which a competent superior or administrator can take according to our law, and he is obliged strictly to execute them not according to his own judgment but according to the direction of the competent official.
- III. The same holds true for other administrators and for each associate who by voting or in any other way shares in administration. For all these, juridical precautions shall be taken lest any harm should arise from the death of a brother or from any other cause.
- IV. If he is a layman, the rights and obligations of a legal representative shall be determined in a special contract.
- \* 556. While maintaining the radical right of convents to administer their own goods, provinces

can decide in their economic statute on partial centralization to bring about better and more efficient administration.

## **Art. II -- On Organizing Administration**

557. While maintaining n. 543, each brother, even if he is a superior, is obliged to hand over to the syndic moneys or compensations of any kind so that they can be recorded accurately in the account books and, saving the rights of any third party, that they can be added to the goods of the community.
- \* 558. All moneys and capital goods of any kind, all income and expenditures shall be recorded accurately in account books. Debits or any other financial obligations, as well as claims or credits, shall also be openly recorded in them.
- \* 559. I. Every syndic or administrator shall have secure and well-ordered files. At the end of his term of office, he shall hand over all the records to his successor.
- II. Administrators appointed for a particular project shall hand over all the records to the proper syndic once it has been completed.
- \* 560. I. Moneys shall be deposited only in banks whose security is established beyond doubt, and, in accord with the purpose of n.555, they shall be deposited in the name of the respective moral person or institute to which they belong.
- II. The bank shall be chosen by the administrator himself with the consent of the superior.
- III. Moneys deposited in banks can be withdrawn only by checks signed at least by the superior and the administrator, together or separately, according to the statute of administration.
- \* 561. No brother shall be permitted to have a personal account in a bank except with the permission of **his** superior. In this case, **another brother designated by the superior** must also have the right to withdraw money. (MC-321; C-193)

## **Art. III -- On Financial Reporting**

562. Every brother who has charge of the administration of goods *ex officio* or by appointment is obliged to give a report on his administration.
- \* 563. I. Every month, the syndic of a convent shall give a report before the council on all revenues and expenses, debits and credits.

- II. Every year, the superior **of a house, the conventual prior, the vicar provincial, and the regional prior** shall send to the prior provincial an accurate and complete report prepared by the syndic in which a budget for the following year is included, made after consultation with the conventual chapter if the provincial chapter shall have determined this and approved by council of the convent **or the vicariate**; copies of this budget shall be kept in the files of each syndic. (O-282)
- \* 564. The annual reports of each convent and institute shall be submitted to the council of the province for examination.
- \* 565. A province shall have a standard form according to which syndics of convents and permanent administrators are obliged to present their economic reports to their respective superiors and councils.
- \* 566. I. Every year, the syndic of the **province, vice-province and general vicariate** shall present to **his respective council** an accurate and complete report on the revenues and expenses, debits and credits of the same entity, on the transactions he has made, and on the economic condition of the entity; he shall also propose a budget or estimate for the following year. All these reports must be approved by the **respective council**. Furthermore, the syndic must submit his economic report **to the superior of the entity** each month. (C-194; B-287)
- II. **In a similar fashion a regional prior and a vicar provincial shall send their prior provincial an accurate report of the economic status approved by their respective council in the same way as is stated in paragraph I.** (C-194; B-287)
- \* 567. I. Each year, a prior provincial, **prior vice-provincial, and a vicar general** should send their economic reports directly to the Master of the Order. (MC-322; Tech change C-199)
- II. Furthermore, each year, a prior provincial, **prior vice-provincial, and a vicar general** should send the Master of the Order a response to the questionnaire concerning major economic matters prepared by the syndic of the Order and approved by the master of the Order. (C-200; B-288)
- \* 568. I. Delegated and appointed administrators must present a report according to the norms established for syndics of a convent or of a province.
- II. Furthermore, when a project has been completed, a delegated administrator shall make a report to the delegating superior with his council.
- \* 569. The syndic of a province or of the Order shall present a report on his administration to the respective chapter.



- \* 570. The syndic of the Order shall present to the Master of the Order and his council a report in the manner established for the syndic of a province.
- \* 571. Superiors of convents and moderators of institutes under the immediate jurisdiction of the Master of the Order shall send accurate reports approved by their respective councils to the Master of the Order in the same manner as stated above in nn. 563 and 565.
- \* 572. A prior provincial and the Master of the Order shall present a report of their personal administration to their respective chapters.

#### **Art. IV -- On Taxes**

- \* 573. I. Taxes shall be imposed by the authority of either a general or a provincial chapter according to the manner determined by them and shall be computed within the ordinary expenses of both convents and provinces.
  - II. The Master of the Order with his council can impose taxes on the convents under his immediate jurisdiction.
- \* 574. I. Taxes shall be devoted to fulfilling the ordinary budget.
  - II. They shall be imposed according to the income of each convent or province while maintaining equity and proportion.
- \* 575. I. Projects which require a greater amount of money shall not depend on ordinary contributions but must be placed in an extraordinary budget. The means necessary for accomplishing such transactions shall be projected in long-range planning, treated below in n.585 and the following.
  - II. Concerning the expenses of a general chapter, the following must be kept in mind:
    1. personal expenses, such as pertain to travel and lodging, shall be borne by each province;
    2. general expenses for a chapter shall be paid proportionately by the general curia and by each province according to the manner established in the chapter itself;
    3. six months before the convocation of a general chapter, the syndic of the Order and the syndic of the convent where the chapter is to be held shall prepare a budget of the chapter expenses to be submitted to the Master of the Order with his council. Afterwards, it shall be sent to each province for consultation.

## Chapter XXV

### ON ADMINISTRATION IN PARTICULAR

#### Art. I -- On Mutual Collaboration between Convents, a Province, and the Order

- \* 576. So that a spirit of poverty and of work may be fostered with fraternal charity and so that everyone's responsibility toward the community may be increased, information shall be given to the chapter of a convent on their own economic condition.
- \* 577. Furthermore, in a manner determined by the prior provincial, the syndic of a province shall give information to the convents on the economic condition of the province.
- \* 578. At the end of the business year, with the approval of the Master of the Order, the syndic of the Order shall send to every prior provincial an informative report on the economic condition of the Order for the previous year in which shall be included particularly any extraordinary budget.
- \* 579. According to the determination of the economic statute, the syndic of a province shall collaborate with all the syndics of the convents to give mutual advice to each other and to consider the problems of administration.
- \* 580. It pertains to the syndic of the Order to examine the economic administration of all the convents and institutes immediately subject to the Master of the Order according to the determination of the Master of the Order.
- \* 581. I. A province must have a council for economic matters composed of the syndic of the province and at least two competent brothers **whose chair is appointed by the provincial chapter**. To this council may be added, if it seems suitable, trustworthy lay experts. ( B-289)
  - II. It will be the duty of the economic council not only to examine all the reports to be submitted to the provincial chapter or even to the provincial council but also to offer help to the provincial council with its consultative vote when treating economic matters of major importance such as the budget, taxes, and long-range plans.
  - III. The norms by which the council for economic matters is governed shall be incorporated in the statute of administration.
- \* 582. There shall also be a council for economic matters in the Order whose chairman *ex officio* is the syndic of the Order and which exercises the same functions as the economic council of a province.

## **Art. II -- On Investments**

- \* 583. I. While preserving the right of the owner even regarding income to be received, if it shall have seemed advantageous to a provincial chapter, financial investments, whether taken narrowly or widely, shall not be made by individual convents but jointly for the whole province.
  - II. The council of the province shall give general rules concerning investments and their unavoidable fluctuations so that the syndic of the province, in collaboration with the economic council and after consulting independent experts, can transact business at an opportune time.
- \* 584. To make and change investments strictly so called, the consent of the provincial council suffices, the prescriptions of common law being observed.

## **Art. III -- On Planning**

- \* 585. I. Since major projects can hardly be undertaken by individual convents or institutes from their own resources and since their completion in most cases requires the united resources of all the members and communities of a province, there must be long-range planning. This planning includes an organization of projects so that one is undertaken after another according to a priority of need and feasibility in such a way that everyone can mutually help one another in sequence.
  - II. Projects of this kind are not only buildings to be constructed or restored or works to be inaugurated which require a great amount of money only once but also those undertakings for which annual subsidies must be assigned.
- \* 586. I. Planning shall be done by a provincial chapter after obtaining a consultative vote of the council for economic matters.
  - II. In planning for the needs of a province or of a particular convent, the rights of convents over their temporal goods, not excluding the transfer or alienation of goods, can be restricted but always after consulting the chapter of the convent concerned.
- \* 587. Before undertaking any major project which requires money whether for its beginning or its future maintenance, it must be clearly indicated in projecting expenses from what source the required money is to be taken.
- \* 588. I. No building shall be constructed unless the considered opinion of experts has been previously obtained on the location and other requirements and before a plan of the whole building along with an estimate of the expenses shall be approved by the provincial council after consultation with the council on economic matters.

Furthermore, it shall be constructed in such a way that it does not need excessive expenses for its ordinary maintenance.

II. Buildings must be constructed in the manner in which they have been approved by the provincial council, and no one is permitted to deviate on his own authority from the plan as it has been approved.

- \* 589. What has been said about constructing buildings holds true, with appropriate modifications, for restoration and extensive repairs as well as for other matters of major importance.

#### **Art. IV -- On the Limitation of Expenses**

- \* 590. It is the duty of a provincial chapter to determine the amount beyond which neither the superior of a convent alone or with his council nor the prior provincial without his council can spend or give permission for spending.
- \* 591. Major projects which require no expenses on the part of the Order because they will be paid with the financial assistance of outsiders also need due consent in accord with n.590 and the preceding article.
- \* 592. It is the duty of a general chapter to determine the amount beyond which the Master of the Order cannot give permission for spending without his council.

#### **Art. V -- On Mass Stipends**

- 593. The brethren must give the Mass stipends they have received to the major sacristan, who will record them accurately in a special book, indicating the date they were received, the number, the intention, conditions, the amount offered, and the date they were celebrated.
- \* 594. The major sacristan shall have a special account for keeping the stipends of Masses to be celebrated and only after their celebration may the money be transferred to the common account. Every month he shall present a report to the conventual council on the Masses celebrated and to be celebrated.
- \* 595. Stipends for Masses which cannot be celebrated in due time by the priests of a convent shall be sent to the prior provincial, and those which are in abundance in the province shall be sent to the Master of the Order.

## **Art. VI -- On Pious Foundations and Restricted Gifts**

- \* 596. I. Only moral persons in the Order and not individual brothers are permitted, with the consent of their respective councils, to accept pious foundations or other gifts with prolonged and burdensome obligations.  
  
II. Furthermore, every acceptance of a burdensome obligation requires the consent of the provincial council, and those which impose a prolonged obligation shall not be accepted easily.
- \* 597. Conditions and obligations shall be recorded in writing in duplicate copies: one copy shall be preserved in the archives of the province and the other in the convent concerned.

## **Art. VII -- On Some Particular Cases**

- 598. Needed money shall be given by their superior to the brethren when traveling. After the completion of the journey they shall give him a report on that money and any other received while outside the house.
- \* 599. The brethren who are guests in a convent of the Order shall pay a suitable amount for lodging or not according to the legitimate custom of the province or of the convent.
- \* 600. If brothers live or work in another province, whether they are assigned to it or not, the priors provincial concerned shall by mutual consent or by contract agree on their economic situation. They shall determine what expenses incurred on their behalf must be repaid to the province in which they are living or, on the other hand, what compensation for work they have done must be remitted to the province from which they came.
- \* 601. When brothers permanently exercise some office or perform work in institutions, projects, or other establishments of this kind which do not belong to convents or provinces of the Order, the prior provincial shall be careful to enter a contract in which all the conditions are accurately established.

## **Art. VIII -- On Publishing Books**

- \* 602. Whenever a book is to be published, a written contract must be made.
- \* 603. When possible, all contracts shall be made in the name of the moral person recognized by law, and one copy, moreover, shall be kept in the file of the syndic of the province or of the Order respectively.

- \* 604. In the economic statute, more precise determinations shall be made for publishing books such as: on the expenses to be incurred, on the conditions to be attached, and on the disposal of the author's earnings even after his death.
- \* 605. A province shall devote attention to the publication of books of valuable scientific endeavor even though the cost may exceed anticipated profit.

### **Art. IX -- On Contracts**

- 606. All contracts of any importance on economic matters shall be made in writing according to the norms established in the administrative statute of the province.
- 607. I. Debts and financial obligations shall not be allowed to be contracted unless it is established with certainty that interest on the debt can be paid from regular income, and the principal can be repaid by amortization within not too long a period of time.
- II. In petitions for obtaining consent to contract debts or obligations, all other debts and obligations with which the contracting party is burdened to that date without any exception must be declared; otherwise the permission obtained is invalid.
- III. Contracts for debts or obligations to be incurred shall be submitted to the examination of the economic council.
- \* 608. I. To alienate immovable or movable property of particular value it is also required that the economic council of the province examine whether there is just cause for this, make a written evaluation of the matter and indicate a fair price to be obtained after consulting lay experts as well if that is necessary.
- II. Contracts for renting generally cannot be made without the previous consultation of the economic council. Furthermore, a superior cannot make a rental contract without the consent of his council.
- \* 609. I. Contracts of alienation, rental and, indeed, for an agreed annual payment, or of debts and obligations to be incurred, are subject to the rules on the limitation of expenses mentioned in nn. 590 and 592.
- II. In these contracts, however, the prior provincial with his council can give consent up to the highest amount defined by the Holy See for each region (see Can. 638,3). Otherwise, recourse to the Master of the Order is required.

## **Art. X -- On Insurance**

- \* 610. All convents, provinces, and the Order must obtain necessary insurance.
- \* 611. In countries where medical insurance is mandatory, or insurance for old age, for accidents, for physical disability, for personal injury liability, etc., the brethren shall not fail to obtain such insurance.
- \* 612. It is absolutely necessary to obtain insurance for injuries that might be inflicted on outsiders. It is not permissible for any brother to drive motor vehicles unless such insurance shall be maintained.
- \* 613. Required insurance and the ways in which it shall be obtained shall be determined in the administrative statute of the province.

## **Art. XI -- On Lay Employees**

- \* 614. Superiors must pay employees a just wage, and civil laws, especially social laws concerning insurance, taxes, and other matters of this kind, must be strictly observed.
- \* 615. In areas where the social laws referred to above are lacking, superiors must provide for the security of employees according to social justice.

## **Art. XII -- On the Administration of the Goods of Externs**

- \* 616. No one, not even a superior, shall accept deposits of money of persons outside the Order, or certificates having monetary value, or precious objects except for a grave and urgent reason and with the consent of the council.
- 617. I. No brother shall take any part in the administration of goods belonging to people outside the Order, whether they are physical or moral persons, except in an exceptional case and then with the permission of the prior provincial.
- II. If an obligation of presenting a report is attached to this administration, then permission should be granted by the prior provincial with greater reluctance and strictly for the time required.

### Art. XIII -- On Charitable Gifts

618. With the superior's consent, a community, from the goods which divine Providence has bestowed on it, "should contribute willingly for the other needs of the Church and for the support of the poor, whom all religious should love in the heart of Christ."<sup>34</sup>
- \* 619. Since the brethren are debtors to all in Christ, they should develop a spirit of liberality which is recognized in compassion and not in the size of gifts. Let those who are moved by charity to act generously remember to observe the order of charity and never forget the communities of the brethren who suffer need.

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<sup>34</sup> Decree *Perfectae Caritatis*, n. 13



## **APPENDICES**

The following sections have directive force unless either by their nature (privileges, for example) or by a determination of our legislation they have binding force.

**APPENDIX 1: On the nature of constitutions, ordinations, and declarations**  
(LCO 1, IX; 275, I)

From number 85 of the Acts of the General Chapter celebrated in River Forest in 1968:

**Constitutions** are the fundamental laws of the Order, that is, evangelical and theological principles, as well as determinations about the nature and purpose, the way of life, and the government of the Order.

Other particular norms which, in view of the times, are given for the application or execution of the Constitutions are called **ordinations**.

**Declarations** which are made in the acts of chapters are either interpretations of laws or suspensions of their obligations.

**APPENDIX 2: On ordinations in the *Book of Constitutions and Ordinations* and in general chapters (LCO 1, IX; 285)**

From numbers 29 to 32 of the Acts of the General Chapter celebrated at Madonna dell'Arco in 1974:

We declare that the computation of two general chapters which are required according to the norm of LCO 285, II, for the **definitive abrogation of an ordination** found in the same LCO, begins from the general chapter celebrated in Tallaght in 1971 or from subsequent general chapters in such a way that if the **revocation of an ordination** was made in the Chapter at Tallaght, the **definitive abrogation** can take place in the present General Chapter; but if a revocation is made in this Chapter [Madonna dell'Arco], **definitive abrogation of the given ordination** can take place in the following general chapter. And thus the procedure continues on.

We declare that the computation of general chapters which are required according to the norm of LCO 285, I, for **inserting an ordination** in the same LCO, begins from the General Chapter celebrated at Tallaght in 1971, or from subsequent general chapters, in such a way that if **an ordination made in the Chapter at Tallaght** remains in effect through five continuous general chapters and is approved in the sixth chapter, it must be inserted in LCO; but if **an ordination** shall have been made in the present General Chapter, then the computation of general chapters is to begin from this Chapter. And thus the procedure continues on.

We declare that the word "ordinations" contained in LCO 285, i, is to be understood both as **ordinations of general chapters which change or replace the text of ordinations found in LCO** and as **those which determine something different** that are placed in various sections in the acts of general chapters according to the diversity of subject matter.

We declare that the term "ordinations which are found in the book of constitutions and ordinations" contained in LCO 285,II, is to be understood as **ordinations printed in italics (in the Latin version) [N.B. In the English version they are marked with an asterisk.] which, in fact, are found in LCO.** Ordinations of this kind **remain in LCO** unless they are abrogated.

**APPENDIX 3:        On the habit**  
(LCO 50)

The tunic, closed in the front and back, is to reach to the ankles inclusively and no lower. The cappa should be four fingers shorter than the tunic, and the scapular a little shorter than the cappa and of such width as to cover the juncture of the sleeves with the tunic.

The opening of both the white and the black capuce shall not be more than a palm's breadth longer than the face. It shall not come down farther than the breastbone in front, and at the back not farther than four fingers below the belt; at the sides it shall extend from the shoulders no lower than halfway down the bone that is between the arm-pit and the elbow.

[NOTE: Additional details on the color of shoes and of clothing worn under the habit, on simplicity of hairstyle, and on the need to obtain the provincial's permission to wear a beard were suppressed by ordination of the General Chapter celebrated at Madonna dell'Arco in 1974 (*Acta*, p. 163).]

**APPENDIX 4:       Associations attached to the Order**  
(LCO 152)

The Associations of the Order are those of:

the Most Holy Name of Jesus;  
the Most Holy Rosary, as well as the Perpetual and Living Rosary;  
the Angelic Warfare;  
Blessed Imelda.

**APPENDIX 5: Declaration and protestation for admission to the Order or to simple or solemn profession (LCO 174, I-II; 191, I)**

We declare to you that after your profession you will be obliged to the observance of the three vows, namely, of obedience, chastity, and poverty. Also that you will be held to the observance of the laws of the Order; and that, finally, your profession will be null and void if you have kept silent or answered untruthfully about any grave impediment of health because of which you would have been rightfully rejected.

We also declare to you that you will be able to receive no payment for any kind of work whatsoever that you may have done for the Order.

Brother \_\_\_\_\_, O.P.  
Prior

Brother \_\_\_\_\_  
(the candidate)

Brother \_\_\_\_\_, O.P.  
witness

Brother \_\_\_\_\_, O.P.  
witness

**Before profession, whether simple or solemn, this declaration and protestation is to be made in the same manner.**

**APPENDIX 6: Testimonial statement on the beginning of the novitiate**  
(LCO 178, II)

I, Brother (religious and family name), also known as (full baptismal name), born in (city or town) in the Diocese of (name of Diocese) on (month, date, year), the son of (father's name) and (mother's maiden name) do attest that in the year of our Lord (year) on (month, date) freely and without any force or fear, I began my novitiate in the Order of Preachers upon notice given by Brother (Prior's name), Prior of this Convent of \_\_\_\_\_, for the Province of \_\_\_\_\_, under Brother \_\_\_\_\_, Master of the Order, and Brother \_\_\_\_\_, Prior Provincial of the same Province.

Brother \_\_\_\_\_, O.P.  
(novice)

Brother \_\_\_\_\_, O.P.  
witness

Brother \_\_\_\_\_, O.P.  
witness

SO IT IS:  
Brother \_\_\_\_\_, O.P.  
(Prior)

**APPENDIX 7: Letter of appointment for a master of novices if this must be done outside a provincial chapter (LCO 182, I; 213, III)**

I, Brother \_\_\_\_\_, of the Order of Preachers, Prior Provincial of the Province of \_\_\_\_\_, to our beloved Brother \_\_\_\_\_ of the same Order.

Since the approved formation of novices [students] is of vital importance for the growth of the Order, by the authority of my office and with the consent of the Council of the Province, I appoint you, Brother \_\_\_\_\_, as Master of Novices [Students] in the Convent of \_\_\_\_\_ with all the rights and authority pertaining to this office both from common law and our laws as well as from approved custom, and I order you in virtue of obedience to accept this office and, with the help of divine grace, to execute it to the best of your ability diligently and faithfully under the patronage of the Blessed Virgin Mary and of Blessed Dominic, our Father.

Given at \_\_\_\_\_ (city or town) \_\_\_\_\_, in our Convent of \_\_\_\_\_ under the seal of the Province, on the \_\_\_\_\_ day of the month of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_

(seal of the province) Brother \_\_\_\_\_, O.P.  
Prior Provincial

Brother \_\_\_\_\_, O.P.  
Secretary

**The same formula is to be used (with appropriate changes) for the appointment of a master of student brothers or cooperator brothers.**





**APPENDIX 9: Testimonial statement on the renewal of simple profession  
(LCO 203, I)**

I, Brother (religious and family name), also known as (full baptismal name), do attest that in the year of our Lord (year) on (month, date), before the witnesses signed below, I renewed profession for three years (**OR:** (for a particular period of time)), in the hands of Brother \_\_\_\_\_, Prior of this convent.

Brother \_\_\_\_\_, O.P.

Brother \_\_\_\_\_, O.P.  
witness

Brother \_\_\_\_\_, O.P.  
witness

SO IT IS:

Brother \_\_\_\_\_, O.P.  
(Prior)

**APPENDIX 10: Dimissorial letter for those to be ordained**  
(LCO 248, I)

I, Brother \_\_\_\_\_, of the Order of Preachers, Prior Provincial of the Province of \_\_\_\_\_, to our beloved Brother \_\_\_\_\_ of the same Order.

Since our Order was principally instituted for the salvation of souls, and since I know that you, solemnly professed in our Order, have been duly proposed by vote of the Prior and the brothers of the Council of your convent for the sacred order of \_\_\_\_\_, and further that you possess all that is required by common law and by our laws for the reception of the aforesaid order; according also to the privileges and indults conceded by the Holy See to our Order, I command, in virtue of obedience, that you present yourself to the Most Reverend \_\_\_\_\_ (or His Eminence, Cardinal ), (Arch)Bishop of \_\_\_\_\_

, whom I have humbly asked (to dispense from the interstices and) to promote you to the order for which you have been approved and to grant you testimonial letters of your promotion.

Given at \_\_\_\_\_, in our Convent of \_\_\_\_\_, under the seal

(city or town)

of the Province, on the \_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord \_\_\_\_

Brother \_\_\_\_\_, O.P.

Prior Provincial

(seal of the Province)

Brother \_\_\_\_\_, O.P.

Secretary

**APPENDIX 11: List of provinces of the Order, vice-provinces, and general vicariates  
(LCO 259, I)**

**PROVINCES**

1. Spain
2. Toulouse
3. France
4. St. Dominic in Italy
5. Roman Province of St. Catherine of Siena
6. St. Thomas Aquinas in Italy
7. Germany
8. England
9. Poland
10. Aragon (Valencia)
11. Bohemia
12. Croatia: Annunciation of the B.V.M.
13. Portugal
14. Betica (Granada)
15. Netherlands
16. Ireland
17. St. James in Mexico
18. St. John Baptist in Peru
19. St. Louis Bertrand in Colombia
20. St. Catherine of Siena in Ecuador
21. Our Lady of the Rosary (Spain and the Orient)
22. St. Rose in Flanders
23. St. Augustine in Argentina
24. St. Joseph (U.S.A.)
25. St. Pius V in Malta
26. St. Dominic in Canada
27. Holy Name of Jesus (U.S.A.)
28. Upper Germany and Austria
29. St. Albert the Great (U.S.A.)
30. Assumption of the B.V.M. (Australia and New Zealand)
31. Friar Bartholomew De Las Casas in Brazil
32. Annunciation of the B.V.M. in Switzerland
33. Queen of Martyrs in Vietnam
34. Philippines
35. St. Martin de Porres (U.S.A.)
36. St. Joseph the Worker (Nigeria & Ghana)

37. India

### **VICE-PROVINCES**

1. Son of Mary in Pakistan
2. St. Vincent Ferrer in Central America
3. Our Lady of the Rosary in Slovakia

### **GENERAL VICARIATES**

1. Hungary
2. St. Lawrence the Martyr in Chile
3. St. Thomas Aquinas in Belgium
4. Democratic Republic of Congo
5. South Africa.
6. Queen of China (Taiwan)
7. Guardian Angels (Estonia, Latvia, Lithuania, Bielorussia)
8. Russia & the Ukraine
9. Holy Cross in Puerto Rico

**APPENDIX 12: Letter of Assignment (*mandamus*)**  
(LCO 271, III)

I, Brother \_\_\_\_\_, O.P. Prior Provincial of the Province of \_\_\_\_\_

,  
to our beloved Brother \_\_\_\_\_.

Considering the needs of the Province and your ability in the service of Christ, by virtue of this document, revoking your former assignment from the convent (or house) in which you are presently assigned, I as- sign you simply to the convent (or house) of \_\_\_\_\_, and I direct the superior of the aforesaid convent (or house) to receive you kindly and treat you charitably, as legitimately assigned.

Given at \_\_\_\_\_, in the Convent of \_\_\_\_\_, under the seal of  
(city or town)

the Province, on the \_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_

(seal of the province)

Brother \_\_\_\_\_, O.P.

Prior Provincial

Brother \_\_\_\_\_, O.P.

Secretary

**APPENDIX 13:        Norms and uses of privileges**  
(LCO 275, I)

1. The Master of the Order, by apostolic authority (see Bull of Julius II, December 14, 1509), for the peace of conscience of the brethren, is able to interpret declaratively not only our constitutions but also any privileges granted or to be granted by the Holy See.
2. Among these privileges is this: that the authentic interpretation of the privileges which have been granted to our Order or to regulars in general by the Holy See is reserved to the Holy See, excluding the rights of Ordinaries or of lesser judges to interpret them.
3. Our brethren are to use the privileges granted by the Holy See not in a spirit of singularity but for the good of the Church and the Order.
4. Neither the brethren nor superiors can validly renounce privileges originating from the Holy See; certainly not by way of law without the authority and assent of a general chapter.



**APPENDIX 14: Basic documents to be preserved in provincial archives  
(LCO 383)**

- Acts of the Holy See and of the Master of the Order received by the prior provincial;
- authentic acts, official reports (*processus verbales*) and documents from provincial chapters;
- record of provincial council deliberations;
- basic acts and record of accomplishments of the prior provincial;
- meetings with local ordinaries;
- authentic documents on regional or conventual elections;
- reports from conventual priors, both annual reports and reports at the end of their terms;
- contracts and documents on economic administration;
- a copy of various reports sent to the Master of the Order;
  - a) whether of the prior provincial himself after canonical visitation or at the end of his term, or for a general chapter,
  - b) or on studies, the missions, economic administration, etc.

**APPENDIX 15: Official report (*processus verbalis*) of the election or postulation of a conventual prior (LCO 453, I; 480, II, 2; 482)**

Since the office of prior in our convent is vacant after the completion of the three-year term in this office of Brother \_\_\_\_\_ (or, **for some other specific reason**), we have been anxious to provide for the office of prior. Therefore, with the expectation of each and every one of those to whom this pertains or was thought to pertain, having been summoned by me, Brother \_\_\_\_\_, chairman of the election, we conducted this election according to the norm of number 452 of the *Book of Constitutions and Ordinations*.

In a single scrutiny, Brother \_\_\_\_\_ was elected Secretary of this elective assembly.

In a single scrutiny, Brother \_\_\_\_\_ and Brother \_\_\_\_\_, were elected Tellers of this assembly.

Since we were (**give total number**) vocals, namely:

Brother \_\_\_\_\_, Chairman (Praeses) of the election

Brother \_\_\_\_\_,

Brother \_\_\_\_\_, etc.

**Complete the List of Names of All Vocals Present in Order of Religion**

In the first scrutiny, the results were:

Brother \_\_\_\_\_: (**total number**) votes

Brother \_\_\_\_\_: (**total number**) votes etc.

**Give The Complete Results of The First Scrutiny**

In the second scrutiny, the results were:

**Give the Results of the Second Scrutiny as Above, and Continue in This Fashion Through The Final Scrutiny (Not Beyond The Seventh).**

Consequently, the requisite majority having been obtained for election (or, **postulation**), I (or, **the first teller, if the chairman is elected**) have declared Brother \_\_\_\_\_ to have been elected (or, **postulated**) prior of this convent.

Since our election (or, **postulation**) was completed properly and since it concerns a person suited for the office, we ask that you (in the case of a postulation, add: **a dispensation having been given for [cause]**), deign to approve the election and confirm the brother elected (or, **postulated**) and allow him to be our prior.\*

Appendix 15 continues

Given in our Convent of \_\_\_\_\_, on the \_\_\_\_ day of the month of \_\_\_\_\_ in  
the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_ signature \_\_\_\_\_, O.P.  
Chairman (Praeses) of the election

Brother \_\_\_\_\_ signature \_\_\_\_\_, O.P.  
First Teller

Brother \_\_\_\_\_, O.P.  
Second Teller

Brother \_\_\_\_\_, O.P.  
Secretary

\* NOTE: If there have been seven futile scrutinies, the *processus* concludes thus:

Since, therefore, the requisite majority was not obtained on this seventh and final scrutiny, the appointment of a conventual prior falls to you according to the norm of number 474, 5, of the *Book of Constitutions and Ordinations*, we ask that you deign to appoint a prior for our convent.

Given in our Convent of, etc., etc. (as above).

**The official report (processus verbalis) of the election of a regional prior or vicar provincial is prepared in the same way (with appropriate modifications) when the election is held in a special congregation of all the vocals.**

**APPENDIX 16:            On habitual residence**  
(LCO 458)

From the Acts of the General Chapter celebrated at Tallaght in 1971 (n.159):

We declare that the term **habitual residence** must refer to the residence which a brother has in any place by reason of employment and for a period of time which is extended longer than in the house of his assignment; but not, however, to the residence which perhaps he has for a long time by reason of sickness, recuperative apostolate, etc., since in this case it is clear that his residence must be considered to be the convent of his assignment.

**APPENDIX 17: Letter of confirmation of an elected or postulated prior**  
(LCO 465; 481, I; 482)

I, Brother \_\_\_\_\_, prior provincial of the Province of \_\_\_\_\_, to our beloved Brother \_\_\_\_\_.

Because our convent of \_\_\_\_\_ presently lacks a prior, the vocals of the aforesaid convent gathered to provide a suitable leader for their convent. Knowing your suitability, they have recently canonically elected [postulated] you and have asked me to honor their election [postulation] with approval and confirmation. Having sufficient confidence in you for this office, and having consulted with other Peruvian brothers, I am inclined to the choice of the vocals and have decided to approve the aforesaid election [postulation].

Wherefore, by virtue of this document, I confirm you, Brother \_\_\_\_\_, as prior of the aforesaid Convent of \_\_\_\_\_ and order you in virtue of obedience to accept this office of prior within five days and prepare yourself for its execution or to refuse the same office. By the same order each and every brother assigned to the aforesaid Convent is to receive you, after your acceptance, as their true and legitimate prior.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Given at \_\_\_\_\_ (city or town), in the Convent of \_\_\_\_\_, under the seal of the Province on the \_\_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_.

(seal of the Province) Brother \_\_\_\_\_ (Prior Provincial), O.P.

Brother \_\_\_\_\_ (Secretary), O.P.

**Subsequently this document is signed in the following manner:**

I have \_\_\_\_\_ accepted \_\_\_\_\_ election  
this \_\_\_\_\_ on the \_\_\_\_\_ day of the month  
refused \_\_\_\_\_ postulation  
of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.

Brother \_\_\_\_\_ witness \_\_\_\_\_, O.P.

Brother \_\_\_\_\_ witness \_\_\_\_\_, O.P.

**The letter of confirmation of a regional prior or vicar provincial is prepared and signed in the same way (with appropriate modifications).**

**APPENDIX 18: Profession of faith**  
(LCO 471)

I, Brother \_\_\_\_\_, with firm faith believe and profess each and every item contained in the Creed, namely:

I believe in one God, the Father Almighty, maker of heaven and earth, of all that is seen and unseen.

I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in being with the Father. Through him all things were made. For us men and for our salvation he came down from heaven: by the power of the Holy Spirit he was born of the Virgin Mary and became man. For our sake he was crucified under Pontius Pilate; he suffered, died, and was buried. On the third day, he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end.

I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshipped and glorified. He has spoken through the prophets.

I believe in one, holy, catholic, and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead and the life of the world to come. Amen.

I also firmly embrace and hold each and every doctrine asserted or declared by the Church concerning faith or morals, whether defined by solemn definition or by her ordinary teaching authority, just as they are proposed by her, especially those teachings which relate to the mystery of Christ's Holy Church, her sacraments and the Sacrifice of the Mass, and the Primacy of the Roman Pontiff.

**APPENDIX 19: Letter of cassation of an election or postulation of a conventual prior (LCO 473; 481, I; 482)**

I, Brother \_\_\_\_\_, prior provincial of the Province of \_\_\_\_\_, by virtue of this document, do hereby cassate the election [postulation] of Brother \_\_\_\_\_ as prior of the Convent of \_\_\_\_\_ simply (or, **because of defect committed in the form of the election or postulation**).

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

I order, then, the vocals of the aforesaid convent at a time and in the form prescribed by our laws, to proceed with a new election.

Given at \_\_\_\_\_ (city), in the Convent of \_\_\_\_\_, under the seal of the Province, on the \_\_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.  
Prior Provincial

(seal of the Province)

Brother \_\_\_\_\_, O.P.  
Secretary

**A letter cassating the election of a regional prior or vicar provincial is prepared in the same way (with appropriate modifications).**

**APPENDIX 20: Letter of appointment of a conventual prior**  
(LCO 474; 481, II; 482)

I, Brother \_\_\_\_\_, prior provincial of the Province of \_\_\_\_\_, to our beloved Brother \_\_\_\_\_.

Since the office of prior at our Convent of \_\_\_\_\_ remains vacant after seven futile scrutinies (or, **because of some other reason**), and since it now pertains to me to provide a prior for the aforesaid convent, I have been anxious to make the necessary appointment as soon as possible. Wherefore, with the consent of the council of the province, I have chosen you, Brother \_\_\_\_\_, for this task.

Consequently, by virtue of this document, I appoint you, Brother \_\_\_\_\_, as prior of the aforesaid convent of \_\_\_\_\_ and order you in virtue of obedience to accept this office of prior within five days and prepare yourself for its execution or to refuse the same office. By the same order each and every brother assigned to the aforesaid convent is to receive you, after your acceptance, as their true and legitimate prior.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Given at \_\_\_\_\_, in the Convent of \_\_\_\_\_, under the seal of the Province, on the \_\_\_ day of the month of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

(seal of the Province) Brother Prior Provincial, O.P.

Brother Secretary, O.P.

**Subsequently, this document is signed in the following manner:**

I have \_\_\_\_\_  
accepted  
this appointment on the \_\_\_\_\_ day of the month of \_\_\_\_\_  
refused

in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.

Brother witness, O.P. Brother witness, O.P.

**The letter appointing a regional prior or vicar provincial is prepared and signed in the same way (with appropriate modifications).**



**APPENDIX 21: Official report (processus verbalis) of the election or postulation of a regional prior conducted by mail. (LCO 480, IV, 5-8)**

**1. Sample form for the first scrutiny:**

Upon the completion of the four-year term of Brother \_\_\_\_\_ in the office of superior of our regional vicariate of \_\_\_\_\_, we have been anxious to provide for a new regional prior. Consequently, according to the decision of the council of the province (or, **of the regional council**), we have conducted this election by mail according to the norm of LCO 480, IV. The time designated for the return of the mailed ballots having elapsed, I, Brother \_\_\_\_\_, chairman (praeses) of the election, and the members of the regional council carried out this scrutiny.

Since we were (**give total number**) vocals, namely:

- 1) Brother \_\_\_\_\_ . O.P.
- 2) Brother \_\_\_\_\_, O.P. etc.

**COMPLETE THE LIST OF NAMES OF ALL VOCALS IN ORDER OF RELIGION**

in this scrutiny, the results were:

- Brother \_\_\_\_\_ number of votes
- Brother \_\_\_\_\_ X votes
- Brother \_\_\_\_\_ X votes etc.

**If the requisite majority has been obtained in this scrutiny, the official report (processus verbalis) continues in this manner:**

Consequently, the requisite majority for election (or, **postulation**) having been obtained, I (or, if the chairman himself has been elected or postulated, the older of the councillors) have declared Brother \_\_\_\_\_ to have been elected regional prior of our vicariate.



3. **Sample form for the second, or third, or fourth and final scrutiny:**

Upon the completion of the four-year term of Brother \_\_\_\_\_ in the office of superior of our regional vicariate of \_\_\_\_\_, we have been anxious to provide for a new regional prior. After the first futile scrutiny (or the second, or third futile scrutiny), held on the \_\_\_\_ day of the month of \_\_\_\_\_, we were obliged to proceed to the final scrutiny that the regional prior might be elected between Brother Albert N. \_\_\_\_\_ and Brother Francis N. \_\_\_\_\_ who carried the larger numbers of votes in the preceding scrutiny. Therefore, the time designated by us for the return of the mailed ballots having elapsed, I, Brother \_\_\_\_\_, chairman (praeses) of the election, and the members of the regional council, carried out this final scrutiny.

Since we were (**give total number**) vocals, namely:

1. Brother \_\_\_\_\_, O.P.
2. Brother \_\_\_\_\_, etc.

in this scrutiny, the results were:

Brother \_\_\_\_\_ X votes

Brother \_\_\_\_\_ X votes etc.

(There were also X null and void votes, namely X votes for Brother Peter N.\_\_\_\_, etc.)

Consequently, the requisite majority for election (or, **postulation**) having been obtained ....

**FOLLOW THE SAMPLE FORM ABOVE IN #1 FOR COMPLETING THE REPORT**

**APPENDIX 22: Letter of appointment of a vicar provincial in a provincial vicariate  
(LCO 483)**

I, Brother \_\_\_\_\_, Prior Provincial of the Province of \_\_\_\_\_, to our beloved Brother \_\_\_\_\_.

Having heard the recommendation of the vocals of our provincial vicariate of \_\_\_\_\_ in accord with the norm of LCO 483, by virtue of this document, I appoint you, Brother \_\_\_\_\_, as Vicar of the aforesaid vicariate, and order you in virtue of obedience....

COMPLETE THE FORM ACCORDING TO THE SAMPLE GIVEN IN APPENDIX 20

(seal of the Province)

**APPENDIX 23: Testimonial letter of the socius of a prior going to a provincial chapter. (LCO 495)**

We, the undersigned, testify that, all the requirements of law having been observed, Brother \_\_\_\_\_ has been elected as the Socius of our Prior, Brother \_\_\_\_\_, going to the Provincial Chapter to be celebrated this year in the Convent of \_\_\_\_\_. We request, therefore, that he be admitted as the proper Socius to vote in the Provincial Chapter.

Given at \_\_\_\_\_ (city) \_\_\_\_\_, in the Convent of \_\_\_\_\_, on the \_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.  
Subprior, chairman of the election

Brother \_\_\_\_\_, O.P.  
First Teller

Brother \_\_\_\_\_, O.P.  
Second Teller

Brother \_\_\_\_\_, O.P.  
Secretary

**APPENDIX 24: Testimonial letter of a delegate to a provincial chapter  
(LCO 500)**

We, the undersigned, testify that, all the requirements of law having been observed, Brother \_\_\_\_\_ has been elected Delegate from the first (or, **second**, or, **third ....**) electoral college to the Provincial Chapter to be celebrated this year in the Convent of \_\_\_\_\_. We request, therefore, that he be admitted as a proper delegate to vote in the Provincial Chapter.

Given at \_\_\_ (city) \_\_\_, in the Convent of \_\_\_\_\_, under the seal of the Province, on the \_\_\_ day of the month of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.  
Prior Provincial

(seal of the Province)

Brother \_\_\_\_\_, O.P.  
Provincial Council Member

Brother \_\_\_\_\_, O.P.  
Provincial Council Member

Brother \_\_\_\_\_, O.P.  
Secretary

**APPENDIX 25: Official report (*processus verbalis*) of the election or postulation of a prior provincial (LCO 508, II)**

Since the office of prior provincial of our Province of \_\_\_\_\_ is vacant after the completion of the four-year term of Brother \_\_\_\_\_ (or, **for some other specific reason**), we have been anxious to elect a new prior provincial. Therefore, on the day assigned in the Statute of the Province (or **on the day designated by the Master of the Order for this extraordinary provincial chapter**), we conducted this election according to the norm of number 452 of the *Book of Constitutions and Ordinations*.

Since we were (**give total number**) vocals, namely:

- 1) Brother \_\_\_\_\_, O.P., Vicar of the Province
- 2) Brother \_\_\_\_\_, O.P.
- 3) Brother \_\_\_\_\_, O.P. etc.

COMPLETE THE LIST OF NAMES OF ALL VOCALS ACCORDING TO THE PROPER ORDER OF SENIORITY FOR A PROVINCIAL CHAPTER.

In the first scrutiny, the results were:

Brother N.\_\_\_\_\_: X votes  
Brother N.\_\_\_\_\_: X votes etc.

[And there were X number of null and void votes.]

GIVE THE COMPLETE RESULTS OF THE FIRST SCRUTINY.

In the second scrutiny, the results were:

GIVE THE RESULTS OF THIS SECOND SCRUTINY AS ABOVE, AND CONTINUE IN THIS FASHION THROUGH THE FINAL SCRUTINY (NOT BEYOND THE SEVENTH).

Consequently, the requisite majority for election (or, **postulation**) having been obtained in this second (or **third**, or **fourth**, etc.) scrutiny, I, Brother \_\_\_\_\_, chairman (praeses) of the chapter (or, **if the chairman himself shall been elected or postulated, the first teller**), have declared Brother \_\_\_\_\_ to have been elected (or, **postulated**) Prior Provincial of the Province of \_\_\_\_\_.

Therefore, since our election (or, **postulation**) was completed properly, and since it concerns a person suited for the office, we ask Your Paternity that (in the case of a postulation, add: **a dispensation having been given for [cause]**) you deign to approve the election and confirm the brother elected (or, **postulated**) as our prior provincial.

Given at \_\_\_\_ city \_\_\_\_\_, in our Convent of \_\_\_\_\_, under the seal of the Province, on the \_\_ day of the month of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_

Brother \_\_\_\_\_, O.P.  
Chairman (Praeses) of the Chapter  
(seal of the Province)

Brother \_\_\_\_\_, O.P.  
First Teller

Brother \_\_\_\_\_, O.P.  
Secretary

Brother \_\_\_\_\_, O.P.  
Second Teller

[NOTE: If there have been seven futile scrutinies, the *processus* concludes thus:

Since, therefore, the requisite majority was not obtained on this final scrutiny, the appointment of a prior provincial falls to the Master of the Order according to the norm of number 512, I, 1 of the *Book of Constitutions and Ordinations*, we ask Your Paternity to deign to appoint a prior provincial for our province.

Given at \_\_\_\_ city \_\_\_\_\_, in our Convent of \_\_\_\_\_, under the seal of the Province, on the \_\_\_\_ day of the month of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.  
Chairman (Praeses) of the Chapter  
(seal of the Province)

Brother \_\_\_\_\_, O.P.  
First Teller

Brother \_\_\_\_\_, O.P.  
Secretary

Brother \_\_\_\_\_, O.P.  
Second Teller



**APPENDIX 26: Testimonial letter for a general chapter**  
(LCO 524)

We, the undersigned, testify that, all the requirements of law having been observed, Brother \_\_\_\_\_ has been elected diffinitor (or socius of the diffinitor) of the first (or second) general chapter (or as socius of the prior provincial going to a general chapter).

We request, therefore, that he be admitted to all the deliberations which correspond to this distinguished office, in the respective general chapter to come.

Given at \_\_\_\_ city \_\_\_\_, in the Convent of \_\_\_\_\_, under the seal of the Province, on this \_\_\_\_ day of the month of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

Brother \_\_\_\_\_, O.P.  
First Diffinitor of the Chapter

Brother \_\_\_\_\_, O.P.  
Second Diffinitor of the Chapter

(seal of the Province)

etc. ....

Brother \_\_\_\_\_, O.P.  
Chairman (Praeses) of the election

Brother \_\_\_\_\_, O.P.  
Secretary

**APPENDIX 27: Reports to be sent regularly to Superiors**  
(See Appendix 14)

**WITHIN A PRIORY**

<b>BY WHOM</b>	<b>TO WHOM</b>	<b>WHEN</b>	<b>SUBJECT MATTER</b>	<b>LCO REFERENCE</b>
Any brother	Prior	Return from journey	Receipts & expenses	598
Procurator	House Council	Each month	Receipts, expenses, credits & debits	563, I; 318,5
Sacristan	House Council	Each month	Masses received & celebrated	594
Any prioral administrator	House Council	Each month	Receipts & expenses	562; 318, 5
Subprior <i>in capite</i>	House Council	After new prior begins his term	His government <i>in capite</i>	326
Prior	House Council	End of his term	His government	306
Examiners of candidates	Prior	As often as necessary	Suitability for profession	192, I

**WITHIN A PROVINCE**

Admissions Board	Provincial	As often as necessary	Suitability for novitiate	173, II
Novice Master	Provincial	At least twice a year	Prioral discussion of novices	185
Student Master	Provincial	As often as necessary	Suitability of brother for solemn profession	209

<b>BY WHOM</b>	<b>TO WHOM</b>	<b>WHEN</b>	<b>SUBJECT MATTER</b>	<b>LCO REFERENCE</b>
Master of Cooperator Brothers	Provincial	As often as necessary	Suitability of brother for solemn profession	209
Regent of Studies	Provincial	As often as necessary	Suitability of brother for solemn profession	209
Praeses of prioral election	Provincial	After completion of election	Outcome of the election	453, I
Prior	Provincial	As often as necessary	Information and vote for admission to profession	192, II
Prior	Provincial chapter	Every four years	Status of the priory	353, III, 1
Prior	Provincial	Every year	Status of administration; budget	563, II; 318, 5
Praeses of election	Provincial	After completion of election of regional prior	Outcome of the election	453, I
Regional prior	Provincial chapter	Every four years	State of the vicariate	358, III, 1
Provincial Syndic	Provincial	Every month	Receipts & expenses	566
Provincial Syndic	Provincial Council	Every year	Receipts & expenses; budget	566; 581, II
Any provincial administrator	Provincial council	Every year	Receipts & expenses	562; 568

<b>BY WHOM</b>	<b>TO WHOM</b>	<b>WHEN</b>	<b>SUBJECT MATTER</b>	<b>LCO REFERENCE</b>
Provincial syndic	Provincial chapter	Every four years	Receipts & expenses	569
Officials of the province	Capitulars & priories	Every four years	Area of their competency	356, 2
Provincial	Provincial chapter	Every four years	State of the province and its problems	356, 2
Provincial	Provincial chapter	End of his term of office	Personal administration	572
Vicar of the province	Provincial chapter	End of his term of office	Administration	572

#### **WITHIN THE ORDER**

Centers of academic studies & universities	Master of the Order	Every year	Status of the centers	93bis, II
Regent of Studies	Master of the Order	Every year	Status of intellectual life of province	93, I, 8
Prior of convent under the immediate jurisdiction of the Master	Master of the Order	Every year	Status of administration; budget	571
Provincial	Master of the Order	Every year	Economic status of the province	567; 581, II
Provincial	Master of the Order	After visitation	Status of the province	341, 2
Provincial	Master of the Order	Time of general chapter	Status of the province	416

<b>BY WHOM</b>	<b>TO WHOM</b>	<b>WHEN</b>	<b>SUBJECT MATTER</b>	<b>LCO REFERENCE</b>
Provincial	Master of the Order	Within three months before the end of his term	Status of the province	341, 3
Vicar of the province	Master of the Order	After completion of election of provincial	Outcome of the election	453, I
Postulator general of causes	General chapter	Every chapter	Status of individual causes	431, 2
Syndic of the Order	Master of the Order	Every year	Receipts & expenses	570
Administrators appointed by the Master	Master of the Order	Every year	receipts & expenses	562; 571
Syndic of the Order (with approval of Master)	All provinces	Every year	Economic status of the Order	578
Syndic of the Order	General chapter	Every chapter	Economic status of the Order	569
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