

CHAPTER IX

CONSTITUTIONS AND ORDINATIONS

Notes:

To present a clearer picture of changes in LCO made by the Chapter, the same procedure is used as was employed in the ACTS of the General Chapters of Walberberg (183), Rome (307), Avila (188), Oakland (208) and Mexico City (248).

The numerical order of LCO is followed. At each number specific signs show whether the text was approved for the first, second, or third time:

- *** a confirmed constitution (three chapters)
- ** an approved constitution (two chapters)
- * an introduced constitution (one chapter)

Note: If the approval or introduction of a constitution was made with an ordination, it is indicated by the sign [O].

- ++ Ordination voted on for the second time, abrogating a previous ordination
- + Ordination accepted for the first time

[A] A text that is abrogated

New texts are printed in italics.

Since a good interpretation of changes made demands a knowledge of the preceding text and its history, reference to the preceding chapters is made with the following signs:

- O = Oakland, 1989
- M = Mexico City, 1992

In accord with LCO 285, I, ordination number 78 made in the General Chapter of Walberberg (1980), has been approved in this Chapter and has been placed in LCO. This ordination is indicated with the words, "Definitive insertion," namely # 311,I, 3.

The abbreviation "Tech." will indicate changes made for editorial changes in the text (cf. # 199).

CHANGES IN LCO

164. (O-210; M-249)

*** **63. Constitution.** All brothers are bound to the celebration of the conventual Mass and *Liturgy of the Hours* in choir. Everyone shall be mindful of this common obligation.

Those, however, who cannot be present for the common celebration *shall say the divine office privately if they are solemnly professed. They shall say at least lauds and vespers privately if they are simply professed.*

165. (M-251)

88. Ordination I. It is especially the duty of the superior:

1. To see that... (as in LCO)
- ++ 2. To 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.
- 3-6 (as in LCO)

166. (M-253)

- ++ **90. Ordination 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.*

167. (O-213; M-254)

- *** **92 bis. Constitution I.** *The moderator of any center of studies is named in the manner to be determined by provincial statute.*

II & III as in LCO

168. (M-258)

- ** **129. Constitution.** Since the Marian Rosary is a way to contemplate the mysteries of Christ and a school for developing the 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 the Church.

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

169. (M-259)

- ** **139 bis. Constitution I.** The brethren need the permission *in writing* of their major superior to publish books.

170.

- + **167. Ordination I.** Before they are admitted to the novitiate, aspirants to the Order are to be prepared for the novitiate for a period of time. (In the text, the words “where it is opportune” are abrogated.)

171. (M- 260)

- ++ **167. Ordination 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.*

172.

- + **191. Ordination I and II** as in LCO.

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 assignment.

173. (O-225; M-266)

200. Constitution. I - IV as in LCO.

- *** **V.** *To change these arrangements for a just reason, a brother needs the permission of his major superior. (CIC 668, par. 2)*

174. (Definitive insertion) (W-78)

311. Ordination I. It is also the business of the chapter:

1. to organize... (as in LCO)
2. to treat matters... (as in LCO)
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, shall be approved by the prior provincial. In this way individual activity approved neither by the community nor by the prior provincial will be eliminated.

175. (M-279)

++ **322. Ordination 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.*

176. (M-281)

[O] **326 bis. Constitution II. It is the duty of the conventual lector, according to the determinations of a provincial chapter:

326 bis. Constitution II - continued

- 1. to promote a study... (as in LCO)
- [A] 2. to see to it that... (as in LCO, 3)
- 3. to promote conferences... (as in LCO,4)
- 4. to promote the permanent formation... (as in LCO, 5)

177.

- * [O] **331 bis. Constitution.** In the provinces there should be no houses which do not have at least four brothers.

178. (M-283)

352. Ordination. The vocals of a provincial chapter are:

I.

- 1. regional priors;
- 2. vicar provincials elected according to LCO 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;*
- 4. socii of priors going to the chapter according to n. 490;
- 5. delegates of the brethren according to numbers 497-501;
- 6. the prior provincial who completed his term in the province immediately before the chapter.

179.

358. Ordination. A provincial chapter shall be celebrated in the following manner:

I, II, III as in LCO

- + 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.

V. as in LCO.

180.

373. Ordination. Among other things, the following must be dealt with in the provincial council:

1. The appointment or removal of a regional prior and 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.*

181. (M-292)

391. Ordination. The following can be used to foster collaboration among the provinces of one region or nation:

1. regular meetings...
2. interprovincial conferences...
3. national or regional promoters...
- ++ 4. a common novitiate or *studentate* or common centers of study, according to norms 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.

182. (O-251; M-296)

*** **398. Constitution. II.** *During his term of office, the Master of the Order is obliged to visit the entire Order, either by himself, by his assistants or by others, at least twice.*

183. (M-297)

407. Constitution. In an elective general chapter the following are gathered and have voice:

- I. In the election of the master of the Order:
 1. ex-masters of the Order;
 2. each prior provincial;

407. Constitution - continued

- 3. from each province, the diffinitor of a general chapter;
- 4. vice-provincials and vicar generals concerning which in n. 257, II;
- **[O] 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*;
- **[O] 6. a socius of the prior provincial going to a general chapter from provinces having at least four hundred professed religious excluding however those 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 them and by them according to provincial statute; from a province having from one hundred and one to two hundred brothers assigned in vicariates, another shall be elected delegate, and so on;
- **[O] 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.*

184. (M-299)

- **[O] **407 bis. Constitution.** *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.*

185. (M-300)

408. Constitution. The following are assembled and have voice in a general chapter of diffinitors.
1-5 as in LCO

****[O]** 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.*

186. (M-301)

409. Constitution. The following are assembled and have voice in a general chapter of provincials:
1 -5 as in LCO

****[O]** 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.*

187.

*** [O] 409-ter. Constitution.** *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.*

188. (M 307)

432. Constitution. 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.

**[O] Paragraph II is deleted.

189. (O-275; M-313)

*** **465. Constitution.** 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 statute of the regional vicariate provides otherwise.*

190. (O-279; M-316)

*** **490. Constitution II.** Convents, however, which 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*.

191. (M-318)

497. Constitution I. While observing n. 491, II, provided they enjoy active voice (see nn. 440 and 441) the following elect a delegate to a provincial chapter:

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;

409-ter. Constitution - continued

****[O]** 4. *brethren assigned to convents for which an agreement has been entered into according to LCO 391, numbers 4 and 5, provided that they are not superiors.*

192. (M-320)

522. Constitution. For someone to be elected diffinitor or socius of a diffinitor or provincial for a general chapter it is required:

1. That he be a son of the province, or assigned in it at least six years, if he is not a son of the province;

2. That he not have exercised the role of diffinitor or elected under the same title in the immediately preceding general chapter;

****[O]** 3. *That he not be directly assigned in houses under the immediate jurisdiction of the Master of the Order.*

193. (M-321)

++ 561. Ordination. No brother may have a personal deposit in public banks except with the permission of *his superior*. Even in this case *another brother designated by the superior* ought to have the power to withdraw the money.

194.

+ 566. Ordination 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.

566. Ordination I. - continued

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.

EDITORIAL NOTE
There is a jump from 194 to 199 in the numbering of the Latin text

199. (M-322) A technical change.

++ **567. Ordination I.** Each year, a prior provincial, *prior vice-provincial, and a vicar general* shall send their economic reports directly to the Master of the Order.

200.

+ **567. Ordination 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.

DECLARATIONS OF CALERUEGA RELEVANT TO LCO

201. According to the sense of LCO 252-256, we declare: that in the term “province” are included (with due proportion) vice-provinces and general vicariates (LCO 257-259) unless something else is indicated.

202. According to the sense of LCO 270. paragraphs I-III, we declare: For an indirect assignation by reason of study of brethren studying outside their own province, letters signed by each prior provincial indicating the request of one and its acceptance by the other, are necessary.