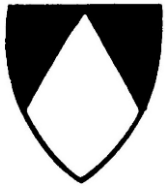
THE BOOK *of*
CONSTITUTIONS & ORDINATIONS
of the FRIARS *of the*
ORDER OF PREACHERS

Published by Order of
BROTHER BRUNO CADORE
Master of the Order

And Updated with Changes Introduced up to
THE GENERAL CHAPTER OF KRAKOW

Celebrated in 2025 Under
BROTHER GERARD FRANCISCO TIMONER III
Master of the Order



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LETTERS *of* MASTERS *of the* ORDER

BRUNO CADORE, O.P. &
ANICETO FERNANDEZ, O.P.

TO ALL *the* BROTHERS *of the* ORDER *of* FRIARS
PREACHERS BELOVED *in the* SON *of* GOD
WE, BROTHER BRUNO CADORE, HUMBLE MASTER *and*
SERVANT *of the* ORDER *of* PREACHERS

Fifty years ago, by letters sent on the first day of November in the year of our Lord, one thousand nine hundred and seventy-two, the *Book of Constitutions and Ordinances* of our Order was first promulgated. By adapting our laws to the times, the Order responded to the invitation of the Second Vatican Ecumenical Council:

"The way of living, praying and working should be in keeping with the present-day physical and psychological conditions of its members, and, as required by the nature of each institute, with the needs of the apostolate, the demands of culture, and the social and economic circumstances, everywhere, especially in mission places. The way of governing the institutes should also be examined according to the same criteria. Therefore, the constitutions, 'directories,' books of usages, prayers and ceremonies, and other such codes, should be reviewed accordingly and, with the suppression of those prescriptions that are obsolete, should be adapted to the documents of this Sacred Synod."[1]

As Brother Anicetus Fernandez declared in his letter promulgating the new book after the General Chapter at *River Forest*, all our brothers were encouraged to contribute to the preparation of writings suitable for the new times. This approach, mindful of the purpose of our Holy Father Dominic of preaching and the salvation of souls,[2] was brought to fruition by the fraternity and communion that are the governing principles in the Dominican tradition.

[1] *Perfectae Caritatis*, 3.

[2] Cf. LCO 1 § I; *Primae Constitutiones*, prol.

Since the years of the Council, both the Church and the Order have been acutely aware of the rapid and profound changes in human society. These changes demanded a response in that difficult time for the Church; but changes in human society and in the art of technology have not ceased and are still continuing, always demanding a response adapted to the new times. Among the innovations that the *Book of Constitutions and Ordinances* contained was the plan to promulgate in a single book the more stable constitutions: "the fundamental laws of the Order, or evangelical and theological principles, as well as determinations concerning the nature and end of the Order, as well as determinations regarding the nature and purpose the Order, its way of life and governance," together with the more flexible ordinances, "norms given, considering the times, for the application or execution of the constitutions."[3]

The method by which the *Book of Constitutions and Ordinances* has been used required growth and adaptation over the years in response to the signs of the times and the responses of subsequent General Chapters to the signs and the demands of governance in the Order. In order for the brothers to be able to easily understand these adjustments and to respond to the requests of the various General Chapters,[4] new editions of the book were promulgated by the Masters of the Order, Brother Damian Byrne in 1984 and 1986, Brother Timothy Radcliffe in 1998 and Brother Carol Azpiroz Costa in 2010.

In the General Chapters of Rome (2010), Trogir (2013) and Bologna (2016), the Order embarked on a new path of renewed structuring. There are no longer general or regional vicariates and

[3] ACG River Forest 1968, 85.

[4] Cf. ACG Avila 1986, 157; ACG Bologna 1998, 203; ACG Bogota 2007, 240.

the norms for provincial vicariates and vice-provinces have undergone various modifications.[5] The norm for voting by letter and also by electronic means has been adapted to the times.[6] The complex formula for the definitive insertion of ordinations into the *Book of Constitutions and Ordinances* has been simplified.[7] For this reason it seems that the appropriate time has come for the new edition of the book which we are promulgating today.

Among the most significant technological and social developments of recent decades is undoubtedly the "digital continent," which affects not only the way in which the Order preaches the Gospel,[8] but also the way in which our dialogue within the Order takes place.[9] Our laws now fully exist in the digital world; while in past times General Chapters requested that new printed editions of the *Book of Constitutions and Ordinances* be published, in more recent times they are demanding an electronic edition with greater emphasis.[10] Our Lord tells us, "Every scribe who is trained in the kingdom of heaven is like a master of a household, who brings out of his treasure new things and old things" (Matt. 13:52). This edition of the *Book of Constitutions and Ordinances*, incorporating all modifications up to the General Chapter of Bologna in 2012, is presented in both old and new forms. The present book is undoubtedly a printed codex, with the stability that this medium provides. Our brothers who make or accept profession will hold it in their hands as a clear sign of our faith in following Christ in the

[5] Cf. LCO 257–58; 384–89; 477–84.

[6] Cf. LCO 455-bis; cf. LCO 455-ter.

[7] Cf. LCO 285.

[8] Cf. ACG Bologna 2016, 151–56.

[9] Cf. ACG Bologna, 2016, 157–60.

[10] Cf. ACG Krakow 2004, 241; ACG Bogota 2007, 240; ACG Rome 2010, 297; ACG Trogir 2013, 272; ACG Bonn 2016, 338.

example of Saint Dominic. However, the text is now printed using a technology called *print on demand*, which allows for rapid and cost-effective updates after each General Chapter. At the same time, the entire text is found on the Order's website, www.op.org. In this way, all brothers, students and preachers of the kingdom of heaven, can easily access this treasure of laws that governs our common purpose.

In this new edition, the principles and methods remain consistent with those used in editions published by Brother Damian Byrne in 1984 and 1986, by Brother Timothy Radcliffe in 1998 and by Brother Charles Azpiroz Costa in 2010. In this regard, it is fitting to repeat the words of the previous editions: "Since the edition thus proposed could be completed in many ways, the intention was to provide a more practical book. For this reason, in the present edition, the text is divided into two parts. In the first part, laws having binding force are found, or all constitutions and ordinances which are now binding … In the second part, on the other hand, are found modification which, although not now in force as laws, may, according to our legislation, return to being in force, either because they are constitutions suspended by an inchoation and by an approbation with ordination, or because they refer to ordinations for which another text has been proposed and accepted." Also included in the second part are changes for constitutions (inchoations and approbations) not yet in force.

Starting with the General Chapter of Walberberg "some modifications have been introduced that do not impinge on the substance of the norm.[11] This was done either to adapt the texts to new ecclesiastical legislation, or to reconcile the texts with other numbers, or to facilitate a clearer understanding of a text. Some changes were also made in the editing of this edition for these reasons. These changes were inserted without reference to the

[11] Cf. LCO 276 § I.

respective chapters but can be found in the acts of these chapters or can be understood as merely material [or technical] changes."[12]

As always, the new edition of the *Book of Constitutions and Ordinances* of the Order of Preachers was produced through the diligent work of subsequent General Chapters, in the service of communion and the universal mission of the Order. The present edition particularly completes that new restructuring which has attempted, in accordance with the conditions of our time, to better align our way of life with the purpose that unites us: "To bring to the world the name of Our Lord Jesus Christ."[13]

The tradition handed down to us by Saint Dominic ensures that our Order is established by its laws in such a way that each one strives with all his strength to be involved in the establishment of this "preaching communion." This tradition itself indicates the preaching to shape the evangelical life and the apostolic life of men, societies and apostolic structures, so that the search for the "truth that makes free" is at the heart of our common apostolic conscience in the ministry of the Church and the salvation of souls. Then, rooted in faith and acting completely in this tradition, we humble mendicants and preachers of mercy profess obedience.

Given at Rome, from our general curia, at St. Sabina, on the ninth day of April, on the solemnity of the Annunciation of Our Lord Jesus Christ, in the year of the incarnation of the same Lord, two thousand and eighteen.

Brother Bruno Cadoré, O.P.
Master of the Order

Brother John Ariel Bauza-Salinas, O.P.
a Secretary Prot. n° 50/18/241 LCO

[12] Cf. ACG 1980, 184.
[13] LCO 1 § I.

WE,
BROTHER ANICETO FERNANDEZ
PROFESSOR *of* SACRED THEOLOGY
HUMBLE MASTER *and* SERVANT
of the ENTIRE ORDER *of* FRIARS PREACHERS
to ALL *the* BROTHERS *of the* ORDER *of* PREACHERS,
BELOVED *in the* SON *of* GOD:
GREETINGS *and* FIDELITY
in the OBSERVANCE *of* OUR LAWS

I

The Second Vatican Ecumenical Council's decree on the appropriate renewal of religious life entitled *Perfectae Caritatis* ordained the following:

"The appropriate renewal of the religious life comprises both a constant return to the sources of the whole of the Christian life and to the primitive inspiration of the institutes, and their adaptation to the changed conditions of our time. This renewal, under the impulse of the Holy Spirit and with the guidance of the Church, must be promoted in accordance with the following principles:

1) Since the final norm of the religious life is the following of Christ as it is put before us in the Gospel, this must be taken by all institutes as the supreme rule.

2) It is for the good of the Church that institutes have their own proper characters and functions. Therefore, the spirit and aims of each founder should be faithfully accepted and retained, as indeed should each institute's sound traditions, for all of these constitute the patrimony of an institute.

3) All institutes should share in the life of the Church. They should make their own and should foster to the best of their ability, in a manner consonant with their own natures, its initiatives and

undertakings in biblical liturgical, dogmatic, pastoral, ecumenical, missionary, and social matters.

4) Institutes should see to it that their members have a proper understanding of men, of the conditions of the times and of the needs of the Church, this to the end that, making wise judgments about the contemporary world in the light of faith, and burning with apostolic zeal, they be able to help men more effectively.

5) Before all else, religious life is ordered to the following of Christ by its members and to their becoming united with God by the profession of the evangelical counsels. For this reason, it must be seriously and carefully considered that even the best-contrived adaptations to the needs of our time will be of no avail unless they are animated by a spiritual renewal, which must always be assigned primary importance even in the active ministry.

"The manner of life, of prayer, and of work should be in harmony with the present-day physical and psychological condition of the members. It should also be in harmony with the needs of the apostolate, in the measure that the nature of each institute requires, with the requirements of culture and with social and economic circumstances. This should be the case everywhere, but especially in mission territories.

"The mode of government of the institutes should also be examined according to the same criteria.

"For this reason, constitutions, directories, books of customs, of prayers, of ceremonies and such like should be properly revised, obsolete prescriptions being suppressed, and should be brought into line with conciliar documents.

"Effective renewal and right adaptation cannot be achieved save with the cooperation of all the members of an institute.

"However, it is for the competent authorities, alone, and especially for general chapters, to establish the norms for appropriate renewal and to legislate for it, as also to provide for

sufficient prudent experimentation. The approval of the Holy See and of the local ordinaries must be sought when the law requires this. Superiors, however, in matters which concern the destiny of the entire institute, should find appropriate means of consulting their subjects, and should listen to them…

"All should remember, however, that hope for renewal lies more in greater diligence in the observance of the rule and constitutions than in the multiplication of laws."[1]

On August 6, 1966, the apostolic letter *Ecclesiae Sanctae*, given *motu proprio*, issued norms for implementing the decree *Perfectae Caritatis* as follows:

"The cooperation of all superiors and subjects is necessary for the renewal of their own religious lives, for the preparation of the spirit which should animate the chapters, for the accomplishment of their task, and for the faithful observance of the laws and norms laid down by the chapters.

"In each institute, in order to put renewal and adaptation into effect, a special general chapter is to be summoned within two or, at most, three years. This can be the ordinary general chapter, or an extraordinary one.

"This chapter can be divided into two separate sessions, provided that not more than a year elapses between one session and the next, and provided that the chapter itself so decides by a secret vote.

"In preparation for this chapter, the general council must arrange, by some suitable means, for an ample and free consultation of all the subjects. The results of this consultation should be made available in good time so as to guide and assist the work of the chapter. The consultation may be done at the level of conventual or

[1] *Perfectae Caritatis*, n. 2–4.

provincial chapters, by setting up commissions, by sending out questionnaires, etc.

"This general chapter has the right to alter, temporarily, certain prescriptions of the constitutions by way of experiment, provided that the purpose, nature and character of the institute are safeguarded. Experiments which run counter to common law—and they should be embarked upon with prudence—will be readily authorized by the Holy See as the need arises.

"Such experiments may be continued until the next ordinary general chapter, which will be empowered to grant a further prolongation but not beyond the date of the subsequent chapter."[2]

"The general laws of every institute must, generally speaking, contain the following elements:

1) "The evangelical and theological principles concerning religious life and its incorporation in the Church, and an apt and accurate formulation in which the spirit and aims of the founder should be clearly recognized and faithfully preserved, as indeed should each institute's sound traditions, for all of these constitute the patrimony of an institute."[3]

2) The juridical norms necessary to define the character, aims and means employed by the institute. Such rules must not be multiplied unduly but should always be clearly formulated.[4]

"A combination of both elements, the spiritual and the juridical, is necessary, so as to ensure the principal codes of each institute will have a solid foundation and be permeated by a spirit which is authentic and a law which is alive. Care must be taken not to produce a text either purely juridical or merely hortatory.[5]

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[2] *Ecclesiae Sanctae*, n. 2–6.
[3] *Perfectae Caritatis*, n. 2b.
[4] *Ecclesiae Sanctae*, n. 12.
[5] *Ibid*., n. 13.

"From the basic text of the rules one shall exclude anything which is now out of date, or anything which may change with the conditions of time, which is of purely local application.

"These norms which are linked with present-day life or with the physical and psychical conditions or situations of the subjects, should be entered in separate books, such as directories, books of customs or similar documents, whatever be their name."[6]

II

We consider it worthwhile to recall all these directives of the Ecumenical Council and of the Holy See (even though everyone knows them) so that once again all our religious may rightly understand what a great and difficult task it has been to attempt a revision of our constitutions such as never happened in the history of the Order.

This vast project extended over a period of two years. The preparation of the revised text was diligent, cautious, and precise even though imperfections as happens in any human endeavor. A perfect technical method, although desirable, would have required a longer period of time and considerable expense while it seemed neither necessary nor required or recommended by the Council or the Sacred Congregation for Religious.

A detailed list of questions was first sent to all the religious of the Order for them to answer and to express other concerns if they wished. Two thousand, five hundred replies returned: a significant enough number especially if we consider that many replies expressed the mind of a particular group and not only that of individuals.

These replies were arranged into six thousand, five hundred and fifty-six propositions by thirty of the fathers who met together for

[6] *Ibid*., n. 6.

this task for one month. Similarly, for one month a congress of provincials and experts reviewed and debated summaries of these propositions with more than fifteen hundred public interventions following initial informative sessions presented by special experts on problems and aspects of contemporary society which pertained more directly to our concern about the actual state of the provinces. In this congress, three hundred and eighty-nine conclusions were prepared as norms to be considered valuable for the future revision of the text of the constitutions.

A special commission, called *the central commission*, then met for nearly six months working strenuously to prepare a revised schema that took into consideration the observations already conveyed by the provinces.

From these beginnings it can truly be said, insofar as human efforts permit, that the General Chapter celebrated in *River Forest* had sufficient information about the problems which trouble our age and had time as well for preparing the text of the Constitutions. Furthermore, an additional opportunity for study was granted to the capitular fathers for a period of two months. A text proposed by a given commission was immediately submitted according to the subject matter to the capitulars so they might give their comments more precisely in writing; after these comments were accepted, the revised text was presented for public discussion in plenary sessions following an explanation by the relator presenting the text.

This took place with such complete freedom that interventions in plenary sessions reached a total of one thousand, nine hundred and eighty-six. Finally, there was a secret vote for the approval of the text.

III

Moreover, the chairmen of the eight Commissions of the General Chapter celebrated in *River Forest* presented a brief

commentary on the common law concerning the text prepared and proposed by a given commission, illustrating the arrangement of the material, the connection between various articles and numbers, additional changes, and so forth. Consequently, little need be said about this.

In the beginning of the book, the *Fundamental Constitution* affirms the noble purpose of the Order using the words of Pope Honorius who wrote to Dominic and his brothers: "He who ever makes his Church fruitful with new offspring, 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." This purpose always remained prominent in revising the text.

The positive nature of the whole exposition on the *regular life* is immediately apparent as well as the importance of religious consecration and common life. The communitarian character of *liturgical prayer* which the Constitution *Sacrosanctum Concilium* asserts so strongly, as well as the greatly reduced sacred time for choral office, rightly justifies suppressing dispensation from attendance at choir. Private prayer is encouraged according to the most ancient tradition of the Order. *Concerning study*, the apostolic and communitarian aspect of our studies is affirmed. The venerable position of the conventual lector is revived, and the office of provincial promoter is newly created. The *ministry of the Word* has for us a universal character: to the believer, that faith may be nourished; to the unbeliever, that faith may be stimulated; to university groups, that, according to the tradition of the Order, sacred doctrine may be expounded; to the separated brethren, that the unity of the Church may be fostered; to workers, that the witness of the Gospel may be given and may be spread among them as well.

A new text on the *formation of the brethren* favors a gradual integration of the brethren with the whole community, both in community life and government and in the apostolate, with the responsibility of the community itself for the formation of the brethren.

Two principal criteria were applied in renewing legislation *on government*: first, greater participation of the brethren; second greater decentralization or autonomy for the provinces. Privileges once attached to certain offices have been abolished. There is a particular innovation of great importance *in elections*: cooperator brothers enjoy active voice in the same manner as clerics and can be elected members of a conventual and a provincial council as well as socius of a prior or a delegate of a provincial chapter. The text concerning *economic administration* gathers together all the administrative norms which were scattered in different places until now, and with attention to the special circumstances of contemporary requirements in this area, the text treats extensively of the principles of economic administration as well as its method and particular characteristics.

The *Fundamental Constitution*, which is the principal text, and which was finished before all the others, contains the elements of our life which cannot be substantially changed. There, among other things, can be read:

"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, of 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 own 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."[7] In this way, the mission of our Order is stated just as the Second Vatican Ecumenical Council requested: "The spirit and aims of each founder should be faithfully accepted—and retained, as indeed should each institute's sound traditions, for all of these constitute the patrimony of an institute."[8]

As the earliest witnesses truly assert: "Venerable Father Dominic was accustomed to devote the entire day to the advantage of souls either by persevering in zealous preaching or by hearing confessions or by devoting himself to other works of charity."[9] Our Founder "observed the rule strictly and perfectly himself and desired it to be kept by the brethren;"[10] "he remained a virgin in mind and body until the end of his life;"[11] "he loved poverty and urged the brethren to practice poverty;"[12] "at Matins, he would walk around on each side of choir exhorting and prompting them to sing clearly and reverently;"[13] "he desired the brethren to be attentive to reading;"[14] "he always spoke either with God or about God."[15]

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[7] LCO 1 § IV.

[8] *Perfectae Caritatis*, n. 2b.

[9] *Monumenta Ordinis Praedicatorum Historica (MOPH)*, XXXVIII, p. 30; XVI, p. 151, n. 33.

[10] *MOPH*, XVI, p. 166, n. 48.

[11] *Ibid*., p. 158, n. 9.

[12] *Ibid*., p. 150, n. 32.

[13] *Ibid*., p. 156, n. 37.

[14] *Ibid*., p. 151, n. 32.

[15] *Ibid*., p. 135, n. 13.

IV

May the brothers examine themselves against the *Book of Constitutions and Ordinations*, and especially against the *Fundamental Constitution*, as well as the life of our Father Dominic that they might be able to identify themselves as his sons. Hence, may all the brethren, and especially our candidates, whom the Order welcomes with the same love as our Father Dominic received them, understand that the Order has a special character among the many forms of religious life established by the inspiration of the Holy Spirit that each one's divine gift and charism might be demonstrated.

The Second Vatican Ecumenical council states that "it is for the good of the church that institutes have their own proper character and function;"[16] and: "in keeping with the divine purpose, a wonderful variety of religious communities came into existence. This has contributed considerably toward enabling the Church not merely to be equipped for every good work and to be prepared for the work of the ministry of the building-up of the Body of Christ, but also to appear adorned with the manifold gifts of her children, like a bride adorned for her husband, and to manifest in herself the multiform wisdom of God."[17]

Finally, with fidelity toward our Father Dominic, let everyone remember that the work of renewal prescribed by the Church for following Christ better and for alleviating the needs of mankind more effectively according to the demands of the times, will achieve no result without a profound spiritual renewal which must enliven all new structures: When the interior life is absent or weak, improved structures produce no result, but when the interior life is present, it can reinforce imperfect structures effectively.

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[16] *Perfectae Caritatis*, n. 2b.

[17] *Ibid*., n. 1.

Most dear brothers, these are our laws—new or newly revised—prepared directly or indirectly with such untiring effort and love and approved by the General Chapter. They are not yet perfect, but that is no great disadvantage since the possibility remains of improving them through General Chapters as is the custom in the Order.

We wanted to explain all these things so that we might all accept the new constitutions not only without unfounded and harmful prejudice but with love and humility, putting them into practice with fervor and diligence, enlivening their spirit with love and zeal, always interpreting the signs of the times in a more favorable way as befits those who before all else place their trust in God, the Giver of all good things.

Given at Rome, from our General Curia, on the first day of the month of November, the feast of All Saints, in the year of Our Lord 1968.

Brother Aniceto Fernandez, O.P.
Master of the Order

Brother Patrick Pilastro, O.P.
Secretary General n°165/68

The RULE *of* BLESSED AUGUSTINE, BISHOP

Translated by:

Brother Adrian Patrick McCaffery, O.P.

Here begins the rule of the Blessed Augustine, Bishop.[1]

1. Before all else, dearest brothers, let God be loved, and then our neighbor; these are the commandments chiefly given to us. These, therefore, are the commandments we bid you, who are now settled in the monastery, to keep.

First: you have been gathered into one so you might dwell as one in one house; and thus have *one soul and one heart* in God (Acts 4:32). Call nothing your own; let all things be had in common. Let food and clothing be given out to each of you by your superior; not equally to all, for you are not equal in strength, but each according to his need. For so you read in the Acts of the Apostles: *All things were common among them, and to each was given as each had need* (Acts 4:32, 35).

Those entering the monastery, having owned something in the world, should willingly let it become our common property. Those who owned nothing should not seek in our monastery what they could not find outside. Rather let what is needful be granted them, even if, while they were in the world, their want was such that they could not find those same things. Yet let them not, for all that, deem themselves well-off merely because they have now found food or clothing such as they could never have found outside.

They should not hold their heads high just because they are now numbered among those whom, when outside, they would never have dared approach. Instead, let them lift up their hearts (Col. 3:1–2), and seek not vain or worldly things, lest our monasteries begin to

[1] Translator's Note: This translation is based on the text as received by the Order and replaces the translation of George Lawless used in previous editions. In making this translation, brothers, I have preferred the plain English word to the Latinate one wherever a choice was to be made. I have tried to render the letter of the Rule faithfully, though there were moments I followed the sense rather than the letter. Above all, I was guided by St. Augustine's own purpose, stated at the close of the Rule itself: that it should be heard and held always before us.

help the rich and not the poor; where the rich are humbled but the poor puffed up.

Similarly, let those who seemed of some importance in the world not disdain their brothers who have come to that holy fraternity out of poverty. Let them strive to glory, not in the rank of their fathers, but in the fellowship of their poor brothers. Neither let them exalt themselves for having given their riches to the common life, nor let them be proud about these given-away riches, just because they share them in the monastery rather than enjoy them in the world. Every other evil comes by doing wrong; but pride is a trap that waits to ruin those things that are done right. What good is it to throw away your goods on the poor and become a beggar yourself if your miserable soul only ends up more arrogant for scorning riches than it ever did for owning them? So then, live as one—of one mind and one heart. Honor God in each other, whose home you have become (1 Cor. 6).

2. Be fervent in prayer at the set hours and times (Col. 4:2). Let no brother do anything in the oratory, or place of prayer, other than that for which it was made—from which it even takes its name.[2] For if some brothers, in leisure, ever wish to pray there outside the set hours, they must find nothing in their way.

When you pray to God with psalms or hymns, let what is in your heart match what is spoken by your mouth. Moreover, sing only what is set forth to be sung; do not sing what is not set forth.

3. So far as health allows, tame your flesh by fasting and by holding back from food and drink. Whenever a brother cannot fast, at least let him take no food between meals, unless he is ill.

Listen without noise or commotion to what is customarily read to you throughout meals; do not let your mouth alone take in food, but let your ears also hunger for God's word (Matt. 4:4; Amos 8:11).

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[2] "Oratory": *orare,* to pray.

If some brothers are, because of their former background, treated differently in their diet, this ought not to trouble any of the other brothers; nor should it ever seem unjust to those whose different backgrounds have made them stronger. They should not envy these frail brothers for getting what they themselves do not get; rather, they should be glad that they have the strength these others lack. And if those who have come to the monastery from more comfortable ways of life are ever given food, or clothing, or bedding which is not given to the brothers who are stronger and better off, let those brothers who do not receive such things instead consider how far these other ones have come down from their former life to reach this one; even if they have not, so far, been able to live as simply as those stronger in body. Nor should a brother ever covet what he sees given to a few out of need, not privilege. For nothing would be more hateful than a monastery where the rich learn to go without while the poor learn to want.

Just as the sick should take less food for fear their condition worsens, so after their sickness should they receive such care as speeds their recovery, even if they come from the lowest poverty in the world. For what a life of comfort does to the wealthy, sickness does to the poor. But when they have won back their strength, let these brothers return to that happier manner of life which befits God's servants; for the less a brother needs, the better it suits him. Let them not grow overfond of food now that they are well, who were rightly given ease when they were sick. Count those brothers the richer who can bear the most with least. For it is always better to need less than to have more.

4. Let your dress not draw the eye; nor seek to please others by your clothing, but by your way of life. When you go out, walk together; when you reach where you are going, stand together. In your gait, your bearing, your dress, and in all your comportment, let nothing give offense to any eye, or be unworthy of your holiness.

Though your eyes may fall on a woman, let them be fixed on none. For you are not forbidden to see women when you go out; but to desire them, or to wish to be desired by them, is a sin (Matt. 5:28). Lust is stirred not by longing alone but by look as well; and desire, once kindled, burns in both. Do not claim a pure heart while your eyes are impure for the eye is the messenger of the heart. And when two hearts speak to one another through their gaze, though no words be spoken, chastity is already lost though the body be untouched. Nor should the man who seeks a woman's eye, and delights to find it, suppose no one sees him. He is seen—and by those he least suspects.

But even if it were so that he were hidden from every human eye, what shall he do with that Watcher from on high, from whom nothing can be hidden? Is He to be thought blind because He sees with a patience as great as His wisdom? Let the holy man fear to displease Him, rather than seek to find favor with a woman in some shameful way. Let him bear in mind that God sees all things, lest he desire to look wrongly on a woman. For the fear of God is held up even in this matter, where it is written: *The Lord abhoreth a lingering eye* (Prov. 27:20).

Whenever, then, you are in a church, and wherever women are present, watch over each other's chastity. For God, who dwells in you (2 Cor. 6:16), shall in this way also guard you by means of each other.

And if you notice in any of your number this wantonness of the eye of which I speak, correct him at once, that it may be checked before it goes further. If, though, after being corrected you see him doing the same thing again on another day, then he must be brought into the light just as a wounded man who needs healing; first before one or two brothers, but then, if he still denies it, before two or three witnesses (Matt. 18:15–17), that he may be firmly corrected.

Do not think yourselves spiteful when making this known. You are not guiltless if, by holding your tongue, you let your brothers perish whom you could set right by speaking out. If your brother had a wound on his body which he wished to hide for fear of the surgeon's knife, would it not be unkind to say nothing, and thus a mercy to speak out? How much more, then, must such a one speak out, for fear it fester in the heart!

But before it is revealed to the others, through whom he must be found guilty should he deny the charge, it ought first to be brought to your superior, in case the man should fail to mend his ways after being corrected. Do this, so that he may perhaps be corrected quietly, without the others knowing. But if he denies it, then the others must be brought before him, so that he may be found guilty not by one witness alone, but by the two or three. Once found guilty, he must undergo such corrective punishment as the superior or priest in charge sees fit. If he refuses to accept it, then even if he does not depart willingly, let him be put out from your fellowship. This is not done in cruelty but in mercy, lest by his contagion he bring ruin to the many.

What I have said about not fixing the eye applies to all the other sins: let them be carefully and faithfully sought out, forbidden, brought to light, proved, then judged; with love for the man and hatred for the fault. If anyone shall have gone so far in evil as to receive secretly from anyone letters or any gift, let him be forgiven if he owns up to it freely, and then pray for him. But if he is found out and found guilty, then let him be more strictly corrected according to the discretion of the superior or priest.

5. Keep your clothes in a common place, under the charge of one or two, or under as many as may be needed to shake them out, lest they be eaten away by moth; and just as you are fed from one cupboard, so should you be clothed from one wardrobe. So far as may be, it should be no business of yours which clothes are brought

out for you in a season—whether a brother gets back what was his own or another's—just as long as you get what you need.

But if argument or grumbling arises among you because someone complains he has received something worse than what he had before, and that it is beneath him to be clothed as some other brother had been clothed, then let those who quarrel over the body's clothing think on how poorly clad they are in that inward, holy clothing of the heart. If such weakness is indulged so far as to let you keep your own clothes, keep them at least in a common place. And let no work be done for any one man alone, but all work together, and with greater zeal than if each worked for himself alone. For charity, of which it is written that *she seeketh not her own* (1 Cor. 13:5), is so understood because it puts the common good ahead of what is one's own, and never what is one's own ahead of the common good. And therefore, the more you care for the common good than for your own, the more you may know yourselves to be making headway—so that amidst all the passing needs of life, the charity that abides forever may stand highest (1 Cor. 13:13).

It follows from this that if anyone should bestow on his sons or on any of his relations who reside in the monastery clothing or anything else that is considered a necessity, it must not be taken in secret, but placed at the disposal of the superior, to be brought into the common store and given to whoever has need (Acts 4:32, 35). If anyone shall hide a thing bestowed on him, let him be judged guilty of theft (Acts 5:1–11).

Let your clothes be washed—whether by yourselves or others—at the word of the superior, lest an excessive eagerness for cleanliness bring inward stain on the soul. The washing of the body also, when the need of illness demands it, shall by no means be refused. Let it be done without grumbling, on the physician's advice, so that even if a man is unwilling, at the superior's command he still does what his health requires. But if he wishes it, and it is perhaps

not good for him, he must not be indulged. For what gives pleasure is sometimes thought to help even when it harms. And lastly, if a servant of God says that he has some pain in his body, let him be believed without any doubt. Yet whether what gives him pleasure is good for healing that pain—if *this* be in doubt, then let a physician be consulted.

Let no one go out—to the baths or anywhere else—without two or three companions; and he must go with those the superior appoints.

One brother should be appointed to care for the sick, the recovering, and the infirm, seeking from the storeroom whatever is needed. Let those who are in charge of stock, clothing, and books serve their brothers without grumbling. Books are to be asked for at a fixed hour each day; outside that hour they shall not be given. Clothing and footwear shall be given without delay to those who need them.

6. Have no quarrels, or bring them to an end as quickly as may be; lest anger grow into hatred, and make a beam of a splinter, and of a soul a killer. For so you read: *He that hateth his brother is a murderer* (1 Jn. 3:15). Whoever has hurt a brother by sharp words, or by cursing, or even accusation, let him remember to make amends as swiftly as he can; and let the offended one forgive without argument. But if they have hurt each other, they must forgive each other, for the sake of their prayers (Matt. 6:12); for the more often you pray, the holier your prayers must be.

Better, however, is he who, though often stirred to anger, yet makes haste to get forgiveness from the one he knows he has wronged, than the one who, though slow to anger, is slower still to humble himself and ask forgiveness. The brother who will never seek pardon, or who seeks it without meaning it (Matt. 18:35), has no place in our monastery, even if he is not put out of it. Avoid,

therefore, harsh words. But if such words have passed your lips, let that same mouth be quick to heal the wounds it has made.

Yet when the need for discipline drives you to speak hard words, even if you feel you have gone beyond the right measure, you are not required to ask forgiveness of those under your charge; lest, in humbling yourself too much before those who must obey you, your authority to govern them be broken. Nevertheless, forgiveness should be sought from the Lord of all, who knows with what great goodwill you love even those whom you have rebuked more sharply than you should have. The love among you ought to be not of the flesh but of the spirit.

7. The superior should be obeyed as a father (Heb. 13:17), and still more the priest, who has care for you all. It falls above all to the superior—and then to the priest, whose word among you carries the greater weight—to see that all these things are kept, so that those things not closely kept are not passed over. Let him bring to the priest whatever goes beyond his measure or strength.

Let him who is set over you reckon himself happy, not by his power to command, but by his love to serve (Gal. 5:13, Lk. 22:25–26). In your eyes let him sit in honor; in God's eyes let him lie at your feet in fear. Before all, let him be a pattern of good works (Tit. 2:7). Let him rebuke the unruly, hearten the fainthearted, bear up the weak, and show patience toward all (1 Thess. 5:14). Let him hold to discipline with a willing heart, and lay it on as one deserving fear; and though both are needful, let him rather wish to be loved by you than feared, always bearing in mind that he must give account to God on your behalf (Heb. 13:17). Thus by your obedience, you show mercy not only to yourselves but to him, as well; for among you, the higher the place he holds, the greater the peril in which he stands.

8. May the Lord grant that you keep all these things out of love for that spiritual beauty, breathing forth the good fragrance of Christ from a good way of life; not as slaves under the law, but as free men

under grace. So that you may behold yourselves in this little book as in a looking-glass, and neglect nothing through forgetfulness, let it be read to you once a week. And where you find yourselves doing what is written, give thanks to God, the Giver of all good things. But if any of you sees that he falls short, let him grieve over the past, be watchful for the future, and pray that his trespasses may be forgiven him, and that he be not led into temptation (Matt. 6:12–13).

Here ends the Rule of the Blessed Augustine, Bishop.

The CONSTITUTIONS *and* ORDINATIONS

Regarding the Current Constitutions and Ordinations

Constitutions (in bold type), for which no other text is in force either by inchoation or approval with an ordination.

Inchoations (✪) and ***Approvals*** (✪✪) made with an ordination (cf. nn. 276 § I and 277).

Ordinations (in italics) enacted at the General Chapter of River Forest for inclusion in the *Book of Constitutions and Ordinations*, for which no changes were introduced in subsequent general chapters (cf. Acts of the General Chapter of Madonna dell'Arco, nn. 29, 30, and 32).

Ordinations enacted in chapters held after the River Forest Chapter and approved by a third general chapter in accordance with n. 285 § I.

Ordinations enacted in the general chapters of Biên Hòa in 2019 (BH) and Tultenango in 2022 (T) for the LCO, even if they have not yet remained in force for two chapters and have not been approved by a third (cf. n. 285 § I and Acts of the General Chapter of Madonna dell'Arco, nn. 29 and 30).

> The symbol "◆" indicates an ordination enacted for the LCO by one chapter; the symbol "◆◆" indicates an ordination approved for the LCO in the following chapter, with the previous ordination abrogated in accordance with n. 285 § II.
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> The number following the abbreviations "T" (Tultenango, 2022) and "K" (Krakow, 2025) indicates the number of the act of the respective chapter.

The FUNDAMENTAL CONSTITUTION

1. § I. The Order's purpose was described as follows by Pope Honorius III in a letter to St. Dominic and his brothers: "He who never ceases to make his church fruitful[1] through new offspring wishes to make these modern times the equal of former days and to spread the Catholic faith. So he inspired you with a holy desire to embrace poverty, profess the regular life and commit yourselves to the proclamation of the word of God, preaching everywhere the name of our Lord Jesus Christ."[2]

§ II. The Order of Friars Preachers, founded by St. Dominic, "is known to have been established, from the beginning, for preaching and the salvation of souls, specifically."[3] Our brothers, therefore, as the founder prescribed, "should everywhere behave uprightly and religiously, as men intent on procuring their own and other people's salvation; they should behave as gospel men, following in the footsteps of the Savior, speaking to God or of God, among themselves or with their neighbors."[4]

§ III. To ensure that by following Christ in this way we would perfect our love of God and of our neighbor, we consecrate ourselves entirely to God by profession, thus becoming members of our Order and dedicated in a new way to the universal Church, fully committed to "preaching the word of God in its totality."[5]

§ IV. Sharing the Apostles' mission, we also follow their way of life, in the form devised by St. Dominic. We do our best to live of one

[1] From the Good Friday Prayer for Catechumens.

[2] Honorius III: "Letter to St. Dominic and his Companions" (1/18/1221), in *MOPH* XXV, 144.

[3] *Primae Constitutiones*, prol.

[4] *Primae Constitutiones*, Dist. II, c. 31.

[5] Honorius III: "Letter to all Prelates" (2/4/1221), in *MOPH* XXV, 145.

accord the common life, observing faithfully the evangelical counsels, fervent in prayer and in the common celebration of the liturgy, especially the Eucharist and the divine office, diligent in study and constant in regular observance. Not only do these things contribute to the glory of God and our sanctification, they also bear directly on the salvation of humankind, since together they prepare and impel us to preach; they give our preaching its character, and, in turn, are influenced by it. The life of the Order comprises a synthesis of these elements, inseparably interconnected, harmoniously balanced and mutually enriching. It is an apostolic life in the full sense of the word, from which preaching and teaching ought to issue from an abundance of contemplation.

§ V. Having been made cooperators with the episcopal order by priestly ordination, we have as our special function a prophetic task, which is to proclaim everywhere by word and example the Gospel of Jesus Christ, taking into account people's situations, the times and the locations. The object of our preaching is either to cause the faith to be born, or to allow it to penetrate people's entire lives more deeply, thus building the Body of Christ which is brought to perfection by the sacraments of faith.

§ VI. The Order's nature as a religious society derives from its mission and its fraternal communion. Since the ministry of the Word and of the sacraments of faith is a priestly function, ours is a clerical Order, in whose mission the cooperator brothers too share in many ways, exercising the common priesthood in a manner specific to them. The total commitment of the Preachers to the proclamation of the Gospel by word and work is shown by the fact that at solemn profession they are united fully and permanently with Christ's life and mission.

Since our Order is sent to the whole world, in collaboration with the entire Church, it is universal in character. The better to equip it for this mission, it is granted exemption and draws strength from a robust unity centered on the Master of the Order, its head, with

whom all brothers are directly linked by profession, since study and evangelization require everyone's availability.

Because of the Order's mission, personal talents and a sense of responsibility are especially esteemed and cultivated by the brothers. After the completion of his formation, each brother is treated as an adult, competent to teach others and take on various responsibilities in the Order. For this reason, the Order has decided that its rules do not bind under pain of sin, so that the brothers may accept them with mature understanding, since "you are no longer slaves under the law, but a people living in freedom under grace."[6]

Lastly, in order that the Order may achieve its purpose, a superior has the power to dispense "whenever he deems it appropriate, especially in regard to what may impede study, preaching or the good of souls."[7]

§ VII. Our Order is both universal and a communion, and this is reflected in its type of government. Of special importance is the organic and proportionate sharing of all its members in achieving the Order's purpose. For the Order is not confined to a single community, though this is its basic unit, it extends to a communion of convents, which constitute a province and to a communion of provinces, which constitute the entire Order. For this reason its authority, which is universal at the highest level—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 manner peculiar to itself, for superiors ordinarily take office after election by the brothers and confirmation by a higher superior. Furthermore, when matters of greater moment are being determined, communities share in several ways in the exercise of self-government, in chapter or council.

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[6] *Rule of St. Augustine,* 8.

[7] *Primae Constitutiones,* prol.

This communitarian form of government is particularly suited to the Order's development and frequent renewal. For, in General Chapters superiors and—through their delegates—the brothers enjoy equal rights and freedom with provincials and diffinitors, and together with them ensure that the Order's mission is advanced and that the Order itself is suitably renewed. This constant renewal of the Order is demanded by the Christian spirit of continuing conversion and by the Order's special vocation, which compels it to adapt its presence in the world to the needs of successive generations.

§ VIII. The Order's fundamental purpose and the way of life which follows from it retain their worth in every age of the Church's existence. However, as our tradition teaches us, it is of the greatest importance that in times of accelerating change and development they be understood and given due weight. In such circumstances it is for the Order to renew itself and adapt itself courageously, discerning and testing the elements which are good and useful in humanity's aspirations, taking them into the unchangeable equilibrium of the fundamental elements of its life.

With us, these elements cannot be changed substantially and must inspire forms of living and of preaching suited to the needs of the Church and of humankind.

§ 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 the brothers only, unless it be otherwise expressly stated. The essential unity of the Order is protected by these regulations, without excluding a necessary diversity according to those same laws.

FIRST DISTINCTION
The Life of the Brothers

Section One: *The following of Christ:* religious consecration; liturgy and prayer; study; the ministry of the word; relationship of the brothers to other branches and associations of the Order.

Section Two: *The formation of the brothers*: common principles; promoting and fostering vocations; the novitiate; profession;

SECTION ONE
The Following of Christ

Chapter I: RELIGIOUS CONSECRATION

ART. I — COMMON LIFE

2. § I. As the Rule tells us, the main reason why we are gathered together in community is so that we might live in harmony in the house, of one mind and heart in God. This unity achieves its full dimension beyond the convent, in the province and the entire Order.

§ II. The unanimity of our life has its roots in the love of God and it ought to be a living example of universal reconciliation in Christ which we proclaim by our preaching.

3. § I. As with the Church of the apostles, communion among us also is established and made firm in the Holy Spirit, the same Spirit through whom we receive the Word in one faith from God the Father: the Word we contemplate with one heart, praise with one voice and in whom we share one bread and are formed into one body. In the same Word, we hold everything in common and all of us are committed to the same work of evangelization.

§ II. The brothers, of one mind through obedience, and bonded by a higher love, thanks to chastity, more closely dependent on each other, thanks to poverty, ought first of all to build in their own convent the Church of God, which by their efforts they must then spread throughout the world.

4. § I. So that each convent may be a fraternal community, all should accept and embrace each other as members of the same body, different, indeed, in talent and responsibilities, but equal in the bond of charity and profession.

§ II. Aware of their responsibility with regard to the common good, the brothers should willingly accept duties within the convent. They should be happy to share the work of their brothers and to help those whom they see to be overburdened.

5. *The brothers should gladly join in community recreation, by means of which mutual understanding and brotherly communion are developed.*

6. To ensure that apostolic cooperation and fraternal communion be more fruitful, the involvement of all the brothers is of the utmost importance: "What is accepted by all is quickly and easily accomplished."[8] Accordingly, each convent should hold meetings on how to promote apostolic and regular life.

7. § I. *To stimulate the regular life, a meeting shall be held at least once a month, chaired by the prior or by another brother appointed by him, at which all the brothers may, sincerely and charitably, offer their opinion on a topic chosen beforehand, announced in good time, and having to do with the community's responsibilities.*

§ II. *A regular chapter shall be held several times a year at which the brothers shall examine, in a manner determined by the conventual chapter, their fidelity to the apostolic mission of the convent and to the regular life and shall perform some penance. On this occasion, the superior may deliver an exhortation on the spiritual and religious life, and such admonitions and corrections as he judges opportune.*

§ III. *Brothers who are in formation shall have meetings and chapters under the direction of their respective masters. They may also join fully or partially in the gatherings of the whole community in accordance with n. 309 § II.*

8. *Superiors should take special care that those who, in order to carry out a ministry, live outside their convent of assignation can often return there, and be visited by their brothers. The community should welcome them warmly, help them in every way they can, and, by encouragement and assistance, share in their labors. They, on their part, ought to carry out their ministry as members of the*

[8] Humbert of Romans, *Expositio Regulae*, XVI: *Opera de vita regulari*, ed. J. J. Berthier (Rome, 1888) vol. I, p. 72.

community. They should willingly take part in meetings of the community so that they may be nourished by the apostolic zeal of their brothers and strengthen them in turn.

9. Following the example of St. Dominic, who was "a father and consoler to the sick and to those in distress,"[9] the superior should attentively care for the sick, giving them appropriate dispensations even without being asked. Both he and the brothers should be diligent in visiting them.

10. *The older brothers or those in poor health should be located in a part of the convent that facilitates their joining in the common life. Proper care should be taken of them, and their families and friends should be encouraged to visit them.*

11. When a brother becomes seriously ill, the superior, either personally or through someone else, and having consulted a doctor, ought discretely to alert him to the fact, so that he may receive the sacraments in due time.

12. *Our communion should extend with special solicitude towards brothers who are experiencing difficulties.*

13. *Trusting in the mercy of God, we care for those who have left our ranks by showing them every kindness and consideration and offering help when necessary.*

14. *Guests are to be received courteously and shown every kindness and consideration.*

15. §I. Brothers' parents and other members of their families are to be treated with respect and affection.

§ II. In a spirit of gratitude, the brothers shall remember in their prayers and share the merits of their apostolic labors with the benefactors who helped them out of their spiritual and material resources to engage more effectively in the work of evangelization.

[9] "Process of Canonization," in *MOPH*, XVI, p. 178, n. 3.

16. Let the brothers cherish the memory of those in the family of St. Dominic who have gone before them, leaving them "the example of their way of life, a sharing in their communion and the help of their intercession."[10] Let the brothers reflect on and make known their teaching and achievements, while not forgetting to pray for them.

ART. II — OBEDIENCE

17. § I. From the Order's beginnings, St. Dominic required the brothers to promise him life in common and obedience.[11] He himself submitted humbly[12] to the decisions, especially the laws made by the general chapter of the brothers after thorough discussion.[13] Outside of the general chapter, he demanded from all an unforced obedience[14] to whatever he prescribed, after due deliberation,[15] in governing the Order. This he did graciously,[16] certainly, but also firmly.[17] Indeed, if a community is to remain true to its spirit and its mission, it needs that unity achieved through obedience.

§ II. That is why in our profession only one promise is made, namely that of obedience to the Master of the Order and to his successors according to the laws of the Order. Thus, the unity of the Order and of our profession is preserved and it depends on the unity of the head to whom we all owe obedience.

18. § I. Through this profession, we imitate Christ in a special manner, Christ who always obeyed the Father, for the life of the world. We are thus more closely united to the Church, to whose

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[10] *Lumen Gentium*, n. 51.

[11] *Primae Constitutiones*, Dist. I, c. 14.

[12] "Process of Canonization," in *MOPH*, XVI p. 151, n. 33, cf. p. 124, n. 2.

[13] Jordan of Saxony, *Libellus de principiis ordinis praedicatorum* in *MOPH*, XVI, p. 46, n. 41.

[14] *Primae Constitutiones*, Dist. I, c. 13.

[15] "Process of Canonization," in *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.

[16] Jordan, *Libellus*, in *MOPH*, XVI, p. 74, n. 13.

[17] *Ibid*.

building-up we are dedicated, for its common good and that of the Order. In this we are joined by our superiors, who by their common ministry represent God.

§ II. The common good is also revealed in the religious and apostolic options of the community, and by the interior enlightenment of the Holy Spirit who sustains the mission of the Order.

§ III. Our brothers are obliged to obey their superiors in everything that pertains to the Rule (see n. 275 § I) and our laws. We are not, however, obliged to obey—nor indeed may we—in matters that are against the commandments of God and of the Church, are contrary to the laws of the Order or do not allow a superior's dispensation. If there is a doubt, however, we are all obliged to obey.

19. § I. Obedience is pre-eminent among the (evangelical) counsels. By obedience a person dedicates himself totally to God and his actions are more closely directed to the end of the profession, which is the perfection of charity. Everything else too in the apostolic life is included under obedience.

§ II. Since we are united to Christ and to the Church through obedience, whatever labor and hardship we sustain in putting it into practice is, as it were, a prolongation of Christ's self-offering. It takes on a sacrificial character for ourselves and for the Church, in whose completion the entire work of creation is perfected.

§ III. Because obedience "plants the roots of self-discipline in our hearts"[18] it is of the greatest benefit to that freedom of spirit characteristic of the children of God and disposes us to self-giving charity.

20. § I. The demands of the common good which requires the obedience of the brothers also moves superiors to listen to the brothers especially in matters of greater moment, without prejudice

[18] St. Gregory, Moralia, XXXV, PL 76, c. 765, qtd. in St. Thomas, *Summa theologica*, IIa, IIae, q. 104, art. 1. (Literally, by which "we overcome ourselves in our hearts": *nosmetipsos in corde superamus*.)

to their responsibility in commanding what needs to be done. In this way, the entire community works together as one in the pursuit of charity.

§ II. Since the Holy Spirit guides the Church by special talents and charisms, superiors in the exercise of their authority shall take careful note of the special gifts of the brothers. They shall judge and order the gifts which the Holy Spirit has brought to life in the Order for the good of the Church in view of times and needs. Thus, while accepting the constraints of the common good and respecting the talents of each individual, the brothers' appropriate responsibility is to be acknowledged and their freedom respected, whether in undertaking new projects or in continuing with projects already begun.

§ III. Seeking God's will and the good of the community, the superior should "reckon himself happy, not by his power to command, but by his love to serve."[19] He ought to foster willing service rather than slavish submission.

§ IV. Motivated by a spirit of faith and of love for the will of God, the brothers should respond to their superiors in a spirit of brotherly cooperation. They should sincerely endeavor to share their thinking and do what they are told willingly and carefully. In fulfilling their duties, the brothers should strive for an obedience that is prompt, conscientious without delay, simple without useless questioning.

21. Like all religious, our entire Order is subject to the Roman Pontiff as its highest superior and is obliged to obey him by virtue of the vow of obedience (*CIC* 590).

22. § I. *Our brothers should not lightly have recourse from a lower to a higher authority in order to evade something imposed by obedience. If they do, recourse should not be allowed.*

[19] *Rule of St. Augustine*, n. 7.

§ II. *If, however, there is a reasonable case for recourse, the brother should first obey, unless in the judgement of serious people, chosen by both the brother and his superior, it is certain that serious harm would result from obeying.*

23. *If the good of the Order or of the Church require that superiors give a brother a mission involving considerable danger to his life, they should never do this without first consulting him. The superiors are bound to proceed with the utmost caution, gathering all relevant information and bearing in mind the opinion of prudent brothers.*

24. *Neither the prior provincial nor the provincial chapter can exempt any brother completely from the authority of the local superior.*

ART. III — CHASTITY

25. The brothers who promise chastity "for the sake of the kingdom of heaven" follow in the footsteps of St. Dominic who for the love of God preserved unblemished virginity throughout his life. Dominic was so much on fire with zeal for souls that "he received all in a broad embrace of charity and since he loved them all he was loved by all in return, spending himself fully in the service of his neighbor and with compassion for the afflicted."[20]

26. § I. We ought to value our profession of chastity as a special gift of grace, by which we unite ourselves more readily to God with an undivided heart, and are more intimately consecrated to him. We imitate the virginal life of Christ who for love of the Church gave himself up for her. Impelled by our apostolic vocation we are wholly dedicated to the Church, and thus to love humanity more fully. Taking part in the work of eternal regeneration, we are better fitted to receive more generously the gift of fatherhood in Christ.

§ II. The practice of chastity leads effectively to a gradual purification of heart, to liberty of soul and fervent charity. Furthermore, we gain greater command of soul and body and

[20] Jordan, *Libellus*, in *MOPH*, XVI, p. 76, n. 107.

achieve a personal integrity which enables us to maintain a tranquil and salutary relationship with everybody.

§ III. The life of chastity which the brothers profess is a true service and an eloquent witness to the kingdom of God present here and now. At the same time, it is a special sign of the heavenly kingdom yet to come when Christ will take the glorified Church to himself as his bride.

27. § I. Those who aspire to make the vow of chastity in the Order should appreciate the role and dignity of marriage, which represents the love of Christ for the Church. They should realize that they are called by the grace of God to give a higher witness of that same love.

§ II. Since the observance of perfect continence touches the deepest human instincts and is a requirement in our Order for a fruitful apostolic ministry, it is essential that the brothers grow in physical, psychological and moral maturity.

§ III. While chastity takes deeper and firmer root, the brothers need positive instruction and other appropriate helps, both divine and human, so that they can overcome the difficulties that arise and thus arrive at complete emotional integrity, both natural and supernatural.

28. § I. Despite the crises that are likely to come their way, our brothers should persevere faithfully and unremittingly in continence, striving in every life situation to attain an intimate relationship with God through loving union with Christ. Sacred scripture and the eucharistic mystery will nourish this relationship, and it will be further strengthened by filial love for and devotion to the Blessed Virgin Mary, the Mother of God.

§ II. At the same time, urged on by the love of Christ which is an expression of God's friendship for all, they should in their apostolic ministry endeavor to become all things to all people. And as members of an apostolic religious family, to which chastity binds them more closely, they ought to foster fraternal charity and serene friendship.

§ III. Conscious of their weakness, the brothers should not rely on their own strength but rather, without fear or timidity, they should practice mortification and the control of their senses and emotions. And while they behave with benevolence towards everyone, by a spiritual instinct they will reject whatever could endanger their chastity.

§ IV. They should use all appropriate natural means which are necessary or advantageous to health of mind and body.

29. All the brothers, particularly superiors, moved by a sense of brotherly communion, should with the greatest of charity help those of us who experience difficulties in the matter of chastity. They will do so by acts of genuine kindness, prayer, advice and whatever else that may seem useful.

ART. IV — POVERTY

30. St. Dominic and his brothers imitated the apostles who, without gold, silver or money, proclaimed the kingdom of God. Conscious of the demands of the apostolate of their time, they decided not to have any possessions, neither income nor money, but to beg their daily bread while preaching the gospel. This was the apostolic poverty at the beginning of the Order, the spirit of which should animate us, in forms adapted to different times and places.

31. §I. Keeping in mind the words of the Lord who said, "Go sell what you have and give to the poor, and come, follow me" (Matt. 19:21), we have decided to be poor both in fact and in spirit, so that while we endeavor to free people from domination by wealth and to direct them towards the things of the spirit, we ourselves may also conquer greed, imitating Christ, "who for our sake became poor, that by his poverty we might become rich" (2 Cor. 8:9).

§ II. This spirit of poverty urges us to put our treasure in the kingdom of God's justice, with a lively trust in the Lord. That spirit offers release from servitude and indeed from solicitude about earthly matters, enabling us to move closer to God, to be more readily available to him, freer to speak about him fearlessly. It is being

frugal with ourselves which draws us closer to the poor we are sent to evangelize. It is being generous towards our brothers and neighbors as we freely use our resources, especially for the needs of study and the ministry of salvation for the sake of the kingdom of God: "so that amidst all the passing needs of life, the charity that abides forever may stand highest."[21]

32. § I. In our profession, therefore, we promise God to own nothing by right of personal ownership but to hold 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. It follows that none of the brothers can retain as his own any goods, whether money or income from any source whatsoever, but must hand over everything to the community.

§ III. Neither should an accumulation of common goods be allowed to build up in the community. It would not serve the purpose of the Order nor its ministry since it would be contrary to that poverty which all individually and as members of the community have professed.

33. Since so many people are compelled by poverty to work hard for a modest living, our brothers must give an effective collective witness by publicly working hard in the apostolate, by living frugally on what is often an uncertain income and by sharing it gladly with the more indigent.

34. § I. *The brothers should beware of acquiring novelties or comfortable lifestyles. Rather, in all things and everywhere they should lead a simple life.*

§ II. *Provinces may decide on the manner of observing poverty, bearing in mind the times, the place, the personnel, and the demands of the apostolate, according to the general norms and spirit of the Order.*

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[21] *Rule of St. Augustine*, 5.

35. Superiors and syndics should be careful to provide from the common purse for the genuine and reasonable needs of the brothers so that private life may be completely excluded.

36. Since "everyone ought to be involved at some time in the necessities of daily living,"[22] religious poverty demands that all the brothers should be aware of their responsibility for the economic life of the convent (see nn. 576–77).

37. Our convents should be simple and suited to their purpose, avoiding any kind of ostentation or unnecessary extras. They should be planned in such a way as not to offend either people or local customs.

38. § I. *The brothers may have books and equipment for personal use, as determined by the provincial chapter.*

§ II. *When brothers are assigned to another convent, they may take with them only what has been determined by the provincial chapter and the provincial statute.*

ART. V — REGULAR OBSERVANCE

39. Regular observance, drawn from tradition by St. Dominic, or instituted by him, regulates our way of life, supporting us in our efforts to follow Christ faithfully while enabling our apostolic life to be more effective. In order, therefore, to remain true to our vocation, we ought to cherish and wholeheartedly embrace regular observance and live it out in practice.

40. All those things that go to make up Dominican life and Order it through common discipline belong to regular observance. Chief among these are the common life, the celebration of the liturgy and private prayer,[23] keeping the vows, the assiduous study of truth, and

[22] *Primae Constitutiones,* Dist. II, 31.

[23] Humbert, *Opera*, ed. Berthier, vol. I, 153, 170 & 172; cf. Matt. 6:5–6.

apostolic ministry. Cloister, silence, the habit and penitential exercises help us to carry out these effectively.

41. Cloister is to be observed in our convents so that our brothers may be better able to devote themselves to contemplation and study, that more intimate family life may be achieved and the faithfulness and characteristics of our religious life may be revealed.

42. *The brothers need the superior's permission to go out of the house. This can be a general permission for a specific purpose.*

43. *For a long journey or a prolonged absence a brother needs the permission of the competent superior as determined by the provincial statute.*

44. *Abrogated.*

45. § I. *A brother who is going to spend some time in the territory of another province should notify the relevant prior provincial in advance, with due regard for n. 137. He requires the permission of the said prior provincial, however, in order lawfully to extend his stay beyond three months* [◆ T 338 ◆◆ K 317].

§ II. *A brother who is travelling should as far as possible stay in our own convents wherever we have them.*

45-bis. *If a brother lives unlawfully outside his convent beyond one year, the prior provincial with his council shall decide the appropriate procedures according to* Code of Canon Law (CIC) *696, 697, and 699.*

46. § I. Silence is to be carefully observed by the brothers especially in places and at times devoted to prayer and study. Silence is the guardian of all observance and contributes greatly to the interior quality of religious life, to peace, prayer, the study of truth and authenticity in preaching.

§ II. Silence is to be tempered by charity so that it never impedes fruitful communication.

47. *Abrogated.*

48. *It is for provincial and conventual chapters to determine when and where silence is to be observed in accordance with the Order's tradition.*

49. § I. *The brothers' food should be simple but adequate for their needs.*

§ II. *All the brothers should eat together unless legitimately prevented.*

§ III. *The provincial chapter, bearing in mind the tradition of the Order and the prescriptions of the competent church authority, shall determine how and when fast and abstinence are to be observed. The conventual chapter shall decide on appropriate penances for the community, particularly during Lent.*

50. The habit of the Order comprises a white tunic, scapular and capuce, together with a black cappa and capuce, a leather belt and a rosary (see Appendix 3).

51. *The brothers should wear the habit of the Order in our convents as a sign of our consecration, unless, for a good reason, the prior provincial shall have determined otherwise. Outside the convent, the directives of the prior provincial shall be followed as well as Church laws.*

52. § I. Religious consecration and the apostolic calling impel the brothers more than the rest of the faithful to practice self-denial. By taking up their cross and carrying in their own body and soul the sufferings of Jesus, they earn the glory of the resurrection for themselves and for others.

§ II. Imitating St. Dominic who, "when he was living with us in the flesh, walked by the Spirit, not only not fulfilling the desires of the flesh, but actually quenching them at the source,"[24] the brothers

[24] Encyclical Letter of Blessed Jordan of Saxony (1223), *AFP* 22 (1952), p. 183, trans. by Simon Tugwell, O.P., *Early Dominicans, Selected Writings.*

should practice the virtue of penance especially by observing faithfully all that belongs to our life.

53. § I. *It is the responsibility of provincial and conventual chapters to prescribe new forms of penance suited to different people and different places and drawn from present-day patterns of living. This applies especially to Advent and Lent.*

§ II. *Individual brothers may take on further mortifications, the better to fulfill the duty of penance.*

54. Superiors, moderators of centers for institutional studies and masters of the brothers in formation administer correction to promote regular observance and the salutary improvement of the brothers.

55. § I. *The gravity of a transgression is to be judged especially by the damage done to the common good rather than by any sin that may be involved.*

§ II. *The principal forms of penance are: the performance of spiritual exercises, works of mortification or self-denial, works of benefit to the community.*

Chapter II: The Sacred Liturgy and Prayer

56. Let the brothers follow the example of St. Dominic who at home and on the road, by day and by night, was devoted to the liturgy of the hours and private prayer and celebrated the divine mysteries with great devotion.

Art. I — The Sacred Liturgy

57. It is the express wish of St. Dominic that the solemn celebration of the liturgy in common be accepted as one of the principal duties of our vocation.

The mystery of salvation is present and active in the liturgy, especially in the Eucharist. The brothers should take part in the mystery, contemplate it, proclaim it through preaching to all so that

they may be incorporated into Christ through the sacraments of faith.

In the liturgy, the brothers, together with Christ, glorify God for his eternal plan and for the wonderful workings of grace. They pray to the Father of mercies for the whole Church, for the needs and salvation of the whole world. Thus, the celebration of the liturgy is the center and heart of our life, the basic source of our unity.

58. The brothers should celebrate publicly the conventual Mass and the liturgy of the hours. And since the liturgy is an act of the whole people of God, the participation of the people in all our celebrations should be promoted.

59. § I. The celebration of the conventual Mass ought to be the center of the community liturgy. The memorial of the Lord's death and resurrection is the bond of brotherly love, and the principal source of apostolic vigor.

§ II. For this reason it is preferable that the conventual Mass be concelebrated because in it the unity of the sacerdotal ministry and of the community is more clearly signified.

§ III. The daily celebration of the eucharistic sacrifice is recommended for all priests because even in the absence of the faithful it is an act of Christ and of the Church.

§ IV. Those who are not priests should participate in Mass daily.

60. The brothers should avail of sacramental confession frequently so as to foster the process of on-going conversion of life.

61. § I. In our communities, the conventual Mass and the liturgy of the hours should be celebrated daily in choir.

§ II. Where the conventual Mass and the entire office cannot be celebrated in common, due to a legitimate impediment, at least Lauds and Vespers should be celebrated. If the situation is habitual it should be acknowledged by the prior provincial and his council.

§ III. When the liturgy of the hours cannot, for a just reason, be celebrated in choir, it should be celebrated in another suitable place, especially so that the faithful can participate actively in the liturgical prayer of the brothers.

62. § I. With due regard for the demands of the apostolate, the liturgy of the hours should be so arranged in each community that the different times of the day will be truly sanctified.

§ II. The daily office revolves round two pivotal moments: Lauds as morning prayer and Vespers as evening prayer. These are to be regarded as the principal hours and celebrated as such.

63. All the brothers are bound to the celebration of the conventual Mass and the liturgy of the hours in choir. All should be conscious of this common obligation.

Those who are solemnly professed but who cannot be present at the common celebration should say the liturgy of the hours privately. Those who are simply professed should say at least Lauds and Vespers.

64. *Abrogated.*

65. It is fitting to sing at least a part of the divine office, especially those sections which of their nature specifically require singing.

Our celebrations should be characterized by simplicity and sobriety.

ART. II — OTHER FORMS OF PRAYER

66. § I. Since the contemplation of divine truth, and personal conversation and friendship with God are to be sought not only in liturgical celebrations and *lectio divina* but also in assiduous private prayer, the brothers ought to cultivate private prayer zealously.

§ II. All the brothers should spend at least half an hour daily in mental prayer at a time decided by the conventual chapter. It is to be done in common if possible.

67. § I. The brothers are to worship Christ in the mystery of the Eucharist so that they may derive an increase of faith, hope and charity from such a wonderful exchange.

§ II. The brothers ought to cherish the Order's traditional devotion to the Virgin Mother of God, Queen of the Apostles. She is an example of meditation on the words of Christ, and of acceptance of one's mission.

The brothers should recite daily five decades of the rosary in common or in private, according to the decision of the provincial chapter, preserving an appropriate relationship to the liturgy. This form of prayer leads us to the contemplation of the mystery of salvation in which the Virgin Mary is intimately associated with the work of her Son.

§ III. The brothers should foster the cult of St. Dominic and true devotion to him, the mirror of our life, and to the saints of the Order so that they may be moved to imitate them and be strengthened in the spirit of their vocation.

68. All the brothers should make a retreat for six full days each year, meditating on the word of God in their hearts and praying more intensely.

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

ART. III — SUFFRAGES FOR THE DEAD

70. § I. Between the Commemoration of all the Faithful Departed and Advent, every priest shall celebrate one Mass for deceased brothers, sisters, familiars and benefactors. Brothers who are not priests shall participate in one Mass.

§ II. Mass of the Dead shall be celebrated in each convent: on February 7, for the anniversary of fathers and mothers; on September 5, for the anniversary of benefactors and familiars of the Order; on November 8, for the anniversary of brothers and sisters.

71. § I. *In every convent strictly so called, the conventual Mass shall be celebrated weekly for the deceased mentioned above, with petitions for the dead included in the Prayer of the Faithful. Where, however, the conventual Mass cannot be said (see n. 61 § II) one Mass shall be offered for the dead.*

§ II. *The following weeks are excluded: Holy Week, Easter Week, the week in which Christmas falls; also excluded are weeks during which an anniversary Mass (n. 70 § II), Mass for a deceased brother (n. 73) or for a pope (n. 74) are celebrated.*

§ III. *Five decades of the rosary shall be recited weekly by all the brothers for the deceased mentioned above.*

72. *The psalm* De Profundis *shall be recited at least once a day in common for deceased brothers and benefactors.*

73. *When a brother dies:*

§ I. *The convent where he dies and the convent of his assignation shall celebrate for him the Office and Mass for the dead.*

§ II. *Throughout the province of his affiliation:*

1. *Each priest and each convent shall 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 assignation if a brother was assigned outside his province of affiliation.

§ III. *Throughout the Order:*

1. *When a Master of the Order dies, each priest shall celebrate one Mass and each brother who is not a priest shall participate in one Mass.*
2. *When a Master or ex-Master of the Order dies, each convent shall celebrate a Mass for the dead.*

74. *When a Pope dies, each convent shall celebrate a Mass for the dead.*

75. *The provincial chapter may prescribe other suffrages in addition to the above.*

Chapter III: STUDY

ART. I — THE IMPORTANCE, AND SOURCES OF STUDY

76. St. Dominic in founding the Order was truly innovative: he intimately linked study to the ministry of salvation.[25] He himself always carried around with him St. Matthew's gospel and St. Paul's letters.[26] He directed the brothers to the schools,[27] and sent them "to study, preach and establish convents"[28] in the larger cities.

77. § I. It follows that "our study should principally and zealously be directed to this, that we may be of help to the souls of our neighbors."[29]

§ II. Study enables the brothers to ponder in their hearts the manifold wisdom of God and equips them for the doctrinal service of the Church and of all people. They ought to be all the more committed to study because in the Order's tradition they are called to stimulate people's desire to know the truth.

§ III. Such study must respect the demands of different subject matters. It requires strict discipline and the application of all one's abilities.

78. God is the light and source of our study, the God who spoke in former times and in different ways, and who now speaks in Christ. It is through Christ that the mystery of the Father's will, through the sending of the Spirit, is fully revealed in the Church and the minds of all humanity are enlightened.

79. Divine revelation, of which Tradition and Sacred Scripture constitute one sacred deposit, is the material to be meditated and

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[25] *Primae Constitutiones*, prol.

[26] "Process of Canonization," in *MOPH*, XVI, p. 147, n. 29.

[27] Humbert, *Legends of St. Dominic*, in *MOPH*, XVI, p. 400, n. 40.

[28] "Process of Canonization," in *MOPH*, XVI, p. 143–44, n. 26; Jordan, *Libellus*, in *MOPH*, XVI, p. 50, n. 51.

[29] *Primae Constitutiones*, prol.

critically examined by the brothers. And pondering the perennial teaching value of the plan of salvation, they will discover the many and varied paths of gospel truth to be found in creation, in human institutions and artefacts and in different religions.

80. In all things the brothers should be of one mind with the Church and should comply with the different acts of the Magisterium which is entrusted with the authentic interpretation of the word of God. Furthermore, faithful to the Order's mission, they should always be prepared in a spirit of willing service to collaborate with the Magisterium as it fulfills its doctrinal obligations.

81. The brothers should study carefully the writings of the holy Fathers and of the illustrious exponents of Christian thought who with the help of different cultures and of the wisdom of philosophers, have endeavored to achieve a fuller understanding of the word of God.

While following their thinking, they should be respectfully attentive to the living tradition of the Church, and engage in dialogue with the learned, opening their minds to contemporary questions and discoveries.

82. The best teacher and model for the accomplishment of this task is St. Thomas whose teaching the Church particularly commends. The Order accepts his teaching as a patrimony that exercises an enriching influence on the intellectual life of the brothers, giving it a special character.

Consequently, the brothers ought to cultivate a genuine familiarity with his writings and thought, and responding to the needs of the age and with legitimate freedom, they should renew and enrich his teaching with ever-new riches of sacred and human wisdom.

83. Assiduous study nourishes contemplation and fosters with a lucid fidelity the living of the evangelical counsels. The very perseverance it demands and its difficulty make of it a form of asceticism. Being an essential part of our life, it is an excellent religious observance.

ART. II — THE PROMOTION OF STUDY

84. The brothers ought to apply themselves to study with perseverance, recognizing that they are all colleagues, mutually indebted to one another. Such mutual collaboration becomes more effective if regulated by appropriate structures.

85. § I. *The brothers ought to cultivate the sacred sciences especially, not only as a preparation for the immediate ministry but also for their own cultural development.*

§ II. *To achieve this, certain periods of time need to be set aside for more intensive study.*

86. § I. *Because of continual cultural development and the complexity of problems, some brothers, especially teachers, should be sent on for higher studies, either in the Order's centers or elsewhere.*

§ II. *These brothers should be provided with whatever they need while working with experts in their own and allied disciplines. They should also enjoy freedom for research, discussion and communication, in fidelity to the Order and the Church.*

§ III. *Should doctrinal difficulties arise and controversy not be resolved, let the brothers be heard by the superiors, assisted by experts designated by both parties and acceptable to both. Fraternal charity should always be observed but without prejudice to the right of recourse to higher superiors.*

87. Superiors should cherish study and should promote it energetically. They should ensure that all the brothers have the means and opportunity for study.

88. § I. *It is principally the responsibility of the conventual prior:*

1. *To arrange that at suitable intervals, conferences and community discussions take place with professors or other experts from the Order or from elsewhere. Doctrinal questions should provide the subject matter, particularly those relevant to the brothers' ministry.*

2. *With the conventual lector and the librarian, to ensure that the library is provided with the necessary books and that an adequate amount of money is spent annually for its improvement.*

§ II. *There shall be a conventual lector of studies to assist the superior in fostering the intellectual life of the community. The superior himself may undertake this task.*

89. § I. It pertains principally to the prior provincial:

1. To see to it that when planning according to n. 107 below, adequate attention is given to the needs of the intellectual life and the doctrinal apostolate, observing what is said in n. 226 about the formation of the brothers;

2. To cooperate with the Master of the Order in promoting the doctrinal mission of the Order;

3. To promote collaboration between the convents and brothers of the province and with other provinces, too, especially neighboring ones;

4. To foster the participation of the brothers in study sessions suited to their duties or ministry;

5. To ensure during the canonical visitation that what is prescribed regarding study is properly observed, especially the state of libraries;

6. To determine annually with his council the amount of money needed for the promotion of studies.

§ II. He is to be helped in this task by the province's commission for the intellectual life. The following are members of the commission: the regent of studies who is the president, the moderator of the center of institutional studies, the promoter of ongoing formation, and others who are elected according to the statute of the province. It is the duty of this commission, under the authority of the prior provincial:

1. To give prior advice on matters of importance pertaining to studies;

2. To propose the *Ratio Studiorum Particularis* of the province, and to apply it;

3. To coordinate the activities of the province's centers of studies;

4. To report each year in the provincial council on the intellectual life of the province.

§ III. He shall also be helped by the provincial promoter of ongoing formation, whom the chapter shall appoint and determine his function and scope.

§ IV. A similar method of promoting studies shall be established in the statutes of the province's vicariates.

90. § I. *It pertains principally to the Master of the Order:*

1. *To see to it that the entire Order fulfills its mission through assiduous study adapted to the needs of the times;*

2. *To establish and promote centers of higher studies which, because of the special demands of the work or of the office, need to be under his immediate care;*

3. *To foster collaboration 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 helped by the socius for the intellectual life, as well as by the permanent commission for the promotion of study in the Order.*

91. § I. Even though the intellectual life ought to flourish in every convent, there should be centers where the brothers can devote themselves more especially to study.

§ II. A center of studies in the Order is a community of brothers who devote themselves resolutely to study full time. It shall have at least three brothers with the necessary qualifications; an adequate library and other facilities, and stable economic resources.

§ III. A center can be part of another community, namely a conventual community. It may also include brothers from other convents.

§ IV. The rights and obligations of each center of studies of a province, as well as the manner in which it is governed, are to be included in the province's *Ratio Studiorum Particularis*, and be approved along with it.

§ V. The Order's centers of study should maintain a truly scientific standard and keep in touch with similar institutions and with the university world of the region.

92. Among the centers of study of a province, the principal ones are:

1. A center of institutional studies, which is a community of students and professors of the Order, following the normal curriculum of philosophical and theological studies according to the tradition of the Order;

2. A center of higher studies which is a community of brothers offering a curriculum in which academic programs to the level of licentiate are taught; examples are: ecclesiastical and university faculties belonging to the Order itself or entrusted to its care, or those of which the brothers form a constitutive part;

3. A center of special studies which is a community of brothers who apply themselves to research and publications, and other specialized projects, without being engaged in teaching;

4. A center of ongoing formation, which is a community of brothers dealing with everything to do with ongoing formation, especially of those exercising ministry in the Church; the brothers involve themselves in research, and either prepare or offer suitable programs.

92-bis. § I. The moderator of each center of studies is appointed in the manner to be determined by the provincial statute.

§ II. The faculty, that is the body of major officials of each center, is determined according to the statute of each center, with due regard for the provision of § I.

§ III. The relationship between the faculty of each center and the regent of studies, as head of the province's commission on the intellectual life, is determined in the province's *Ratio Studiorum Particularis*.

93. § I. In every province there shall be a regent of studies who, under the authority of the prior provincial and with the advice of the commission for the intellectual life of the province, according to the statute of the province, shall:

1. Promote and coordinate, as head of the province's commission for the intellectual life, the entire intellectual life of the province;

2. Take care especially of the province's center of institutional studies, and see to it that the *Ratio Studiorum* of the province and other legislation of the Order is observed;

3. Collaborate in implementing the program for ongoing formation drawn up by the commission for the intellectual life of the province;

4. Collaborate with the conventual lectors in the promotion of study in the province's convents;

5. Assist 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 province's intellectual life and the preparation of specialists required by the province and the Order's centers of study;

8. Present an annual report to the Master of the Order.

§ II. The following requirements are needed for nomination as regent:

1. An academic title such as is required of professors in centers of higher studies;

2. Some experience of teaching, especially in theology or philosophy;

3. Being known for his dedication to study and doctrine.

§ III. The regent is proposed by the provincial chapter and appointed by the Master of the Order until the following chapter. He may be proposed for a second term immediately, but not for a third. As regent he:

1. Is a member *ex officio* of the provincial council;

2. Is *ex officio* head of the commission on the intellectual life;

3. Is allocated a financial subsidy in the budget of the province;

4. Cannot be nominated to any office that would interfere with the discharge of his duties.

93-bis. § I. *To establish or accept a center of higher studies, including a university, in addition to the requirements of law and the usual academic conditions, the following are required:*

1. *A petition drawn up by the provincial chapter setting out the reasons;*

2. *A decree of approval given by the Master of the Order.*

§ II. *Centers of higher study and universities belonging in any way to the Order shall send an annual report on their specific status to the Master of the Order.*

§ III. *For the establishment of a center for special studies or a center for ongoing formation, the approval of the prior provincial and his council is required; the views of the commission for the intellectual life of the province need to be ascertained.*

94. § I. *The scientific degrees in the Order are:*

1. *The lectorate;*

2. *The mastership in sacred theology.*

§ II. *Any province is free to dispense with conferring the lectorate should it consider it opportune.*

95. *The examination for the lectorate shall be carried out in accordance with the conditions and procedure laid down in the general and particular* Rationes Studiorum.

96. *The mastership in sacred theology is conferred on those brothers who are considered eminent in promoting the sacred sciences.*

Excellence of this kind is established by an ability to develop and sustain doctrinal reflection and research, as well as by the publication of works of exceptional value; it is also established by an authority in the scientific field already acquired, even outside the Order.

97. § I. *To be promoted a master in sacred theology, it is required that a brother:*

1. *Be commendable for his life and prudence;*

2. *Have been totally dedicated to intellectual work for at least ten years from the completion of his complementary studies;*

3. *Be presented to the provincial chapter of the province of affiliation or of assignation of the brother by that province's commission for the intellectual life, and be approved by two thirds of the vocals at the same chapter, or by the Master of the Order, if the brother is living in a convent or institute immediately subject to him;*

4. *That a commission of at least three experts in the field of scientific specialization, chosen by the Master of the Order, pronounce favorably on the value of his work and his capacity to pursue it;*

5. *That he be promoted by a general chapter, or by the Master of the Order with his council;*

6. *That the newly promoted master give a public lecture.*

§ II. *Nobody is to be promoted a master in sacred theology except in the aforesaid manner.*

Chapter IV: The Ministry of the Word

Art. I — Basic Requirements

98. Like St. Dominic, who was full of solicitude for all of humanity, the brothers should know that they have been sent to all men and women, all groups and peoples, believers and unbelievers, and especially the poor; this with a view to evangelizing and implanting the Church among the nations, and explaining and strengthening the faith of Christian people.

99. § I. The ministry of the word is a sharing in the prophetic office of the body of bishops; therefore, the preachers must accept the entire gospel message and cultivate a living understanding of the mystery of salvation as it is handed down and explained in the Church. Dominican preaching must always be marked by this evangelical spirit and sound teaching.

§ II. So that the salvific action of our preaching may reach everyone, we must do more than merely observe the situations and aspirations of those whom we address. We must establish a living communion with them, so that the preaching of the revealed word adapted to their understanding may remain the law of all evangelization, especially among those who are far from the faith. Thus, our spirit ought to be open both to the Spirit of God and to the hearts of those to whom the word of God is being preached, so that it may obtain a communication of the light, the love and the strength of the Paraclete.

Consequently, the brothers should learn to recognize the Spirit working in the midst of God's people, and to discern the treasures hidden in the various forms of human culture, by which human nature is more fully manifested and new paths to truth are opened.

§ III. The brothers should cultivate the spiritual life and the human virtues so that their behavior does not weaken the impact of their message.

100. § I. Preaching is a shared work, the responsibility of the entire community; that is why in the tradition of our Order a convent is often called a 'holy preaching.'

§ II. The cooperator brothers take part in the community apostolate not only by providing for the needs of the convent but also by a ministry properly so-called, either working with their priest brothers or exercising their own talents in the apostolate.

§ III. The superior and the brothers should together reflect on the common task of preaching and make it their own, so that the whole community may become responsible. However, the right of the superior to make final decisions and accept particular ministries remains intact.

§ IV. In fraternal gatherings the brothers should discuss their apostolic experiences and problems, studying them together and joining forces in special groups in order to exercise a more effective ministry.

101. § I. *Wherever the brothers exercise their ministry, they should cooperate with the bishops in planning the apostolate whether at diocesan or national level.*

§ II. *Collaboration with other priests and religious is strongly recommended, especially in those matters pertaining to our charism, so that our apostolate and that of others may be mutually complementary in the common service of the Church.*

§ III. *Since by baptism and confirmation the laity are deputed to the apostolate, with them we must try to make the Church, the sacrament of salvation, present and permanent in all spheres of society.*

§ IV. *Finally, remembering that everyone of goodwill is made in the image of God the creator and hope of salvation, the brothers should not hesitate to collaborate with them, even though they may not yet be able to preach the gospel to them.*

They should familiarize themselves with the human virtues and methods of discussion and dialogue which are especially required when cooperating with people of other persuasions.

102. It is an essential part of the Dominican vocation to teach, in word and in writing, sacred doctrine and other disciplines to foster the spreading and understanding of the faith.

103. § I. *The brothers should be present in universities, scientific centers and institutes and in different kinds and grades of schools, our own or those belonging to others, especially as teachers and religious assistants.*

§ II. *Specially trained brothers should work with experts in different spheres of knowledge, both by joining in their research and by searching for ways of communicating to them the truth of the gospel, so that the progress of culture may lead to a clearer understanding of the human vocation and stimulate minds to a more profound understanding of the faith.*

104. *Those brothers who have special talent and training should make full use of the mass media to spread the truth and form correct public opinion.*

105. § I. Whatever form it takes, the ministry of the word is intimately connected with the sacraments, finding its completion in them. The Christian life is born, nourished and strengthened by word and sacraments. The faithful, therefore, ought to be taught the meaning of the sacraments and should be properly disposed to receive them.

§ II. The Eucharist is the center of the Church's life, the source and the summit of all evangelization. The brothers should meditate attentively on the grace of this wonderful sacrament, pondering its importance for their salvation and that of others. They should so convince the faithful of its effectiveness and its fruitfulness that they will be persuaded to take part in the breaking of bread frequently, actively and reverently.

§ III. The sacrament of penance and its administration are closely linked to the ministry of the word, for the conversion of heart which preachers endeavor to inspire is achieved through pardon and reconciliation with God and the Church; further, the sacrament and its administration contribute to the enlightenment and formation of consciences and the development of the evangelical spirit.

The brothers therefore should always show themselves willing and ready for the fruitful administration of the sacrament of penance. When exercising this ministry they should pay attention to what modern scientific advances tell us about the human condition and about the psychological make-up of the individual. For the same reason, they should hold in the highest esteem education in the Christian life.

ART. II — PRIORITIES AND PLANNING

106. § I. The brothers ought to be engaged in every possible kind of preaching. But, in deciding priorities, they must consider both the needs indicated by the Church, and those discovered by reading the signs of the times. They are bound by their calling to respond to these needs.

§ II. So they should choose those methods of preaching which serve the spread of the faith, whether among non-believers, or in those areas which have evolved outside the faith, or among believers, strengthening and developing their faith.

§ III. With this guideline in mind a province shall determine the objective priorities of its brothers' ministry, bearing in mind local needs and available resources. A critical review of the burdens which the apostolate carries should be undertaken periodically.

§ IV. The Master of the Order and his council should support cooperation among those provinces working according to established priorities, particularly when the work in hand is of international importance in both the religious and social order.

107. § I. *A province or a vicariate should draw up a plan of its overall apostolate and prepare the brothers for it and should coordinate its energies, taking into account the unity, the vigor and the continuity of the apostolate. The needs of the Church, and of the province or vicariate, together with the problems likely to arise in the future should be kept in mind.*

§ II. *In order to sustain the culture of mobility and vitality of the province's ministries, the prior provincial, together with his council, must prepare a plan of succession for the province's apostolates, which is to be reviewed every four years.*

ART. III — PREACHING TO THE WHOLE WORLD

108. § I. The mission of the Friars Preachers to serve the Church by preaching the name of Jesus Christ to the nations is the responsibility of whole Order. The mission is carried out in different ways, in keeping with the various conditions either of the Church or of the peoples, groups and men and women to which it is directed. It should always, however, be done in accordance with the fundamental principles of the ministry of the word and in a manner in keeping with the charism of the Order.

§ II. Missionary activity should have as its objective that by the evangelical witness of his life and preaching the missionary may make present the magnetic power of the Gospel of Christ as the true message of salvation and thus, by cooperating in their liberation and reconciliation, gather God's people together.

The missionary should aim to establish the Church in peoples and groups where it has not yet taken root. He also should endeavor to revive faith and Christian life in the places where the Church has suffered a setback, always bearing in mind that he works in the service of the local Church.

109. § I. *The brothers ought to be particularly concerned about the religious and human problems of the poor and workers, especially the problems of those who are far from the faith.*

§ II. *Provinces should look for and should establish those ways of life and of preaching which enable them together to respond more effectively to whatever problems they encounter in their apostolate.*

110. *The Christian life is affected by change, especially by change brought about by advances in science, the arts or culture. Brothers should do their utmost to discern, among those changes, the values which lead to a more lively awareness of God. And they should endeavor to answer the questions that this evolution raises in the human mind, to the end that the preaching of the gospel will lead to a purer, more mature grasp of the faith.*

111. *The brothers ought to be ready at all times to both initiate and engage in discussion and dialogue at every opportunity with the adherents of other faiths, and with nonbelievers. It is essential to bear in mind that special training is clearly needed to cope with the problems which are encountered in this kind of apostolate.*

112. *The clear preference for superiors in mission areas should be to establish convents rather than hold on to territory, so that the brothers can devote themselves with the utmost freedom to the ministry of the word, in keeping with the charism of the Order.*

113. § I. *Since the whole Order is missionary, every brother should promote the missions in whatever way he can. The Master of the Order should provide support, in collaboration with the provinces concerned, so that brothers from one or several provinces can be sent to work in the service of local churches.*

§ II. *Our missionary activity is governed by:*

1. *Common law, and special decrees of the Holy See;*

2. *Our constitutions, and particular statutes drawn up by the provinces.*

114. § I. *Collaboration between provinces working in the same region should be fostered to bring about a more effective and complete missionary endeavor.*

§ II. *All provinces ought to collaborate in the missionary work of the Order by offering brothers suited to appropriate undertakings.*

§ III. *In administering the affairs of the missions, the Master of the Order is to be helped by the socius for the apostolate.*

115. *Those brothers should be assigned to missionary work who had previously shown signs of a missionary vocation and who are well prepared for it. Special training for missionaries, both clerical and co-operator brothers, ought to be provided in a mission convent, or in a special institute where they can learn the people's language, customs, history, culture and missionary apostolate.*

116. *Abrogated.*

117. *Our missionaries ought to bear in mind that their purpose is to form communities of the faithful that will become self-sufficient as soon as possible. They should see to it, therefore, that the particular church, under its own bishop, will have a sufficient number of local priests, religious and laity, with the ministries and institutions that are necessary to lead and develop a Christian life.*

118. *Since the religious life is an outstanding sign of the kingdom of heaven and since by a more profound consecration to God in the Church it manifests clearly the inner nature of the Christian vocation, our missionaries from the outset ought diligently to promote the religious life in indigenous forms.*

119. § I. *Our missionaries should, as far as possible, establish regular life and should do their best to live a full community life.*

§ II. *To this end, a convent should be established as soon as possible in which Dominican life would find expression in harmony with the needs, ethos and special gifts of the people being evangelized, so that it would appear truly indigenous, and not at all alien in their own land. The seeds of ascetical and contemplative traditions have often been sown by God in ancient cultures, even before the preaching of the gospel, and these should be adopted to the extent that they fit in with Dominican life.*

§ III. *Dominican vocations should be promoted as soon as possible so that the Order can take lasting root, leading to the erection of an indigenous province.*

120. *A province erected in mission territory ought to manifest a missionary spirit. Not content with proclaiming the gospel at home, it should endeavor to preach it abroad.*

121. *Research centers should be set up to study people's religious and socio-cultural heritage. The brothers ought to adopt local ways of living and thinking, where these are compatible with Catholic unity. Such centers are particularly consonant with the apostolate of the Order and should be diligently promoted with the help of other provinces.*

122. *The brothers ought to devote special attention to the education of children and adolescents. This will make a major contribution in developing nations, promoting human dignity and preparing for more humane conditions.*

123. *To foster Christian unity, the brothers should encourage an ecumenical spirit among Catholics. They should also enter into true and sincere dialogue with those who are not Catholic. By cooperating with them in social and technical matters, and in cultural and religious areas, they will help to avoid the scandal of division.*

ART. IV — PREACHING TO THE FAITHFUL

124. § I. The brothers through their preaching ought to lead Christians step by step to a mature, conscientious faith, thus renewing and confirming the Church's witness to the gospel.

§ II. Special care should be taken with the homily and other forms of preaching which, connected to the liturgy and the sacraments, more intimately touch the lives of people.

125. *Special doctrinal and spiritual assistance is to be given to priests, religious and to others who are entrusted with educating people in the faith.*

126. *Our churches ought to be centers of preaching, liturgical life, Christian community and apostolic outreach.*

127. *Since the apostolate of the Order in many places is effectively carried out in parishes, the brothers to whom this responsibility is entrusted should devote themselves to it with great care, especially through the ministry of the word.*

128. § I. *Superiors should see to it that a convent, entrusted with or united to a parish, has all that is required, including a sufficient number of brothers, to combine appropriately conventual life with parish ministry.*

§ II. *The number of parishes in any province should be limited, to ensure that enough brothers remain who can devote themselves more freely and fully to other ministries of the word of God.*

§ III. *The prior provincial, with the consent of his council, is the competent superior to accept a parish, unless the provincial chapter shall have reserved this faculty to itself, or to the vicariate council with the approval of the provincial council.*

129. The Rosary as a way of contemplating the mysteries of Christ, is a school for developing evangelical life. As such, it is a form of preaching particularly appropriate to our Order, in which the truths of faith are proposed in the light of the Blessed Virgin Mary's participation in the mystery of Christ and the Church.

Since the Rosary is a characteristically Dominican devotion, the brothers should fervently preach it, so that it may flourish, and they should promote its societies.

130. § I. *The brothers, as preachers of the gospel of Christ and aware of their great responsibility for the unity of the People of God, ought to foster an ecumenical spirit among Catholics so that the work of reconciliation may continue to develop.*

§ II. *Theological research in ecumenical questions is of pre-eminent importance. Those brothers who have proper scientific training*

should collaborate sincerely with other specialist theologians and institutes in promoting ecumenism.

Art. V — The Social Dimension of Our Ministry

131. *The task of preaching the kingdom of heaven already begun with the incarnation of the Word of God whose object it is to restore all things in Christ, impels us to promote the proper ordering of society.*

132. § I. *First of all, the consciences of God's people need to be enlightened about the implications of their membership in human society and they should be encouraged to join forces with all people of goodwill in a common effort to establish on earth a kingdom of justice, fraternal love and peace.*

§ II. *To achieve this, we should provide training, especially for the laity, acknowledging and supporting their proper mission of building modern society.*

133. *The brothers ought to devote their energies to investigating human and moral problems that are constantly occurring. Working with experts in various social fields, they should pay due attention to the theological dimension of these problems.*

134. *The social dimension of our apostolate should be, and be seen to be, a true service to humanity. Such service will be confirmed by the efforts and undertakings on humanity's behalf, in true gospel freedom, independent of particular factions.*

135. *Abrogated.*

Art. VI — Requirements for Ministry

136. *The brothers must have appropriate faculties for preaching and hearing confessions (*CIC *764–65; 966 and following).*

137. *The brothers may not preach within the confines of another province without the previous consent of its prior provincial, given at least habitually.*

138. *Those brothers who have passed the Order's examination for hearing confessions, by the fact of having a document of approval signed by the examiners, have delegated jurisdiction over those persons subject to the Order, except the nuns, and over those others who live day and night in our convent (*CIC *967–69).*

139. *The brothers should always remember that their public statements (in books, newspapers, on radio and television, and other means of public communication) reflect not only on themselves but also on their brothers, on the Order and the Church. For this reason, in reaching a judgement they should be careful to foster a spirit of dialogue and mutual responsibility with their brothers and superiors. If their speaking or writing is about controversial issues, they should give special attention to this crucial dialogue with major superiors.*

139-bis. § I. The brothers need the written permission of their major superior to publish books.

§ II. If the major superior has doubts regarding matters of faith or morals, he shall appoint a commission of three experts to study the work.

§ III. If he refuses permission, he must tell the author the reasons for refusing.

§ IV. An author who has been refused permission by a major superior can appeal to the Master of the Order. The Master shall set up a commission to examine the text. The judgment of the Master of the Order shall be definitive.

140. *One copy of each book published shall be sent to the archives of the Order and another to the archives of the province.*

Chapter V: THE RELATIONSHIP OF THE BROTHERS TO OTHER BRANCHES AND ASSOCIATIONS OF THE ORDER

141. All those groups constituting the Dominican family (see *Fundamental Constitution* 1 § IX) share a common vocation, each serving the mission of the Order in its own distinctive way.

142. St. Dominic intended the nuns of the Order to dedicate themselves wholly, in the contemplative religious life, to that communion with God which nourishes the apostolic life of the brothers and of the other branches of the Dominican family, the nuns providing a witness of prayer, silence and penance.

143. *The close spiritual communion of the nuns with the brothers is strengthened by a legal bond uniting the nuns to the Order, according to the manner prescribed in their own constitutions.*

144. Imbued with the spirit and zeal of St. Dominic, the sisters witness to the gospel through word and action. They are closely united with the brothers in building up the People of God.

145. *Therefore, the brothers and sisters should collaborate, planning their apostolate together.*

146. *Our superiors, as caring brothers, should give every assistance to the nuns and sisters; and the brothers, in accordance with the arrangements of the superiors, should be willing to help them in the task of doctrinal, sacramental and pastoral ministry.*

147. Members of secular institutes affiliated to the Order profess the evangelical counsels in secular society in accordance with the spirit of St. Dominic.

148. *The brothers should encourage the growth and spiritual development of these institutes and their members and enter into fraternal collaboration with them, so that their apostolate in the world may be fruitful.*

149. § I. Lay fraternities of the Order are associations of lay people drawn together by a special gift of God in the apostolic spirit of St. Dominic, "to seek their own salvation and that of others." They do this by professing the evangelical way of life, adapted by the Order to their secular status and duly approved.

§ II. There are also to be fraternities of priests who endeavor to inform their life and ministry with the spirit of St. Dominic.

150. *The brothers should take the greatest care to encourage these fraternities, setting up ways of reciprocal collaboration with them, so that the ministry of the Order may become ever more effective in the Church and the world.*

151. *The structure and government of these fraternities shall be determined in their own rule.*

152. The associations attached to the Order for the renewal of Christian life among the People of God, see to the spiritual welfare of the faithful, and at the same time offer collaboration to the Order in some particular apostolate (see Appendix 4).

153. *Therefore, for the benefit of the faithful, the brothers ought to promote the confraternities of the Order, especially those of the Most Holy Name of Jesus and of the Most Holy Rosary and our other associations, as time and place demand, so that they may be of benefit to the faithful. As to their structure and government, these are laid down in their own statutes.*

SECTION TWO
The Formation of the Brothers

Chapter VI: COMMON PRINCIPLES

154. The purpose of formation is to introduce the beginners gradually to the full life and apostolate proper to the Order as laid down by our laws, and the *Ratio Formationis Generalis*.

155. To benefit fully from our formation, the candidate needs the following: physical health, psychological maturity corresponding to his age, ability to live with others, a sound Christian life, aptitude, the right intention and the free will to give himself to God and the Church in the Dominican way of life.

156. Under the guidance of masters and other directors, the candidate is primarily responsible for his own formation, in free cooperation with the grace of divine vocation.

157. Those in charge of formation should be well chosen and carefully trained. While several can cooperate in the work of formation, there is to be one brother who ensures the harmonization of the whole of formation.

158. *If the provincial chapter sees fit, a council of formation may be established. Distinct from the conventual council, it shall deal with matters relating to an integral formation and, in this way, helping the master to discharge his responsibility. The provincial chapter, or the prior provincial with his council, shall determine the composition and duties of this council.*

159. The master is to oversee the spiritual life and discipline of those in his charge, as is required by the integral training of those in formation. However, brothers in formation have the freedom to approach other brothers for spiritual direction of a more personal kind.

160. The convent of formation should have everything required for formation, so that with due care for the demands of training, the candidates will be introduced gradually to the conditions of the real life which eventually they must lead.

161. *In convents of formation, genuine fraternal common life ought to flourish so that those in formation can gradually take an active part in community life, always respecting the various groupings within the community. This will lead to a formation that is solid and*

complete. Accordingly, all the brothers ought to bear in mind their responsibility for the formation of the younger brothers.

162. Each province shall devise programs capable of developing the candidates' human and religious maturity and of preparing them for the apostolate. The programs must be suited to their age and condition.

163. *There shall be a* Ratio Formationis *for the whole Order, approved by the general chapter or by the Master of the Order, and revised from time to time. It should lay down general spiritual principles and basic training norms for forming the brothers, leaving the provinces to develop their own norms as time and place demand.*

164. Even though the formation of the brothers continues over many years and is spread over various stages, though studies may be interrupted for the sake of gaining experience, nevertheless it is to be understood and practiced as a continuous process directed to one end. In the light of this unity, the different stages of formation mentioned below are to be seen as parts of a whole.

Chapter VII: PROMOTING AND FOSTERING VOCATIONS

165. § I. *All the brothers, especially those whose ministry is among adolescents and young men, should consider it a duty of their Dominican vocation to work actively and prudently in fostering vocations to the Order.*

§ II. *Each province should appoint a vocations promoter which, if possible, should be his primary function.*

§ III. *Everyone should remember, however, that the life and apostolate of each brother and of each community will be the first invitation to embrace the Dominican life.*

166. § I. *Wherever appropriate, an apostolic school for the formation of young aspirants may be established. The project must*

have the prior approval of the Master of the Order, and the consent of the chapter or council of the province.

§ II. *The provincial with his council shall see to it that brothers with experience in these matters draw up the school's statutes and rules of conduct to be approved by the provincial with his council.*

167. § I. *Aspirants should be prepared for some time before being admitted to the novitiate.*

§ II. *The duration, form and place of this preparation shall be decided by the provincial chapter, or the prior provincial with his council.*

§ III. *For this purpose, the province may establish a time of pre-novitiate as the first step on the journey towards the religious life. The aim of this is to prepare the aspirant for the novitiate especially through catechetical instruction and provide an experience of living community life. It also gives the Order an opportunity to discern the aspirant's suitability for Dominican life.*

168. § I. No one may validly enter the novitiate before completing his seventeenth year.

§ II. To admit into the Order those who have left it, or another religious institute, the prior consent of the provincial council is required, in addition to the following:

1. Admission by the prior provincial if they departed during the novitiate;

2. Admission by the Master of the Order, with the consent of his council, if they departed at the completion of the novitiate, or after profession, with due regard for the prescriptions of *CIC* 690 § I.

169. § I. *Clerical aspirants shall not be admitted to the novitiate unless they have completed those studies required in their own country for admission to higher or university studies.*

§ II. *They ought to have a suitable knowledge of Latin or set about acquiring it as soon as possible.*

§ III. *Cooperator brothers should have secondary education or its equivalent, as decided by the provincial chapter.*

170. *Before anyone is admitted to the novitiate, superiors are obliged to obtain all those documents required by law, and any other information they may consider useful or necessary.*

171. *The right of examining and admitting candidates to the novitiate belongs to the province. A special committee of brothers with a president shall be appointed to carry out the aforesaid examination.*

172. *Each province shall determine in its own statute how the examination is to be carried out and by which brothers.*

173. § I. When the examination of candidates has been completed, the committee shall meet to decide by secret vote whether to accept or reject each applicant.

§ II. The president of the committee shall then present the complete report of the proceedings to the prior provincial, to whom it ultimately pertains to admit a candidate; however, the prior provincial cannot admit someone who has been rejected by the special committee.

174. § I. *The declarations mentioned in the appendix shall be made in the presence of witnesses to candidates who have been admitted to the Order; this shall be recorded in the book of admissions and signed by the candidates themselves (see Appendix 5).*

§ II. *A declaration shall be made to candidates that they can claim no remuneration for any work done for the Order; a document recording this shall be drawn up and signed by the aspirant (see Appendix 5).*

§ III. *Before beginning the novitiate, the aspirant shall free himself from all business interests; any money or other possessions he may have brought with him shall be kept safely by the community. Should he leave the Order before making profession, these shall be returned to him.*

§ IV. *Each province shall decide how the costs of formation are to be met.*

175. The following, and their delegates, can lawfully give the habit: the Master of the Order, the prior provincial in his own province, the prior or subprior-in-capite of the convent where the aspirant is to receive the habit.

176. *The habit can be given at the beginning of the novitiate or during it, according to the decision of the provincial chapter.*

Chapter VIII: THE NOVITIATE

177. The novitiate is a trial period during which the novices come to understand more clearly the nature of a divine and Dominican vocation. They experience the Order's way of life, are trained, mind and heart, in the Dominican spirit, that their intention and suitability may be ascertained.

178. § I. Before beginning the novitiate, aspirants shall complete five full days of retreat.

§ II. The novitiate begins when this is intimated by the legitimate superior, in accordance with n. 174. Notice of intimation and affiliation (nn. 267, 268) must be registered in the book of admissions (see Appendix 6) and signed by the novice and two witnesses.

§ III. The novitiate lasts at least one year. The year can be interrupted or divided into parts as the provincial chapter decides, but the entire novitiate must be completed within two years. One or more periods for formative activity may be spent outside the novitiate community to complete the novices' formation. In all these matters, the prescriptions of *CIC* 648–49 shall be observed.

§ IV. Should a doubt exist about a novice's suitability at the end of the novitiate year, whether the year has been continuous or interrupted, the prior provincial can extend the time of probation but not beyond six months.

179. *There shall be a common novitiate for clerical and co-operator brothers. The novitiate made for the co-operator state is valid for the clerical, and vice versa. However, a transfer from the co-operator to the clerical state and vice versa can only be made with the permission of the prior provincial and his council.*

180. § I. The novitiate must be made in a convent where authentic Dominican life, regular and apostolic, flourishes. The convent is established for this purpose by a written decree given by the Master of the Order with the consent of his council.

§ II. The Master of the Order, with the consent of his council, can allow a candidate, in particular cases and by way of exception, to make the novitiate in another convent of the Order under the guidance of an approved religious who assumes the role of master of novices (see *CIC* 647 § II).

§ III. The major superior can permit a group of novices to live for a stated period of time in another convent of the Order designated by him (see *CIC* 647 § III).

181. The novice master is in charge of the novitiate. However, the master and the novices are subject to the prior in whatever relates to the general discipline of the convent.

182. § I. Masters of novices are appointed by the provincial chapter or, should it become necessary to provide for this outside the chapter, by the prior provincial with his council (see Appendix 7), in which case the Master of the Order should be notified.

§ II. They remain in office until the new master takes office on the day fixed by the following chapter.

§ III. Since the formation of novices depends in no small measure on continuity in office, novice masters should not be changed without grave reason outside a chapter.

183. § I. The novice is free to leave the Order or can be dismissed for a just reason by the competent superior.

§ II. The prior provincial is the competent superior to dismiss a novice. If however there is danger in delay, the prior with the consent of his council can do so, in which case a full report must be sent to the prior provincial.

184. *Voluntary departure or dismissal of a novice is to be recorded in the book of admissions.*

185. *At least twice during the novitiate the master shall discuss the novices with the conventual chapter and council. He shall send a written report to the prior provincial.*

186. The master's special task is to discern the vocation of the novices, and to form them in the life of the Order, in accordance with our laws, and the *Ratio Formationis*, so that the novices grow in their vocation with a proper understanding and a firm resolve.

187. § I. *The novices are to be thoroughly instructed by the master and his socii in salvation history, sacred scripture, liturgy, the principles of Christian life, and about the priesthood.*

§ II. *They shall also be taught the nature of religious life, and particularly the history, spirituality and laws of the Order. They ought to be introduced to our observances so that the spiritual and apostolic value of our observances becomes apparent.*

§ III. *They are to be encouraged to cultivate the human and Christian virtues in order to develop a deeper spiritual life through humility, fervor and self-denial. They shall be taught how to approach fruitfully the sacraments of penance and eucharist, and to practice mental prayer.*

188. *The novices should be imbued with a missionary spirit, learning about the conditions and needs of people in the world, and realizing that they are to be "fervent in preaching whenever the opportunity presents itself."*[30] *Their training, therefore, should be*

[30] *Primae Constitutiones*, Dist. I, 12.

not just theoretical but practical, with an opportunity for some participation in the apostolic activities of the Order.

Chapter IX: PROFESSION

189. § I. By profession, we dedicate ourselves to God, following Christ to lead an evangelical life in the Order. In this way our baptismal consecration becomes more fully effective.

§ II. By the profession of obedience we bind ourselves to live the evangelical counsels, renouncing certain things of undoubted value without detriment to true human development. We embrace Christ's self-emptying while sharing in his life in the Spirit. So, by being faithful, we give a clearer witness in the Church to the values of the kingdom of heaven.

§ III. We also promise in filial devotion to obey the Virgin Mary, Mother of God, the immensely caring mother of our Order.

§ IV. By professing obedience to St. Dominic, we also promise to be faithful to his spirit and project.

ART. I — TWO FORMS OF PROFESSION

190. There are two forms of profession in the Order: the first is simple and temporary, made after the novitiate; the other is solemn and, therefore, perpetual.

191. § I. *During the two months preceding simple profession and the six months prior to solemn profession, a brother shall be examined, and the declarations contained in the appendix shall be made to him (see Appendix 5).*

§ II. *As to the subject matter of the examination, he should be questioned about the obligations of our profession as well as the human and spiritual motives drawing him to consecrate his life to God through profession in the Order.*

§ III. *With the exceptions mentioned in n. 207, the convent where the brother made his novitiate, or where he is actually assigned, has the*

right to conduct the examination. The examiners are the brothers designated by the prior provincial, or by the prior with his council, according to the statute of the province. The examination, however, may take place outside the convent of novitiate or of assignation.

192. § I. When the examination has been completed and the results given to the prior of the convent, the conventual chapter first and then the council shall vote on the admission of the brother to profession. Before voting, the president shall discreetly inform the vocals of the examination results and ask if they have any particular information about the candidate

§ II. The prior shall give a full report to the prior provincial.

193. The following, and their delegates, can validly receive profession: the Master of the Order, the prior provincial in his own province, the prior or subprior *in capite* of the convent where profession is made.

194. Profession is to be made in the convent designated by the prior provincial, and normally in the presence of the community. 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, signed by the brother and two witnesses, shall be registered in the book of professions (see Appendix 8).

ART. II — SIMPLE PROFESSION

195. § I. When the novitiate has been completed, a novice shall ordinarily make simple profession.

§ II. This profession is made for three years. However, it can be made for one or two years, according to the statute of the province, but in such a way that it must be renewed to complete the three years (see *CIC*, c. 655).

196. The following conditions are required for the validity of first profession:

1. He who is about to make profession must have completed his eighteenth year;

2. That profession must take place after a validly completed one year of novitiate, unless, by dispensation of the prior provincial, it is anticipated. This, however, cannot be by more than fifteen days;

3. He must have the consent of the chapter and council of the novitiate convent;

4. The consent of the prior provincial, or of both priors provincial if the novice has been formed in another province.

197. *In convents and houses where, in accordance with n. 315-bis and n. 333, the council is not distinct from the chapter, another vote is taken by the provincial council; in vicariates, it is taken by the vicariate council.*

198. *A prior provincial can reject a novice approved by both chapter and council, but he cannot accept a novice rejected by either one of them. If the novice's own prior provincial rejects him, the prior provincial of the province in whose convent the novitiate has been made can, with the consent of his council, accept the novice as a son of his province if he freely and expressly consents in writing.*

199. § I. Simple profession is to be made according to this formula:

"I, brother N.N., make profession and promise obedience to God, 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 of…; or: delegated…; in place of 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 brother making profession promises obedience to whoever presides in place of the Master of the Order without mentioning any name.

200. § I. For the duration of simple profession, a brother retains ownership of his possessions and the power to acquire others. Whatever he may acquire, however, by his own activity or by virtue of his religious state, belongs to the Order.

§ II. Before making simple profession, a novice must hand over, for the duration of his vows, the administration of his possessions to whomever he prefers, even to the Order if he so wishes, and make arrangements for their use and usufruct. He may also draw up a will with regard to his present belongings and those that may accrue to him in the future.

§ III. If, due to the lack of possessions, the arrangements mentioned in § II do not apply, they can be made or repeated after profession if the brother subsequently acquires possessions.

§ IV. Within sixty days before making solemn profession—earlier would be invalid—a brother must dispose of all he possesses or is likely to possess, to whomever he wishes, on condition that profession is to follow.

§ V. If a brother wishes to change these arrangements for a just reason, he needs the permission of the major superior (*CIC* 668 § II).

201. § I. *At the end of the first three years in simple vows, brothers may, at their own request or the superior's suggestion, renew simple profession, but not beyond another three years; in which case vows must be renewed each year. The provincial chapter can decide, however, that simple profession will ordinarily be extended after the first three-year period.*

§ II. *Those in perpetual or solemn vows who transfer to the Order from another religious institute with the permission of the Master of the Order and their own superior general, and with the consent of their council, cannot make solemn profession until three years have elapsed and only if a novitiate has been completed (*CIC *684 §I–II).*

202. *Only his own prior provincial may validly admit a brother to renew simple profession, having obtained the consultative vote of*

*the chapter and council of the brother's convent of assignation. (*CIC *656, 657).*

203. § I. *Renewal of profession is to take place on the day which marks the end of the period for which profession was made (see Appendix 9).*

§ II. *For a good reason, the prior provincial has the faculty to permit the renewal of temporary profession to be anticipated but by not more than a month.*

204. *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* CIC *688);*

3. *By dismissal from the Order according to common law (*CIC *694–704).*

ART. III — SOLEMN PROFESSION

205. When the time of simple profession has been completed, a brother should either make solemn profession or leave.

206. The following conditions are required for the validity of solemn profession:

1. That the brother be admitted by his own prior provincial; if the brother lives in another province, the prior provincial of that province must be consulted;

2. The vote of the chapter and council of the convent of assignation where the brother has spent the year immediately preceding.

207. § I. *When a brother has spent the year immediately preceding solemn profession, which can be a scholastic year, in a convent of his own province, the prior provincial may admit him to profession, if the vote of the chapter and the vote of the council are favorable.*

He may also do so if the vote of either one is favorable, but not if both are contrary. In convents and houses where, according to n. 315-bis and n. 333, the council is not distinct from the chapter, the second vote is taken by the provincial council; in vicariates it is taken by the vicariate council.

§ II. *When a brother has spent the aforesaid year outside his own province, the vote of its chapter and council are consultative only. However, in that case a vote of the council of the province of affiliation is always required. If it is favorable, the prior provincial may 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 of his actual assignation and is due to make solemn profession, the convent in which he spent the immediately preceding year takes a vote of the chapter and council according to n. 206, 2°. But the convent where he is actually living must first take a vote for the sake of information.*

208. *Solemnly professed brothers assigned, for reasons of study, to a convent outside their own province, do not have a voice in the chapter when it considers admitting brothers from other provinces to profession. They may be consulted, however, before the vote of the chapter and council when there is a question of professing students who are living there but belong to other provinces.*

209. *Reports of the chapter and council votes are to be sent to the prior provincial by the prior. Personal and academic reports on each candidate are to be sent to him by the master. And where students are concerned, the moderator of the center for institutional studies shall send his report.*

210. *Solemn profession is to be made without delay on the day which marks the end of the period for which temporary profession was made. It may be anticipated by dispensation of the major superior given for a just reason, but not beyond three months (*CIC *657 § III). But if temporary profession was legitimately extended and profession was renewed, the brother may be legitimately admitted*

to solemn profession, even before the elapse of the extended period, provided all other conditions are fulfilled.

211. The same formula as in first profession is used, except for the final words, "until death."

212. Whatever temporal goods are acquired by the brothers after solemn profession, under any title whatsoever, belong to the Order, province or convent, according to our laws.

Chapter X: FORMATION AFTER THE NOVITIATE

ART. I — COMMON PRINCIPLES

213. § I. Post-novitiate formation is aimed at consolidating and developing novitiate formation and completing the time of testing both by the Order and by the brothers.

§ II. Therefore, for a period of time determined by our laws, the brothers shall live in a convent of formation under the care of the master. They shall dedicate themselves earnestly to more profoundly understanding the values and demands of their vocation and putting them into practice. By so doing, they will be fulfilling their Dominican profession faithfully and responsibly.

§ III. The norms set out in n. 182 concerning the appointment of novice masters, their duration in office and removal, are to be followed when appointing other masters.

214. § I. *The master, according to the capabilities of each, shall advance the brothers towards the gradual attainment of the perfection of religious and apostolic life, in the spirit of the Order. He shall teach them that to follow Christ is the supreme rule of our life; he shall teach them to be of one mind with the Church, to know and cherish the spirit of St. Dominic and the Order's sound traditions, to read when opportune the signs of the time and to interpret them in the light of faith.*

§ II. *Guided by their love for their Dominican family, which receives them and enriches them with its manifold traditions, the brothers*

will learn that religious life provides a more stable lifestyle, tested doctrine for the way to perfection, fraternal communion in solidarity with Christ, and freedom fortified by obedience.

§ III. *During the studentate the master shall discuss the students with the conventual chapter at least once a year and shall send a written report on this to the prior provincial. If a brother is studying in another province, his own prior provincial shall be given a yearly report about him.*

215. So that religious formation may be imbued with an apostolic spirit it should be possible to conduct an apostolate in the convent of formation and to introduce the brothers to it, by way of real and active sharing, each according to his condition, gradually and prudently.

215-bis. So that the brothers may be prudently and gradually trained for the apostolate, after their first profession they may be established in the ministries of lectorate and acolyte.

216. § I. *To facilitate religious formation, those personal aptitudes which contribute greatly towards human maturity should be integrated and developed. Among them are a stable personality, the ability to make weighty decisions, and the acceptance of personal responsibility.*

§ II. *If religious life is to be fully responsive to the world's needs, not only must the brothers, each according to his aptitudes and situation, acquire an adequate understanding of the behavior, the sentiments and the thinking processes to be found in current social life, they must also learn to assimilate and judge them in the light of their Dominican vocation.*

ART. II — THE FORMATION OF CO-OPERATOR BROTHERS

217. After their novitiate, the co-operator brothers shall spend three full years in a convent designated for their formation under the care of their own master, who may be a solemnly professed co-operator brother and who will guide their spiritual and human formation. The

regent or some other suitable brother, appointed by the prior provincial with his council, shall be responsible for their intellectual and professional formation.

218. After three years of simple profession, the formation of co-operator brothers, whether in solemn vows or not, shall continue for at least two years. It shall take place in a suitable convent under the care of the local superior, according to the norms established by the provincial chapter.

219. § I. *The purpose of the brothers' formation is to develop their human qualities and the Christian virtues so that they will be able to live a truly Dominican life; this will enable them to take an appropriate part in the life and government of the community.*

§ II. *Since they share in the Order's apostolate through profession, the brothers are to be trained for the exercise of an appropriate apostolate, thus becoming true co-operators in the mission of the Order.*

§ III. *Since it generally happens that the co-operator brothers have different aptitudes, and that their contributions to the Order's work can take many forms, they should be given formation suited to their respective abilities, bearing in mind the needs of the Church and the Order in each region.*

220. § I. *With a solid knowledge of the faith, especially as enriched by the sacred scriptures and the liturgy, the brothers should learn how these can shape and fulfill their lives.*

§ II. *Without neglecting their general education, the brothers should also be given practical and technical training which will better suit the needs of the life and ministry of the province. Such studies should, where possible, have some form of certification.*

ART. III — THE RELIGIOUS FORMATION OF CLERICAL BROTHERS

221. Clerical brothers after first profession ordinarily move to the studentate where, normally, they remain until ordination or until the

end of institutional studies, continuing and completing their formation.

222. *Priests in temporary vows are to remain in the studentate for at least three years under the guidance of the master so that they may be confirmed in the Dominican spirit, and in the observance of regular discipline. If the prior provincial with his council so decides, they may live elsewhere under the guidance of another priest brother.*

223. *Since clerical brothers are destined to lead their Dominican lives in the exercise of a priestly apostolate, they should be taught how, by imitating Christ, they can harmonize their religious life with the demands of their future priesthood, thus achieving a more complete integration of their Dominican vocation.*

224. *The students' progressive formation should be conducted in such a way that the religious life is nourished by study and study is nourished by the religious life.*

225. § I. *From the very first years of the curriculum of studies, suitable programs in diverse works of the apostolate should be methodically introduced under the guidance of experts; as far as possible these should take place during the academic year and particularly during vacation time, according to norms worked out by each province.*

§ II. *In line with the needs of different provinces, and according to the resolutions decided by their respective chapters or councils, studies may be interrupted for the sake of apostolic activity if this is deemed necessary for formation.*

ART. IV — THE INTELLECTUAL FORMATION OF CLERICAL BROTHERS

226. What was said above in numbers 76–83 about the importance of study and its sources should be taken very seriously by the student brothers and put into practice. They must be aware that the study

they undertake is an essential part of the life they have, by profession, bound themselves to lead.

227. *Only those brothers capable of pursuing our institutional studies are to be admitted to them.*

228. § I. *Studies should be distinguished by their rigor and scientific method.*

§ II. *Intellectual formation consists principally in the development of judgment. Therefore, a critical knowledge of sources, an understanding of principles and an ability to reason properly must be carefully cultivated, so that the brothers may be fitted to study by themselves and to take part in serious dialogue.*

229. Studies are governed by the following:

1. The *Ratio Studiorum Generalis* which lays down what is needed for the overall planning of studies and the doctrinal unity of the Order;

2. The particular *Rationes Studiorum* suited to the needs of specific times and places.

230. It is for the Master of the Order, principally:

1. To establish centers of institutional studies;

2. To appoint regents of studies;

3. To draw up the *Ratio Studiorum Generalis*, promulgate and suitably modify it as changing circumstances demand;

4. To approve individual *Rationes Studiorum Particulares.*

231. It is for the prior provincial, principally:

1. To decide with his council how best to achieve the formation of the brothers, bearing in mind n. 234;

2. With his council to propose the regent to the Master of the Order, having consulted the commission for the intellectual life, if this needs to be done outside the provincial chapter;

3. To prepare suitable professors for the intellectual formation of the brothers;

4. To appoint brothers to teach in the province's centers of studies according to the statutes of these centers;

5. To submit the *Ratio Studiorum Particularis* to the Master of the Order for his approval.

232. Institutional studies are to be made, if at all possible, within the Order, bearing in mind the particular character of our own studies (see nn. 76–83). If it is not deemed opportune for them to be made within the Order, the province, with the consent of the Master of the Order, shall arrange the best way of achieving the formation of the brothers, remaining always faithful to the doctrinal tradition of the Order.

233. § I. Each province should have its own center of institutional studies to provide its students with an intellectual formation according to the tradition of the Order and of the province. The center's faculty or group of professors, constituted according to the province's *Ratio Studiorum Particularis*, and under the presidency of the moderator, is responsible for the institutional studies of the brothers even when their studies are pursued outside the center or outside the province.

§ II. A center of institutional studies which provides the entire curriculum required by the *Ratio Studiorum Generalis* offers the best possible intellectual formation according to the tradition of the Order. Provinces should, whenever possible, establish and strengthen such centers.

§ III. Where, because the number of students is small or there is a lack of suitable professors, or because of the benefit of collaborating with other institutes for the good of the Church, the center of studies does not provide a curriculum, and the students with the consent of the Master of the Order frequent other institutes or faculties not belonging to the Order, then the center of studies should provide some courses and program for the students so that they can have a real experience of study within a community of the Order, especially in subjects relating to the doctrinal tradition of the Order.

§ IV. When students are sent to another province for institutional studies, they retain their links with their own center of institutional studies; they return to it at least for some experience of study within their own province; and they are subject to the faculty 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 or other centers of higher studies, they remain under the regent of studies for the planning and coordination of their studies.

234. Cooperation in institutional studies within the Order can be done:

1. By setting up in a particular nation or region, with due regard for n. 233, an interprovincial center of institutional studies with its own particular statute, in which the entire curriculum according to the *Ratio Studiorum Generalis* of the Order can be provided for brothers of several provinces;

2. By providing in one province's center part of the curriculum (for example, the philosophical formation for students of two or more provinces) and another part in some other province's center. Such collaboration is governed according to a particular statute agreed between the provinces;

3. By offering to those provinces which send students to another province's center some sharing, at least consultative, in the government of that center;

4. By sending students to the Order's centers of higher studies, especially international centers, with due regard for n. 233.

235. In the government of the house of studies, the prior shall ensure that the conditions are favorable for the intellectual formation of the students; and he shall respect the freedom of the brothers entrusted with formation within the limits of each one's tasks.

236. The moderatorship of the center of institutional studies shall be appointed according to the center's own statute, observing n. 92-bis, § I.

237. § I. A center of institutional studies is governed by a group of professors under the presidency of a moderator. The duty of this group is to promote everything that pertains to study, always bearing in mind the integral formation of the brothers. It is the task of *Rationes Studiorum Particulares* to determine which teachers fully belong to the faculty, and how students are to participate in it.

§ II. This center's moderatorship is subject to the prior provincial in discharging its responsibilities. It is subject to the conventual prior in all that concerns the religious life and government of the community.

§ III. Professors and students should willingly work together under the authority of the moderatorship to promote study.

238. *To be appointed professor in a center of institutional studies, a brother must have completed his own institutional studies, and also complementary studies especially in his own field according to the requirements of the Ratio Studiorum. Furthermore, he shall have appropriate pastoral experience and training in the art of teaching.*

239. *Professors should apply themselves assiduously to study so that they may become increasingly expert in their field, well-equipped for scientific research. They ought to bear in mind that a limited involvement in pastoral ministry will help in their task of studying and teaching.*

240. § I. *The professors should try to create a real intellectual exchange among themselves, and also with the students; this will contribute more effectively to the intellectual formation of all and redound to the greater benefit of each student.*

§ II. *Brothers engaged in ministry should be invited when opportune to discuss pressing contemporary issues with professors and students; this will provide an added incentive for study.*

241. The curriculum of institutional studies includes philosophical and theological disciplines and pastoral formation.

242. *With respect to philosophy and theology to be offered, the decree* Optatam totius *(nn. 13–19) of the Second Vatican Council should be observed, paying special attention to the following:*

1. *The scientific study of sources, and especially in the context of theology, those of Sacred Scripture;*

2. *The importance of the search for a systematic synthesis through speculation, under the guidance of the master, Saint Thomas (see n. 82 above);*

3. *The more urgent problems of the day, which will vary from place to place.*

243. *Bearing in mind their talents and regional conditions, brothers may be sent to universities for further studies on the recommendation of the group of professors and with the permission of the prior provincial. This can take place during their normal course of studies. However, such studies must be at one with the Order's intellectual formation. Furthermore, when such university studies have been finished, brothers shall complete the studies proper to the Order, if they have not already done so.*

244. § I. *Brothers shall pursue complementary studies in special institutes, as determined in the province's plans (see n. 107 above), and in accordance with each one's abilities and interest.*

§ II. *Students may prepare for these studies while still engaged in institutional studies.*

245. *The most suitable time and method of voting on the religious conduct* [de moribus] *of candidates before examinations should be decided by the provincial chapter, with due regard for the prescriptions of n. 251 § III.*

ART. V — BROTHERS PREPARING FOR ORDINATION AND BROTHERS NEWLY ORDAINED

246. Only those brothers may be promoted to orders who:

1. Are solemnly professed;
2. Have the necessary qualities;
3. Are presented by their own major superior;
4. Are approved by the conventual council, whose responsibility it is to ensure that they have the requirements for ordination (see *CIC* 1029 and 1051).

247. § I. *Superiors shall not admit a person to orders unless, after careful inquiry, they are satisfied about his religious conduct (de moribus religiosis), his suitability for priestly office and his progress in study.*

§ II. *Superiors shall make sure to question each of those due for ordination and receive from them the declaration provided for in* CIC *1036, written in their own hand and signed, in order to satisfy themselves that they freely and deliberately want to be ordained as religious.*

248. § I. After the council's approval, and the examination for the particular order has been carried out by those appointed by the provincial chapter, the major superior shall prepare dimissorial letters to be sent to the diocesan bishop in accordance with law (see Appendix 10).

§ II. The prior provincial may grant dimissorial letters only to members of his own province, or, with the consent of the prior provincial of their province of affiliation, to brothers assigned in his province.

249. § I. *Student priests living outside the studentate are to be introduced gradually to the priestly life and apostolate through appropriate conferences and activities. This is the responsibility of*

the prior or another priest brother designated by the prior provincial.

§ II. *They are, however, always under the authority of the prior with due provision for the rights of the regent in matters of study.*

250. § I. *After completing their course of studies, young priests should apply themselves responsibly to the religious and apostolic life so that their priestly ministry will truly nourish their spiritual and intellectual life. They should be aware of the special problems which are part of the first years of priesthood.*

§II. *The brothers, especially superiors, should help the young priests in their ministries with brotherly care and advice.*

251. § I. *A special examination must precede the exercise the office of confessor. The manner in which this examination is to be conducted is laid down in the* Ratio Studiorum Generalis.

§ II. *Brothers must take this examination within six months of completing their basic theological studies, or within six months of ordination to the priesthood if this is postponed for any reason.*

§ III. *Before this examination, a vote is to be taken on the moral behavior of the candidate as mentioned in n. 318, 4°. This is required for validity.*

ART. VI — ONGOING FORMATION

251-bis. Ongoing formation has to do with brothers' renewal and development in keeping with the different stages of their life's journey, so that they are increasingly prepared to adapt their preaching of the Word of God to people today who are preoccupied with contemporary concerns. Within the province, the task of ongoing formation is the responsibility of the prior provincial assisted by the provincial promoter of ongoing formation. In the convent, the task falls to the prior, assisted by the conventual lector, and to the conventual chapter. In a house, the superior is responsible.

251-ter. § I. In every province, there is to be a promoter of ongoing formation under the authority of the prior provincial. His duties are as follows:

1. To draw up yearly program of ongoing formation with the assistance of the province's commission for the intellectual life;

2. To coordinate such program at provincial, convent and house level at least once a year with priors, conventual lectors and superiors; the regent is to be consulted when studies are under discussion;

3. To enter into communication with other centers and institutions of ongoing formation and also with experts in the field.

§ II. The provincial promoter of ongoing formation is appointed by the provincial chapter for a four-year term. During his tenure:

1. He is moderator of the province's center for ongoing formation, with due regard for n. 92-bis § I;

2. He is a member of the commission for the intellectual life of the province;

3. He is provided with a financial subsidy in the province's annual budget.

SECOND DISTINCTION
The Government of the Order

Section One:
General Norms: the structure of the Order; the law by which the Order is governed.

Section Two:
Government: government of a convent; government of a province; government of the whole Order.

Section Three:
Elections: elections in general; the election of a conventual prior; the election of a vicar provincial; elections for a provincial chapter; the election of a prior provincial; other elections in a provincial chapter; the election of the Master of the Order.

Section Four:
Economic Administration: the principles of administration; administrative procedure; administration in particular.

SECTION ONE
General Norms

Chapter XI: THE STRUCTURE OF THE ORDER

252. The Order of Friars Preachers, which is ruled by the general chapter and the Master of the Order, is made up of provinces, each of which is ruled by a provincial chapter and a prior provincial (see Appendix 11).

Each province is made up of convents and houses, each of which is governed by its own superior.

ART. I — PROVINCES

253. § I. A province consists of at least three convents, two of which must contain at least eight vocals. Furthermore, each province must have at least forty vocals.

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

254. Every province has the right:

1. To accept as its sons those who commence the novitiate with a view to joining it;

2. To provide suitably for the formation of its brothers, and, provided the necessary conditions are present, to have its own novitiate and center of institutional studies;

3. To hold provincial chapters;

4. To take part in general chapters.

255. *To establish a new province, besides the conditions set out in n. 253, it is necessary that there be a well-founded hope that, drawing on vocations in its own territory, it can eventually advance in regular and apostolic life.*

256. It is for a general chapter or for 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. § I. *For the union or fusion of several provinces or vice-provinces the following are required:*

1. *A consultative vote of the provincial councils regarding the matters to be addressed in the union or fusion;*

2. *To the extent that the circumstances permit, consultation of the brethren of the provinces concerned, to be conducted in a way worked out by the Master of the Order;*

3. *The decision of the Master of the Order with his council; the first superior of the new province or vice-province is appointed by the Master of the Order.*

§ II. *If it seems necessary, a special provisional statute can be promulgated by the Master of the Order*

§ III. *If a province is to be divided, the procedures to be followed shall be worked out by the provincial council and approved by the Master of the Order with his council.*

257. 1. The Master of the Order, with the consent of his council, may establish a vice-province. It ought to have, 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 so that it may have the conditions for the stability of the new province to be established.

2. A vice-provincial presides as major superior over a vice province; he is elected by the chapter of the vice-province. A vice-province has the obligations and rights of a province.

258. § I. If for a period of three years any province or vice-province does not meet the conditions established in n. 253 or n. 257 § I, the General Chapter or the Master of the Order with the consent of his council shall declare that it no longer enjoys the rights of a province or vice-province, without prejudice to the right to participate in a General Chapter which has already been convoked.

§ II. Once this declaration has been published, if the province meets the conditions established in n. 257 § I, it shall enjoy the rights and

be bound by the obligations of a vice-province. Otherwise the Master of the Order shall appoint a vicar in and over this province or vice-province (see n. 400) for four years. The vicar must meet all the conditions required to be a prior provincial; he governs the entity in accordance with norms established by the Master of the Order.

§ III. If a province or vice-province which has been in the situation described in § I subsequently comes to meet the conditions established in n. 257 § I, the General Chapter or the Master of the Order with the consent of his council shall declare it to enjoy the rights of a vice-province and to be bound by the corresponding obligations.

§ IV. In regions where, because of adverse circumstances, a provincial chapter cannot be held, the Master of the Order, with the consent of his council, may provide for its equitable representation at the general chapter

259. § I. *Provinces are named and ranked among themselves according to the existing tradition (see Appendix 12). Those that may be founded in the future 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 — CONVENTS

260. § I. In our legislation the word ‘convent’ is understood to refer to a community which has at least six brothers assigned and habitually living there, of whom five enjoy active voice and at least four are priests. A community which does not meet these conditions is called a ‘house.’

§ II. Whatever is said of convents is also valid for houses, unless otherwise expressly stated.

261. § I. To establish or to suppress a convent, legal provisions having been observed (see *CIC* 609–12; 616), the following are required:

1. A petition by the provincial chapter, setting out the reasons;
2. Approval by the Master of the Order;
3. A decree by the Master of the Order, given in writing, for validity.

§ II. If it is a question of transferring or re-establishing 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 it is proposed to make a foundation.

262. *When a house has the conditions required by our law to be 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 established directly as a convent properly so called, the prior provincial shall appoint the prior in accordance with n. 373, 1°.*

264. *No convent can be reduced to the status of a simple house except by a provincial chapter.*

ART. III— INCORPORATION OF THE BROTHERS

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 have precedence over others.*

267. Every brother must be enrolled in a province. This enrollment, which happens when he begins his novitiate, is called affiliation.

268. *Before they begin their novitiate, postulants from another province must be told, clearly, into which province they are being received. If, however, a postulant is admitted without any such clarification, he will be a member of the province in which he began the novitiate.*

269. *Transfiliation from one province to another can be effected by the Master of the Order, with the consent, however, of both priors provincial and their councils.*

270. § I. Assignation is the appointment of a brother to a province or to a specific convent with all rights and obligations unless it is clearly stated otherwise.

§ II. Assignation is either direct (simply made), or indirect by reason of office or of studies.

§ III. Assignation outside one's own province for the purpose of study does not entitle one to a vote 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, without prejudice to n. 208.

§ IV. Assignation by reason of office applies only to superiors; that made by reason of study applies only to students outside their province.

§ V. Every brother needs a direct assignation to a specific convent from the time of first profession, which assignation of itself has no time limit. An indirect assignation lasts only for as long as the office. As for the duration of an indirect assignation by reason of study, that is determined by the prior provincial of the province of assignation, with the consent of the prior provincial of the province of affiliation. During the time of indirect assignation, the previous direct

assignation remains inactive. When the time of indirect assignation has elapsed, the direct, or simple, assignation revives.

271. § I. *A general chapter or the Master of the Order may freely assign brothers to any province or convent.*

§ II. *A provincial chapter or a prior provincial may make assignations within their own province.*

§ III. *A provincial chapter or a prior provincial may assign a brother from another province to theirs, with the consent of the provincial chapter or of the prior provincial of the province of affiliation, the Master of the Order having been informed.*

§ IV. *A brother who in accordance with § I or § III has been assigned to a province also needs to be assigned to a specific convent as soon as possible.*

§ V. *Direct or indirect assignations by reason of study must be made in writing (see Appendix 13).*

272. *As soon as possible, and not later than a week from its reception, the letter of assignation shall be read in the presence of 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 assignation in the council book and notify the superior of the convent of previous assignation.

273. *Temporary appointment of a brother to a province or convent is called deputation. It is given in writing by a major superior and imposes those obligations of an assignation which have not been expressly excluded. It does not grant assignation rights but leaves intact the right to take part in elections in the convent of assignation.*

274. *Ordinarily, deputation is not made for longer than six months. By way of exception, however, especially because of teaching, it can be made for a year.*

Chapter XII: Legislation Governing the Order

Art. I — The Distinction of the Laws of the Order

275. § I. Guided by the spirit of the Gospel and with its foundations in the Rule of St. Augustine, our Order is ruled by all the laws of the Church and the decrees and privileges which apply to us (see Appendix 14), and also by the following:

1. The constitutions of the Order;
2. Ordinations 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 1).

276. § I. A particular statute is considered to be a constitution only when it has been accepted by three successive general chapters. The process for this is inchoation in the first chapter, approbation in the second, and confirmation in the third. This process must also be observed for the abrogation or substantial changing of constitutions.

§ II. One most general chapter 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 the inchoation was made by way of an ordination.

Inchoations with ordinations which are contrary to constitutions may not be made except rarely and for an urgent reason, which must always be stated expressly by a chapter.

278. Each 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, for whatever reason, 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 concerning those matters which, according to our legislation, are to be determined by each province.

§ II. 1. Only a 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 changes 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 holding a provincial chapter begin to have force only with the following chapter.

280. Each 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 — 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 chapter itself; 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. *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 to declare that a specific 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, after consulting his council, has the same power.

§ II. If such a declaration is still shown to be 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 two successive chapters and have been approved in the third shall be inserted into the Book of Constitutions and Ordinations. If they are not thus inserted, they are to be considered abrogated, unless they are enacted again by the General Chapter.*

§ II. *Ordinations in the Book of Constitutions and Ordinations can be revoked by a general chapter until the next chapter; if, however, the second chapter confirms the previous one, they are definitively abrogated (see Appendix 2).*

286. § I. *Ordinations in the statute of a province remain in force until they are revoked by a provincial chapter, without prejudice to n. 279 § III.*

§ II. *Other ordinations of a provincial chapter remain in force until the date when the acts of the following provincial chapter take effect.*

287. *The ordinations of superiors and of those who take their place cease when they leave office, without prejudice to n. 284.*

288. *Ordinations made in canonical visitations remain in effect until the next visitation by a similar authority.*

289. § I. The legitimate customs of the Order or of a province retain the force of law until they are revoked by a general or a provincial chapter.

§ II. Customs contrary to the constitutions and ordinations found in this book, are rejected.

290. To give an authentic interpretation of our laws pertains to a general chapter. However, when it concerns the interpretation of constitutions, this does not acquire the force of a constitution unless it has been approved by three successive general chapters.

291. If a doubt about a text of our laws occurs outside the time of a general chapter, a declarative interpretation by the Master of the Order must be observed.

292. § I. Only a general chapter or the Master of the Order is empowered to dispense from the laws of the Order, either the entire Order or, permanently, a province, or a convent, or brothers.

§ II. A prior provincial in his province and a conventual prior in his convent may dispense the brothers in matters which are not reserved to a higher superior.

293. *Dispensations, nominations, and similar measures 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. If they are 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 the contrary is expressly stated in our legislation.*

ART. III — FORMAL PRECEPTS

294. A formal precept which binds under pain of grave fault:

1. Shall not be imposed unless there is question of matter which our laws regard as serious either in itself or from the circumstances, this 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 and must state clearly what is to be done or what is to be omitted;

3. Must be given in the requisite formula: "we command (or we forbid) in virtue of obedience."

295. A general and provincial chapter, and also superiors and others delegated by them, have power to give a formal precept.

296. *Precepts cease to bind either by the passage of time or by the termination of the authority of the one imposing the precept.*

297. A precept is invalid:

1. If it is not given in writing or if the formula required by n. 294 is omitted;

2. If the local superior imposes a precept on an entire community without the previous consent of the prior provincial or, in a case of urgent necessity, of the conventual council; or if the prior provincial imposes it on a whole province without the consent of his council.

SECTION TWO
Government

297-bis. Provided that most of those who should be invited are present, in all transactions whatever is approved by an absolute majority—that is, by more than half the votes cast—has the force of law, without counting invalid votes and abstentions (cf. Appendix 14-bis).

297-ter. Vocals are not easily to abstain from casting a determined vote, especially regarding admission to profession, but only for a just cause that prevents them from forming a judgement [◆ K 322].

Chapter XIII: The Government of a Convent

Art. I — The Conventual Prior

298. By law, a conventual prior has ordinary power for the internal forum and the external forum, over the brothers assigned to his convent or residing there.

299. A prior, who "reckon[s] himself happy, not by his power to command, but by his love to serve,"[31]

1. Should promote regular and apostolic fraternal life;

2. Should provide for the brothers' needs;

3. Should be concerned that the brothers fulfill their personal obligations.

300. 1. *A prior should frequently preach the word of God to the brothers and offer the sacrifice of the Mass for them;*

2. *He should willingly seek the advice of the brothers, encourage them to be responsible, and foster the collaboration of all for the good of the community and the salvation of humankind.*

301. § I. Ordinarily a prior takes office by canonical election confirmed by the superior. He continues in office for three years, after which he may be re-elected, but not immediately for a third term in the same convent.

§ II. His term of office begins from the date of acceptance and ends 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 due to end within the three months which precede the holding 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 takes office.*

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[31] *Rule of St. Augustine*, 7.

§ II. *Where, for a just cause, it does not seem advisable to hold the election of a prior within a month after the office becomes vacant, the prior provincial, having consulted the chapter of the convent, may appoint the outgoing prior or the subprior in capite as his vicar to govern the convent for not longer than six months, unless within that six-month period a provincial chapter is to be held.*

303. *If he judges it opportune, a prior may appoint as his vicar any priest brother assigned to his convent who shall have whatever authority the prior gives him.*

304. *If the prior, the subprior, and the vicar are absent, the priest who is oldest in order of profession, has active voice and is assigned to the convent, shall be accepted as vicar.*

305. § I. *A prior who is prevented by illness from properly fulfilling his duties shall resign from office if there is no hope of recovering his health within six months.*

§ II. *If he is unable or unwilling to indicate his willingness to resign, the subprior, having heard the views of the council, must submit the case to the prior provincial.*

306. *At the end of his term of office, a prior shall present a report on his administration according to the procedure laid down in the statute of the province.*

ART. II — THE CONVENTUAL CHAPTER

307. The conventual chapter is a gathering of the brothers, with the prior presiding, to discuss or come to a decision about matters concerning the common and apostolic life of the convent and with its good administration.

308. § I. The chapter is composed of brothers who have active voice in the convent.

§ II. When there is a question of acceptance for profession, all solemnly professed brothers have a vote and must be convoked in accordance with n. 208.

309. § I. *The chapter shall have a secretary, whom it elects in a single ballot. He shall enter an account of discussions and resolutions in a book set aside for that purpose.*

§ II. *If the prior wishes, he may from time to time and with the consent of the chapter invite professed brothers who are not vocals to attend and be heard without however their having a vote.*

310. It is for the chapter:

1. To elect the prior and a socius or socii of the prior to attend the provincial chapter, without prejudice to n. 490;

2. To consent to the appointment or removal of a subprior as proposed by the prior;

3. To elect the members of the conventual council in accordance with n. 315, 2°:

4. To vote, in accordance with nn. 192, 197, 202, 206, and 207, on the admission of brothers to profession;

5. To send to provincial and general chapters petitions or questions to be dealt with;

6. To elect a conventual lector.

311. § I. *It is also for the chapter:*

1. *To organize community life in so far as our laws permit in matters which in the judgement of the provincial chapter are to be determined by the convent;*

2. *To deal with matters to do with the apostolate and the temporal administration of the convent which the chair regards as particularly important, without prejudice to the rights of the prior provincial.*

§ II. *In order that the common life may be at the service of the apostolate and be enriched by the work of the brothers, every convent should develop its own program or project of apostolic life. The program, having been prepared and reviewed by all, must be approved by the prior provincial. In this way individual activity*

which is not permitted by the community nor by the prior provincial will be eliminated.

§ III. *The provincial chapter shall decide what matters are to be determined by a decisive vote in the conventual chapter.*

312. § I. *The chapter shall be held several times a year, and only the president has the right to convene it.*

§ II. *The convening of the chapter must always be done publicly and in writing.*

§ III. *Before the chapter, capitulars may propose to the president matters to be discussed; if one-third of the chapter proposes some matter, the president is obliged to present it for discussion. During the chapter, no business may be proposed unless the president permits or invites it.*

§ IV. *To avoid having to make an unexpected decision at a chapter, the vocals should be informed about all matters for discussion, together and individually, at least one or two days before the chapter meets, provided there is no danger in delay.*

§ V. *When there is a question of admission to profession, at least half of those who have voting rights and reside habitually in the convent must always be present.*

§ VI. *The president has the power to determine what must be kept secret.*

313. § I. *In reaching decisions a simple majority of votes is sufficient, not counting abstentions.*

§ 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 vote.*

ART. III — THE CONVENTUAL COUNCIL

314. The conventual council is a gathering of brothers, at which the prior presides. He is obliged to seek the council's consent or advice in accordance with our laws.

315. The members of the council are:

1. The subprior;

2. At least two brothers with voting rights, but never more than eight, are elected for three years by the conventual chapter and are approved by the prior provincial. The number of those to be elected shall be decided by the chapter itself.

3. Furthermore, in convents of formation, the master of novices, master of students, and master of co-operator brothers, as well as the moderator of the center for institutional studies.

315-bis. *In a convent where there are eight brothers or fewer, with voting rights, the prior provincial may, at the request of the conventual chapter, allow the council of such a convent to be identical with the chapter.*

316. *The secretary of the council is elected by the council itself in a single ballot; if he is not a member of the council, he has no vote. In a book reserved for the purpose, he shall record the discussions and the resolutions of the council.*

317. § I. *Except in cases expressly indicated 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 suffices that two councilors and the president be present.*

§ III. *The syndic shall always be called to take part 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 called to the council to be heard when the matters pertaining to their duties are to be dealt with.*

318. It is for the council:

1. To consent to the appointment or removal of the syndic;

2. To vote, as required in nn. 192, 197, 202, 206, and 207, for the admission of brothers to profession;

3. To dismiss a postulant or a novice when the matter is urgent;

4. To grant to those about to sit for an examination the approval concerning their behavior required by our legislation (see nn. 245 and 251 § III);

5. To give approval for the reception of orders (see n. 246; *CIC* 1020 and 1051, 1°);

6. To approve the report of the syndic and of other administrators and to decide all other matters concerning economic administration, in accordance with nn. 563 § I, 568;

7. To decide on all matters left to the examination and decision of the council by a provincial chapter.

319. *The council shall meet at least once a month and shall conduct its business according to the rules laid down above for the conventual chapter, nn. 312 and 313 (see Appendix 14-bis).*

ART. IV — CONVENTUAL OFFICIALS

320. The subprior acts in the place of the prior and assists him in the administration of the convent.

321. The subprior should 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 n. 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 in accordance with § I.*

§ III. *If, for some other reason, the subprior ceases to hold office, the prior must appoint a new subprior within a month; otherwise the right of appointing him reverts to the prior provincial.*

323. *Abrogated.*

324. *In the absence of the prior, the subprior may preside over the conventual chapter and council and may 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' may not 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, in accordance with the directives of the provincial chapter:

1. To encourage the study of questions connected with the program of apostolic work on which the conventual chapter has decided (n. 307);

2. To ensure that in his convent the decisions made by the commission on the intellectual life of the province and confirmed by the prior provincial are carried out;

3. To organize discussion of contemporary questions;

4. To help the prior in fostering the ongoing formation of the community.

327. The syndic of the convent, under the direction of the prior, is the administrator of temporal goods; he exercises his office in accordance with the norms laid down for administration.

328. § I. *Any brother with active voice may be appointed syndic of the convent provided he is truly qualified for this office.*

§ II. *He is appointed by the prior with the consent of his council and with the approval of the prior provincial.*

§ III. *He is appointed for a three-year term and can be appointed immediately for another three years but not for a third time except in case of necessity.*

329. § I. *When the office of syndic falls vacant, the prior is obliged to see to the appointment of a new syndic within a month, without prejudice to n. 318, 1°.*

§ II. *A conventual prior may not himself hold the office of syndic.*

330. *A prior, with the consent of his council, appoints the sacristan and the librarian. To appoint other officials he may deem useful he does not need the consent of the council.*

For each official, a provincial chapter shall determine the conditions, length of service, duties, and other relevant matters.

ART. V — THE GOVERNMENT OF A HOUSE

331. A superior in his house has ordinary power according to law, just as a prior in his convent, and is bound by the same obligations, in so far as they apply.

332. § I. After the brothers in the house have been consulted, the superior of a house is appointed for three years by the prior provincial. He may be appointed in the same manner for a further three years, but not for a third term.

§ II. At the end of the three-year period, the prior provincial 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 determines otherwise.

333. *In a house, the council ought not to be distinct from the chapter. The superior, however, shall make no decision without consulting the vocals, or obtaining their consent, if it is a matter for which a conventual prior needs advice or consent.*

334. *If the prior provincial so judges, the superior himself may discharge the office of syndic, in case of necessity.*

335. § I. 1. *A filial house dependent on a convent may be established by a provincial chapter;*

2. *The prior of the convent or the superior of the house shall appoint a vicar, who in all matters should act according to the directives given him by the superior.*

§ II. *Norms for the appointment of a vicar, for sending brothers to a filial house, and for their rights and obligations in relation to the convent shall be determined by the provincial chapter.*

§ III. *The brothers living in a filial house, although assigned to the convent, shall not be reckoned in the number of brothers required for a convent properly speaking.*

336. *The provincial chapter shall determine norms for the brothers living outside a convent or house, especially concerning their rights and obligations with regard to the convent of their assignation.*

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 determines otherwise.*

Chapter XIV: GOVERNMENT OF A PROVINCE

ART. I — THE PRIOR PROVINCIAL

338. § I. The prior provincial is a major superior and the proper ordinary of the brothers.

§ II. In his province he has power corresponding to that which the Master of the Order has in the whole Order and, by superior right, to the power a conventual prior has in his own convent.

339. The duties of the prior provincial include the following:

1. He should strive to do his utmost to promote in his province the spirit and authentic life of the Order. Discerning the signs of the times, he should encourage the brothers to serve the people of God in the ministry of the word as zealously 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 about the life of the brothers and their apostolate, and he should encourage 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 appreciated more deeply and provided for more satisfactorily.

340. *The prior provincial is obliged to visitate his entire province twice in four years—personally, if possible, or else by appointing another. He must, 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 brothers his observations and ordinations in writing;*

2. *During the three months before leaving office, shall send a report on the state of the province to the Master of the Order, ensuring that it reaches him before the new election. In this he shall report both on the brothers, whether "they are persevering in peace, assiduous in study, fervent in preaching and faithful in regular observance,"*[32] *and on the relations between the province and convents and the ecclesiastical authorities.*

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 the superior, and he continues in that office for four years. He may be elected for another four years but not immediately

[32] *Primae Constitutiones*, Dist. II, c. 18.

for a third time unless the required interval of time has been dispensed.

344. § I. *The four-year term is calculated from one provincial chapter to another, disregarding the few days, weeks, or months by which, occasionally, the term falls short of or exceeds the four-year period; and it is terminated on the day immediately before the vigil of the commencement 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 that it ends within four months of 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 held after the completion of the general chapter.*

345. § I. A prior provincial may at will appoint any priest brother as his vicar whether over the whole province or over any part of it.

§ II. 1. A vicar of the provincial appointed in this way has whatever authority the prior provincial grants, except 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 absents himself from his province or, at least, the country, the prior provincial should appoint a vicar.*

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

ART. II — 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 ceases to hold office in accordance with n. 344 § I, the vicar of the province, as laid down in the statute of the province, will be: either the prior of the convent where the next provincial chapter is to be held or, if that convent does not have*

a prior at that time, the prior of the convent where the last chapter was held and so on, retrospectively; or the prior who is senior by profession in the province; or the prior provincial himself who has left office.

§ II. *When a prior provincial leaves office for any other reason, the vicar of the province will be the socius of that prior 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 held, or if that convent does not have a prior at that time, the prior of the convent where the last chapter was held and so on, retrospectively. This latter disposition should also be observed if there is no socius.*

§ III. *When a prior provincial is prevented from exercising jurisdiction, the Master of the Order must be approached. If this is not possible, the socius of the prior provincial becomes the vicar of the province, as set out above in § II.*

§ IV. *A prior provincial who, without hope of recovery within six months, is prevented by illness from properly fulfilling his duties, shall resign from office.*

§ V. *If he is unable or unwilling to resign, the socius of the prior provincial must summon the provincial council and preside over it even without the prior provincial. This council has power to approach the Master of the Order who shall either 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 where the chapter is located, and who from that moment shall discharge the office of vicar of the province and preside over the chapter.*

350. A brother who holds the office of vicar of the province upon the death or removal of the prior provincial must report to the provincial chapter on his administration.

ART. III — THE PROVINCIAL CHAPTER

351. § I. The provincial chapter is a gathering of the brothers over which the vicar of the province or the prior provincial presides. Its object is to discuss and to make decisions about all that pertains to the fraternal and apostolic life and the good administration of the province. It also holds elections for the province.

§ II. Besides the ordinary chapter mentioned in the preceding paragraph, an extraordinary chapter may be held for the sole purpose of electing a prior provincial.

352. § I. *The vocals at a provincial chapter are:*

1. *Vicars provincial, insofar as they have voice according to the norm of n. 384-bis and the statute of the vicariate;*

2. *Conventual priors; if the prior cannot attend on account of sickness or another grave reason accepted by the prior provincial, the subprior may take his place;*

3. *Socii of priors going to the chapter, in accordance with n. 490;*

4. *Delegates of the brothers, in accordance with nn. 497–501;*

5. *A delegate of a non-prioral house with at least four brothers with active voice in the territory of any nation where there is no other convent of the same province.*

6. *A prior provincial who immediately before the chapter completed his term of office in that province*

§ II. *If the vocals at a provincial chapter, elected in accordance with the constitutions, are fewer than twenty, the statute of the province may make provision for extra vocals. It is obliged to do this if there are fewer than ten vocals. These, of whom there may not be more than three, are to be constituted such by election and not by personal entitlement.*

353. The chapter shall be held regularly every four years or when a prior provincial is to be elected and at a time determined by provincial custom.

354. § I. *If, however, the provincial chapter is due to be held during the four months prior to a general chapter, counting from the first day of the month assigned in the acts for its celebration, the chapter shall be postponed until after the promulgation of the acts of the general chapter. It then falls to the Master of the Order to assign a date for the provincial chapter, after consulting the prior provincial.*

§ II. *A provincial chapter shall not be omitted even if a prior provincial has already been appointed.*

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 held.*

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 presidency of the subprior; further, an election shall be held for supplementary vocals to provide for the situation referred to in n. 352 § II.*

2. *Three months before the beginning of the chapter, the prior provincial shall send out a report on the state of the province and the more serious problems facing it; the officials of the province (see nn. 376–81) shall send to the capitulars and convents a report on all that is within their competence;*

3. *In every convent of the province a discussion shall be held under the presidency of the prior in which the reports described in n. 2 shall be examined, and proposals or petitions to be sent to the chapter to the benefit of the province or the convent shall be determined.*

357. *The statute of the province determines:*

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 councilors of the province are to be elected, how many of them and when;*

5. *The day on which the elections for the general chapters shall be held.*

358. *A provincial chapter must be celebrated in the following manner:*

§ I. *On the day designated for the commencement of the chapter, or on the previous day:*

1. *The testimonial letters shall be examined by the three vocals senior in the Order: serious difficulties shall be referred to the chairman and vocals of the chapter;*

2. *After the vocals have been approved, a secretary—or two, if needed—shall be appointed by the chairman with the consent of the vocals;*

3. *The chairman and the vocals shall form chapter commissions from among the vocals;*

4. *Each commission shall elect its chairman in a single ballot and shall choose its secretary.*

§ II. *The chapter shall begin with 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. *Among matters to be dealt with by the commissions are apostolic activity, the state of the province with regard to personnel, disciplinary and economic matters—all this as shown in the reports presented by different superiors as determined in the statute of the province;*

2. *The conclusions of each commission, set down in writing, shall be made available in a suitable place so that 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 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 and the diffinitors shall decide whatever they judge to be necessary or useful; whatever has been rejected by a majority of the vocals may not be defined by the diffinitors.*

§ V. *It also pertains to the diffinitorium:*

1. *To make admonitions, ordinations, declarations and petitions;*

2. *To issue assignations, to fill offices or positions, and to attend to other matters in accordance with our laws.*

359. *In a provincial chapter all matters shall be decided ordinarily by secret vote. If at any time the votes are tied, the president shall break the tie.*

360. The president and the diffinitors have full ordinary power, according to law, over the entire province, its convents and brothers, until the end of the chapter, without prejudice to n. 361 § II.

361. § I. *The chapter shall end within a month. However, with the consent of the Master of the Order, it may, in a special case, be extended for fifteen days.*

§ II. *For a reasonable cause, approved by the Master of the Order, the chapter may be interrupted, but not beyond fifteen days. During the interruption, the power mentioned in n. 360 belongs to the prior provincial.*

362. § I. *The official transcript of each session shall be prepared by the secretary. When it has been approved by the chapter and signed by the president and the secretary, it shall be placed in the archives of the province.*

§ II. *The place and date of the next provincial chapter shall be indicated in the acts.*

§ III. *The names of the deceased brothers, to which brief accounts of their lives are added, shall be published in the acts.*

§ IV. *The acts shall be written in Latin or a modern language accepted by the general council. Five copies, signed by the president, the diffinitors, and the secretary, and bearing the seal of the province, shall be sent to the Master of the Order as quickly as possible so that 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 they have been approved by 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 as the chapter itself may determine.*

§ II. *The authority of the acts begins from their promulgation and ends with the promulgation of the acts of the following chapter.*

364. *A prior provincial may not change or rescind the acts of a chapter, nor may such authority be delegated to him by the diffinitors; he may, however, interpret the acts of a chapter and in a particular case dispense from them.*

ART. IV — THE PROVINCIAL COUNCIL

365. In each province there shall be a provincial council whose consent or advice the prior provincial must seek in accordance with our laws and common law.

366. Provided they are assigned to the province or are members of the province assigned to convents under the immediate jurisdiction of the Master of the Order but are not members of the general council, the following are members of the provincial council:

1. The ex-prior provincial who has ceased from 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. Councilors elected by the provincial chapter (see n. 519 § II) until the following chapter.

367. *The secretary of the council is elected by the council in a single ballot; he 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. *Councilors may not be removed or may not resign their office, except with the consent of the Master of the Order. If it should happen that a councilor ceases to be in office outside the duration of a provincial chapter, a new councilor designated by the provincial chapter shall be substituted for him with the approval of the Master of the Order.*

§ II. *All members must be summoned to the council and all must be present at its deliberations unless they are dispensed by the prior provincial for a just cause.*

369. § I. *Ordinarily, the chairman and the councilors must be present in person at the place where the council meeting is held. In*

exceptional and more urgent cases, however, the council meeting may be held by electronic means, provided that a genuine dialogue between participants is possible and that votes remain faithful, secure, and ordinarily secret, observing the provisions of n. 455-ter §IV, 3° and 4°. If an electronic meeting is not possible either, when more are unable to be present, it suffices that at least two councilors be present with the chairman [◆ K 323].

§ II. *Whenever the agenda includes matters pertaining to the studium, the professors, and the students, or even to an apostolic school, the regent and the moderator of institutional studies shall always be present.*

370. § I. *The syndic of the province shall always be called to take part in the deliberations of the council without, however, having a vote unless he is already a member of the council.*

§ II. *Whenever the agenda includes matters pertaining to their duties, the masters of novices, of students, and of cooperator brothers, the directors of schools and of colleges, and other provincial officials shall always be present so that they may be heard.*

§ III. *When something of particular importance concerning his community is to be discussed, a superior should also be present.*

371. *So that nothing will be abruptly put forward for decision, councilors should be informed of the agenda in good time unless a particular decision is urgent.*

372. § I. It is the duty of the provincial council to assist the provincial to perform his duties, especially with regard to decisions which had been made by the provincial chapter and which with the passage of time appear to be timely or necessary for promoting the apostolate and regular life.

§ II. In the provincial council more important matters shall be decided by a decisive vote, unless it is determined otherwise in our legislation.

§ III. If at any time the votes are tied, the president has the casting vote (see Appendix 14-bis).

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

1. *The appointment or removal of a vicar provincial and of a conventual prior;*

2. *The presentation or removal of a parish priest/pastor* (parochus);

3. *The erection of a house as a convent, in accordance with n. 262;*

4. *The cassation of a decision of a conventual chapter or council, councillors assigned to that convent being excluded from taking part in the cassation;*

5. *The transfiliation of a brother;*

6. *Temporarily excluding a brother from active voice for a grave reason;*

7. *A declaration of the fact for the dismissal of a brother in accordance with common law (*CIC *694 § II).*

374. *Matters which by our law are within the competence of the diffinitorium of a provincial chapter may be dealt with and decided by the prior provincial with his council if necessity arises outside the duration of the chapter, except for nn. 279 § II, 358 § IV.*

375. § I. *Two years after a prior provincial has been confirmed in office, at the time of the next meeting of the provincial council, the prior provincial must summon to an extended council, in addition to the members of the provincial council, the vicars provincial and conventual priors in the strict sense; the statute of the province can determine whether vicars provincial and priors from remote regions are to be summoned, as well as designate others who, as the case may be, are to be summoned.*

§ II. *In this extended council, which may give only a consultative vote, all topics are to be dealt with that seem to be useful for the*

good of the province; first of all, there shall be a review of whether the ordinations and exhortations of the last provincial chapter and general chapter have been put into practice [◆ T 346 ◆◆ K 324].

ART. V — PROVINCIAL OFFICIALS

376. § I. In each province there shall be a socius of the prior provincial who shall assist him in governing the province.

§ II. The socius shall be a priest who is at least thirty years old.

§ 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 parish priest/pastor* (parochus).

378. § I. In each province there shall be a syndic who shall have charge of the goods of the province in accordance with the norms established for administration.

§ II. A brother who has held this office may be appointed for a second consecutive term, but not for a third, unless with the consent of the Master of the Order.

379. *It is the task of the provincial chapter to appoint various officials according to the needs of the province and to determine their duties.*

380. *It is the task of the provincial chapter to appoint various officials according to the needs of the 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 ordinary government;*

2. *Documents of convents which have been suppressed;*

3. *Unpublished writings, letters, or other documents of deceased brothers or of other people which appear to be of value for the history of the province.*

382. *The prior provincial shall have a secret archive in which are kept secret documents, the import of which he is bound to convey to his successor. These documents shall be burned seventy years after the death of the brothers mentioned in them, provided this can be done without prejudice to those who are still alive, taking into account the requirements of civil law.*

383. *Documents pertaining to the actual government and administration of a province shall be kept either in the secretariat of the province or by the officials concerned (see Appendix 15).*

ART. VI — PROVINCIAL VICARIATES

384. § I. When a Province has outside of its territory in another nation or region at least two houses of which one is a convent properly so called, and at least fifteen vocals, the Provincial Chapter can combine them into a provincial vicariate, so that the apostolic activities and regular life of the brethren there may the better be able to be coordinated.

§ II. The provincial vicariate is regulated by a statute drawn up by the provincial chapter and approved by the Master of the Order.

384-bis. *The statute of the vicariate must determine the norms:*

1. *On the celebration of the vicariate chapter;*

2. *On the office of the provincial vicar who presides over the vicariate as vicar of the prior provincial;*

3. *On the officials of the vicariate;*

4. *On the formation and promotion of vocations;*

5. *On the right to participate ex officio in the provincial council and provincial chapter (cf. 352 § I, 1°), with or without an active voice;*

6. *On the faculties which the prior provincial, after consulting the council, can grant to the vicar, on the admission of candidates to the novitiate and to simple profession, on the assignation of brothers to the house and convent of the vicariate, on the confirmation of conventual priors and the appointment of superiors of houses.*

385. *Abrogated.*

386. § I. *In every vicariate there shall be a council whose consent or advice the vicar provincial must seek on more serious matters as laid down in the vicariate statute. The acts of this council must be sent to the prior provincial after it has met.*

§ II. *The number of these councillors and the manner of their election or appointment shall be determined by the vicariate statute.*

§ III. *When, in accordance with the prescriptions of the* Book of Constitutions and Ordinations *or the statute of the province or vicariate, the Prior Provincial has to deal with matters which concern the vicariate, he must first consult the vicariate council before consulting the provincial council. When it is a question of confirming, appointing, or removing the vicar provincial, however, he consults only the provincial council (see n. 373, 1°).*

387. *All the brothers, especially those living outside their convent, shall gather periodically to discuss the apostolic and regular life and, if the occasion presents itself, to formulate specific proposals for a future provincial chapter.*

388. *Abrogated.*

389. *Abrogated.*

ART. VII — INTER-PROVINCIAL COOPERATION

390. § I. *So that the Order's apostolate in the service of the Church may be exercised more effectively, the provinces which are in the same region or country should help each other, especially those which are in the territory of the same episcopal conference. Not only should they be united in a bond of fraternal charity and help each other occasionally, they should also, as far as possible, cooperate regularly according to mutually agreed norms.*

§ II. *The same must be said about houses or convents under the immediate jurisdiction of the Master of the Order so that there may be effective collaboration between all entities of the Order in any one place.*

391. *The following may be used to foster collaboration among the provinces of a region or nation:*

1. *Regular meetings between the priors provincial or different officials, such as the masters of novices, 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 or common centers, according to the 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 assignations from one province to another.*

6. *An agreement between two provincial chapters or priors provincial for making direct assignations from one province to a house of the other province, with due respect for nn. 270 § I and II, 497 § I and 600, the Master of the Order, however, having been notified (see Appendix 16). Such an agreement is to be reviewed at least once every five years by the priors provincial of the respective provinces.*

392. *If it happens that the provincial chapters of a region are held at the same time, their diffinitoriums may have a joint meeting for some days to promulgate common admonitions, declarations, or ordinations.*

393. § I. *Where a province or vice-province has already been established and 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 the same life, they may cooperate effectively and have a coordinated apostolate in that territory, and so, mindful of the common good, they may promote the Order's progress in that region.*

§ II. *To foster this cooperation, suitable norms shall be drawn up in writing between the province of the place and the province which has brothers ministering in those territories. These norms must have the consent of the chapter or council of each province and must be approved by the Master of the Order. They shall be reviewed and evaluated every fourth year by those involved so that they may be updated to meet the pastoral needs of the local Church.*

394. *Brothers belonging to different provinces who work in a region where no province has been established, should seek to exercise their apostolic ministry collaboratively, and, if possible, under unified direction according to norms established by agreement between the provinces concerned. This way the work of evangelization will be exercised more fully and the foundation of a new province be gradually prepared. These norms shall be reviewed and evaluated every fourth year by those to whom they pertain so that they might be updated.*

395. § I. *Conferences of priors provincial and vicars shall be established according to nations or regions so that fraternal collaboration is truly organized and has a permanent character. These conferences shall meet regularly according to norms drawn up by the members of the entities and approved by the Master of the Order.*

§ II. *To foster these mutual relationships, the socii 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: Government of the Whole Order

Art. I — The Master of the Order

396. The Master of the Order, since he is the successor of St. Dominic and the source of the Order's unity, is the proper and immediate prelate of all the brothers, 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 whatever few months—not, however, more than six months—which fall short of or exceed nine years.

398. § I. For a grave reason the Master of the Order may 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 may also do in the Order whatever he and the diffinitors of a general chapter may do according to our laws.

§ II. During his term of office, the Master of the Order is obliged to visitate the whole Order, either personally, or by means of his socii or 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 or some other phrase equivalent to it is used, it is to be understood to embrace both ordinary authority and any other kind of authority delegated to his office.*

400. The Master of the Order has power to appoint vicars to assist him, either over the whole Order or over one or more regions, one or more provinces, or one or more convents.

401. § I. A vicar over the whole Order has the same power as the Master himself unless otherwise provided for in law or in his letter of appointment. Other vicars have whatever authority the Master himself shall determine.

§ II. All continue in office until their mandate is revoked by the Master of the Order.

§ III. The office of vicar over the whole Order expires when the Master of the Order ceases to hold office; the office of other vicars, however, continues until determined otherwise by the new Master.

Art. II — The Vicar of the Order

402. The vicar of the Order is the one who, when the Master ceases to hold office while no chapter is in session, 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 socius according to the order of profession has, as of right the power which belongs to the vicar of the Order. However, he must convene the general council so that from among the socii a vicar of the Order may be elected.

404. § I. It is for the elected vicar of the Order to convene 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 Master.

§ II. He may not remove from office the socii of the previous Master, priors provincial or conventual priors, and he may not appoint a new socius or change anything in the state of the Order.

Art. III — The General Chapter

405. A general chapter, which has the highest authority in the Order, is a gathering of the brothers representing the provinces of the Order to discuss and decide those matters which pertain to the good of the whole Order and, if the need should arise, to elect the Master of the Order.

406. Three sorts of general chapter are recognized in the Order: the elective chapter, the chapter of diffinitors, and the chapter of priors provincial.

407. The following assemble and have votes in an elective chapter:

§ I. In the election of a Master of the Order:

1. Ex-Masters of the Order;
2. All priors provincial;
3. From each province, the diffinitor of the general chapter;
4. Vice-provincials as provided for in n. 257 § II;

5. The socius of the diffinitor of a general chapter from each province which has at least one hundred professed religious, excluding, however, those who are assigned in convents belonging to vicariates and those directly assigned to convents under the immediate jurisdiction of the Master of the Order;

6. The socius of the prior provincial attending a general chapter from each province which has at least four hundred professed religious, excluding, however, those who are assigned in convents belonging to vicariates, and those directly assigned to houses under the immediate jurisdiction of the Master of the Order;

7. A delegate from each province which has between twenty-five and one hundred brothers assigned in convents belonging to vicariates or in convents of the province outside the boundaries of the province, elected from among those brothers and by them in accordance with the provincial statute; furthermore, from each province which has between 101 and 200 brothers assigned in convents belonging to vicariates, a second delegate shall be elected, and so on;

8. From among the brothers directly assigned to convents under the immediate jurisdiction of the Master of the Order, two delegates if they total fewer than one hundred, three delegates if they total one hundred or more, chosen as laid down in n. 407-bis.

§ II. In matters to be dealt with after the election of the Master:

1. The newly elected Master of the Order;

2. Ex-Masters of the Order;

3. All those mentioned in § I, 2–8°.

407-bis. For the election of delegates to an elective general chapter, brothers from convents under the immediate jurisdiction of the Master of the Order are to be grouped by the general council into two or three electoral colleges, depending on the number of delegates to be elected. Each college must have at least twenty-five

vocals. The general council will also lay down how this election is to be conducted.

408. The following are assembled and have votes 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 by each vice-province;
5. Delegates of other vicariates, chosen in accordance with n. 409-bis, but excluding vicars provincial;
6. One delegate from among the brothers assigned to convents 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 in accordance with n. 409-ter.

409. The following are assembled and have votes 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;
5. Delegates of the vicariates chosen from among the vicars provincial in accordance with n. 409-bis;
6. One delegate from among the brothers assigned to convents 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 in accordance with n. 409-ter.

409-bis. Each province which has at least twenty-five brothers assigned in convents belonging to vicariates or in convents of the province outside the boundaries of the province has the right to send to a general chapter of diffinitors or priors provincial one delegate elected from among and by those brothers in accordance with the

statute of the province (see Appendix 17). The latter selection shall be made in such a way by the Master of the Order with his council 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 attending a general chapter of diffinitors or priors provincial, all the brothers of the convents under the immediate jurisdiction of the Master of the Order are to be grouped together by the general council to constitute elective colleges (according to whether one or two delegates for each chapter have to be elected). Each of these colleges should have at least twenty-five vocals. The general council shall lay down how this election is to be conducted.

410. § I. Some of the socii of the Master of the Order designated by him are to be present, and so too is the syndic of the Order; they have the right to speak without, however, having a vote.

§ II. A delegate from each convent permanently under the immediate jurisdiction of the Master of the Order, as well as experts designated by the Master may 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 falls vacant.

§ II. A chapter may, if it judges it opportune, call the next chapter within a shorter period of time.

412. This is the sequence of chapters: the elective chapter, the chapter of diffinitors, the chapter of priors provincial, and so on.

A new series of chapters in the aforesaid order begins with the elective chapter even if the election of a Master has to be held before the completion of the 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 by 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 holding the chapter. Prayers for the successful outcome of the chapter shall be requested in this letter.*

§ III. *When the office of Master of the Order falls vacant, an elective chapter shall be convoked within a month from the date of the vacancy. This time may be extended—but not beyond six months—if there is a grave reason and a majority of the provinces consent.*

§ IV. *With the consent of his council, the Master or vicar of the Order may, for a just cause, change the designated 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 chapter has been convoked, the brothers who have the right to do so shall send to the Master or vicar of the Order the petitions and questions which they wish to propose to the chapter.*

§ II. *The following, apart from the members of the chapter, may submit petitions and questions:*

1. *All major superiors, the socii of the Master of the Order, and the procurator general;*

2. *Any chapter and council and also the moderator team of a center of studies;*

3. *Any religious provided that his proposal is countersigned by at least five brothers with active voice, or is presented by a member of the chapter 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 may submit their requests and suggestions concerning the Dominican family to a general chapter.*

§ IV. 1. *Questions to be submitted to the general chapter by those who have the right or authority to do so shall be sent to the Master of the Order six months before the chapter;*

2. *They shall be set down briefly in Latin or a modern language accepted by the general council and submitted on as many separate pages as there are separate questions.*

§ V. 1. *The Master of the Order shall 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 with voting rights in the chapter (as provided for in nn. 407 to 409-bis.) and the socii of the Master of the Order (as provided for in n. 410);*

3. *The vocals shall at once let the Master of the Order know which three commissions they wish to belong to, in their order of preference, while acknowledging the Master's right to arrange things freely according to the needs of the chapter;*

4. *The Master of the Order shall then appoint the presidents of the commissions and inform the capitulars about the commission to which each has been assigned so that in the meantime they may study very carefully the questions which have been assigned to their own commission.*

416. *Not later than two months before a general chapter, each prior provincial shall send to the Master of the Order an accurate report, approved by the provincial council, concerning the state of the province. This report shall be in the form designed for this purpose by the general council in which the more serious problems and statistical aspects shall be set out clearly. A copy of this report shall be distributed to each of the vocals at the chapter.*

417. *A general chapter, under the presidency of the Master or vicar of the Order, shall be conducted in the following manner:*

§ I. *On the day before the commencement of the chapter:*

1. *The credentials of the vocals shall be examined by three of the brothers designated by the president. Serious difficulties shall be referred to the vocals of the chapter;*

2. *At least two secretaries shall be appointed by the president and they may be assisted by other secretarial staff;*

3. *Three revisers shall be designated from the vocals with the consent of the chapter. It will be their task to verify in due time the texts that have been approved;*

4. *The president, having consulted the chapter, shall confirm the allocation already made of chapter members to the various commissions, which may be modified if he deems it opportune.*

§ II. *The chapter shall begin with the celebration of the 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 plenary 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 appoint a secretary from among the vocals or other participants who shall record accurately the minutes of the commission; a commission shall conduct and conclude all business by public or secret votes; the chairman of a commission shall report to the president of the chapter as well as to the chapter itself in plenary sessions. The written resolutions of each commission 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 chapter;*

6. *The vocals with the Master shall discuss chapter matters and shall make decisions by majority vote; there shall be a secret vote when the president or a significant number of the vocals request it. If the votes are equal, the matter shall be remitted for further examination and a new vote. If the voting is still equal, the president 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 without ambiguity;*

7. *Vocals may propose questions for discussion even while the chapter is under way, and they shall determine the schedule for discussing them;*

8. *A session must be held of the vocals alone if a third of the capitulars have either previously requested this or have approved this by vote at the request of a member of the chapter.*

9. *Within two days after every session, the minutes as well as the approved texts verified by the revisers shall be set out in a suitable place so that they can be examined by all. If a doubt is raised about an approved text, the revisers shall refer the matter to the chapter as soon as possible;*

10. *The time and place of the next chapter shall be noted in the acts;*

11. *During the chapter, the acts shall be prepared and signed by the president, the revisers, and the secretaries.*

§ III. *If the Master happens to be away from the chapter, he shall appoint a vicar from among the vocals who will take his place in all matters.*

§ IV. *In the general chapter, in addition to Latin, the languages mentioned in n. 438-quater can be used.*

418. § I. It is strictly forbidden for priors provincial by their decisions to generate prejudice against diffinitors and it is likewise strictly forbidden for diffinitors by their decisions to generate prejudice against priors provincial. And if they attempt to do so, it shall be null and void.

§ II. The secrecy of the chapter must be observed by all the participants concerning those matters which could cause harm or prejudice to the Order or to the brothers. The president, however, may determine if anything else must be kept secret.

419. § I. *The minutes of the sessions, signed by the Master of the Order and the secretaries, together with the documents pertaining to the chapter itself, shall be placed in the archive 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 laid down by the chapter.*

420. The Master of the Order may not change the acts and decrees of a chapter but he, and indeed he alone, may dispense from them and declare their meaning.

ART. IV — 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 who served as diffinitors in the immediately preceding general chapter may be elected.

423. § I. A most general chapter shall not be convened 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 prescriptions shall be observed for its convocation, preparation, and celebration as for general chapters.

ART. V — 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 socii to the Master of the Order and of the procurator general; their consent or advice is required according to our laws and common law (see Appendix 14-bis).

§ II. The Master of the Order may convoke the councilors to seek their advice and opinion whenever it seems beneficial to him even if this is not required by law.

ART. VI — THE SOCII OF THE MASTER OF THE ORDER

425. § I. The socii 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 socii of the Master of the Order are to be no fewer than eight and no more than ten. Three of them have charge of matters to do with the apostolate, the intellectual life, and the fraternal life and formation in the Order respectively; to the others is entrusted care 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. *The main duties of the socius for the apostolate in the Order are:*

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 responsibility, to negotiate with the Holy See on behalf of the Order's missions, to help the Master of the Order to govern the missions, and to gather and communicate information about them.*

427. § I. *The main duties of the socius for the intellectual life in the Order are:*

1. *To help the Master of the Order to promote the Order's doctrinal mission according to n. 90 § II;*

2. *To help all the provinces make the best possible provision for both the initial and permanent intellectual formation of the brothers;*

3. *To deal with 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 deal 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 socius for the intellectual life.*

427-bis. *The main duties of the socius for fraternal life and formation in the Order are:*

1. *To assist the Master of the Order in all that pertains to fraternal life and to the religious formation of the brothers, whether ongoing or initial;*

2. *To assist all provinces in providing for the religious formation of the brothers and the flourishing of fraternal life;*

3. *When necessary, to bring together the masters of the brothers who are responsible for initial formation as well as the promoters of ongoing formation of one or more regions;*

4. *To facilitate in the provinces the innovation and formation of those being formed, as well as the growth and execution of provincial plans relating to ongoing formation.*

428. § I. *Other socii foster the mutual relationships of the provinces with the Master of the Order. They help him by communicating the decisions and the directives of the central government to the provinces committed to them, and by knowing the provinces well, and according to the plans of the Master of the Order, by frequenting them often, and also by visiting them in his place. However, they enjoy no jurisdiction over individual provinces.*

§ II. *Their chief function is to help the provinces and to promote collaboration between those of the same region, putting into practice what is said about this in nn. 390–95. If the Master of the Order so decides, they may also be put in charge of some secretariats.*

429. § I. All the socii are appointed by the Master of the Order, remain in office for six years, and may be appointed again for another six years, always leaving the new Master of the Order free to change the brothers who are members of the general council.

§ II. The appointment of socii for the apostolate for the intellectual life and for fraternal life and formation shall take place after the views of all priors provincial have been ascertained.

§ III. The appointment of socii to deal with relations between provinces and the Master of the Order shall take place after the priors provincial concerned have been consulted. When they shall have reached an agreement on the matter they shall offer three names to the Master of the Order. The Master of the Order is obliged to appoint one of the three or to ask that three other names be offered.

430. *At least three months before the beginning of a general chapter, each socius shall send to all the vocals at the general chapter a careful assessment of the more serious problems within the area for which he is appointed.*

ART. VII — 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 may also be present.

Some of these officials and experts may be chosen from among the socii of the Master of the Order.

§ II. They are appointed by the Master of the Order, after consulting his council, and remain in office for six years; they may be appointed again for another six years, always leaving the new Master free to replace the brothers 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 affairs with the Holy See, according to the faculties granted him by the Master of the Order.

433. *Every brother who has business with the Holy See, whether for himself or for his convent or province, shall conduct it through the mediation of the procurator of the Order whose duty it is to provide this service, without prejudice to the right everyone has to manifest his desires to the Roman Pontiff with full liberty (see* Lumen Gentium, *n. 37), and without prejudice to nn. 426, 3°; 427, 5°; and 434, 1°.*

434. *The postulator general for causes of beatification and canonization:*

1. *Discharges his office in accordance with the norms established by the Holy See and the statute approved by the Master of the Order;*

2. *At least once a year renders an account in writing to the Master of the Order on the financial situation, in which monies received, expenses, and a balance of assets and liabilities are set out;*

3. *Presents 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 secretariat;*

2. *Carries out the duties of secretary of the general council but without having a vote;*

3. *Is distinct from the secretary general appointed for a general chapter.*

436. § I. *The syndic of the Order has charge of all possessions in accordance with the norms established for administration.*

§ II. *He shall always be called 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. 381–83) 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 communicated to outsiders who wish to inspect documents of a more recent period except with the permission of the Master of the Order.*

438. *It is the duty of the promoter general for nuns:*

1. *To assist the Master of the Order and the procurator general in matters concerning the nuns;*

2. *To collect information concerning them or for them and to communicate it to them and the different provinces.*

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 except those who belong to it according to the constitutions.*

438-ter. *In all 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 concerned; they may be reappointed to the same offices.*

438-quater. *Documents published in the vernacular by the General Curia for the entire Order must be translated into English, French, and Spanish.*

SECTION THREE
Elections

Chapter XVI: ELECTIONS IN GENERAL

ART. I — ELECTORS AND THOSE ELIGIBLE

439. In every election, only those who have active voice in the Order and belong to the elective chapter may cast a vote.

440. To have active voice one must be solemnly professed and must meet the requirements of common law.

441. *The following lack active voice:*

1. *Anyone who is exclaustrated, for the duration of the indult and for a year from the date of his return;*

2. *Anyone who has requested exclaustration or secularization, from the moment that his request is sent by the prior provincial to the Master of the Order;*

3. *Anyone who has permission from his major superior to live outside a convent of the Order (*CIC *665 § I) unless this permission was granted for the sake of his 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, having examined the circumstances, shall have extended or even shortened the time, provided that the returning member remains without voting rights 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 may grant voting rights in an election to any brother who according to our laws does not belong to the elective chapter or who lacks active voice.

§ II. During the two months before an election, affiliations, assignations, or the conferring of any offices which of their nature give or take away the right to vote in any chapter shall not be easily made.

443. § I. For a person to have passive voice, he must already have active voice, unless another arrangement has been made.

§ 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 have the Order's approval for hearing confessions.

444. *Major superiors may not propose a candidate to the electors except in case of necessity. Then they shall propose at least three, though the electors may elect someone else.*

ART. II — THE CONVOCATION OF ELECTORS AND THEIR OBLIGATION TO VOTE

445. § I. For every election, all vocals must be convoked by him who has the right 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 impede an election, if those who were overlooked are present in any case, provided *CIC* 166 § III, is observed.

§ II. An election shall be held within the time prescribed for each office, and when that time has elapsed without having being availed of, the right of election is lost and it is for the competent superior to see to the filling of the vacancy.

446. § I. Since the right to elect is principally for the public good of the Order, all electors are obliged to obey the convocation.

§ II. He who, without a just cause approved by the major superior, abstains from voting in an election of superiors is deprived of a vote in any election whatever for a full year, counting from the date of the aforesaid abstention.

447. § I. An elector, who knows for certain that he has the right to elect and that convocation has taken place is obliged to attend the election even if he was not summoned.

§ II. Doubtful electors, even coming of their own accord, must be admitted to the election, but under protest.

ART. III — THE PRESIDENT, SECRETARY, AND TELLERS

448. § I. *In every election there must be a president, a secretary, and at least two tellers.*

§ 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 ballot at the first meeting of the election. He may be elected from the brethren who are not members of the chapter, and he may 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 minutes 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 ballot and all at once.*

ART. IV — VOTING PROCEDURE

449. § I. Every form of voting by proxy is excluded, and only the electors present may cast a vote.

§ II. Every election is carried out by way of a ballot by secret votes written on voting papers and, indeed, written by the electors themselves. Our legislation excludes election by compromise.

§ III. For a vote to be valid, it is required that it be free, secret, certain, determined, and absolute (see *CIC* 172 § I).

§ IV. According to our law, no one may validly vote for himself.

450. § I. When a ballot has been legitimately conducted, that brother shall be considered elected who has 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 ballots may be conducted, but unless it is otherwise determined, the election is terminated with the third ballot, in which a relative majority suffices.

§ III. If an election in which a relative majority suffices is terminated when the votes are tied, the brother who is older in the Order shall be deemed elected.

§ IV. When there is a question of a postulation, at least two-thirds of the votes are always required (see *CIC* 181 § I and LCO 297-bis). In cases where, in the final ballot, according to our laws, only two candidates are deemed eligible and one needs postulation but lacks two-thirds of the votes, the other is elected.

451. *In the election of superiors, on the day of the election itself or on the preceding day, the Mass of the Holy Spirit shall be celebrated in accordance with the rubrics.*

452. *The following is the procedure for the election of superiors:*

1. *The electors shall meet at the appointed time and place and invoke the Holy Spirit; the president, tellers and secretary shall take the oath to fulfill their duty faithfully and, even after the election is over, to observe secrecy about the transactions in the sessions;*

2. *The secretary shall call 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;*

4. *The president shall remind the vocals that no one may validly vote for himself;*

5. *The ballot papers are distributed by the secretary, and vocals write 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 any vocal 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 may authorize someone else to write his vote, or he may even by word of mouth declare his vote to the tellers: they should immediately write it down;*

7. *The tellers and then the vocals, one by one, beginning with the seniors, place their folded ballot-papers in an open container;*

8. *The ballots are counted by the tellers. If their number does not exceed the number of vocals, they are then opened; otherwise, they shall be destroyed immediately, and the electors shall fill in a new ballot-paper;*

9. *The tellers read the ballot-papers and tabulate the votes;*

10. *The tellers compare their tabulations and after they have found them in agreement, the ballot-papers are destroyed;*

11. *Then the president reads out in a clear voice the names of each one who has received a 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 election process may be interrupted between ballots, but the last ballot 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 is drawn up and signed by the president, the tellers, and the secretary.*

453. § I. *When an election needs confirmation, a report of the election shall be drawn up in duplicate as a formal document. In it the various ballots shall be noted and, also if there were objections against the validity of the election provided they were made at the proper time (see n. 452, 3°, 12°, and 15°). 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 18).*

§ II. *When, however, an election does not need confirmation, one copy of the report of the election signed in the aforesaid manner shall be given to the person 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. 27, 28, 30).*

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 give it to him.*

455-bis. § I. *If our laws so provide, an election can be conducted by mail according to the following norms:*

1. *Within the time determined by the president, each vocal shall write his vote on a ballot in accord with n. 452, 6°;*

2. *When, after placing the ballot in an envelope and sealing it carefully, he shall write in his own hand his name and place of residence on the envelope. After that he shall enclose the first envelope in another envelope and send it to the presider with another inscription so that it may be easily recognized.*

§ II. *When the time determined for the reception of the ballots has elapsed, the presider shall conduct the count in the presence of the provincial council or of two tellers approved by the council:*

1. *All the outer envelopes are opened in the presence of the council or tellers and the names of the electors written on the inner envelopes are examined to see if each of them has the conditions required for active voice; if anyone does not, his vote is treated as null and void;*

2. *The number of vocals and envelopes is compared;*

3. *The envelopes are opened and destroyed before the ballots are unfolded;*

4. *The ballots are examined in accord with n. 452, 9°, 10°, 11°;*

5. *If the majority required for election or postulation is reached, then the decree of election is drawn up by the one presiding, and the authentic instrument of election is prepared. All the vocals are to be informed of the outcome of the election;*

6. *If, however, an absolute majority is not obtained in the first ballot, the presider should determine the time for a new and final ballot, and notify all the vocals of all that has taken place (see Appendix 18-bis);*

7. *A provincial chapter can, however, determine that there should be a third or even a fourth ballot, if in the second or third an absolute majority has not yet been obtained.*

455-ter. § I. *If our laws provide for an election by mail (cf. n. 455-bis) then an election through electronic instruments is also permitted.*

§ II. *It pertains to the prior provincial with the consent of his council to discern if the election should be conducted by mail or through electronic instruments, and to choose a suitable and reputable electronic instrument.*

§ III. *An election through electronic instruments proceeds according to the following norms:*

1. *The presider sends to all the vocals instructions for accessing the electronic instrument chosen*

2. *Within the time established by the presider; each vocal should submit his ballot according to the instructions received;*

3. *When the time determined for the ballot has expired, the presider ascertains its outcome in the presence of the provincial council or of the two tellers approved by the council;*

4. *The procedure then follows that set out in n. 455-bis § II, 5°, 6°, and 7°.*

§ IV. *For the validity of an election through electronic instruments it is necessary that:*

1. *No vocal be excluded from the election because of the instrument chosen;*

2. *No brother having passive voice be excluded from the election of vocals because of the instrument chosen;*

3. *It be clear that only the vocals voted, and, indeed, each one only once;*

4. *The ballots of the individual vocals remain secret.*

§ V. *It pertains to the provincial chapter to establish other norms for elections through electronic instruments.*

ART. V — NULLITY OF AN ELECTION

456. § I. An election is null:

1. If more than a third of the electors have not been summoned (see n. 445 § I);

2. If someone outside the college has been admitted deliberately;

3. If someone who lacks active voice has 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 ballot it is found that the number of votes exceeds the number of vocals;

5. If anyone votes for himself and without that vote, invalidly cast as it was, would not have received a majority of the votes.

§ II. If any of the vocals is overlooked and was therefore absent, the election is valid. However, at his insistence and given proof of the oversight and absence, the election should be declared null and void by the competent superior even after confirmation, provided it has been established juridically that recourse had been made at least within three days from receiving notice of the election.

Chapter XVII: ELECTION OF A CONVENTUAL PRIOR

ART. I — ELECTORS AND THOSE ELIGIBLE

457. To have active voice in the election of a prior, besides the conditions mentioned in nn. 439 and 440 and excepting n. 458, one must be directly assigned to the convent where the election is to take place.

458. § I. *Brothers who by reason of their work have habitual residence outside the convent of their assignment do not have voting rights in the election of a prior except after their definitive return (see Appendix 19).*

§ II. *For other cases of lengthy absence or notable distance of the brothers from the convent of their assignation, the provincial chapter shall determine the conditions under which those brothers may take part in the election of a prior (see n. 336).*

459. § I. To be elected a conventual prior a brother must be prudent, charitable, and zealous for regular observance and the apostolate.

§ II. Besides the conditions mentioned in n. 443, for an election to be valid it is required:

1. That he has not been prior in that convent for the two successive three-year terms immediately preceding the election;

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 of student brothers.

460. § I. If a brother is ineligible because of any of the impediments listed in n. 459 § II, the vocals may postulate him from the competent superior—in other words, from the person who can confirm the election.

§ II. A brother thus postulated and instituted, having accepted the office and taken possession of it, is thereby relieved of any

incompatible office unless he has been dispensed by the Master of the Order.

ART. II — CONVOCATION OF ELECTORS

461. § I. With due regard for n. 302 § II, when a priorship falls vacant the subprior *in capite*, or the president appointed by the prior provincial, shall convene the vocals as soon as possible so that together:

1. They shall determine the date and the hour of the election so as to ensure that those who are absent may easily arrive in time, without however going beyond a month;

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 discussion is to be held on the choice of brother to be elected.

§ II. When the time of the election has been decided, each of the vocals, even those who are absent, shall be summoned by the subprior or by the president.

§ 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, four days after receiving notice of the vacancy in the priorship, the subprior in capite or the president is unwilling to assemble the vocals (see n. 461 § I), this having been requested by a majority of them, the vocal who is oldest in the Order shall convoke them. If he fails to call the meeting, the next oldest shall do so, and so on.*

ART. III — THE ELECTION

463. *The subprior in capite shall preside over the election or, if there is no subprior, a brother from among the electors, elected in*

a single ballot by the vocals, unless the prior provincial chooses to preside himself or to appoint a delegate to do so.

464. § I. An election may not be extended beyond seven ballots. Even in the last ballot an absolute majority is required, and if it is not obtained, the prior provincial must provide for the office. However, if there is a question of postulation, n. 450 § IV shall be observed.

§ II. The election is to be carried out according to nn. 451–52.

ART. IV — THE CONFIRMATION OR CASSATION OF AN ELECTION AND ITS ACCEPTANCE

465. The election of a conventual prior must be confirmed by the prior provincial (see Appendix 20).

466. The person elected must not be informed nor may he accept or refuse his election before it has been confirmed.

467. § I. Having consulted brothers of sound judgement from outside the community, the prior provincial may confirm or cassate an election and accept or reject a postulation, if he judges that the good of the Order demands this, even if the election has been carried out according to law; he shall not, however, defer his decision any longer than is necessary.

§ II. If it seems to the prior provincial that the legitimate postulation should be admitted, he himself shall have recourse to the Master of the Order for a dispensation; having obtained it, he may confirm the one postulated in accordance with § 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 assignation if the one elected or postulated is assigned in another province (cf.*

270 § I); and also of the prior provincial of the province of affiliation, if he is assigned outside the province of his affiliation.

469. § I. One who is elected prior may accept or refuse his election (see n. 466); but the prior provincial may command him, even under formal precept, to accept the burden of priorship.

§ II. A prior actually in office cannot be forced to accept the priorship of another convent.

470. § I. *The one elected shall sign in his own hand his acceptance or refusal on the letter of confirmation itself and shall indicate 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. *One who refuses or who, within five days of receiving the letter of confirmation, has not accepted, loses every right resulting 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 person elected (see Appendix 21), he is understood to have taken possession of the office of prior (see n. 301).

472. *When turning down an election or postulation, the prior provincial shall always state expressly in writing that he is cassating the aforesaid election or postulation (see Appendix 22); 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 it is announced that a refusal has been allowed, shall be sent to the person who presided over the election, and he shall be informed if a new election shall take place (see Appendix 22).*

§ II. *When this letter is received, if a new election is to be held, the president must convoke the electors within a month, in accordance with n. 461.*

§ III. *The new election shall be held under the presidency of the subprior or the brother already elected in accordance with n. 463, with the same secretary and tellers as in the preceding election and observing the same procedure except for the obligation to celebrate the Mass of the Holy Spirit.*

ART. V — DEVOLUTION OF THE RIGHT TO APPOINT A CONVENTUAL PRIOR

474. Without prejudice to n. 373, 1°, the right of appointing a conventual prior (see Appendix 23) devolves upon 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 fulfills those 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 he waits until the last day of a month;

2. When all the vocals have renounced their vote and have not been reinstated by the prior provincial;

3. When the vocals have not elected or postulated within a month of coming to know of the prioral vacancy, or of the cassation or non-acceptance of the previous election;

4. When three months have elapsed from the prioral vacancy, the convent, for any reason whatsoever, still does not have a confirmed prior, without prejudice to 302 § II;

5. When in the process of election there have been seven inconclusive ballots;

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 person 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 may, and after the third, he must, appoint a prior.

475. *If a prior provincial does not appoint a prior within a month from the date of notification that the right of appointment has been ceded to him, the right of providing for the office devolves upon 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.469–71).*

Chapter XVIII: Election of a Vicar Provincial

Art. I — The Election of a Vicar Provincial

477. § I. *If the statute of the vicariate determines that the vicar be designated by election, the president of the election is the brother who currently governs the vicariate in accordance with the statute of the vicariate or, as the case may be, another brother appointed by the prior provincial.*

§ II. *It is for the president of the election, after consulting the vicariate council, to determine the time of the election and to notify all the vocals; he must do this within a month of learning that the office is vacant.*

478. *The electors are the brothers with active voice who are assigned to convents of the vicariate directly or indirectly by reason of office.*

479. § I. *For anyone to be validly elected as vicar provincial, without prejudice to n. 443 it is required that:*

1. *He be thirty years old and ten years from first profession;*

2. *He shall not have been vicar provincial in the same vicariate for the two terms of office immediately preceding.*

§ II. *If a brother is not eligible because of the lack of one or more of the conditions mentioned in § I, 1° & 2°, the brothers may postulate him to the prior provincial, who shall make provision in accordance with n. 467.*

480. § I. *It is for the statute of the provincial vicariate to determine whether the vocals must come together specially to hold the election or may vote by mail.*

§ II. *If the election is carried out in a special assembly:*

1. *The president and the place of the election shall be as in n. 477;*

2. *In the actual process of the election, n. 464 shall be observed (see Appendix 18).*

§ III. *If, however, the vocals cannot gather together conveniently, the norms in n. 455-bis shall be followed:*

§ IV. *When the time determined for receiving ballot-papers has elapsed, the president with the tellers shall conduct the count in accord with n. 455-bis § II and according to the following norms:*

1. *If the majority required for election or postulation is obtained, a decree of election shall be drawn up by the president, and an authentic document of the election shall be prepared and sent to the prior provincial in accordance with n. 453 § I (see Appendix 24). All the vocals shall be notified by letter of the result of the election;*

2. *If in the final ballot, whether it is the second (n. 455-bis § II, 6°) or the third or the fourth (n. 455-bis § II, 7°), an absolute majority is not obtained, it devolves upon the prior provincial to make provision for the office (see n. 464).*

481. § I. *Regarding the confirmation or cassation of the election of a vicar provincial and his acceptance, the norms in nn. 465–73 are to be observed.*

§ II. *The right of appointing a vicar provincial devolves upon the prior provincial, without prejudice to n. 373, 1°:*

1. *When the vicariate, at the time of a vacancy of the provincial vicar, does not have the conditions referred to in n. 384 § I; then, however, in the appointment of a vicar, the vocals of the convents of the vicariate should be heard according to the norm of the vicariate statutes;*

2. *When all the vocals have renounced their vote and have not been reinstated by the prior provincial;*

3. *When, for any reason whatsoever, a vicar provincial has not been elected or postulated within six months of the vacancy coming to be known;*

4. *When in the process of an election in a special gathering there have been seven unsuccessful ballots (see 480 § II, 2°);*

5. *When in the process of an election by mail there have been two unsuccessful ballots (see 480 § IV, 2°), or three or four if the provincial chapter has so determined (see 455-bis § II, 7°);*

6. *When the brothers elect the same brother again after the first election has been cassated, unless that election was cassated only because of procedure and not because of the person 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 may, and after the third, he must, appoint a vicar provincial.*

§ III. *If the prior provincial does not appoint a vicar provincial within a month of his coming to learn that it falls to him to do so, the right of providing for a vicar provincial devolves upon the Master of the Order* [◆ T 360 ◆◆ K 329].

482. *Abrogated.*

483. *Abrogated.*

484. *Abrogated.*

Chapter XIX: Elections for a Provincial Chapter

Art. I — Election of Experts *(Periti)*

485. *Experts may be present at a provincial chapter, as* determined *by the province, but with consultative voice only.*

486. *Abrogated.*

487. *Abrogated.*

488. *Abrogated.*

Art. II — 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 a vote in the provincial chapter.

490. § I. The right to elect a socius to a prior going to a provincial chapter belongs only to those convents which, six months before the chapter, have eight vocals, unless during the year the aforesaid number has been diminished by the death of a brother (see Appendix 26).

§ II. Convents, however, that have at least sixteen vocals have the right to elect two socii, three if they have twenty-four vocals, and four if they have more than thirty-two.

§ III. The brothers in a convent which does not have a sufficient number of vocals to elect a socius to the prior going to a provincial chapter shall be joined to a college for electing a delegate.

491. § I. *The electors are the brothers with active voice and assigned to the convent even if they live habitually outside the convent of their assignation. Those, however, who, in accordance with n. 497 § II, have been joined to a particular electoral college, are not to be counted among the number for determining the socii of a prior going to a provincial chapter (see n. 458 § II).*

§ II. *Those, however, who, under any title whatsoever, are already included among the vocals at a provincial chapter cannot participate in the aforesaid election.*

492. Given the requirements of n. 443 § I, all the electors are eligible except for those who have exercised the same office for the same convent in the chapter immediately preceding.

493. § I. *The election must be held within the time limit laid down by the prior provincial.*

§ II. *It pertains to the subprior, with the consent of the vocals in accordance with nn. 461 and 462, to set the date of the election as well as to preside over it.*

494. § I. *In convents where only one socius is to be elected, the election is held according to the manner indicated in § IV, 2° and n. 452.*

§ II. *In convents where several socii are to be elected (see n. 490 § II), a secret vote must be cast to determine whether they are to be elected all together or one after the other.*

§ III. *If the majority agree, there can be a discussion about the candidates before the election.*

§ IV. *The election is to take place as follows:*

1. *If the socii are elected all together, the election is to be terminated in the seventh ballot, in which a relative majority suffices;*

2. *If they are elected one after the other then, for each socius, if by the third ballot no candidate has obtained an absolute majority of votes, in the fourth and last ballot the candidates are reduced to two: those who have received the most votes in the previous ballot, with due regard for n. 450 § III.*

495. *A socius shall have a testimonial letter of his election signed by the tellers (see Appendix 27); 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 a vote except in the chapter for which he has been elected. Moreover, his election does not stand if the chapter is delayed beyond a year.*

§ II. *If, however, the election of a prior provincial must be held several times because of cassation, or the refusal by the one elected, the same socius shall be admitted to the new election.*

§ III. *If an elected socius is impeded before the beginning of a chapter, another may be elected in his place.*

Art. III — The Election of Delegates to a Provincial Chapter

497. § I. Without prejudice to n. 491 § II, and with the exception of those who in accordance with n. 352 § I 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. Brothers directly assigned to houses or convents under the immediate jurisdiction of the Master of the Order, always excepting those who belong to the general council;

3. Brothers indirectly assigned outside the province, provided they are not superiors;

4. Brothers assigned to convents for which an agreement has been reached in accordance with n. 391, 4–6°, provided that they are not conventual priors.

§ II. Given the requirements of n. 490 § I concerning the number of vocals required 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 assignation (see n. 491) shall be joined to a specified electoral college by the prior provincial with his council.

§ III. Given the requirements of n. 443 § I, all the brothers who have active voice in the election of a delegate are also eligible from the same college to which they belong.

498. *The provincial chapter or the prior provincial with his council shall divide the vocals into several colleges according to number and regions, ensuring that no college has fewer than eight vocals or more than fifteen. If in a particular region there are fewer than eight vocals, they shall be added to another electoral college.*

499. § I. *It is the task of the provincial council to determine for each electoral college whether the vocals must come together specially to hold the election or vote by mail*.

§ II. *If the election is to be held in a special assembly:*

1. *The president and place of the election shall be determined by the provincial council;*

2. *In the actual election, nn. 452 and 494 § IV shall be observed;*

3. *After the election of a delegate, provision shall be made in the same manner for electing a substitute in case of necessity.*

§ III. *If, however, the vocals cannot gather together conveniently, the prior provincial shall preside at the election following the procedure set out in n. 455-bis and the following norms:*

1. *If an absolute majority is not obtained in the first ballot, the prior provincial shall proceed according to n. 455-bis § II, 6° and 7°. In the final ballot, whether it is the second (n. 6), third or fourth (n. 7), the candidates are reduced to two: those who have received the most votes in the previous ballot, with due regard for n. 450 § III;*

2. *In the event of a delegate being incapacitated, the substitute shall be the one who in the final ballot obtained the second highest number of votes, with due regard for n. 450 § III.*

500. *Testimonial letters of election shall be sent to those elected in accordance with n. 453 § II (see Appendix 28).*

501. *Delegates have voting rights only in the chapter for which they were elected, in accordance with n. 496 § I and § II.*

Chapter XX: Election of a Prior Provincial

Art. I — Time of the Election

502. The election of a prior provincial shall normally occur in a provincial chapter, or extraordinarily in a simple elective assembly (see n. 351 § II).

503. § I. If it happens 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 assembly.

§ II. In this case, the Master of the Order has power to shorten or extend the four-year term of the prior provincial to be elected in such a way that the following election may be celebrated again during the normal provincial chapter at the usual time.

504. *When the election of a prior provincial is to be held in a simple elective assembly, the electors are the brothers 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 — Eligibility

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 be thirty years old 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 that province.

§ II. If a brother cannot be elected because of a lack of one or more of the conditions mentioned in § I, 1°, 2°, and 3°, the brethren may postulate him to the Master of the Order.

Art. III — The Election

506. The election of a prior provincial cannot be extended beyond seven ballots. Even in the last ballot an absolute majority is required; however, if it is a postulation, n. 450 § IV must be observed.

507. § I. *The vicar of the province, or a vicar appointed 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 person appointed to that office shall perform the secretarial duties. If the election is to be held in a simple elective assembly, the secretary of the conventual council may discharge the office of secretary.*

508. § I. *The election itself shall be carried out in accordance 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 29).*

Art. IV — 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 may confirm or cassate the election as he judges what is for the good of the Order.

510. *After the letter of confirmation or appointment has been received, the procedure follows that laid down in nn. 469–71.*

511. *If 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 assembly, within a month after the notification of cassation or acceptance of a refusal.*

512. § I. *The right of appointing a prior provincial devolves upon the Master of the Order:*

1. *When the electors on the day designated for the election neither elect nor postulate but hold seven inconclusive ballots;*

2. *When, for any reason whatsoever, a province has been without a legitimate prior provincial for six months.*

§ II. *After the third time an election is confirmed but not accepted, the Master of the Order may appoint a prior provincial, and after a fourth time he must.*

Chapter XXI: Other Elections in a Provincial Chapter

Art. I — Election of 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, the more important affairs of the chapter.

514. §I. To be eligible as a diffinitor of a provincial chapter, besides the conditions stated at 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 completed his term of office immediately before the chapter;

3. He is assigned in the province or is a member of the province assigned to a convent 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 members of the chapter may be elected diffinitors; in this case they have a vote in all the elections of the chapter except in the election of the prior provincial if it has to be repeated.

515. § I. The election of diffinitors is held on the day appointed (see n. 357), under the presidency of the vicar of the province or the prior provincial in accordance with n. 507.

§ II. It shall be decided by secret vote whether they shall be elected simultaneously or consecutively.

§ III. With the consent of the majority of the vocals, a discussion [*tractatus*] about those to be elected may be held before the election.

§ IV. All postulation is excluded; and the election shall be carried out in the following manner:

1. If the diffinitors are to be elected simultaneously, the election ends in the seventh ballot in which a relative majority suffices;

2. If, however, they are to be elected consecutively then, for each diffinitor, if by the third ballot no candidate has obtained an absolute majority of votes, in the fourth and last ballot the candidates are reduced to two: those who have received the most votes in the previous ballot, with due regard for n. 450 § III.

§ V. No document of election shall be drawn up; the results of the election shall be recorded in the acts of the chapter.

516. The election of diffinitors needs no confirmation; thus, 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 is unable to serve, another may immediately be chosen in his place by the same vocals.*

519. § I. *The election of councilors, if any are to be elected (see n. 357), shall be held in the same manner as the election of diffinitors. Substitute provincial councilors 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 cease from the council for any reason whatsoever.

§ II. *All brothers who have passive voice and are assigned in the province may be elected; so may members 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 — ELECTIONS FOR A GENERAL CHAPTER

520. § I. A diffinitor of a general chapter is a brother elected in a provincial chapter of any province, to whom active voice in a general chapter is conferred by law.

§ II. The socius of a diffinitor, elected in the same manner, has the right to take his place in case of necessity.

§ III. The socius of a prior provincial going to a general chapter is elected in the same way, and with the same right to take his place.

§ IV. In an elective general chapter, the socius of a diffinitor, as in n. 407 § I, 5° and the socius of a prior provincial, as in n. 407 § I, 6° have voting rights.

521. § I. *In every provincial chapter, two diffinitors general and two socii must be elected. Those 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 elected in the second place shall be considered elected for the second such chapter unless, before they exercise their office, another provincial chapter intervenes.*

§ II. *Three different brothers must be elected as socii of the diffinitors and socius of the prior provincial.*

522. For someone to be eligible as 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 member of the province or, if he is not a member of the province, he has been assigned there for at least six years;

2. He has not served as diffinitor, nor as an elector, under the same title in the immediately preceding general chapter.

3. He is not directly assigned in a convent under the immediate jurisdiction of the Master of the Order.

523. *All shall be elected, one after the other, by all the vocals at the chapter. In each election, if by the third ballot no candidate has obtained an absolute majority of votes, then in the fourth and last ballot the candidates are reduced to two: those who have received the most votes in the previous ballot, with due regard for n. 450 § III.*

524. *Testimonial letters, signed by the president of the chapter and the diffinitors (see Appendix 30) shall be given to those elected as diffinitors of a general chapter and as socii; otherwise, in no way shall they be admitted to the position of diffinitor or to the election of the Master of the Order unless their right may be established in some other way.*

525. § I. *If, before a general chapter is held, a brother who has been elected diffinitor is elected or appointed prior provincial in his own or in another province or is impeded in any other way, the socius of the diffinitor shall be substituted in his place as of right.*

§ II. *If, however, the socius of a diffinitor or of a prior provincial is 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: 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 accordance with n. 413.

527. To be eligible for election as Master of the Order, it is required that a brother be at least thirty-five years old and ten years from first profession, as well as possessing the conditions set out 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 have not assembled.

529. *On the day before the election, the electors, summoned by the president, may have a discussion* [tractatus] *among themselves about the choice of Master.*

530. *On the day of the election or the day before, the 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 just left office or the vicar according to our legislation (see n. 417).*

§ II. *The secretary of the election shall be the first secretary of the chapter.*

§ III. *The tellers shall be designated in accordance with n. 448 § IV.*

532. *The election itself shall be conducted in accordance with n. 452 with these exceptions:*

1. *The ballots must be repeated until a brother is elected by an absolute majority of votes;*

2. *Before the new Master is elected, the electors may not leave the chapter room—except the tellers, who may go to collect the votes of infirm vocals if there are any;*

3. *An official document shall not be drawn up but a faithful report of the whole election with its various ballots shall be recorded in the minutes 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; if he is absent, he 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 does not accept and the capitulars permit this refusal, they must proceed to a new election as soon as possible.*

535. *Once the election has been completed and accepted, all the brothers 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 arrives, shall make the profession of faith in the presence of the chapter before he performs any act as Master of the Order.*

SECTION FOUR
Economic Administration

537. Right administration requires that all of the brothers, together and singly, accept responsibility for the community's temporal goods in how they use things. It implies a true relationship with poverty, of which it can be said to be the practical exercise. It is for officials, as faithful and prudent servants, to administer economic affairs with constant care, in the service of charity.

Chapter XXII: THE PRINCIPLES

ART. I — THE PURPOSE OF ADMINISTRATION

538. § I. Economic administration has to do, first of all, with whatever is needed for the daily life of the brothers and their

apostolate. It has to do too with the buildings in which the brothers live and pray, with their furnishings and their maintenance. Prudent administration also requires the accumulation, in due time, of a capital reserve for unforeseen expenses.

§ II. While we gratefully accept donations from benefactors, the primary source of all of this property is the constant work of the brothers, and their moderation in its use and disposal.

539. § I. *The excessive accumulation of possessions must not be permitted; and should a convent possess a really superfluous amount of immovable, movable or capital goods, the provincial chapter should dispose of them, having consulted the convent's council and chapter.*

§ II. *Such possessions should be used to meet the needs of the province to which the convent belongs, or, having consulted the Master of the Order, should be offered to the Order or to a poorer province.*

ART. II — THE SUBJECT OF ADMINISTRATION

540. The Order may acquire, possess and administer temporal goods, and so too may each province and convent.

541. *In the section on economic administration the word 'Order' is taken to mean a juridical person under the immediate jurisdiction of the Master of the Order and comprising, as does a province, convents and institutes.*

542. § I. Institutes and undertakings which pertain to a convent, a province, or the Order, and which are placed under the jurisdiction of the respective superior, may enjoy certain rights according to the statute of administration of the province or of the Order.

§ II. Similarly, personal administration may be conceded to designated officials of a convent, a province, or the Order: they are considered delegated administrators.

§ III. Within the limits of the statute of administration of a province or of the Order, superiors may depute individual brothers to carry out particular tasks.

543. *The Master of the Order and a prior provincial may each have a separate personal account for personal and discrete expenses.*

544. Delegated or appointed administrators, as well as superiors and syndics, may also validly incur expenses and perform juridical acts of ordinary or extraordinary administration, provided they have the requisite approval.

545. § I. If through its superiors, or its ordinary or delegated administrators, a convent, province or the Order incurs debts and obligations within the limits of their office, the juridical person itself is responsible for them.

§ II. Similarly, if a deputed administrator contracts debts and obligations, the juridical person in whose name the transactions took place is responsible for them.

§ III. If a brother contracts debts and obligations without a superior's permission, he himself is responsible for them, not the Order, province or convent.

ART. III — THE OBJECT OF ADMINISTRATION OR THE RIGHT TO POSSESS PROPERTY

546. Unless otherwise determined by a provincial chapter, the following belong to a convent:

1. Whatever the brothers assigned there acquire by their own work or activity, either as individuals or as members of the convent, and also personal income of any kind, without prejudice to nn. 174 and 200 § IV;

2. Gifts made to the convent;

3. All goods legitimately acquired in the course of time, whether immovable, movable, or capital, and their accruals.

547. *When a convent is suppressed, its goods revert to the province, with due regard for legal obligations.*

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

1. Income earned by the prior provincial;

2. Gifts made to the province;

3. Donations made for the education of postulants, novices, and students, as well as for the support of the missions or for other projects committed to the province's direction;

4. Income from projects and institutes for which the province has accepted financial responsibility;

5. Income earned by brothers assigned outside their own province, or working outside it, in accordance with n. 600;

6. Goods of any kind inherited by members of the province and also free bequests—bequests, that is, left to brothers but without any previous indication of the benefactor's intention in their regard in writing or before witnesses, without prejudice to n. 200;

7. Immovable, movable, or capital goods acquired by a province in the course of time, and their accruals;

8. Taxes imposed on the convents by the provincial chapter.

549. The following belong to the Order:

1. Immovable, movable, and capital goods, both of the Order and of institutes immediately subject to the Master of the Order, and their accruals;

2. The earnings of the brethren working in those institutes and of those working in the general curia, as well as gifts made to them without any special condition, without prejudice to no. 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 accruing to the Order as such.

Chapter XXIV: Administrative Procedure

Art. I — General Rules

550. Immovable and movable temporal goods must be administered in accordance with the Church's law and our own legislation, and also in accordance with a province's or the Order's special statutes on administration.

551. In economic administration the requirements of civil law must be strictly observed, as must the Church's law and our own.

552. *A province must have, in accordance with its needs, and as part of its general statute, an administrative statute in which all matters pertaining to the administration of temporal goods are accurately determined. This statute must be included in the acts of the provincial chapter and should not be easily changed substantially save for a pressing reason.*

553. *In the spirit of n. 552, the Order must have its own administrative statute, approved by the Master of the Order with his council.*

554. *By ecclesiastical law, the Order, each province, and each convent has its own juridical personality. When this is not recognized by the State, each must acquire a civil personality as determined by the province's statute or the Order's.*

555. § I. *The goods of societies or associations which assume before the State a civil legal personality on behalf of a convent, a province, or the Order are really our own goods and must be treated as such.*

§ II. *Therefore, the legal representative of the civil person which acts on behalf of a convent, a province, the Order, or an institution belonging to them may take only those actions which, according to our law, a competent superior or administrator may take; and he is strictly obliged to carry them out not as he decides, but as instructed by the competent official.*

§ III. *The same applies to other administrators and to each associate who, by voting or in any other way, takes part in administration. In all such cases, legal precautions must be taken lest any loss be sustained from the death of a brother or from any other cause.*

§ IV. *If the legal representative is a lay person his/her rights and obligations must be determined in a special contract.*

556. *While maintaining the radical right of convents to administer their own goods, provinces may decide on partial centralization in their economic statute in order to achieve better and more efficient administration.*

ART. II — ORGANIZATION OF ADMINISTRATION

557. Without prejudice to n. 543, all brothers, even superiors, are obliged to give to the syndic all money or accruals of any sort, so that these can be recorded accurately in the account books and, respecting the rights of any third party, be added to the goods of the community.

558. *All money and capital goods of any kind, all income and expenditure must be recorded accurately in account books. Debts or any other financial obligations, as well as claims or credits, must also be clearly recorded in them.*

559. § I. *Every syndic or administrator must keep secure and orderly files. At the end of his term of office, he must give all records to his successor.*

§ II. *Administrators appointed to a particular task must, once it has been completed, give all records to the respective syndic.*

560. § I. *Entities of the Order are to define in their chapter legislation and/or statutes the proper procedures for financial operations (administration, safe keeping of valuables and negotiables, investments and banking) in a manner suitable to their local conditions.*

§ II. *In each province ethical norms shall be established for fundraising and investment. The prior provincial together with his council should see to this task, having consulted the economic council and the promoter or provincial commission for Justice and Peace. Taking these norms into account, the provinces and houses should consider in which banks it is right to deposit their funds (see § III) and in which companies it is right to invest.*

§ III. *Money may only be deposited in banks of proven reliability and, in accordance with n. 555, it must be deposited in the name of the respective juridical person or institute to which it belongs.*

§ IV. *The bank shall be chosen by the administrator himself with the consent of the superior.*

561. *No brother may have a personal account in a bank except with the permission of his superior; in which case another brother designated by the superior must also have the right to withdraw money.*

ART. III — RENDERING ACCOUNT

562. Every brother who, *ex officio* or by appointment, is entrusted with the administration of goods is obliged to give an account of his administration.

563. § I. *Each month, the convent syndic must give an account to the council of all revenues and expenses, liabilities and assets.*

§ II. *Each year, the superior of a house, the conventual prior, and the vicar provincial must send to the prior provincial an accurate and complete account, prepared by the syndic. It must include a budget for the following year, prepared after consultation with the conventual chapter—if the provincial chapter shall have so determined—and approved by the council of the convent or the vicariate. Copies must be kept in the files of the respective syndic.*

564. *The annual accounts of every convent and institute must be submitted for examination by the provincial council.*

565. *A province must have a standard form in conformity with which syndics of convents and permanent administrators must present their economic reports to their respective superiors and councils.*

566. § I. *Each year, the syndics of a province or vice-province must present to the respective provincial or vice-provincial council accurate and complete accounts of the income and expenditure, liabilities and assets of their respective entities, the transactions they have made, and the economic condition of their respective entities; they must also propose budgets or estimates for the following year. All of these accounts must be approved by the respective council. Furthermore, the syndic must submit his economic report to the superior of the entity each month.*

§ II. *Similarly, all vicars provincial must send to their prior provincial an accurate report of their economic status, in the manner outlined in § I. These reports must be approved by their council.*

567. *Priors provincial, vice-provincials, and heads of institutions under the immediate jurisdiction of the Master of the Order, assisted by their syndics, are responsible for sending to the Master of the Order by August 31 each year the following two documents:*

1. *An Annual Economic Report. This is a comprehensive presentation of the economic situation of the entity. It shall include details of income, expenses, assets, liabilities, and annual budgets as well as major projects undertaken or planned. If the entity has multiple vicariates, convents, houses or institutes, this report shall give details of the economic situation of each one. The format of this report may vary according to local custom but must include all of the information requested above. A sample format is available from the syndic of the Order.*

2. *A Contributions (tax-deduction) Questionnaire. This is used to calculate the annual contributions from the entities of the*

Order. On the basis of this questionnaire entities claim their allowable deductions for expenditure on the formation and healthcare of the brethren and for donations to other entities of the Order. The questionnaire shall be sent out each year by the syndic of the Order and its format shall be the same for every entity.

568. § I. *Delegated and appointed administrators must render account according to the rules established for syndics of a convent or of a province.*

§ II. *Furthermore, when a project has been completed, a delegated administrator must report to the delegating superior and his council.*

569. *The syndic of a province or of the Order must furnish to the respective chapter an account of his administration.*

570. § I. *The syndic of the Order must render account to the Master of the Order and his council in the manner established for the syndic of a province.*

§ II. *In the years when a general chapter is celebrated, the* Relatio *of the syndic of the Order shall be studied and analyzed by the economic Council of the Order and, after being approved by the Master of the Order and his council, shall be presented to the general assembly of the chapter.*

571. *Superiors of convents under the immediate jurisdiction of the Master of the Order, and also moderators of institutes under his immediate jurisdiction, must send accurate reports approved by their respective councils and duly audited by an external expert to the Master of the Order as set out above in nn. 563 and 565.*

572. *A prior provincial and the Master of the Order must give an account of their personal administration to their respective chapters.*

ART. IV — TAXATION

573. § I. *A general or provincial chapter has the authority to levy taxes in whatever manner it determines. The taxes are counted as part of the ordinary expenses of convents and provinces.*

§ II. *The Master of the Order with his council may levy taxes on the convents under his immediate jurisdiction.*

574. §I. *The taxes are to service the anticipated ordinary budget.*

§ II. *They are being levied according to the income of each convent or province with due equity and proportion.*

575. § I. *Projects which require major financing should not have to depend on financing from ordinary taxation but must be provided for in an extraordinary budget. The resources needed to carry out such undertakings must be arranged for in the kind of planning described in n. 585 and following.*

§ II. *With regard to the expenses of a general chapter, the following must be kept in mind:*

1. *Traveling expenses are to be met by what is known as the 'paraequatio' method, whereby each person pays an equal share of the expenses*

2. *Lodgings and general expenses for a chapter must be shared proportionately by the general curia and by each province, in such a way that equity and proportion are observed, the details to be determined by 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 must prepare a budget of the chapter expenses to be submitted to the Master of the Order with his council. Afterwards, this must be sent to each province for consultation.*

Chapter XXV: Different Kinds of Administration

Art. I — Mutual Collaboration Between Convents, a Province, and the Order

576. *To ensure that the spirit of poverty and of work may be inspired by fraternal charity, and so that everyone's sense of responsibility for the community may be deepened, the convent's chapter must be kept informed about the convent's economic condition.*

577. *Similarly, in a manner determined by the prior provincial, the syndic of a province must inform the convents about the economic condition of the province.*

578. *At the end of the administrative year the syndic of the Order, with the approval of the Master of the Order, must send to every prior provincial a detailed report on the economic condition of the Order in the previous year, including, especially, any extraordinary budget.*

579. *A provincial syndic should collaborate with all conventual syndics, exchanging advice and examining administrative problems, as determined by the economic statute.*

580. *It is the responsibility of the syndic of the Order to examine the economic administration of all the convents and institutes immediately subject to the Master of the Order, as determined by 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, with a chairperson appointed by the provincial chapter. To this council may be added, if it seems advisable, trustworthy lay experts.*

§ 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 the provincial council, but also to help the provincial council by taking*

a consultative vote when there is question of economic matters of major importance such as, especially, the budget, taxes, and long-range plans.

§ III. *The norms by which the council for economic matters is governed must be included in the statute of administration.*

582. *The Order must also have an economic council, whose* ex officio *chairman is the syndic of the Order and which exercises the same functions as does a province's economic council.*

ART. II — INVESTMENTS

583. § I. *If the provincial chapter approves, and with due regard for owners' rights, including the right to interest, financial investments, in the strict or the wider sense, should be made jointly for the entire province and not by individual convents.*

§ II. *The provincial council should make general rules about the placing of investments and the transfers that may need to be made, so that the syndic of the province, in collaboration with the economic council and after consulting independent experts, may transact business expeditiously.*

584. *To make and change investments strictly so called, the consent of the provincial council suffices, observing the prescriptions of common law.*

ART. III — PLANNING

585. § I. *It is difficult for individual convents or institutes to undertake major projects with their own unaided resources. In many cases the combined help of all the members and communities of a province is needed and planning is essential. Projects have to be undertaken in sequence, a sequence based on a priority of need and feasibility, so that all may help each other successively.*

§ II. *All this applies not only to once-off large-scale expenditure on the construction or restoration of buildings or the commencement of new works, but also to undertakings which require annual subsidies.*

586. § I. *Planning must be undertaken by a provincial chapter after the economic council has voted on the matter.*

§ II. *When planning to meet the needs of a province or of one or other convent, the rights of convents to their property may be restricted, even to the extent of transfer or alienation of goods; but the chapters of the convents concerned must always be consulted beforehand.*

587. *When money is required for the commencement of a major project or for its continuation, the source of the requisite revenue must be clearly indicated when making the financial arrangements.*

588. § I. *No building may be constructed unless the considered opinion of experts on the location and other essentials has already been obtained, nor before a plan of the whole building, together with an estimate of the cost, has been approved by the provincial council after consultation with the economic council. Furthermore, the building should be so constructed that its ordinary maintenance will not be excessively expensive.*

§ II. *Buildings must be constructed in conformity to what has been approved by the provincial council, and no one is permitted on his own authority to deviate from it.*

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

§ II. *The General Curia and each of the institutes under the immediate jurisdiction of the Master of the Order which own buildings must include in the annual report an adequate provision for carrying out necessary renovation works in the future.*

ART. IV — LIMITATION OF EXPENDITURE

590. *It is the duty of a provincial chapter to determine the limit to what may be spent by the superior of a convent on his own, or with his council; it must also determine the limit to what the prior*

provincial without his council may spend or allow someone else to spend.

591. *Major projects which are subsidized by outsiders and thus require no outlay by the Order do, however, need the required consent in accordance with n. 590 and the previous article.*

592. *It is the duty of a general chapter to determine the limit to the expenditure which the Master of the Order may authorize without his council.*

ART. V — MASS STIPENDS

593. *The brothers must give the Mass stipends they have received to the major sacristan, who will record them accurately in a special book, indicating when they were received, their number, the intentions and conditions, the amounts offered, and the dates on which the Masses were celebrated.*

594. *The major sacristan must keep Mass stipends in a separate account. Only when the Masses have been celebrated may the money be transferred to the common account. Every month the sacristan must 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 must be sent to the prior provincial, and a surplus in the province must be sent to the Master of the Order.*

ART. VI — PIOUS FOUNDATIONS AND RESTRICTED GIFTS

596. § I. *Only juridical persons in the Order and not individual brothers are permitted, with the consent of their respective councils, to accept pious foundations or other gifts which involve 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 ought not to be accepted easily.*

597. *Conditions and obligations are to be recorded in writing in duplicate: one copy is to be preserved in the archives of the province and the other in the convent concerned.*

ART. VII — SOME PARTICULAR CASES

598. When they travel, brothers are to be given their expenses by their superior. On completion of their journey, they must give him an account of that money and of any other money they received while outside the convent.

599. *Brothers who are guests in a convent of the Order should pay—or are not required to pay—an appropriate sum for their lodgings, in accordance with 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 provincial priors concerned shall, by mutual agreement or established convention, settle 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 have an official position or work permanently in institutions, projects, or other establishments of this kind which do not belong to convents or provinces of the Order, the prior provincial should ensure that a contract be drawn up in which all the conditions are clearly set out. When the brother has an official position in the territory of another province, the prior provincial of the place must be informed of the contract* [◆ T 363 ◆◆ K 332].

ART. VIII — PUBLISHING BOOKS

602. *When a book is to be published, a written contract must be drawn up.*

603. *When possible, all contracts should be made in the name of the juridical person recognized by law, and a copy, moreover, should be kept in the files of the syndic of the province or of the Order.*

604. *In the economic statute, precise regulations should be made about the publication of books: the expenses to be incurred, the conditions to be attached, and the disposal of the author's earnings after his death.*

605. *A province should encourage the publication of books of high scientific value, even though the cost may exceed the anticipated profit.*

ART. IX — CONTRACTS

606. All important contracts to do with economic matters should be made in writing in accordance with the norms established in the province's administrative statute.

607. § I. It is not permitted to contract debts and financial obligations unless it is established with certainty that interest on the debt can be paid from regular income, and that the principal can be liquidated within a reasonable period of time.

§ II. When asking permission to contract debts or obligations, all other debts and obligations with which the contracting party is burdened to that date must be declared, without exception; otherwise, the permission obtained is invalid.

§ III. Contracts concerning incurring debts or obligations must be submitted for examination by the economic council.

608. § I. *In order to alienate valuable immovable or movable property the province's economic council must decide whether there is sufficient reason for this, must make a written evaluation of the matter and indicate what is a fair price, having consulted lay experts as well, if that be necessary.*

§ II. *In general, contracts to rent cannot be made without consulting the economic council beforehand. Furthermore, a superior cannot make a rental contract without the consent of his council.*

609. § I. *Contracts to alienate, to rent and, indeed, for an agreed annual payment, contracts for debts and obligations to be incurred, are subject to the rules on the limitation of expenses contained in nn. 590 and 592.*

§ II. *For such contracts, the prior provincial with his council may give consent up to the sum assigned by the Holy See for each region (see* CIC *638 § III). Otherwise, recourse to the Master of the Order is required.*

Art. X — Insurance

610. *All convents, provinces, and the Order must have adequate insurance.*

611. *In countries where insurance is mandatory for medical care, old age, accidents, sickness, personal injury liability, the brothers shall not fail to obtain such insurance.*

612. *It is absolutely necessary to obtain insurance against injuries that might be inflicted on third parties. It is not permissible for any brother to drive an uninsured motor vehicle.*

613. *A province's administrative statute must specify which types of insurance are required and the manner in which they are to be obtained.*

Art. XI — Lay Employees

614. *Superiors must pay employees a just wage, and civil laws, especially social laws concerning insurance, taxation, and other matters of this kind, must be strictly observed.*

615. *In countries where the social laws referred to above are lacking, superiors must provide for the security of employees according to social justice.*

Art. XII — Administration of Goods Belonging to People Outside the Order

616. *No one, not even a superior, may accept deposits of money belonging to 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 who are not members of the Order, whether they are physical or juridical persons, apart from an exceptional case and then with the permission of the prior provincial.

§ II. If an obligation to give an account is attached to this administration, then the prior provincial's permission should be granted with greater reluctance and strictly for the time required.

ART. XIII — GIFTS

618. From the goods which divine Providence has bestowed on it, a community, with their superior's consent, 'should willingly contribute part of what they possess for the other needs of the Church and for the support of the poor, whom all religious should love in the heart of Christ.'[33]

619. *Since the brothers are indebted to everybody, in Christ, they should cultivate generosity, which is not judged by the size of the gifts but by the spirit in which they are given. When making charitable donations let them observe the order of charity and never forget the communities of brothers who are in need.*

[33] *Perfectae caritatis*, n. 13.

Constitutions and Ordinations For Which Another Text Is Still in Force

Constitutions with an inchoation (★) or an approval (★★), but not yet confirmed.

Constitutions for which another text is in force by virtue of an inchoation (✪) or of an approval (✪✪), with an ordination.

Ordinations made at the River Forest Chapter for inclusion in the *Book of Constitutions and Ordinations* or which were inserted by subsequent chapters in accordance with 285 § I (◆), but in place of which subsequent general chapters made ordinations without definitively abrogating the previous text (see n. 285 § II, and the Acts of the General Chapter of Madonna dell'Arco, nn. 29 and 30).

45. § I. *A brother who is going to spend some time in the territory of another province should notify the relevant prior provincial in advance, with due regard for n. 137* [◆ T 338 ◆◆K 317].

199. §I. Simple profession is to be made according to this formula:

> "I, brother N.N., make profession and promise obedience to God, to blessed Mary, and to blessed Dominic, and to you, brother N.N., Master of the Order of Preachers, and to your successors (or: to you, brother N.N., prior provincial of the province of…; or: delegated…; in place of N.N., Master of the Order of 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) [★ T 342 ★★ K 320].

253. § I. A province consists of at least three convents, two of which must have at least eight vocals assigned and habitually living there. Furthermore, each province must have at least forty vocals [★ K 321].

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

369. § I. In cases of greater urgency when more are unable to be present, it suffices that at least two councilors be present with the chairman [◆ K 323].

§ II. Whenever the agenda includes matters pertaining to the studium, the professors, and the students, or even to an apostolic school, the regent and the moderator of institutional studies shall always be present.

443. § II. When it is a question of the election of superiors, in order for one to be elected, it is also required:

1. That he be a priest;

2. That he be solemnly professed for three years;

3. That he have the Order's approval for hearing confessions [★ T 353 ★★ K 328].

601. *When brothers have an official position or work permanently in institutions, projects, or other establishments of this kind which do not belong to convents or provinces of the Order, the prior provincial should ensure that a contract be drawn up in which all the conditions are clearly set out* [◆ T 363 ◆◆ K 332].

Appendix

The following (nn. 1–30) are directives only, unless it is clear that they have binding force, either by their nature (privileges, for example) or because it is so laid down in our legislation.

1. **The Nature of Constitutions, Ordinations and Declarations** (1 § IX; 275 § I)

From the Acts of the General Chapter held in River Forest in 1968, n. 85: *Constitutions* are the fundamental laws of the Order, that is, evangelical and theological principles, as well as what is laid down about the nature and purpose of the Order, its way of life, and its government. Other norms which, in the light of what is needed at any particular time, are for the purpose of applying or implementing the Constitutions are called *ordinations*. *Declarations* made in the acts of chapters are either interpretations of laws or suspensions of their obligations.

2. **Ordinations in the Book of Constitutions and Ordinations and in General Chapters** (1 § IX; 285)

From the Acts of the General Chapter held at Madonna dell'Arco in 1974, nn. 29–32:

We declare that the method of counting two general chapters required (LCO 285 § II) for the *definitive abrogation of an ordination* found in LCO, begins from the general chapter held in Tallaght in 1971, or from subsequent general chapters. If the *revocation of an ordination* was made by the Tallaght Chapter, the *definitive abrogation* can take place in the present General Chapter [Madonna dell'Arco]; but if a revocation is made in this Chapter, *definitive abrogation of the ordination* can take place in the following general chapter. And thus the procedure continues on.

We declare that the method of counting general chapters required (LCO 285 § I) for inserting an ordination in LCO, begins from the General Chapter held at Tallaght in 1971, or from subsequent general chapters. 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 it concerns an ordination made in the present General Chapter,

then the method of counting 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 referring to *ordinations of general chapters which change or replace the text of ordinations found in* LCO and to *those which legislate about other matters* and are placed in relevant sections in the Acts of general chapters as the subject matter requires.

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 referring to *ordinations printed in italics which are actually found in LCO*. Ordinations of this kind remain in LCO unless they are abrogated.

3. **The Habit** (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 armpit and the elbow.

4. **Associations Attached to the Order** (152)

The Associations of the Order: the Confraternity of the Most Holy Name of Jesus; the Confraternity of the Most Holy Rosary, as well as the Perpetual and Living Rosary; the Angelic Warfare; Blessed Imelda.

5. **Declaration and Protestation for Admission to the Order or to Simple or Solemn Profession** (174 § I–II; 191 § I)

We declare to you that after your profession you will be obliged to observe the three vows, namely, obedience, chastity, and poverty. Also, that you will be obliged to observe 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 health impediment 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 N. N., O.P.
Prior

Brother N.N.
Candidate

Brother N. N., O.P.
Witness

Brother N. N., O.P.
Witness

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

6. **Testimonial Statement on the Beginning of the Novitiate** (178 § II)

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

Brother N.N., O.P.
Novice

Brother N.N., O.P.
Witness
Brother N.N., O.P.
Witness
So it is:
Brother N.N., O.P.
Prior

7. **Letter of Appointment for a Master of Novices Outside a Provincial Chapter** (182 § I; 213 § III)

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

Since the approved formation of novices 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 N.N., as Master of Novices in the Convent of N., 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 carry it out 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 …, 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)
Reg. pag.

Brother N.N., O.P.
Prior Provincial

Brother N.N., 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.

8. **Testimonial Statement after Making Simple or Solemn Profession** (194)

I, Brother N.N., (religious and family name), also known as N.N. (full baptismal name), born in … (city or town) in the Diocese of … (name of diocese) on … (day, month, year), the son of … (father's name) and … (mother's maiden name) attest that in the year of our Lord … (year) on … (day, month), freely and without any force or fear, I made simple profession for three years using the customary formula in the Order (*or* I made solemn profession using the customary formula in the Order) in the hands of Brother N.N., Prior of this Convent of N., while Brother N.N., was Master of the Order, and Brother N.N., was Prior Provincial of the Province.

Brother N.N., O.P.
Witness
Brother N.N., O.P.
Witness

Brother N.N., O.P.

So it is:
Brother N.N., O.P.
Prior

9. **Testimonial Statement on the Renewal of Simple Profession** (203 § I)

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

Sign as in the previous format.

10. **Dimissorial Letter for Those to be Ordained** (248 § I)

I, Brother N.N., of the Order of Preachers, Prior Provincial of the Province of N., to our beloved Brother N.N., 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 N.N., (Arch)bishop of N., whom I humbly request (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 of the Province, on the … day of the month of …, in the year of our Lord …

(Seal of the Province) Brother N.N., O.P.
Reg. pag. Prior Provincial

Brother N.N., O.P.
Secretary

11. [**Abrogated**]

12. **List of Provinces and Vice-Provinces of the Order** (259 § I)

(*Numbers as used in the secretariat general*)

1. Spain (Madrid) – 2. Toulouse – 3. France (Paris) – 4. St. Dominic in Italy (Milan) – 5. Roman Province of St. Catherine of Siena (Rome) – 6. St. Thomas Aquinas in Italy (Madonna dell'Arco, Naples) – 8. St. Albert the Great of Austria and Germany – 9. England – 10. Poland – 12. Bohemia (Prague) – 13. Croatia: Annunciation of the B.V.M. (Zagreb) – 15. Portugal – 18. Ireland – 19. St. James in Mexico – 20. St. John Baptist in Peru – 21. St. Louis Bertrand in Colombia – 24. St. Augustine in Argentina and Chile – 25. Our Lady of the Rosary (Spain and the Orient) – 27. St. Thomas Aquinas in Belgium – 29. St. Joseph, U.S.A. (Eastern Province, New York) – 30. St. Pius V in Malta – 31. St. Dominic in Canada –

32. Holy Name of Jesus, U.S.A. (Western Province, Oakland) – 35. St. Albert the Great, U.S.A. (Central Province, Chicago) – 36. Assumption of the B.V.M., Australia and New Zealand – 37. Bartolomé de Las Casas in Brazil – 40. Queen of Martyrs in Vietnam – 41. Philippines – 42. St. Martin de Porres, U.S.A. (Southern Province, New Orleans) – 44. St. Vincent Ferrer in Central America – 45. St. Joseph the Worker, Nigeria and Ghana – 46. India. – 83. Slovakia – 84. St. Augustine in West Africa – 86. St. Charles Lwanga in Equatorial (Central) Africa.

23. Vice Province of St. Catherine of Siena (Ecuador) – 43. Vice Province of the Son of Mary, Pakistan – 47. Vice Province of St. Pius V (The Democratic Republic of Congo) – 48. Vice Province of South Africa – 49. Vice Province of the Queen of China – 85. Vice Province of Bolivia.

13. **Letter of Assignation** (271; 391, 6°)

13A. **Form of Ordinary Direct Assignation**

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

Considering the needs of the Province and your ability in the service of Christ, by virtue of this document, and by the authority of my Office, I revoke your former assignation from the convent (*or* house) in which at present you are assigned, and I assign you simply to the convent (*or* house) of N., commanding you in virtue of obedience that within *so many* days (*or* as soon as possible; *or* as soon as conveniently possible) you set out and move to the said convent (*or* to the said house). I also direct the superior of the said convent (or house) under the same command to receive you kindly and treat you charitably, as legitimately assigned.

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

Notwithstanding anything to the contrary.

(Seal of the Province) Brother N.N., O.P.
Reg. pag. Prior Provincial

Brother N.N., O.P.
Secretary

13B. **Form of Direct Assignation by Reason of an Agreement of Priors Provincial (according to the form of the General Chapter of Providence)**

I, Brother N.N., Prior Provincial of the Province of A, to our beloved Brother N.N., son of the Province of B.

Considering the needs of the Order and your ability in the service of Christ, by virtue of this document, and by the authority of my Office, with the consent of the Prior Provincial of Province B, and by virtue of LCO 391, 6°, suspending your previous assignment from the convent in which you are presently assigned, I assign you by reason of an agreement between provinces to the Convent of St. N. (*or* the house of St. N.), N., for *such a time*: (*for the time of studies determined by the Prior Provincial of the said Province, for the academic year, for two years, for three years, for four years, for five years*), commanding you by virtue of holy obedience and under formal precept, that within *so many* days you set out and move to the said convent (*or* to the said house), and commanding the current Superior of the said convent (said house) to receive you kindly and treat you charitably, as legitimately assigned.

In accordance with LCO 391, 6°, and following the declaration laid out in LCO Appendix 16, as well as the agreement stipulated between the priors provincial, you have the same rights and obligations as the other friars in this convent, excepting active and passive voice with respect to election for the provincial chapter of province A, retaining however active and passive voice for electing a delegate to go to the provincial chapter of your province B.

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

Notwithstanding anything to the contrary.

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

Reg. pag.

Brother N.N., O.P.
Secretary

13C. **Form of Indirect Assignation**

I, Brother N.N., Prior Provincial of the Province of A, to our beloved Brother N.N., son of the Province of B.

Considering the needs of the Order and your ability in the service of Christ, by virtue of this document, and by the authority of my Office, with the consent of the Prior Provincial of Province B, suspending your previous assignment from the convent in which you are presently assigned, I assign you by reason of study to the Convent of St. N. (*or* to the house of St. N.), for *such a time*: *for the time of studies determined by the Prior Provincial of the said Province* (*for the academic year, for two years, for three years, for four years, for five years*), commanding you by virtue of holy obedience and under formal precept, to set out and move directly to the said convent (said house), and commanding the current Superior of the said convent (of the said house) to receive you kindly and treat your charitably, as legitimately assigned.

You have rights and obligations by reason of the agreement signed by the two priors provincial.

Or:

In accordance with LCO n. 270 § III, unless it be stipulated otherwise in an agreement, you have the same rights and obligations as other friars of the convent, in particular, to take part in chapters and community meetings, the common life, and the celebration of

the liturgy. With due regard for LCO n. 208, you enjoy active voice in the conventual chapter, save for elections and matters of economic administration.

As regards your program of studies, you are to report to the regent of studies of the Province of your assignation. When the time of indirect assignation has elapsed, the previous direct, or simple, assignation comes back into force.

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

Notwithstanding anything to the contrary.

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

Reg. pag.
Brother N.N., O.P.
Secretary

14. **Norms on, and Uses of Privileges** (275 § I)

§ I. The Master of the Order, by apostolic authority (see *Bull of Julius II*, December 14, 1509), in order to give peace of conscience to the brethren, is empowered to give a declarative interpretation not only of our constitutions but also of privileges granted or to be granted by the Holy See.

§ II. Among these privileges is this: that the authentic interpretation of the privileges granted to our Order or to regulars in general by the Holy See is reserved to the Holy See, and that Ordinaries or judges of lesser rank have no right to interpret them.

§ III. Our brothers 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.

§ IV. Neither the brethren nor prelates may renounce privileges granted by the Holy See, even those not having the force of law, without the authority and assent of a general chapter.

14-bis. **On the Vote of Superiors in Council** (297-bis)

From the authentic response of the Pontifical Commission for the Interpretation of the Code of Canon Law: "On the Superior and His Council" (July 5, 1985, AAS, 1985, p. 771), not a few doubts have arisen, which the General Chapter of Ávila in 1986 has already dealt with (Acta, no. 151).

Now, however, the matter has become somewhat clear, because both the teaching of reputable authors and the recent practice of the Roman Curia hold that religious institutes may continue to observe the norms of their Constitutions concerning their own councils by virtue of the autonomy of the institutes themselves (cf. Can. 627).

After careful consideration by our General Council, presided over by the Master of the Order, and after consultation with other experts in canon law, the following conclusion has been reached:

The Superiors of Our Order, whether friars or nuns, following their own Constitutions as they have been interpreted by immemorial custom, may cast a vote together with their Council.

Given in Rome, by mandate of the Master of the Order and his Council, on February 17, 1988.

Brother Raphæl Moya, O.P.
Procurator General[34]

15. **Principal Documents to be Preserved in Provincial Archives** (383)

— Acts of the Holy See and of the Master of the Order received by the prior provincial;
— Authentic acts, official minutes (*processus verbales*) and documents of provincial chapters;
— Register of provincial council deliberations;

[34] *Analecta O.P.*, 96 (1988), 188–89.

— Principal acts and register of the acts of the prior provincial;
— Reports after canonical visitations;
— Agreements with local Ordinaries;
— Authentic documents on provincial vicariate and 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.

16. **Declaration on the 'Form of Assignation'** (391, 6°)

From the acts of the general chapter celebrated in Krakow in 2004, n. 389:

A direct assignation is an assignation with all rights and obligations, unless otherwise expressly stated (cf. LCO 270) by virtue of a particular delegation of a General Chapter (cf. LCO 271 § I).

Procedure to be followed:

1. Consent between two provincial chapters or two priors provincial is necessary. Careful attention is to be given in this agreement to LCO 600.
2. The prior provincial of the province to which the convent belongs gives the assignation. It is expressly declared that the assignation is made by force of LCO 391, 6°, with the consent of N. N., the prior provincial of the province to which the brother is assigned.
3. It is necessary to send to the Master of the Order a copy of the agreement and the document of assignation.

The rights and obligations of the brother assigned:

1. With respect to the convent to which the brother is assigned
   a) He has active and passive voice in the convent of assignation.
   b) Nevertheless, according to the mind of the General Chapter celebrated at Providence, he does not have active and passive voice with respect to the election of the socius or socii of the prior for a provincial chapter (LCO 491 §I, 1°).
   c) Therefore a brother assigned according to LCO 391, 6° is not counted as a vocal for the election of the socius or socii of a prior going to a provincial chapter of the province to which the convent of his assignation belongs (LCO 497).
2. With respect to the province of his assignation, a brother maintains active and passive voice in the election of a delegate going to a provincial chapter of his province of assignation, according to the norm of LCO 497 § I, 4° (cf. Providence 508).

17. **Method of Electing a Delegate Going to a General Chapter** (409-bis)

From the Acts of the Chapter held at Bologna in 1998, n. 293:

To set out the meaning of LCO n. 409-bis, we declare that the method of electing a delegate going to a general chapter must be set out precisely in the statute of the province. If there are two or more vicariates within the province, the text of this constitution provides a number of possibilities as to how to elect a vicar to go to a general chapter of priors provincial. It is for the provincial chapter to choose the method of carrying out the election and to insert it in the statute of the province.

18. **Official Report of the Election or Postulation of a Conventual Prior** (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 (*or for some other specific*

reason) of Brother N.N., we have been anxious to provide for the office of prior. Therefore, I, Brother N.N., as president of the election, summoned to the election all of those who were entitled to take part or were believed to be so entitled, and we conducted this election in accordance with n. 452 of the *Book of Constitutions and Ordinations*.

We were … (give total number) vocals, namely:

Brother N.N., subprior in capite, president of the election
Brother N.N.
etc. (complete the list of names of all vocals present)

In the first scrutiny, the results were:

Brother N.N. … (total number) votes
Brother N.N. … (total number) votes …

In the second scrutiny, the results were:

Brother N.N. … (total number) votes
Brother N.N. … (total number) votes …

Then, in the Nth scrutiny, the results were:

Brother N.N. … (total number) votes
Brother N.N. … (total number) votes …

Consequently, the required majority having been obtained for election (*or* postulation), I (*or*, the first teller, *if the President is elected*) declared Brother N.N., 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*, a dispensation having been given for—*state the reason*) approve the election and confirm the brother elected (*or* postulated) and approve him to be our prior.

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

Brother N.N.
President of the election

Brother N.N.
First Teller

Brother N.N.
Secretary

Brother N.N.
Second Teller

If there were seven inconclusive ballots, the report concludes thus:

Since, therefore, the required majority was not obtained in this seventh and final scrutiny, the appointment of a conventual prior falls to you in accordance n. 474, 5° of the *Book of Constitutions and Ordinations*, and we ask you to appoint a prior for our convent.

Given … *etc*.

The official report of the election of a vicar provincial is prepared in the same way (with appropriate modifications) when the election is held in a special assembly of all the vocals.

18-bis. **A Report to be Sent to the Vocals on the Outcome of a Ballot Cast by Letter or Electronic Means** (455-bis § II, 5° & 6°)

1. Formula for the first ballot:

On the occasion of electing the delegate of the first (*or* second/third…) college to the provincial chapter (*or such office*), we have promptly and diligently fulfilled our obligation in accordance with the law. Therefore, in accordance with our laws, we conducted this election by letter (*or* by electronic means) in accordance with norm n. 455-bis (*in the case of election by electronic means,* also norm n. 455-ter) of the *Book of Constitutions and Ordinations*. After the designated time for receiving the ballots had elapsed, I, Brother N.N., president of the election, along with the tellers, counted the ballots.

Since the number of vocals was … (*the number is indicated*), namely:

Brother N.N.
Brother N.N.
etc. (*names are listed in a column*)

The votes were as follows:

Brother Albert N., N votes
Brother Francis N., N votes
Brother Peter N., N votes
etc.

If the required majority was obtained, the process continues as follows:

Consequently, the required majority for election (*or* postulation) having been obtained, I declared (*or,* the first teller*, if the President is elected*) that Brother N. has been elected (*or* postulated) as the delegate of the first (*or* second/third…) college to the provincial chapter (*or such office*).

If confirmation is required:

Since our election (*or* postulation) was completed properly and since it concerns a person suited for the office, we inform you that we have requested that Brother N., prior provincial (*or such superior*), approve (*in the case of postulation*, granting a dispensation *for any deficiency*…) and confirm the brother elected (*or* postulated), and approve him to be our … (*such office*).

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

Brother N.N.
President of the election

Brother N.N.
First Teller

Brother N.N.
Secretary

Brother N.N.
Second Teller

If the required majority was not obtained, the process continues as follows:

Since the required majority for election (*or* postulation) was not obtained, I determined that new ballots should be sent by the vocals by letter (*or* by electronic means) before the … day of the month of …

Given at … *as above.*

2. Formula for the second, third, fourth, or final ballot:

On the occasion of electing a delegate of the first (*or* second/third…) college to the provincial chapter (*or such office*), we held the first (*or* second/third) ballot, which proved inconclusive, on the … day of the month of … in accordance with the norm of 455-bis § II, 6° of the *Book of Constitutions and Ordinations*, in order to provide for a delegate (*or such office*).

After the time fixed by us for the receipt of the ballots had elapsed, I, Brother N., the president of the election, along with the tellers, counted the new ballots.

Since the vocals were …, namely:

The rest as above.

19. **Habitual Residence** (458 § I)

From the Acts of the General Chapter held at Tallaght in 1971 n. 159:

We declare that the term 'habitual residence' refers to a brother residing in a place because of his work and for longer than he lives in his house of assignation. It does not refer to residence [outside the convent] for a long time by reason of illness, itinerant apostolate, etc., since in this case it is clear that his residence must be considered to be the convent where he is assigned.

20. **Letter of Confirmation of the Election or Postulation of a Prior** (465; 481 § I; 482)

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

Because our convent of N., is without a prior, the vocals of that convent assembled to provide a suitable leader for their convent. Knowing your suitability, they recently canonically elected (*or* postulated) you and have asked me to approve and confirm their election (*or* postulation). Having sufficient confidence in you for this office, and having consulted with certain prudent brothers, I accede to the decision of the vocals and approve the aforesaid election (*or* postulation). Wherefore, by virtue of this document, I confirm you, Brother N.N., as prior of the aforesaid Convent of N., and order you, in virtue of obedience, to accept this office of prior within five days and prepare yourself to carry it out, or to refuse the same office. By the same order, each and every brother assigned to the aforesaid convent is to receive you, after you accept office, 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 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 N.N., O.P.
Prior Provincial

Reg. pag.

Brother N.N., O.P.
Secretary

Subsequently this document is countersigned in the following manner:

I have accepted (*or* refused) election (*or* postulation) on this … day of the month of … in the year of our Lord … Brother N.N., O.P.

Brother N.N., Witness

Brother N.N., Witness

The letter of confirmation of a vicar provincial is prepared and signed in the same way, with appropriate modifications.

21. **Profession of Faith** (471)[35]

I, Brother N.N., 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 things visible and invisible. I believe in one Lord Jesus Christ, the Only Begotten Son of God, born of the Father before all ages. God from God, Light from Light, true God from true God, begotten, not made, consubstantial with the Father; through him all things were made. For us men and for our salvation he came down from heaven, and by the Holy Spirit was incarnate of the Virgin Mary, and became man. For our sake he was crucified under Pontius Pilate, he suffered death and was buried, and rose again on the third day in accordance with 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, who with the Father and the Son is adored and glorified, who has spoken through the prophets. I believe in one, holy, catholic and apostolic Church. I confess one baptism for the forgiveness of sins and I look forward to the resurrection of the dead and the life of the world to come. Amen.

With a firm faith I also believe all that is contained in the word of God, the written word and the word handed down to us, and all that is proposed by the Church as being divinely revealed, whether by solemn definition or by her ordinary, universal teaching authority.

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[35] *CIC* 833, 8°; AAS XC (1998), 542–43; ASOP 97 (1989), 48–50.

I also firmly embrace and hold everything definitively declared by the Church concerning faith or morals.

Further, with a religious submission of will and intellect I hold fast to what the Roman Pontiff or the College of Bishops declare when they exercise their authentic teaching function, even if they do not intend to proclaim that teaching by a definitive act.

Oath of fidelity on entering into an office to be exercised in the name of the Church

I, N.N., in accepting the office of …, promise that I will at all times maintain communion with the Catholic Church, both in my words and in my conduct.

With the utmost diligence and fidelity I shall fulfill the duties which bind me in regard to the Church, universal and local, in which I have been called to serve according to law.

In fulfilling the responsibility which, in the name of the Church, has been given me. I shall keep the deposit of faith in its entirety, I shall faithfully pass it on and make it known; further, I shall avoid whatever is contrary to it.

I shall foster the discipline of the whole Church and I shall insist on observance of all Church laws, in the first place of those in the Code of Canon Law.

With Christian obedience I shall follow what the sacred pastors declare in their role as authentic teachers of the faith, and what they lay down in their role as rulers of the Church; I shall give loyal help to the diocesan bishops so that apostolic work may be carried out in the name of the Church and by its mandate, and with due respect for the character and purpose of my Institute, and may enhance communion in the [local] Church. May God come to my aid, and these Holy Gospels, which I touch with my hand.[36]

[36] cf. *CIC* 833, 8°; *AAS* 90 (1998), 542–543; *ASOP* 97 (1989), 48–50.

22. **Letter of Cassation of an Election or Postulation of a Conventual Prior** (473; 481 § I; 482)

I, Brother N.N., Prior Provincial of the Province of N., by virtue of this document, hereby cassate the election (*or* postulation) of Brother N.N., as prior of the Convent of N. simply (*or* because of a *named defect* 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 hereby order the vocals of the aforesaid convent to proceed with a new election, at a time and in the form prescribed by our laws.

Given at …, 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)
Reg. pag.
Brother N.N., O.P.
Secretary

Brother N.N., O.P.
Prior Provincial

A letter cassating the election of a vicar provincial is prepared in the same way, with appropriate modifications.

23. **Letter of Appointment of a Conventual Prior** (474; 481 § II; 482)

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

Since the office of prior in our convent of N., remains vacant after seven inconclusive ballots (*or because of some other named reason*), and since it now falls 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 N.N., for this task. Consequently, by virtue of this document, I appoint you, Brother N.N., as prior of the aforesaid convent of N., and order you, in virtue of obedience, to accept this prioral office within five days

and prepare yourself to carry it out, 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 …

This letter should be countersigned in the same way as the letter confirming an election—see n. 20 above.

The letter appointing a vicar provincial is written and signed in the same way, with appropriate modifications.

24. **Official Report of the Election or Postulation of a Vicar of the Province Conducted by Mail** (480 § IV)

1. For the first scrutiny:

Upon the completion of the mandate of Brother N., in the office of superior of our provincial vicariate of N., we have been anxious to provide for a new vicar. Consequently, according to the statutes of the vicariate, we have conducted this election by mail in accordance with LCO 480 § IV. The time designated for the return of the mailed ballots having elapsed, I, Brother N.N., president of the election, along with the members of the provincial vicariate, carried out the count, as follows.

We were … *(give total number)* vocals:

Brother N.N.

Brother N.N.

etc. (*names are listed in a column*)

The votes were as follows:

Brother Albert N., N votes

Brother Francis N., N votes

Brother Peter N., N votes

etc.

If the required majority was obtained in this ballot, the official report continues in this manner:

Consequently, the majority required for election (*or* postulation) having been obtained, I (*or, if the president himself was elected or postulated,* the eldest of the councilors) declare Brother N.N., to have been elected vicar of our provincial vicariate.

Since our election was completed properly and since it concerns a person suited for the office, we ask you (*in the case of a postulation,* a dispensation having been given for [*state cause*]) to approve the election and to confirm the brother elected (*or* postulated) and deign to give him to us as our vicar provincial.

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

Brother N.N.
President of the election

Brother N.N.
First Teller

Brother N.N.
Secretary

Brother N.N.
Second Teller

However, if the required majority has not been obtained, the report continues in this manner:

Consequently, the majority required for election (*or* postulation) not having been obtained, I have determined that the votes for a new election must be returned by the vocals before the … day of the month of …

Given at … *as above*

2. Sample form for the second, third, fourth and final ballot:

Upon the completion of the mandate of office of superior of our provincial vicariate Brother N.N., we completed an inconclusive count of mailed ballot-papers on the … day of the … month of … in accordance with LCO 480 § IV, to provide for a new vicar. The

time designated by us for the return of the mailed ballots having elapsed, I, Brother N.N., president of the election, and the tellers, carried out a new count.

We were … vocals:

If the majority required for election was obtained, proceed as above.

If the required majority was not obtained, proceed as follows:

In view of the fact that in the second (*or* third, *or* fourth), the required majority was not reached, the appointment of a vicar of the province reverts to you, in accordance with n. 480 § IV, 2° of the *Book of Constitutions and Ordinations*, and we request that you appoint for us a vicar of the vicariate.

Given … *etc.*

25. **Letter of Appointment of a Vicar Provincial in a Provincial Vicariate** (481 § II)

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

Having heard the recommendation of the vocals of our provincial vicariate of N., in accordance with LCO 481, by virtue of this document, I appoint you, Brother N.N., as Vicar of the aforesaid vicariate, and order you in virtue of obedience…

Complete as in n. 20, above.

26. **Election of a Socius of a Prior Going to a Provincial Chapter** (490)

From the Acts of the General Chapter held at Avila in 1986, n. 154:

Whenever it is said in LCO 490 that a particular number of vocals is required in a convent for it to be entitled to elect a socius (or socii), the prior is to be included for that purpose even though he does not have a vote.

27. **Testimonial Letter of a Socius of a Prior Going to a Provincial Chapter** (495)

We, the undersigned, testify that, all the requirements of law having been observed, Brother N.N., was elected as socius of our Prior, Brother N.N., going to the Provincial Chapter to be held this year in the convent of N. We request, therefore, that he be admitted as the rightful socius and that he have a vote in the Provincial Chapter.

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

Brother N.N.
President of the election

Brother N.N.
First Teller

Brother N.N.
Secretary

Brother N.N.
Second Teller

28. **Testimonial Letter of a Delegate to a Provincial Chapter** (500)

We, the undersigned, testify that, all the requirements of law having been observed, Brother N.N., has been elected delegate from the first (*or* second/third…) electoral college to the Provincial Chapter to be held this year in the convent of N. We request, therefore, that he be admitted as a rightful delegate and that he have a vote in the Provincial Chapter.

Given at …, 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 N.N.
Prior Provincial
Or President of the election

Brother N.N.
Provincial Councilor

Or First Teller
Brother N.N.

Brother N.N. — Provincial Councilor
Secretary — *Or* Second Teller

29. **Official Report of the Election or Postulation of a Prior Provincial** (508 § II)

Since the office of prior provincial of our Province of N., is vacant after the completion of the four-year term of Brother N.N. (*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 in accordance with n. 452 of the *Book of Constitutions and Ordinations*.

We were … (*give total number*) vocals:

Brother N.N., O.P., Provincial Vicar
Brother N.N., O.P.
etc. (complete the list of names)

In the first scrutiny, the results were:

Brother N.N. … (total number) votes
Brother N.N. … (total number) votes
etc.
(and there were … void votes)

In the second scrutiny, the results were:

etc.

Consequently, the majority required for election (*or* postulation) having been obtained in this third (*or* fourth, etc.) ballot, I, Brother N.N., president of the chapter (*or if the president is elected or postulated*, the first teller), declared Brother N.N., elected (*or* postulated) Prior Provincial of the Province of N.

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

Given at …, 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 N.N.
President of the Chapter
Brother N.N.
First Teller

Brother N.N.
Secretary

Brother N.N.
Second Teller

If there have been seven inconclusive ballots, the report concludes thus:

Since, therefore, the required majority was not obtained on this final ballot, the appointment of a prior provincial falls to the Master of the Order, we ask you, in accordance with n. 512 § I, 1° of the *Book of Constitutions and Ordinations*, to appoint a prior provincial for our province.

Given … *etc.*

30. **Testimonial Letter for a General Chapter** (524)

We, the undersigned, testify that, all the requirements of law having been observed, Brother N.N. was 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 sessions which correspond to this office, in the respective general chapter to come.

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

Brother N.N.
President of the election
Brother N.N.
First Diffinitor of the Chapter
Brother N.N.
Second Diffinitor of the Chapter
etc.

(Seal of the Province)
Brother N.N.
Secretary

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Reports to Be Sent Regularly to Superiors

By Whom	To Whom	When
A – Within the Convent		
Each brother	Prior	After a journey
Bursar (syndic)	Council	Monthly
Sacristan	Council	Monthly
Each administrator within the convent	Council	Monthly
Subprior *in capite*	Council	After the new prioral term has begun
Prior	Council	At the end of his term of office
Examiners of candidates	Prior	As occasion requires
B – Within the Province (Vice-province)		
Special committee	Prior provincial	As occasion requires
Master of Novices	Prior provincial	At least twice a year
Master of Students	Prior provincial	Once a year

Content	LCO
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Income and expenditure, assets and liabilities*	**563 § I, 318 5°**
Masses celebrated or to be celebrated	**594**
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By Whom	To Whom	When
Master of students	Prior provincial	Every year & before solemn profession
Master of co-operator brothers	Prior provincial	Every year & before solemn profession
Moderator of center of institutional studies	Prior provincial	As occasion requires
President of prioral election	Prior provincial	After the election
Prior	Prior provincial	As occasion requires
Prior	Prior provincial	Annually
Prior	Provincial chapter	Every four years
President of a vicar provincial election	Prior provincial	After the election
Vicar provincial	Prior provincial	Annually
Provincial syndic	Prior provincial	Every month
Provincial syndic	Provincial council	Annually

Content	LCO
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Suitability of a brother for solemn profession	**209**
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State of the convent	**358 §III 1°**
Result of election	**453 §I**
Economic report	**567 §II**
State of vicariate	**358 §III 1°**
Income and expenditure	**566**
Income and expenditure (budget)	**566, 581 §II**

By Whom	To Whom	When
Each provincial administrator	Provincial council	Annually
Provincial syndic	Provincial chapter	Every four years
Provincial officials	Capitulars and convents	Every four years
Prior provincial	Capitulars and convents	Every four years
Prior provincial	Provincial chapter	At the end of his term
Vicar of the provincial	Provincial chapter	At the end of his term
C – Within the Order		
Regent of studies	Master of the Order	Annually
Centers of academic and university studies	Master of the Order	Annually
Prior of a convent under the immediate jurisdiction of the Master of the Order	Master of the Order	
Prior provincial	Master of the Order	Annually
Prior provincial	Master of the Order	In general chapter

Content	LCO
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The state of the centers	**93-bis §II**
(Same as that given by conventual prior to the prior provincial)	**337, 571**
Economic state of the province	**567, 581 §II**
State of the province	**341 2°**
State of the province	**416**

By Whom	To Whom	When
Prior provincial	Master of the Order	Within 3 months of end of office
Vicar of province	Master of the Order	After election of prior provincial
Postulator general for causes	Master of the Order	Annually
Postulator general for causes	General chapter	Each chapter
Bursar (syndic) of the Order	Master of the Order	Annually
Administrators deputed by the Master of the Order	General chapter	Each chapter
Bursar (syndic) of the Order	General chapter	Each chapter
Bursar (syndic) of the Order, with the Master's approval	All provinces	Every year
Socii of the master of the Order	Vocals	Every chapter
Master of the Order	General chapter	Every chapter
Master of the Order	Specific commission of general chapter	Every chapter

Content	LCO
State of the province	**341 2°**
Outcome of election	**453 §I**
State of the finances of	**434 2°**
State of each cause	**434 3°**
Income and expenditure	**570 §I**
Income and expenditure	**562, 571**
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