

06 Chapter 4: The Government of Canonry Life

United States

THE GOVERNMENT OF CANONRY LIFE 93. The union of minds and hearts in one according to the "one mind and one heart in God" must be considered the ministry and duty of everyone who has sworn to follow Christ in the Order of Premontre and to live the canonical life in the building up of the Church of Christ. These norms or juridical principles are rooted in this common obligation, to which all members of our canonries are bound by the principle of collegiality. By these principles are established the responsibilities of each for the fostering and government of the life of the canonry. The chief organs in the individual canonries for the fostering and the government of our lives are: The canonry chapter, which, as the corporate body with more of a juridical figure, in fraternal dialogue and by force of its administrative competence, treats of questions concerning the whole canonry, keeping in mind the norms which govern the form and scope of the activity of the chapter; The house chapter, which is the organ by which the local community effects true communion among the members actually living there; The prelate, who is a member and also the president of the canonry chapter and by his own authority, governs the canonry according to the norms that are detailed further on; The prelate's council, constituted in part by members designated by the canonry chapter through election, has real responsibilities in the governance of the canonry to be carried out along with the prelate according to the norms established in law. 94. The canonry chapter has precedence over the prelate and his council only when it treats of those matters which, according to the norms of these Constitutions, pertain explicitly to the canonry chapter acting collegially. In other matters the canonry chapter does not have precedence over the prelate and his council. Recourse in devolutive to the abbot general is assured by number 304 of the Constitutions. The Canonry Chapter 95. A canonry chapter is the college of all members incorporated by perpetual vows into a particular canonry. It is also one of the organs by which the canonry governs itself as an autonomous moral person within the context of the Order. By its activity the canonry chapter implements that collegiality which is rooted in the mutual responsibility of all members of the canonry and which directs the particular mission of the community. 96. The canonry chapter may participate in the government of the canonry in several ways.[4-1] By a collegial act, by which all members including the prelate, with equal right, decide issues by a majority vote; By consent: as when the prelate needs the consent of the majority of the canonry chapter in order to place a valid act. In such cases, however, the canonry chapter cannot compel the prelate to act. As often as the prelate with his council wishes to, or must, hear the mind of the canonry. 97. The participation of the canonry chapter in the government of the canonry is required as follows: The canonry chapter must act collegially:

1. in all elections within its competence(nn. 111, 114, 126);
2. in determining the manner of procedure in the canonry chapter (n. 98);
3. in determining the duration of the office of the prelate to be elected and in determining the age limit, which when completed, the prelate to be elected must resign from office (nn. III, 112.2);
4. in determining the number of the members of the prelate's council, who must be elected by the canonry chapter(n. 116);

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5. in determining which superiors, as such, are to be chosen as members of the council (n. 116);
6. in deciding which matters, other than those determined in law, may be handed over to the prelate's council (n. 117);
7. in introducing the proper procedures affecting mandates and proxies according to norm 267 (cf. n. 98);
8. in determining the degree of autonomy of a dependent house (n. 287.8);
9. in petitioning the elevation of a canonry to the dignity of abbey (n. 290);
10. in reviewing and abrogating its own decrees (n. 332; cf. n. 100);

The consent of the canonry chapter is required

1. in order for an administrator, in a particular case, to dispose of matters according to n. 245.
2. in order for a canonry, in the case of a transitus, to receive a member from another canonry of our Order.

The canonry chapter must be heard:

1. before a new dependent house is established, and also before a dependent house is constituted as a new canonry (n. 287.2.3);
2. in the case in which a canonry has been suppressed and the community is to be united with another canonry. (n. 296). The prelate acting collegially with his council may more precisely determine whether in a particular case not foreseen by law the canonry chapter must give its consent or simply be heard. 98. It is the right of the canonry chapter to propose issues to be treated, and to review the execution of its decisions. Decisions as to procedures in the canonry chapter are to be determined by the canonry chapter itself. 99. The canonry chapter shall be convened at least once a year. Moreover, the prelate is responsible for convoking the chapter as often as a quarter of the perpetually professed religious ask it. 100. Decisions of the canonry chapter oblige all those for whom they are made. The House or Community Chapter 101. Besides the canonry chapter, embracing all those perpetually professed members of the canonry, there is to be a house or community chapter, which is constituted of all members who will point of fact live in a certain community (monastery, dependent house, mission) or in some other group of confreres. 102. Since the house or community chapter is an organ by which the local community or group of confreres pursues true communion among all its members, it will ordinarily conduct its affairs in a fraternal manner, bringing to realization a care and concern for each and every member. When there is need to place a juridical act, the chapter should proceed according to norms established by the canonry chapter. 103. The house or community chapter, all factors being weighed, has the same rights as the canonry chapter to determine its own mode of procedure, keeping intact the rights of the canonry chapter. 104. The prelate presides in the house chapter of the monastery. In other communities the superior presides. 105. Before all else the house or community chapter is responsible: to promote genuine communion by exchanging information, by fostering the common good, by increasing a communitarian sense of responsibility and by demonstrating a sincere concern for actualizing common life; to examine the ways in which the life of prayer and the work of the apostolate are to be ordered; to search out means by which, in accordance with the lessons of experience, the Constitutions are to be realized in daily life; to examine criteria and means for the admission and formation of candidates; to take care of the spiritual and material health of all members, taking into consideration the peculiar needs of each member; to prepare matters to be treated in the canonry chapter; as the brothers become accustomed little by little to this mode of fraternal colloquium, to institute a common review of the mind and activity of both the community and the individuals and gradually to introduce the practice of fraternal correction;

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to establish local customs. 106. Community meetings, which should be announced to the confreres in timely fashion, should be frequently convened in the houses and communities. Lest spontaneity be stifled, too rigid a determination concerning the frequency of community meetings should be avoided. Thus the confreres should be called to these meetings as often as the superiors judge necessary or whenever some confreres (the exact number can be decided by the chapter) ask for it. However, a house chapter, at which the confreres ought to participate as fully as possible, should be convened at least four times a year. The Office of Prelate 107. The prelate, member of the canony chapter and its head, should preside over and animate the canony he governs. While on a human level equal to his brethren he is distinguished by the service of his leadership; he should "deem himself happy to serve them in loving care"[4-2] Placed over a community in the ministry of leadership and exercising his office with pastoral care in word and example, he above all should maintain a careful balance between the members as individuals and the community as a whole, always carefully seeking the spiritual and material advancement of both. For that reason and with the active cooperation of each and every confrere, the prelate should promote the "communion", which all have freely vowed, by his government, by exhortations, and when necessary, by precept. 108. Besides being a major superior, the prelate as the Ordinary of all the religious of his canony is endowed with the power of jurisdiction in both the internal and external forum. Acting according to the norms concerning governance of the canony, he executes whatever he can decide by his own authority, or whatever must be treated and decided with the canony or house chapter or with his council. 109. As the president of the priestly community, the prelate should be the inspiration and the coordinator of the pastoral activity of his community within the limits of the program of the diocesan apostolate. 110. To be eligible for election as prelate, a priest must be thirty years old and perpetually professed as a member of the Order for at least five years. He should be endowed with those qualities which would make him suitable to govern the canony for which he is elected. 111. The prelate is elected by the canony chapter. It is the right of that same canony chapter to determine by collegial act not only whether the prelate shall be elected for life or for a term of office but also in either case at which age he must offer his resignation. If the term of office is preferred, the chapter itself shall decide the number of years which ordinarily will not be more than twelve years nor less than six years. When the predetermined term of office has been reached, he may be immediately re-elected. 112. Each canony shall determine at what time antecedent to the election, the canony chapter shall decide on the length of term of office and the age limit at which retirement shall be mandatory. A prelate who intends to resign his office, whether by reason of having attained the age limit, or for other reasons, is to offer his resignation to the abbot general, who having considered the matter seriously and, in so far as possible, having heard the mind of the definitors of the Order, shall then decide what is to be done. 113. Whether the prelate is elected for life or for a term determined by the canony chapter, the General Chapter or, outside the time of a General Chapter, the abbot general with the consent of the definitors of the Order, may terminate the prelate's responsibility, provided that there has been a canonical visitation and it has been duly determined that the prelate is incapable of governing the canony. 114. If the prelate of any canony, elected for life, becomes unequal to the responsibility of continuing the full government of his canony, yet for some other valid reason it does not seem advisable that he resign, he may be granted a coadjutor with the right of succession. In these cases the reason must be adequately demonstrated and approved by the abbot general with the consent of the definitors of the Order. Even when an abbot is unwilling, the abbot general, with the consent of the definitors of the Order, may impose a coadjutor. The election of a coadjutor is to be carried out according to the norms found in the Order of Election of a Prelate of the Order of Premontre. THE COUNCIL 115. The prelate's council is one of the organs by which the

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canonry within the context of the Order governs itself. The council, acting with the prelate, shall care for the good of the canonry, when this is not left to the canonry chapter. Therefore, the prelate and the council must present an accounting of the administration to the canonry chapter. 116. Parity is to be maintained in the constitution of the council between those members elected by the canonry chapter and those appointed by the prelate. The number of councilors to be taken from among the perpetually professed and superiors is to be determined collegially by the canonry chapter. 117. Likewise, the canonry chapter is to determine what else, besides those responsibilities fixed in law, may be assigned to the council. 118. The prelate must act collegially with the council in the following cases: in the erection (n. 287.2) and suppression of a dependent house; in the raising of a dependent house to a canonry (n. 287.3); in seeking the consent of the abbot general for the suppression of a dependent house (n. 287.3); in introducing customs affecting the whole canonry; in introducing changes in prayer and apostolate which are a major concern to the community; in introducing changes in the form of common life; in changing the competence of the canonry chapter in accord with norm of number 96; in setting the agenda for the canonry chapter; in defining the procedures of the council itself (n. 122); in determining whether and when a confrere sent for the sake of assisting the canonry may participate in capitular activities (n. 243.1); in anticipating or delaying the election of the prelate according to number 265. 119. The prelate needs the consent of the council:[4-3] in determining the number of superiors and officials (n. 125); in defining the nature and the limits of the power of a dependent house (n. 131); in the admission of candidates to the novitiate (n. 149); in admitting confreres to first profession or renewal of vows; in re-admitting a confrere, who legitimately left at the profession. (n. 165); in admitting confreres to final vows (n. 166. i); in determining the course of studies for the confreres; in organizing various affairs of an administrator, when the need arises (n. 245); in anticipating or delaying elections according to norm 266.1; in determining a sum of money, which the prelate may not exceed, for extraordinary expenses (n. 273); for acts of alienation and those other acts addressed in can. 638.3; approval of the annual budget for the administration of goods (n. 278); in deciding the norms for the administration of goods (nn. 272 and 279); in approving the inventory of the canonry's patrimony; for the construction of a new building, or the notable demolition or renovation of buildings; in adopting a community of a suppressed canonry according to norm 296; for sending away a religious in perpetual vows in the case of grave external scandal or in the case of most serious and imminent harm to the community (n. 321); in granting a transitus, properly speaking, to another canonry (n. 323); to enter civil court action in the name of the community; in granting permission for residence outside a house of the Order but not beyond a year, except in the case of health reasons, studies or an apostolate exercised in the name of the Order (n. 311); in determining the time and manner of probation in the case of a transfer from another institute to our Order (n. 322.3). 120. The Prelate must hear the council: a. for validity of the act: in allowing suitable confreres to be sent for assistance to other canonries or in admitting such from another canonry; in excluding from subsequent profession for a just reason someone who has completed his time of temporary profession (n. 315). b. not however for the validity of the act: in appointing confreres to a determined office whether within or outside the canonry; in all matters of some importance. 121. The prelate must convene the council at least every other month or as often as two council members ask that it be convoked. In order to proceed validly, the majority of the council members must be present. 122. The details of council procedure are to be determined by the council itself. 123. In dependent houses, the house chapter may perform the function of the council. If, however, it seems expedient, the prelate may establish a

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council in dependent houses according to the norms for the council of the canonry. The same may be done in other groups of confreres. Other Superiors 124. To share responsibility, whether in the government of the canonry or pastoral care, the prelate must appoint superiors and officials as cooperators with whom he can work, according to the principle of subsidiarity. 125. In determining the number of superiors and officials who will be necessary for effective governance in the monastery, in dependent houses, in the missions and in the works of the apostolate, the prelate shall hear the mind of the community concerned and have the consent of his council. 126. The responsibilities entrusted to these cooperators are to be determined more precisely by the character of the community, group or work over which they preside. 127. The prelate shall name superiors and officials to remain in office at his will and at the same time he may specify a definite term of office, at the end of which these superiors and officials should at least offer their resignation. Before the appointment of a prior, subprior or circator as well as a regular superior, considering however n. 125, he should consult the community concerned. Such a consultation may be carried out, in place of a vote, by various means of dialogue undertaken by the prelate with the confreres. 128. The superiors and officials shall be granted the necessary faculties according to the principle of subsidiarity to carry out their functions properly in union with the prelate, who is the head of the entire canonry. 129. The prelate shall choose as prior a solemnly professed priest with whom he may harmoniously exercise a pastoral care of the confreres and to whom, in his own absence, he may be able to commit the government of the community. Other duties may be given to the prior which are compatible with his responsibility. Dependent Houses A dependent house is that which, although it enjoys a certain autonomy, constitutes nevertheless an integral part of the canonry. 131. According to the principle of subsidiarity, decisions and actions which can be undertaken by the local community, should be left to that community. This principle presupposes, therefore, an interdependence which will permit "communion" to be fostered within the community and at the same time promote good relations with other communities. For this reason, the nature and limits of the appropriate power to be given to each dependent house must be determined by the prelate with the consent of his council and with the advice of the chapter of the dependent house, or, in particular cases, in consultation with the council of the local superior. Such determinations must be put in writing. 132. Since the structure of the Order presupposes the autonomy of houses, dependent houses which have been erected with the intention of their becoming independent should do so as soon as possible after the necessary steps have been taken. The Quasi-Canonry 133. The prelate of a canonry, with the consent of his council and having heard the chapter of a dependent house, may seek the status of quasi canonry for that house if: the dependent house has 8 solemnly professed confreres; the house has reached such a stage of autonomy that it can be raised to a canonry; the canonry chapter acting collegially and in writing has granted to the delegated superior and the chapter of a dependent house nearly all powers. The prelate of the canonry, with the consent of his council and having heard the chapter of the dependent house, may petition for the status of a quasi-canonry. Status as a quasi-canonry can be granted once and then renewed an additional time by the abbot general with the consent of the Order's definitors. Once this recognition is granted at least two years before a General Chapter, the superior of the quasi-canonry must be convoked to the General Chapter and the house chapter has the right of electing and sending its own delegate to that same chapter. 134. In the same manner as prescribed for strictly filial houses in Const. 287.8, so in particular fashion, the limits of the autonomy and the rights and obligations of the members of the quasi-canonry are to be set down in writing in an agreement entered into by the canonry chapter and the quasi-canonry. The Abbot Founder and the Father Abbot of Men 135. It is fitting that for some time founding canonries should assist new canonries so that the new canonries may achieve an ordered

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growth and development. Therefore, besides the usual contracts which regulate relations between a founding canonry and a daughter house, certain rights and obligations are conferred on the abbot-founder, who with the goods of his own canonry established the new canonry or re-established an extinct canonry. This applies to the father abbot who succeeds the founding abbot. 136. The rights and obligations of the abbot-founder are these alone: He must be consulted before the daughter church undertakes a new foundation; He may demand, as often as he wishes, a report on the state of the daughter house in both spiritualities and materialities; He has the right of visitation at any time; this right, however, should not be exercised in those years in which an ordinary visitation is to be instituted, except for serious reasons; For other business of consequence, he has the right of giving advice; He has the care of vacant daughter churches, the right of presiding at the election of a new prelate and of confirming the election in the name of the abbot general; He may receive petitions and appeals from religious of the daughter church; He has the right to intervene with advice in any notable extraordinary expenses and in those actions by which the condition of the house may be worsened. 137. The father-abbot who immediately succeeds the abbot-founder: has the right and obligation to review agreements entered into by his predecessor with the daughter canonry, or if conditions warrant, to propose a new contract; also has care of a vacant daughter canonry, and in the case that the abbot general is impeded, he is to preside at the election of the new prelate The Father-Abbot of Sisters and the Provost 138. Considering the bonds arising from profession and communion of life, the figure of the father-abbot of a canonry of sisters is to be seen as the bond joining the exempt sisters with the Order. For the father-abbot, as an external superior, has a particular responsibility, determined in the sisters' own Constitutions, to watch over the life to be lead by the sisters according to the spirit of the Order, especially by means of canonical visitation. It is his responsibility, having the agreement of the prioress with her council and having heard the community, to appoint a confrere as provost. 139. The provost, who is to serve also as the rector of the church, is responsible for the spiritual care of the sisters. He is also to assist the prioress and her council by suggestions in matters temporal and spiritual without, however, intervening in the internal government of the house. [Click here to go to Constitution Chapters](#)