

10 Chapter 8: Special Circumstances and Business

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SPECIAL CIRCUMSTANCES AND BUSINESS Mutual Assistance 242. After the example of St. Paul who had the care of all the churches, let the communities of our Order, joined together by the bond of charity, intensely nourish the spirit of mutual assistance. In order that a true communion between the communities may arise and be extended, it is proper that, just as it was said earlier for individuals in a community, our houses should willingly communicate with each other whatever may lead to the betterment of our way of life, prayer and work. If the need arises, let them not neglect to put into practice the spirit of that mutual concern by coming to the aid of the houses undergoing material or spiritual need. If a certain house should seem to lack the necessary vitality, and is unable to be helped efficaciously by the Order, it would perhaps be true mutual assistance if the suppression of that house be considered by the competent authority. 243. Religious, while remaining in the canonry of their profession, but who live in another canonry or house in order to help out there: may obtain the right of participating in the activity of the house or canonry chapter where they are living, except for the election of the prelate; while they retain only the right of voting in their own canonry for their own prelate, they can be elected to all the offices there; the prelates whose concern it is, acting collegially with their councils, should decide whether and when such a confrere may participate in the capitular activities of the community where he lives. Beforehand, the opinion of the canonry chapter should be sought as provided for in n. 161. 244. We ought to be also united by a particular bond of charity with others who have professed the canonical life. Let the mind and heart of our Order also be opened willingly to other groups of religious men and women. PROVISION OF OFFICES A Vacant Canonry 245. When a canonry is vacant, the government of the canonry whether in material or spiritual matters resides with the prior as administrator. All is to remain unchanged in that state in which the prelate whose office has expired left it. When some urgent necessity dictates, an administrator with the consent of his council, or in a particular case, with the consent of the canonry chapter, may handle certain matters. When the canonry is vacant, the administrator shall see to it that all documents of the house and the personal effects of the deceased prelate remain intact, in so far as possible. It is within the abbot general's authority, having heard the definitors of the Order to impose an administrator ad nutum (in respect to his person) and for a prescribed time (in respect to the office), but only if there is a grave cause. Such an administrator ad nutum, in the manner of a true prelate, obtains all the rights and duties of a prelate, unless the abbot general, having heard the definitors of the Order, shall have restricted his power. The Vacant Office of the Abbot General 246. When the office of abbot general is vacant outside the time of a General Chapter, the responsibility of abbot general with all the inherent rights falls in the interim to the first definitor. All others who have a direct part in the government of the Order or in the circaries remain in place. As the Order's vicar general, the first definitor of the Order, must go to the Generalate as soon as possible so that the ordinary business of administration suffers no delay and he can prepare for the election of a new abbot general. Besides the cases in which the abbot general needs the consent of the definitors of the Order, the vicar general of the Order in all matters of any importance which admit of no delay is to seek the opinion of the procurator general. Elections 247. For any college of the Order which enjoys the right of election the following statutes are to be observed. If no provision is made, then canons 119~1 and 164-179 of the common law are to be observed.[8-1] I. Elections in General 248. In order

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for an election to proceed, the office must be vacant, except in the case of an office bestowed for a determined time. Before an election, perhaps certain questions must be resolved as, for instance, in the case of the election of a prelate. An election is to take place within the time determined by the college whose right it is to elect. 249. Whoever has the right of convoking an election must convoke orally or by letter or notice all members of the college who have active voice, indicating the day, the time and the place of the election. If it concerns an election for life, even though perhaps with an age limit imposed, the convocation of the electors before the office is vacant has no juridical effect. In regard to offices which are actually committed for a determined time, all must be prepared in due time, so that on the day itself, when the determined length of office has expired according to c. 203. The election takes place immediately. For a just cause it can be anticipated, but not beyond six months, in which case the election takes effect when the office is vacant, that is, when the determined time has elapsed. If because of a just cause an election is delayed, it cannot be beyond three months, and the newly elected assumes the office immediately after he is confirmed, with no intervening vacancy.

a. proxies 250. Legitimately impeded confreres, whose impediment has been proven by the president of the election, can entrust a mandate to vote in their place to a specifically named confrere selected from among those who will be voting. 251. The letters by which proxies are designated, signed with name and surname, should be sent to the president of the election, who at all times has the right to decide in doubtful cases. The letters are to be sent in a sealed envelope containing nothing other than the appointment of the proxy; otherwise the proxy is invalid.

b. the president of the election 252. At the place, the date and the time of the election indicated in the letter of convocation, the election is instituted under the direction of the president of the election, who is not always the same as the president of the college.

c. convening of a chapter of election 253. The chapter of election is duly constituted by the roll call of all who have active voice, whether in themselves or through proxies. If anyone, who because of various titles, should have the right of casting a vote in his own name, he may cast only one vote. If anyone should have the right of voting both in his own name and by virtue of delegation, he has a double vote. 254. Two tellers and a secretary should be chosen by the chapter of election from among those voting.

d. the election 255. The senior teller notes secretly the names of those for whom votes were cast, together with the number of votes which each one received. At the request of the president of the election, the number of votes of all the candidates should be communicated to all the members of the college of the election. 256. Should one of the electors be present in the house in which the election takes place, but cannot participate in the election due to sickness, his signed ballot is to be collected by the tellers. 257. All the acts of the election are to be accurately described by the secretary and are signed by him and the president (by the definitors of the Chapter in case of the election of an abbot general), and the acts are to be signed by the scrutators and preserved in the files. 258. In all elections, that one is elected who has received an absolute majority of all the votes. If the required number of votes was obtained by no one, a second ballot should be started immediately, and if this again proves to be inefficacious, a third is to be initiated. Whenever no one has obtained an absolute majority of votes on the third ballot, a fourth ballot is begun, in which only those two candidates who received the greater number of votes on the third ballot have a passive but not active voice. 259. If the third ballot is inefficacious because of a tie, there is to be a fourth ballot in which only the 2 candidates who are senior in age and have received the same greater number of votes on the third ballot have passive voice while lacking active voice. The one who obtains the greater number of votes on the fourth ballot is elected. In case of a tie on the fourth ballot the older in age is elected. 260. When the election is announced, the consent of the elected is asked for by the president of the college.[8-2] If the president himself is elected, consent is sought by that person who is first among the members

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of the college according to the rules of precedence. 261. An election may also take place by compromise, observing the norms of law. A college may always postulate, as long as cc. 180-183 are accurately observed. II. Particular Elections a. the election of an abbot general 262. When the office of the abbot general is vacant during the time of a General Chapter, before any other business is conducted, the election of a new supreme moderator is to take place under the presidency of the first definator of the chapter. Should any issues not directly concerning the election are resolved before, those decisions lack all force and validity. 263. In the case of the vacancy of the office of the abbot general outside the time of any ordinary General Chapter, the vicar general of the Order convokes an extraordinary chapter of election, unless the ordinary general chapter will meet within a year. In the election of an abbot general outside the time of an ordinary General Chapter, prelates de regimine and only one deputy from each canonry are to be convoked, as well as the definitors of the Order and the procurator general. 264. Everything else regarding the election of the abbot general is determined by the Order for the Celebration of a General Chapter. b. election of a prelate 265. The election of a prelate is carried out according to the norms of the Order for Electing a Prelate of the Norbertine Order. c. other elections 266. The president of the college needs the consent of his council to anticipate or delay an election. It is the right of the same president to convoke the college. 267. It is left to each canonry to issue norms for proxies and those who are entrusted with them in these elections, if local usage requires some different practice. 268. When several persons are to be elected on the same ballot for the same office, with the consent of the canonry chapter, there can be followed whatever method of balloting is currently being used according to the regional customs of any canonry. ACQUIRING AND ADMINISTERING MEANS OF SUPPORT General Norms 269. Members of the Order, who, considering themselves as the poor of Christ, have renounced ownership of goods through the solemn vow of poverty or free possession of them by a simple vow, are to be supported from a common fund, to which they also are faithfully to contribute whatever they have which must be given according to common law. 270. Ownership and the possession of goods in our Order belong to the moral persons, duly recognized by ecclesiastical law, who have the right of acquiring temporal goods and of keeping and administering the goods which are acquired. These moral persons are the canonry, the Order and the circary. Goods acquired by a dependent house belong, according to ecclesiastical law, to the moral person on whom the house depends unless special arrangements have been made. In all matters which relate to the dominion and possession of goods, the prescriptions of civil law should be observed in addition to the norms of ecclesiastical law. Civil corporations should be so set up that the income of the activities of the canonries may be used for the support of the community. 271. Let all to whom the administration of goods of the community is committed by reason of office and likewise those who use these goods, remember that they are not owners, but that each and every member is obliged to show true concern for common goods. Administrators are faithfully to give an accounting of their administration to those on whom the government of the entire community rests. 272. For the safekeeping of money, fixed assets and investments and for the fruitful administration of these, norms should be set up by the respective superior with the consent of his council (after the financial commission has been heard), so that no one not even the superior may freely dispose of these goods. 273. The superior needs the consent of his council for all expenses paid from the assets, except in the case of an urgent necessity. Taking into account local circumstances, the prelate shall determine, with the consent of his council, what sum of money he may not exceed for extraordinary expenses without the consent of his council. 274. The well-ordered administration of goods includes annual budgeting for ordinary and extraordinary expenses, and especially financial planning with expert assistance regarding foreseeable expenses and income. 275. Concerning acts of

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extraordinary administration of goods, the norms of ecclesiastical and civil law and the arrangements established by each canonry should be observed. For the validity of alienation and any other activity by which the patrimonial condition of the canonry can be worsened, there is required permission in writing given by the Prelate with the consent of the council. If, however, there is question of a matter which exceeds the highest amount defined by the Holy See for various regions, or concerns objects given in view of the Church or special works of precious art or history, there is also required the permission of the Holy See. II. The Temporal Goods of the Community 276. Together with his council, the prelate manages the temporal goods of the canonry. He must entrust the ordinary administration to the provisor of the canonry appointed by him in the same manner as other officials are named. 277. The prelate and the provisor must be assisted effectively by a finance committee composed of those who share in the administration of the canonry's goods or those suitable by reason of true expertise in the field. Although this committee, which may be established through the intervention of the canonry chapter, has only a consultative function, the canonry chapter can give it a special mandate so that in matters of greater importance when the participation of the entire community would seem more necessary, the committee may carry out its function with a deliberative vote in deciding the matter. 278. At least once a year, and when it is provided for by the prelate's council, twice a year, the provisor shall submit the books of income and expenses for the examination and approval by the council of the canonry and should render an account of his administration. When this report has been properly concluded, if it is approved, it is signed by the prelate, the council, and if necessary by the financial committee, and is preserved in the archives while another authentic copy remains in the possession of the provisor. It is proper that the state of the canonry concerning its temporal goods be communicated to the canonry chapter. The abbot general has the right of demanding an account as often as he wishes. 279. Norms according to which money of the diverse works of the canonry are administered and kept, are set up by the prelate with the consent of the council (after the finance committee has been heard). In dependent houses, the ordinary and extraordinary administration of goods should be more precisely determined in a special mandate by which the administration of the house is outlined. All who have charge of the administration of goods, whether in dependent houses or in works of an apostolate, should at stated times render an account to the central administration, so that the temporal condition of the entire canonry and each dependent house, and also of the works of the apostolate, may be clearly known. Even confreres who live outside the community should faithfully submit each year to the central administration of the canonry a record of income and expenses besides an inventory of furniture or moveable goods. The Temporal Goods of the Order 280. Temporal goods belonging to the whole Order are administered under the supervision of the abbot general, who must entrust the ordinary administration to the provisor of the Order. Houses directly dependent on the Order are under the direction of the abbot general even with regard to temporal goods. It is proper that he entrust the ordinary care of such goods to an official deputed for this. 281. In all things which pertain to the administration of goods, the abbot general should be helped by the finance commission of the Order, which performs its function especially by giving counsel in solving questions pertaining to its competency. 282. Every year the provisor of the Order shall submit the books of income and expenses to the examination and approval of the definitory of the Order and the financial commission. Moreover, in the General Chapter, the provisor of the Order should submit a report concerning the Order's patrimony to the definitory of the General Chapter and should render an account of his administration. 283. The common fund of the Order, from which assistance is given for material necessities of canonries or houses, is built up especially from contributions freely paid by the canonries. It is the function of the General Chapter, acting upon the suggestion of the definitory

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of the Chapter and with the advice of the finance commission, to propose how each canonry or house may contribute to building up the common fund of the Order. Outside the time of the General Chapter, however, the abbot general, with the consent of the definitors of the Order and after the finance committee has been heard, may seek extraordinary voluntary contributions either for the good of the entire Order or a circary or for the good of a canonry or community suffering special need. It pertains to the General Chapter, or outside the time of a General Chapter to the abbot general with the consent of the definitors of the Order to dispense canonries which seem unable to make contributions. NEW FOUNDATIONS 284. Canonries also extend "communio" through the foundation of new communities, which, according to the tradition of our Order, are generally formed so that immediately, or in due time, they may attain autonomy. 285. Houses which are erected either to establish the Church or to meet the needs of the Church, will depend for some time from the founding house until they are able to assume full autonomy. 286. There are also other houses which, because of historical or geographical reasons, never arrive at full autonomy. 287. In erecting exempt religious houses the canonical norms are to be observed and the following conditions met: Before the erection of a house, the reasons which seem to demand such an establishment should be prudently weighed and an attentive examination should be made whether there is present a firm hope for expanding the Order. A collegial decision of the prelate with his council is required for the erection of a dependent house. The canonry chapter must be heard beforehand so that it may manifest its determination to help the new foundation and realize that it has a great responsibility in this matter. In the case of a dependent house being elevated to a new canonry, there is again required, once the chapter of the founding canonry has been heard, the collegial action of the prelate with his council. Additionally, the prelate is to seek the approval of the abbot general with the consent of the definitory as a sign of union with the other communities of the Order. A decree of erection should be duly committed to writing by the founding prelate and everything should be arranged so that by all means provision for the support of the house is made. Everything should be prepared in order that the common life may be started as quickly as possible. It is required that in an autonomous house there be at least eight religious, of whom four should be in sacred orders, unless the definitory of the Order should have judged a lesser number to be sufficient. Religious sent to start a new canonry are immediately and definitively incorporated in the new canonry, without the intervention of the Holy See. The founding abbot has the right of presiding over the election of the first prelate of the new canonry. Houses, which on account of special circumstances are established as strictly filial houses, should obtain a certain degree of autonomy, which is to be determined by the chapter of the founding canonry. 288. A new canonry belongs to the circary of the region in which it is situated. It should retain no special juridical bond with the founding canonry unless otherwise determined in special contracts. 289. The establishment of a house which is not independent and which immediately depends on a circary belongs to the competent authority of that circary. For the erection of a house immediately dependent on the Order, the General Chapter is competent; outside the time of the General Chapter, the abbot general with the consent of the definitors of the Order has competence. 290. It is the right of the General Chapter alone, when a canonry chapter acting collegially requests it, to raise a canonry to the status of an abbey. 291. From the very beginning of our Order our communities have undertaken pastoral care in parishes, and by a special concession of the Holy See,[8-3] priests of our Order exercise the care of souls even in secular parishes. It is desirable that only those parishes should be accepted in which several confreres may lead a common life. As forms of true communion, parish priories are especially recommended. As often as the care of souls is entrusted to the Order, agreements in canonical form should be entered into with the local Ordinary. CHANGE

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IN JURIDICAL STATUS OF HOUSES OF THE ORDER 292. History teaches that our houses have been suppressed many times by civil governments and the members dispersed. Civil suppression, however, does not affect the existence of a community which, as an ecclesiastical moral person, continues to exist for the duration of time established by canon law. Fraternal union demands that they be supported not only by compassion but also by efficacious help in their trial, and by aid collected which will assist in the restoration of common life at a propitious time. 293. The condition of communities, which no longer seem to serve the Church effectively or which offer no witness of true "communio", must be seriously examined. Various solutions can be considered to improve the state of a canonry where common life does not flourish, or which is suffering from a permanent lack of vocations or which lacks the means by which it may be properly supported. A canonry of this type, after its autonomy has been taken away, may be joined to another canonry, or if this union cannot be achieved, it may rather be suppressed for the good of the brothers living there. 294. After a canonical visitation has been duly carried out, the competent superiors along with the community in question should carefully consider the above mentioned solutions. Having heard all those whom it concerns, if a change in juridical condition must be decreed, the confreres should be brought to an agreement about it before the change is implemented. 295. In an extraordinary situation, the abbot general, taking into consideration all the circumstances, can grant for one time only that a canonry chapter can elect a prior de regimine in the place of an abbot, if the chapter for serious reasons so desires it. The change of the condition of an abbey into a sui iuris priory is reserved to the General Chapter alone. 296. If the autonomy of a canonry must be removed, a decree of the General Chapter is necessary, or outside the time of the General Chapter, a decree of the abbot general with the consent of the definitors of the Order. In this case and once the remaining members of the community are heard, the community then may be united to another canonry with the agreement of the prelate and the consent of his council and under the conditions spelled out in the decree of union. However, each confrere will be allowed to choose the house of a new incorporation. 297. With the observance of the requirements of law, the suppression of a canonry is done in the same way by decree of the general chapter or outside the time of a chapter, by decree of the abbot general with consent of the definitors of the Order, after their local Ordinary has been heard. 298. The confreres of a suppressed canonry come under the jurisdiction of the abbot general until they duly transfer to a new house of incorporation. Prelates should willingly receive them into their houses. However, if they are unwilling to accept them, the abbot general has the right of obliging the father abbot or another prelate to receive them at least experimentally until their situation has been settled. This should be done within three years. 299. The abbot general should be concerned about confreres who are dispersed by a civil government. They may choose for themselves a house in which to live and, upon invitation of the abbot general, prelates should willingly receive them. 300. If any goods of a suppressed canonry remain, they pass to the patrimony of the Order, but a just portion should be given to the houses which have received the surviving members, and provision should justly be made for religious who perhaps may desire to return to the world. The abbot general, with the consent of the definitors of the Order, and after the finance committee has been heard, shall decide about the proper distribution of goods. FRATERNAL CORRECTION AND CONFLICT RESOLUTION 301. If anything decreed by the common deliberation of the General Chapter or the canonry or the community should not be observed by the brethren, it is up to the superiors especially that it not be passed by negligently but, with all charity, care should be taken for emendation and correction. It is the responsibility of the brethren to exercise fraternal correction discreetly in love. 302. As often as quarrels due to human frailty arise between brothers or between houses of the Order, every attempt must be made that these quarrels be settled as quickly as possible according to the spirit of the Gospel

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and the Rule of St. Augustine. 303. However, if the brothers themselves are unable to settle a serious dispute which has occurred, they should have recourse to some body or assembly composed of impartial members appointed according to norms laid down by the chapter of the house or canonry. Where judicial process must be instituted, the norms of canon law should be observed. Recourse Against an Administrative Decree [8-4] 304. If someone feels injured by a decree of the prelate or by a penalty imposed by him or by a decree of a visitation, he is to have recourse to the abbot general according to canons 1732-1738. A petition for revocation of a decree imposing or declaring a penalty or recourse against such a decree has a suspensive effect. 305. It is very desirable whenever someone feels injured by a decree there not be contention between this person and the author of the decree but that care be taken by common counsel in finding an equitable solution between them. In this matter serious persons also may perhaps be used for mediation and study. 306. Before anyone proposes recourse, he must seek in writing from the author of the decree its revocation or emendation; by such a proposed petition, it is understood that suspension of the execution of the decree is also sought. The petition must be made within a peremptory time of 10 available days from when the decree was legitimately communicated. 307. It is allowed to have recourse immediately to the prelate against decrees emanating from authorities subject to him within a peremptory period of 15 available days. In this case and for validity, mention must be made about the decision of the authority inferior to the prelate. But if anyone then wishes to have recourse against the decision of his prelate to the abbot general, he must first seek in writing the revocation or emendation of the decision from the prelate within the peremptory time of 10 days. Likewise revocation or emendation of the degree must not be sought from the author in the cases mentioned in canons 57 and 1735. In regard to the temporary suspension of a decree canons 1736, 1353 and 1737.3 must be observed. Recourse 308. Whoever asserts that he has been harmed by a decree, may have recourse, for whatever reason, to his competent hierarchical superior, who issued the decree. Recourse may be proposed before the author of the decree, who must immediately transmit it to the competent hierarchical superior. Recourse must be made within the peremptory period of fifteen available days, which period begins according to the norm of canon 1737.2. 309. It belongs to the superior to whom recourse has been made, according to each case, to not only confirm the decree or declare it void, but also to rescind, revoke, or if it seems more expedient to that same superior, to amend, subrogate or abrogate it. 310. Acts and decrees of the abbot general in the case of recourse are to be submitted to the definitory of the General chapter. MEANS BY WHICH THE BOND WITH THE COMMUNITY IS LESSENERED OR REMOVED 311. While the norms[8-5] remain valid by which members of the Order, because of studies, apostolate or health, may live outside one of our houses while maintaining intact the bond with their own community, the following ways are provided whereby the incorporation of members is either lessened or entirely removed. 1. Departure a. Exclaustration 312. The abbot general, with the consent of his council, for a grave reason, may grant an indult of exclaustration to a member in solemn vows, but not beyond three years, and with the prior consent of the local ordinary in whose diocese the man will live if this concerns a cleric. To extend or grant exclaustration beyond three years is reserved to the Holy See. With the consent of his council, the abbot general may petition enforced exclaustration from the Holy See for grave reasons, always observing justice and charity. Whoever has sought an indult of exclaustration remains bound by his vows and other obligations of his profession which are in accord with his state, and likewise remains under the care and dependency upon his own prelate and also of the local ordinary, especially if he is a cleric. He may wear the habit of the Order, unless something else is stated in the indult, However, he lacks active and passive voice. b. Departure at the end of temporary profession. 313. A member, who completes his temporary profession and wishes to depart,

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may leave the Order. c. Departure during temporary vows 314. A member who during his temporary profession seeks to leave the Order for a grave reason, can obtain an indult of departure from the abbot general with the consent of his council. d. Refusal of admission to a subsequent profession 315. When the time of temporary profession is completed and if there is a just cause, a member may be excluded from making a subsequent profession by the prelate, having heard his council. Physical or psychic illness, even if contracted after profession, which in the judgement of experts, renders a member unfit for the life of our Order constitutes a reason for not admitting him to the renewal of vows or advancement to solemn profession, unless he shall have contracted the illness due to negligence of the Order or due to the work he did in the Order. However, if during temporary vows a member becomes insane, even though he may not renew his profession, he cannot be dismissed from the Order. e. Departure of a professed in solemn vows 316. A solemnly professed member is not to seek an indult of departure from the Order except for very grave reasons. If he, however, seeks the indult, canons 691-693 and 702 are to be observed. 2. Dismissal a. Dismissal ipso facto 317. A member is to be held to be ipso facto dismissed if he has: notoriously defected from the Catholic faith; contracted marriage or has attempted it, even if only civilly. In these cases after the proofs have been collected, that prelate with his council, must issue a declaration of the fact without any delay so that the dismissal is juridically established. b. Obligatory dismissal and non-obligatory dismissal 318. A member must be dismissed if he has committed crimes indicated in canons 1397, 1398 and 1395, unless in the case of the crimes indicated in canon 1395.3, the prelate deems dismissal not entirely necessary and if the correction of the individual, restitution in justice and repair of scandal can be accomplished in another manner. A member can be dismissed for other causes as long as they are grave, external, imputable and juridically proven, such as: the habitual neglect of the obligations of consecrated life; repeated violations of sacred vows; persistent disobedience to the legitimate precepts of superiors in a grave matter; grave scandal due to the culpable behavior of the member; stubborn adherence and diffusion of doctrines condemned by the Magisterium of the Church; public adherence to ideologies infected by materialism and atheism; illegitimate absence for more than six months, as treated in canon 665.2; other causes of like gravity determined by proper law. c. Manner of proceeding 319. In the case of obligatory dismissal canons 95.2 and 699.1 are to be observed. In the case of non-obligatory dismissal, even though the member may be in temporary vows only, canons 697 and 699.1 are to be observed. In every case there remains the right of the members to communicate with the abbot general and to demonstrate to him their defense. A decree of dismissal, even for a professed in temporary vows, has no effect, unless confirmed by the Holy See. Only the abbot general acting collegially with the definitors of the Order can dismiss a member in temporary vows. d. Effect of dismissal 320. By legitimate dismissal, rights and obligations arising from profession ipso facto cease. If however the member is a cleric, he cannot exercise sacred orders until he finds a bishop, who after a suitable time of probation, may receive him or at least allow him to exercise sacred orders in the diocese according to canon 693. Whoever has legitimately left the Order or who shall have been dismissed from it legitimately, can not claim anything on account of any work done while in the Order. The Order, however, should exercise justice and evangelical charity toward the member who is separated from it. e. Urgent cases 321. In the case of grave exterior scandal or imminent and most grave harm to the community, a member may be expelled immediately from a religious house by the prelate, or if there is danger in delay, by the superior of the house with the consent of his council or, that lacking, the consent of the two senior priests. The prelate, if necessary, should institute the process of dismissal according to the norms of law, or refer the matter to the Apostolic See. 3. Transfer in the strict sense 322. For a solemnly professed member of our Order to transfer to another religious

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institute, or for a member of another religious institute who wishes to transfer to our Order, he needs the permission of the abbot general and the supreme moderator of the institute, either to or from which he wishes to transfer, along with the consent of their respective councils. In order for a member of our Order to seek a transfer to a secular institute or an institute of apostolic life, or for a transfer from these institutes to a canonry of our Order, the permission of the Holy See is required, whose mandates are to be observed. A prelate with the consent of his council determines the length and manner of probation which must precede the profession of the member in the canonry. The time of probation may not be shorter than three years nor longer than six years, so that the member can be formed in the character and spirit, purpose and discipline, history and life of the Order and the canonry. Up to the time of profession in the new institute, while remaining in vows, the rights and obligations which the member had in his previous institute are suspended. From the beginning of the probation period the member is held to the observance of the prescriptions of the proper law of the new institute. By profession in the new institute, the member is incorporated into it and vows, rights and obligation in the former institute cease. 323. For a member of our Order to transfer to another canonry, with the exception of the case treated in Constitutions 287.6, there is required both the consent of the prelate and the council of the canonry from which he is transferring as well as that of the prelate and chapter of the canonry to which he is transferring. He also needs the consent of the abbot general. In such a case the prelate of the canonry receiving him may require residence in the new canonry for a certain period of time before the transitus takes effect.

Prolonged Absence 324. If a confrere separates himself from his own community without taking care to re-integrate himself into the community, the prelate as soon as possible should use all means to rectify his condition, not excluding dismissal.

GENERAL, NORMS CONCERNING LAWS AND DECREES 325. The proper law of our Order is made up of the Constitutions of our Order, the decrees of the General Chapter and faculties which have been obtained by concession of the Holy See. Customary law can be established as part of our proper law according to the norms of canons 23-28 of the Code of Canon Law. 326. Privileges and indulgences granted to the Order should be maintained with the greatest care.

Obligation 327. The particular laws of our Order, as well as the decrees issued by General Chapters, begin to oblige three months from the day the acts and decrees of the General Chapter are published, unless another time is established. 328. Constitutional law, as well as particular laws and general decrees of our Order, oblige all for whom they are made.

Interpretation 329. Constitutional law, as well as particular laws and general decrees of our Order, are authentically interpreted by the legislator, as well as the one to whom the legislator has granted power to authentically interpret them. 330. In more urgent situations, however, the abbot general with the consent of the definitors of the Order may interpret the Constitutions, whose judgement is to be sustained until the next following General Chapter. The prelate may do the same for decrees issued by the canonry chapter until the next meeting of the canonry chapter.

Abrogation or Dispensation of Law 331. Amendment or abrogation of the Constitutions or decrees of the General Chapter, whether they pertain to the Order, a circary or a house, belongs exclusively to the competence of the General Chapter. 332. Amendment or abrogation of decrees of the Canonry Chapter belongs exclusively to the competence of the canonry chapter. 333. Precepts and decisions of the visitators of the General Chapter, which are beyond the Constitutions, are valid until the next visitation in view of a General Chapter, unless it is otherwise evident from the nature of things, or something has been expressly decreed. Precepts and decisions of other superiors cease when the power of the one issuing the precepts ceases, unless they have been imposed by means of a legitimate document. 334. An habitual dispensation from the Constitutions for a whole community or for the individuals in matters that are not of common observance may be granted only for one's own subjects by the

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legislator, or by one who enjoys executive power, or their successors or superiors, unless the power has been expressly granted to others. 335. A dispensation in single cases, even for an entire whole community, and a habitual dispensation for individual persons from common observances within the jurisdiction of the Order, is granted by prelates for a just reason, unless a dispensation is explicitly, or in some equivalent manner, prohibited or reserved to others. 336. The abbot general with the consent of the definitors of the Order, can dispense laws and decrees within the jurisdiction of the Order. He can do this even in a habitual manner until the next General Chapter, except in cases expressly reserved solely to the General Chapter or to the definitory. However, if he uses his power in favor of religious subject to a prelate of the Order, this is valid only in the case of visitation, recourse, appeal or as often as the matter pertains his competency. The Relation of Present and Former Law 337. The norms of the Constitutions which incorporate entirely the common law must be interpreted in accordance with the authority of the common law and in accordance with interpretations accepted among approved authors. Our particular law, however, must be understood according to the proper meaning of the words considered in text and in context. If certain deficiencies or doubts arise, the solution must not be at odds with the interpretation of the former law of the Order or with legitimate customs. [Click here to go to Constitutions Chapters](#)