

THE CONSTITUTIONS

AND

THE DIRECTORY

OF THE AMERICAN-CASSINESE CONGREGATION

OF BENEDICTINE MONASTERIES

OFFICE OF THE PRESIDENT

1990

THE CONSTITUTIONS

were approved by the first session of the
Forty-Second General Chapter
of the American-Cassinense Congregation
9-13 June 1986

and by the
Congregation for Religious and Secular Institutes
on the Feast of the Guardian Angels
2 October 1988

THE DIRECTORY

was approved by the second session of the
Forty Second General Chapter
of the American-Cassinense Congregation
3-7 August 1987

THE CONSTITUTIONS AND THE DIRECTORY

were promulgated as the
proper law of the American-Cassinense Congregation
of Benedictine Monasteries
on the Solemnity of the Passing of our Holy Father Benedict
21 March 1989

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P R E F A C E

The publication of the new Constitutions and Directory of the American-Cassinense Congregation is the culmination of a process that has lasted for two decades. In accord with the directives of the Second Vatican Council and the later decrees of implementation, our former Constitutions and Declarations to the Holy Rule were abrogated by the thirty-sixth general chapter in its two sessions in 1968 and 1969. Since then the Congregation has been governed by temporary documents. The time has now come to reap the fruits of the experimentation conducted during these years, and to provide our monks with a clearer and more comprehensive legislation that better meets the needs of our time.

The work of preparing the Constitutions and Directory was performed by two committees. The Constitutions Commission was mandated by the forty-first general chapter held in 1983 at Assumption Abbey. The commission was established near the end of 1983, with Abbot Marion Balsavich (Bed) as chairman, and included the following members: Father Terrence Kardong (R), Father Jonathan DeFelice (A), Father Thomas Acklin (V), and Father Maur Dlouhy (P). Father Maur, a dedicated monk and a learned canonist, died in September 1984, and in November of that year Father Roman Galiardi (P) was appointed executive secretary of the Congregation and a member of the Constitutions Commission.

The first session of the forty-second general chapter mandated the formation of a Directory Committee. Though much of the content of the Directory had been prepared by the Constitutions Commission, the chairman and two of the members of that commission, Abbot Marion Balsavich, Father Terrence Kardong, and Father Thomas Acklin, chose not to serve on the Directory Committee because of other pressing duties. Immediately after the close of the first session of the forty-second general chapter, the newly-elected council met and prevailed upon the President, Abbot John Eidenschink (J), to serve as chairman of the Directory Committee, and later named Abbot Brian Clarke (M), Father Jonathan DeFelice (A), Father Roman Galiardi (P), and Father Claude Peifer (Bed) as members.

The presence of two members of the Constitutions Commission greatly facilitated the work of the Directory Committee, which continued to follow the guiding principles established by the Constitutions Commission, as they were outlined by Abbot Marion Balsavich at the opening of the first session of the forty-second general chapter. These principles called for:

1. A document of the Congregation at the service of individual monasteries; the general principles of the Congregation are given first, then the individual monasteries are treated, and finally the Congregation's means of serving them.
2. A useable document: not merely a compendium of references, but one available to the non-canonist.
3. A document organized in such a way that the material follows the structure of the Code itself without sacrificing the special nature of the monastic way of life.

The Constitutions Commission and the Directory Committee met from time to time at various monasteries, though most frequently at St. Procopius Abbey, for weekends of intensive work to prepare the preliminary texts and later to accept, reject, or modify the many constructive suggestions for changes made by individual members of the Congregation to the preliminary

texts sent out before each session of the forty-second general chapter. The abbots, priors, and delegates of each session of this general chapter spent many hours in refining and approving, with substantial majorities, each of the paragraphs of the Constitutions and Directory.

It is a tribute to the diligence, care, and concern of all that the Apostolic See requested no major changes when the Constitutions were submitted for approval; the few minor changes that were requested were readily accepted by the second session of the forty-second general chapter.

The Constitutions were approved by the Apostolic See on October 2, 1988, and were promulgated on February 10, 1989. They became effective on March 21, 1989. In the proper law of the Congregation, as clearly stated in C 5.1, the Constitutions "contain the more important norms for the ordering of life within the monasteries." The Apostolic See reserves to itself the authentic interpretation of the Constitutions, and any changes can be made in them only after an absolute majority vote of the general chapter and the consent of the Apostolic See.

The Directory, which was approved by the second session of the forty-second general chapter, was promulgated and became effective along with the Constitutions on the dates given above. It "contains more precise rules and directives for the government of the monasteries of the Congregation and of the Congregation itself" (C 5.2). These rules and directives may be changed or abrogated by the general chapter.

The second principle followed by the Constitutions Commission and the Directory Committee was to produce a useable document. The addition of the several appendices, it is hoped, will make the entire document even more useable and serviceable, that "in all things God may be glorified" (RB 46.7).

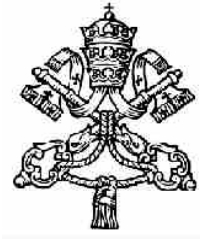
June 2, 1989

+ JOHN EIDENSCHINK, O.S.B.
President

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Congregazione
per I Religiose
e gli Istituti Secolari

Prot. n. B 111 – 1/86

DE C R E E

This Congregation for Religious and for Secular Institutes, by virtue of its authority to erect, guide and promote institutes of consecrated life, after careful consideration of the constitutions presented by the American-Cassinese Congregation of Benedictine Monasteries, acceding to the request of the Abbot President and his Council, herewith approves, within the limits of canon law, these same constitutions as amended according to the observations of this Congregation. May the generous living of these constitutions encourage all the members of the American-Cassinese Congregation to an ever deeper commitment to their consecrated life in accordance with the spirit of St. Benedict and the ancient tradition of their Order.

Given at Rome, October 2, 1988

Feast of the Guardian Angels,

Patrons of the American-Cassinese Congregation.

LIST OF ABBREVIATIONS

AAS	Acta Apostolicae Sedis
Acts	Acts of the Apostles
C	Constitutions
cf.	compare
CIC	Codex Iuris Canonici
D	Directory
Jn	Gospel According to John
Lk	Gospel According to Luke
Phil	Letter to the Phillipians
Prol	Prologue
RB	Rule of St. Benedict

**THE CONSTITUTIONS
AND
THE DIRECTORY
OF THE AMERICAN-CASSINESE CONGREGATION
OF BENEDICTINE MONASTERIES**

GENERAL PRINCIPLES

C 1. The American-Cassinense Congregation, erected on 24 August 1855 by Pope Pius IX with the Apostolic Letter *Inter ceteras*, under the patronage of the Holy Guardian Angels, is a monastic congregation of pontifical right (CIC 89). It is composed of autonomous monasteries of Benedictine monks (CIC 613).

C 2. The earliest monasteries of the Congregation combined a cenobitic monastic life with educational and parochial apostolates to meet the needs of an immigrant Church in a young American nation. This combination, adjusted to changing needs, has remained traditional in the Congregation, though no specific work is incumbent on all the monasteries. In service to the local church where it has taken root, each monastic community of the Congregation bears its own particular witness to the presence and power of Christ.

C 3. The Congregation exists to promote and protect the growth of its autonomous member monasteries in their life according to the Gospel, the Rule of St. Benedict, and their own sound traditions, for the up building of the Body of Christ. It aims to do this, with due respect for the principle of subsidiarity and for legitimate pluralism, both by juridical means and by the encouragement of fraternal cooperation and support

C 4. The monasteries of the Congregation follow the Rule of St. Benedict. Rooted in the Gospel of Jesus Christ, the supreme law of all Christian life, the Rule of St. Benedict embodies a monastic inspiration, spirituality, and structures that must be lived, under the guidance of the Holy Spirit, with creative fidelity in the changing circumstances of time and place.

C 5. In the service of the following of Christ according to the Rule of St. Benedict and as a means for its member monasteries to express their particular charism within the Church, the Congregation has as its proper law:

C 5.1. The Constitutions, which contain the more important norms for the ordering of life within the monasteries and for the structure and functioning of the Congregation itself. Approbation and authentic interpretation of the approved Constitutions are reserved to the Apostolic See. Changes in the Constitutions require an absolute majority vote of the general chapter and the consent of the Apostolic See.

C 5.2. The Directory, which, within the bounds set by the Constitutions, contains more precise rules and directives for the government of the monasteries of the Congregation and of the Congregation itself; it is the general chapter of the Congregation that establishes, changes, or abrogates these rules and directives.

C 5.3. The Decisions of the General Chapter, which are provisions of a more temporary or particular nature than those contained in the Directory. Such Decisions remain in force until revoked by a subsequent general chapter or until the time specified in the provision itself elapses.

C 5.4. The Ritual, which contains directives or guidelines for monastic liturgical celebrations, in accordance with the norms issued by the Apostolic See.

C 6. The Rule of St. Benedict, complemented by the proper law of the Congregation, expresses that form of monastic life that the monks of the monasteries of the Congregation are bound to observe before God and the Church, because of the holy service they have professed (RB 5:3).

PART I - MATTERS PERTAINING TO THE INDIVIDUAL MONASTERIES

CHAPTER I - THE MONASTERIES OF THE CONGREGATION

C 7. The American-Cassinese Congregation consists of autonomous monasteries of Benedictine monks that are erected within the Congregation or aggregated to it.

D 7.1. Unless it is otherwise stated in the proper law of the Congregation, whatever is set down concerning an abbot or abbey shall also apply to a conventual prior and conventual priory as long as these shall exist within the Congregation.

D 7.2. 1. Abbeys are those monasteries that are canonically erected as such or aggregated to the Congregation by the general chapter.

D 7.2. 2. Conventual priories are those monasteries that at one time were erected as such in the Congregation by the general chapter.

D 7.3. 1. The provisions for canonically erecting an abbey in the Congregation are contained in D 102.11 and D 102.12.

D 7.3. 2. When an autonomous monastery seeks to be aggregated to the Congregation as an abbey, the provisions of D 102.11.1 7 are to be observed to the extent and in the manner that they are applicable.

D 7.4. Whenever the membership of an autonomous monastery declines to six or fewer solemnly professed members, the President is to arrange for a visitation to determine whether the monastery can continue in its independent status.

C 8.1. Each autonomous monastery, as well as the Congregation itself, is a public juridic person according to the norms of universal law.

C 8.2. The Congregation has the right to acquire, possess, administer, and alienate temporal goods. The juridical and administrative autonomy of the monasteries of the Congregation, however, is such that the Congregation bears no liability whatsoever for the debts or actions or omissions or obligations of any member monastery or of any monk of any member monastery.

C 8.3. An autonomous monastery of the Congregation bears no liability whatsoever for the debts or actions or omissions or obligations of any other autonomous member monastery or its dependencies or of any monk of any other member monastery.

C 9. The suppression of an autonomous monastery is reserved to the general chapter or to the President of the Congregation and his council, according to the provisions of the proper law of the Congregation, after consultation with the bishop of the diocese in which the monastery is located (CIC 616.3).

D 9.1. When serious difficulties arise that threaten the continued existence of an autonomous monastery of the Congregation, the President is to work with the superior and community to make reasonable efforts to maintain the existence of the monastery. If the efforts, including the adoption of the monastery as a dependency by another autonomous monastery (cf. C 103; D 103.1-4), prove fruitless, suppression of the house may be necessary.

D 9.2. 1. An autonomous monastery can be suppressed only by the general chapter, with due regard for D 9.2.3.

D 9.2. 2. In serious cases the President, acting collegially with his council, is to make appropriate provisions until the matter can be considered by the next general chapter.

D 9.2. 3. In more urgent cases that cannot be prudently postponed until the next general chapter, the President, acting collegially with his council, may suppress an autonomous monastery whose chapter by a two-thirds majority has requested suppression.

D 9.3. 1. The monks of the monastery in question have the right to be heard by the President before the matter of suppression is brought to the general chapter.

D 9.3. 2. At the general chapter the President is to disclose all the relevant facts of the case to the members of the chapter.

D 9.3. 3. The superior and delegate of the monastery in question have the right to state their views to the members of the general chapter.

D 9.3. 4. During the discussion that follows, the superior and delegate are to absent themselves from the room, but are to return to cast their votes with the other members of the general chapter.

D 9.4. It is the responsibility of the President to make suitable provisions for the monks of the monastery being suppressed, ordinarily by facilitating their transfer to other houses.

D 9.5. The President, with the consent of his council, is to make provision for disposition of the property of the monastery according to the norms of ecclesiastical and civil law, and with due regard for any acquired rights and for equity.

CHAPTER II - THE ABBOT AND GOVERNANCE OF THE MONASTERY

Article 1 - THE ABBOT OF THE MONASTERY

C 10.1. The office of abbot is an essential element of Benedictine monastic life. The abbot of a monastery, a sacrament of the person and will of Christ, is principally a spiritual leader, helping and guiding the community and the individual monk to fulfill their respective roles in the Church through fidelity to the charism expressed in the Rule of Saint Benedict by which he himself is guided.

C 10.2. The abbot is father, teacher, and administrator, whose concern must extend to the entire way of life envisioned by the Rule of Saint Benedict.

C 11. In the monasteries of the Congregation an abbot is constituted by election and the subsequent confirmation of the election by the proper authority (cf. C 18; CIC 625).

C 12. All capitulars of the monastery have the right to vote in the election of an abbot.

D 12.1. 1. In addition to the capitulars, all other perpetually professed monks of the community have the right to vote in the election of an abbot.

D 12.1.2. Those solemnly or perpetually professed monks who are legitimately living outside the monastery according to the provisions of CIC 665.1 have both active and passive voice unless other provisions were made when the permission to live outside the monastery was given and with due regard for the provisions of C 26.

D 12.1.3. Exclaustrated members of the community lack active and passive voice in accordance with the prescriptions of CIC 687.

D 12.1.4. A monk who has received the written permission of his abbot to begin the process of transfer lacks active and passive voice (cf. D 88.2.1; D 90.4).

D 12.1.5. Monks who are unlawfully absent from the monastery (cf. C 92; CIC 665.2) are to be declared so by the council of seniors of the monastery. The decision is to be confirmed by the President of the Congregation. Those who are unlawfully absent lack active and passive voice. At the first meeting of the election chapter the written confirmation made by the President is to be entered into the record of the election chapter.

D 12.2. If the mental competency of a potential elector is questionable (cf. CIC 171.1), the superior is to appoint a curator to represent the monk and to defend his right to vote. The matter is to be decided by the council of seniors of the monastery. The decision is to be confirmed by the President of the Congregation. Those who are declared mentally incompetent lack active and passive voice. At the first meeting of the election chapter, the written confirmation made by the President is to be entered into the record of the election chapter.

D 12.3. In an abbatial election non voting members of the community are not permitted to be present at any of the sessions of the election chapter but may be admitted after an election has been accepted.

C 13. In order to be validly elected to the office of abbot it is required that a monk be:

- 1â, at least thirty years of age;
- 2â, solemnly professed for at least seven years (CIC 623);
- 3â, an ordained priest;
- 4â, a member of the Congregation.

C 14. The provisions for the election of an abbot are contained in the proper law of the Congregation.

D 14.1. 1. Upon the death or resignation of an abbot with jurisdiction, or upon the raising of a conventual priory to the status of an abbey, an election of an abbot is to be held within three months.

D 14.1.2. Because of particular circumstances, the chapter of a monastery may vote to postpone the election of an abbot. In this case the President of the Congregation is to appoint a temporary administrator under the same conditions as in D 17.1.

D 14.2. 1. The date for an abbatial election and the appointment of a secretary for the election process, who is to keep the President informed of the preparatory plans for the election, are to be determined by the President after consultation with the superior.

D 14.2. 2. Under the direction of the superior, the secretary will send written notification to every member of the community who has the right to participate in the election, indicating the time and place of the election.

D 14.2.3. If the right of anyone to vote is doubtful, the secretary will consult the council of seniors. The final decision remains with the President.

D 14.2.4. 1. With the notification the secretary will inform the members of the community that a monk who is legitimately impeded from attending the abbatial election may request the appointment of a proxy. Unless the monastic chapter determines otherwise, the monk may himself cast a nominating ballot by a letter sent to the secretary of the election.

D 14.2.4. 2. The secretary is likewise to send a form to be returned to him by each recipient, indicating that he has received the notification and whether he intends to be present for the election. If he cannot attend, he is to explain the reason(s). If he wishes to vote by proxy, he is to list in the order of his preference a specified number, determined by the council of seniors, of names of electors whom he would choose as his proxy; otherwise he is to indicate that he does not wish to vote in the election.

D 14.2.5. The secretary will request that the form be returned to him as soon as possible, or at least within a specified number of days, so that there will be sufficient time for the council of seniors of the monastery to ascertain whether the reasons are valid and whether, therefore, a

proxy is to be named for the absent elector. The final decision in this matter lies with the President, who will name the proxies at the first meeting of the election chapter.

D 14.3. Those who are unable to be present at an abbatial election may vote by proxy. If two or more monks choose the same proxy (cf. D 14.2.4.2), the absent elector who is senior by profession shall have the preference. An elector may act as proxy for one person only, and he must cast both ballots for the same candidate. This proxy vote is exercised in all the balloting strictly related to the election, i.e., for tellers, the nominating ballot, unless a nominating ballot has been cast by letter (cf. D 14.2.4.1), and in the election ballot itself.

D 14.4. The first meeting of the election chapter is to be convoked for the purpose of:

- 1â, the President's officially naming the proxies and confirming decisions made regarding unlawful absences and mental competence;
- 2â, the calling of the roll by the secretary;
- 3â, the election of tellers or confirmation of previously elected tellers;
- 4â, the naming and evaluating of candidates for the office of abbot.

D 14.5. 1. For the election of tellers one ballot is taken; those (as many as may be needed) with the highest number of votes are elected.

D 14.5.2. After they have been elected, the tellers take the prescribed oath to perform their functions conscientiously and to preserve secrecy if they come to know the vote of anyone, e.g., in obtaining the votes of the sick in the monastery.

D 14.6. 1. After the election of tellers, each elector may name by secret ballot two monks whom he considers best suited for the office of abbot, in order that their qualifications may be evaluated by the election chapter.

D 14.6.2. If a monk who has been named in the balloting wishes to withdraw his name, he may state that, as of the moment, he would not accept the election and he may request that the electors do not vote for him. The electors, however, remain free to vote for him if they wish to do so.

D 14.6.3. Beginning with the one most frequently named, each monk who has been named as a candidate will leave the room while his qualifications for the office of abbot are evaluated. After his evaluation has been completed, the monk is free to return for the evaluation of the others named.

D 14.6.4. If there is anyone in the chapter, including the superior or the President, who is related to the monk being discussed by blood or marriage to the fourth degree (i.e., up to first cousins) inclusive, the relative will leave the meeting for the evaluation of that candidate. If the President must leave he is to appoint someone to preside during his temporary absence.

D 14.6.5. In an election that follows the resignation of an abbot, the abbot who resigned will absent himself from the entire evaluation process.

D 14.6.6. The President may determine, in consultation with the electors, whether every monk named should be evaluated, or only those who have been named a specified number of times. Even if a minimum number has been set, the electors remain free to vote for candidates who have not been evaluated. Prior to the election ballot, the President will state that, if someone not evaluated draws a specified number of votes, he will stop the balloting and ask the chapter to evaluate that candidate.

D 14.7. An elector who has definite knowledge of something of a serious moral or canonical nature that is not publicly known and that he judges in conscience makes the monk unfit for the office of abbot, must inform the President privately. If he judges the information well founded, the President, respecting the right to self defense on the part of the candidate concerned, must speak with him privately. If he is convinced in conscience that the candidate is unworthy, he must state that, if the candidate is elected, he will not confirm the election.

D 14.8. In order to allow sufficient time for prayer and reflection, the balloting for candidates for the office of abbot is not to begin until several hours have elapsed after the close of the evaluation.

D 14.9. 1. To be valid a vote must be free, secret, certain, absolute, and determinate (CIC 172.1).

D 14.9.2. Any condition attached to a vote prior to the election is to be considered as not having been attached (CIC 172.2).

C 15.1. Not more than six valid ballots are permitted in the election of an abbot. To be validly elected on one of the first three ballots a candidate must receive the votes of two thirds of the electors responding to the roll call either in person or by proxy.

C 15.2. If there is no election after three ballots, time for reflection and prayer is to be given to the electors.

C 15.3. To be validly elected on one of the final three ballots a candidate must receive the votes of more than half of the number of electors responding to the roll call.

D 15. Before each ballot the secretary is to determine if the number of electors present has changed since the roll call. If it has, he is to inform the President, who will announce the new number of votes required for the appropriate majority.

C 16.1. If a candidate is impeded from being elected by a canonical impediment that can be dispensed, he may be postulated in accordance with the norms of universal law and the proper law of the Benedictine Confederation (CIC 180 183; *Lex Propria*, 45).

C 16.2. The monk being postulated must receive on any ballot at least two thirds of the votes of the electors responding to the roll call.

D 16.1. After the electors have gathered for the balloting:

1â, The secretary will call the roll;

- 2â, The President or his delegate will read chapter 64 of the Rule of Saint Benedict;
- 3â, After the President has given an exhortation, he will take the prescribed oath;
- 4â, The electors also take the prescribed oath.

D 16.2. After each ballot, the President will ask the tellers to count the ballots; if the number is equal to, or less than, the number of electors, he will instruct the tellers to open the ballots. If the number of ballots exceeds the number of electors, the ballots are not opened but sealed and set aside to be destroyed later with the valid ballots. Such an invalid ballot does not count in the six ballots permitted.

D 16.3. 1. After each ballot has been opened, read aloud, and passed to another teller for verification, it is passed to the President. If any question arises concerning the validity or the meaning of a ballot, the tellers ask the President for a decision.

D 16.3.2. After each balloting the teller announces the results.

D 16.4. 1. When all the ballots have been counted and the required majority has been reached, the secretary asks the President to declare an election. After doing so, the President will inform the monk elected that, in accord with CIC 177.1, he has eight days to accept or reject the election. At the same time the President will remind the monk of the difficulties a lengthy delay could cause. The President may then declare a recess of at least half an hour.

D 16.4.2. The President, either immediately or after the chapter has reconvened, asks the monk elected if he accepts. If he does accept, the process continues with C 18.

D 16.5. 1. If the monk elected does not accept the election, he loses any right deriving from the election and does not regain such right by a subsequent acceptance; such a monk can, however, be elected again (CIC 177.2).

D 16.5.2. If the monk elected refuses the election, a new election must begin within a month after such refusal. In the new election, which may begin immediately, six ballots are permitted, with the same majorities required: two thirds on the first three ballots; and an absolute majority on the next three.

C 17. The right of appointing a temporary administrator devolves upon the President of the Congregation if there is no election after the specified number of ballots.

D 17.1. If there is no election after six ballots the election of an abbot is deferred. Except in the case of a territorial abbacy, the right of appointing a temporary administrator devolves upon the President of the Congregation, after consulting with the community and his own council. The term of the temporary administrator, who must have the same qualifications as an abbot, is determined by the President after consulting with his council; however, it must not exceed three years, computed from the date of taking office. At the end of the term the President, after consulting his council, may reappoint the administrator or make other suitable provisions.

D 17.2. The temporary administrator has the full jurisdiction of a major superior.

D 17.3. The President, with the consent of his council, may terminate the office of a temporary administrator at any time, either when the community appears ready before the end of three years to elect an abbot, or when the temporary administrator, for any reason, is unable to continue. In the former case, the community will proceed to the election of an abbot in the usual manner; in the latter, the President, after consulting his council, will make suitable provision.

C 18. A monk who is elected abbot and who accepts the office must request confirmation of the election from the President of the Congregation. In the case of a territorial abbacy, confirmation of the election must be sought from the Apostolic See.

D 18. Before the election can be confirmed, the newly elected abbot is to make a profession of faith (CIC 833; see Appendix 1).

C 19. Once an election has been confirmed, the newly elected abbot obtains full jurisdiction according to the norms of universal law and the proper law of the Congregation. He has all the rights and obligations attributed in universal law to the major superior of a clerical institute of pontifical right (CIC 596).

D 19. Within three months of the election, a new abbot is to receive the abbatial blessing. A superior who is not an abbot does not receive this blessing.

C 20. The tenure of an abbot is governed by the proper law of the Congregation (CIC 624.1).

D 20.1. The tenure of an abbot of a territorial abbacy is established by the norms of universal law (CIC 401).

D 20.2. Every other abbot is required to submit his resignation to the President of the Congregation three months before either:

D 20.2.1. The completion of his seventy fifth year of age if he has held office for at least eight years; or

D 20.2.2. The end of his eighth year in office if he was elected after the completion of his sixty seventh year of age.

D 20.3. The President, after consulting the abbot who is resigning and his own council, will set the date when the office becomes vacant and will inform the abbot and community concerned in writing (cf. CIC 186).

C 21. An abbot may for serious reasons voluntarily submit his resignation to the President of the Congregation who, after consulting his council, will make suitable provisions after the circumstances have been evaluated.

C 22. An abbot who has resigned retains the rights and obligations of other capitulars in his own community, with due regard for the prescription of C 122.

D 22.1. An abbot who has resigned in accordance with D 20.2 may be reelected for successive terms of eight years.

D 22.2. A resigned abbot may use the pontifical insignia according to the norms of universal law (cf. *Motu Proprio Pontificalia Insignia*, 3, in AAS 60 (1968) 374-377).

C 23. For very grave reason and for the welfare of a community the President of the Congregation with the consent of his council has the right to remove an abbot from office in accordance with the proper law of the Congregation.

D 23.1. 1. The abbot of a monastery is removed from office by universal law in the cases mentioned in CIC 194.

D 23.1.2. The President of the Congregation is the authority competent to issue any required declarations.

D 23.2. 1. An abbot may be removed from office for other very grave reasons including the following:

- 1â, His inability to fulfill the obligations of his office for whatever reason, including prolonged absence or grave mental or physical illness;
- 2â, Habitual neglect of the obligations of his office;
- 3â, Continued disregard for the proper law of the Congregation or for the lawful mandates imposed on him by the President of the Congregation;
- 4â, Grave scandal arising from his culpable behavior.

D 23.2.2. Once the President of the Congregation has been made aware of circumstances that may warrant the removal of an abbot from office, he is to examine the evidence to determine whether the complaint is well founded. If he judges that it is, he is to consult his council and determine whether a special visitation is to be conducted or whether some other course of action is to be followed.

D 23.2.3. The abbot in question is to be informed of his right to self defense and be given an opportunity to present his defense to the President.

D 23.2.4. If, after examining all the evidence, the President and/or the visitators determine that there are sufficient grounds to remove the abbot from office, the President is to present the matter to his council and, acting collegially with them, is to review the matter and vote upon it. If it is decided that the abbot is to be removed, the President issues the decree.

D 23.2.5. The abbot retains his right of recourse to the Apostolic See in accordance with the provisions of universal law on administrative recourse (CIC 1732-1739). During the recourse, the provisions of the President's decree remain in effect. No election of a new abbot may take place. The President will appoint an administrator.

C 24. When the office of abbot becomes vacant, the prior becomes the temporary administrator of the monastery; or, if he is impeded, the subprior; if he also is impeded, the member of the council of seniors who is senior by profession, and so on.

D 24.1. It is the duty of the temporary administrator to send notice at once of the death or resignation of the abbot to the absent members of the community, the bishop of the diocese, the Abbot Primate, the President, and, if the monastery is a territorial abbacy, the Congregation of Bishops.

D 24.2. It is the responsibility of the President of the Congregation to decide if a particular superior or other capitular is impeded from assuming the position of temporary administrator.

Article 2 - THE MONASTIC CHAPTER

C 25. All matters of importance concerning the life of the community are proper material for the consideration of the monastic chapter. At times the chapter meets to assist the abbot by offering counsel; at times when its consent is required before the abbot can act; and at times to act collegially in those cases specified in the proper law of the Congregation.

D 25.1. The establishment of the agenda for the chapter is the responsibility of the abbot, though individual monks or groups of monks may suggest items for inclusion, according to the practice of the local community.

D 25.2. Announcement of a chapter meeting and publication of the agenda are to be made with adequate advance notice.

C 26. The chapter is composed of the capitulars of the monastery, that is, those monks who have professed solemn vows. All capitulars enjoy full active and passive voice in the chapter, subject to such limitations as may be provided for in universal law or the proper law of the Congregation.

D 26.1. A capitular may also be a monk who has professed simple perpetual vows and subsequently been granted chapter rights by the chapter.

D 26.2. The chapter of each monastery may permit other members of the community to attend meetings of the monastic chapter without the right to vote.

D 26.3. Capitulars have the obligation to make known sincerely their opinions on those matters where counsel is required in order for the abbot to act (CIC 127.3).

D 26.4. Capitulars are obliged to maintain secrecy regarding matters both of consent and counsel if the seriousness of the matter requires it. The abbot has the right to insist on the obligation of secrecy (CIC 127.3).

C 27. All capitulars must be summoned with adequate notice for consideration of those matters of special importance that are specified by the proper law of the Congregation. For other matters at least those capitulars resident at the monastery are to be summoned for a meeting of the chapter.

D 27.1. All capitulars of the monastery must be summoned for consideration of the following matters:

D 27.1.1. Any change of status or official division of a community, including the establishment or adoption of a dependent priory and the petition to raise a dependent priory to the status of an abbey;

D 27.1.2. The incurring of an obligation that would create a total net debt obligation of an amount, specified periodically by the general chapter, that requires the consent of the President and his council;

D 27.1.3. The acceptance, relinquishment, or transfer of a major apostolate.

D 27.2. The chapter of each monastery may specify additional matters that require the summoning of all capitulars, including the incurring of a debt obligation less than that indicated in D 27.1.2.

D 27.3. The election of an abbot has its own provisions in the proper law of the Congregation.

C 28. The chapter is convoked by the abbot or, because of necessity and at the abbot's direction, by the prior or another capitular. The chapter must be convoked for those matters specified in universal law and the proper law of the Congregation; and also when two thirds of the members of the council of seniors request it.

D 28.1. The consent of the monastic chapter is required for the abbot to act in all instances specified by universal law, by the proper law of the Congregation or by the decision of the local monastic chapter, among which are the following:

- 1â, To authorize certain extraordinary expenditures according to the financial norms of the Congregation;
- 2â, To grant a lease extending beyond nine years;
- 3â, To authorize certain alienation or contracting of debts according to the financial norms of the Congregation and the universal law;
- 4â, To establish a novitiate in a dependent priory;
- 5â, To send a novice to the novitiate of another monastery of the Congregation;
- 6â, To admit a candidate to the novitiate;
- 7â, To admit a novice to first profession;
- 8â, To admit a junior monk to solemn profession;
- 9â, To extend a junior monk's temporary profession beyond six years;
- 10â, To admit a candidate to probation as a claustral oblate;
- 11â, To admit a claustral oblate to the community;
- 12â, To establish a dependent priory;
- 13â, To issue a charter for a dependent priory;
- 14â, To allow a novice for a dependent priory that does not have its own novitiate to make the novitiate outside the founding abbey;
- 15â, To delegate to the prior of a dependent priory the right to admit candidates for novitiate and profession, with the consent of only the quasi chapter;

- 16â, To allow a dependent priory to seek the status of an abbey;
- 17â, To suppress a dependent priory;
- 18â, To seek dependent status for the abbey itself or to allow a dependent priory to change its dependent affiliation;
- 19â, To admit a candidate for transfer to probationary periods and final transfer;
- 20â, To readmit a monk who left the monastery legitimately without his having to repeat the novitiate.

D 28.2. The abbot must consult the monastic chapter in all instances specified by universal law, by the proper law of the Congregation or by the decision of the local monastic chapter, among which are the following:

- 1â, To grant a lease, in more serious cases, that would have a notable effect on the interests of the community;
- 2â, To establish the usual period for temporary profession.

D 28.3. The monastic chapter acts collegially in all instances specified by universal law or by the proper law of the Congregation, among which are the following:

D 28.3.

- 1â, To elect an abbot;
- 2â, To elect half the members of the council of seniors;
- 3â, To postpone the election of an abbot and request governance by an administrator;
- 4â, To elect a delegate and substitute to the general chapter;
- 5â, To elect tellers for an abbatial election;
- 6â, To request suppression.

Article 3 - THE COUNCIL OF SENIORS

C 29. In each monastery of the Congregation there shall be a council of seniors that meets regularly to assist the abbot in exercising his responsibility for all aspects of the life of the monastic community (RB 3; CIC 627).

C 30.1. The council of seniors is composed of not fewer than four and not more than ten capitulars, the number being determined by the chapter.

C 30.2. Half the members of the council shall be appointed by the abbot, half elected by the chapter according to the procedures established in the proper law of the Congregation.

C 30.3. Members of the council are elected for a term of one year, unless the monastic chapter votes to elect a given number of seniors for terms of two or three years.

C 30.4. Members of the council may be reelected indefinitely.

C 31. The council is convoked by the abbot or, because of necessity and at the abbot's direction, by the prior or a member of the council. The council must be convoked for those matters specified in universal law and the proper law of the Congregation, and also if at least one half of the members requests it.

D 31.1. 1. The abbot should inform the community as soon as possible of the deliberations of the council of seniors.

D 31.1.2. Safeguarding the law of charity and prudence, members of the council may discuss with other community members matters considered in their meetings. However, the abbot may oblige the members of the council to observe secrecy regarding certain matters.

D 31.2. 1. The consent of the council of seniors is required for the abbot to act in all instances specified by universal law, by the proper law of the Congregation, or by the decision of the local monastic chapter, among which are the following:

- 1â, To authorize certain extraordinary expenditures according to the financial norms of the Congregation;
- 2â, To authorize certain alienation or contracting of debts according to the financial norms of the Congregation;
- 3â, To grant permission for a monk to live outside the monastery in accordance with the provisions of D 80.2;
- 4â, To grant an indult of exclaustation;
- 5â, To petition for imposed exclaustation;
- 6â, To grant an indult for a monk in temporary vows to leave the monastery.

D 31.2.2. The abbot must consult with the council of seniors in all instances specified by universal law, by the proper law of the Congregation, or by the decision of the local monastic chapter, among which are the following:

- 1â, To appoint certain officials of the monastery;
- 2â, To extend a novitiate beyond twelve months;
- 3â, To allow a renewal of temporary profession if made originally for less than three years;
- 4â, To extend the usual period of temporary profession;
- 5â, To dismiss a claustral oblate;
- 6â, To establish the horarium;
- 7â, To send a monk from the abbey to a dependent priory;
- 8â, To permit a monk to embrace the eremitical life;
- 9â, To appoint the prior of a dependent priory;
- 10â, To apply the provisions of D 92.2.2 to a monk unlawfully absent from the monastery;
- 11â, To establish the nature and length of probation for the readmission of a monk who left the monastery legitimately.

D 31.2.3. The council of seniors acts collegially with the abbot in all instances specified by the universal law or by the proper law of the Congregation, including the declaration of an ipso facto dismissal (CIC 694.2).

Article 4 - THE OFFICIALS OF THE MONASTERY

C 32.1. The abbot is to appoint certain officials who share his responsibility for the community in spiritual and temporal matters. In each monastery these officials are:

C 32.1.

- 1â, The claustral prior, who discharges those duties that the abbot has committed to him and presides over the community when the abbot is absent or impeded (RB 65);
- 2â, The subprior, who assists the abbot and prior according to the abbot's instruction and presides over the community when the abbot and the prior are absent or impeded;
- 3â, The master of novices (RB 58:6; C 39);
- 4â, The master of junior monks (C 57);
- 5â, The procurator, who is the chief financial officer (RB 31; C 34).

C 32.2. With due regard for the provisions of C 39, all of the above named officials must be capitulars of the monastery and are not to be appointed without previous consultation with the council of seniors.

D 32.1. Before appointing a prior the abbot is to consult the capitulars of the monastery.

D 32.2. In larger monasteries the abbot may appoint deans to have responsibility for a portion of the monastic community. They are to exercise their responsibility in accordance with the directives of the abbot (RB 21).

D 32.3. 1. In each monastery of the Congregation an archivist is to be appointed, so that important documentation of the monastery's life and history can be properly maintained and preserved.

D 32.3.2. When possible, the archivist should be trained in archival science.

D 32.4. The order of the community is established in D 131.3.

Article 5 - THE TEMPORAL GOODS OF THE MONASTERY AND THEIR ADMINISTRATION

C 33. The monasteries of the Congregation have the right to acquire, possess, administer, and alienate temporal goods. This right is to be exercised in accordance with universal law and the proper law of the Congregation, and with all due concern for simplicity in the community's way of life and for the requirements of justice in the contemporary world (CIC 634). They should contribute, when they can, to the needs of the Church and of the poor, especially of poor monasteries; in all their use of material goods they should be mindful of the Christian tradition of stewardship.

D 33. In all monasteries of the Congregation the fiscal year is computed from the first day of July to the thirtieth day of June.

C 34.1. The procurator shall administer the temporal goods of the monastery under the direction of the abbot and in accordance with universal law (CIC 636 638; 1279 1289) and the proper law of the Congregation. He shall have the authority to pay items of regular expenditure and to make contracts in the monastery's name relating to the ordinary administration of the monastery's goods.

D 34.1. The procurator is to make regular reports to the abbot about the business he is transacting. He is to present periodic reports to the council of seniors and an annual summary report of the fiscal year to the chapter.

C 34.2. Acts that exceed the limit and manner of ordinary administration and the conditions for positing such acts are determined in the proper law of the Congregation (CIC 638.1).

D 34.2. 1. An expenditure not mentioned in C 34.1 is to be considered "extraordinary" and for such expenditure the authorization of the abbot is needed; and, if the amounts exceed those fixed by the general chapter in the financial norms of the Congregation, the consent of the council of seniors or the monastic chapter is also needed.

D 34.2.2. The granting of a lease of land or property for a term of more than one year requires the authorization of the abbot. If the lease will have a notable effect on the interests of the community, the council or, in more serious cases, the chapter is to be consulted.

D 34.2.3. The granting of a lease for an indefinite period of time or for a definite period of time extending beyond nine years requires the consent of the chapter.

D 34.3. 1. The alienation by way of sale, gift, or mortgage of any of the monastery's lands, houses, or investments (apart from simply changing investments); or the contracting of debts (apart from short term loans for a period of less than one year) requires the authorization of the abbot given in writing; and, if the value exceeds the sum fixed by the general chapter in the financial norms of the Congregation, the consent of the council of seniors or the monastic chapter is also needed.

D 34.3.2. For the alienation or the contracting of debts referred to in D 34.3.1 that exceeds the sum fixed by the Apostolic See, for the alienation of items of precious art or of historical value, and for the alienation of anything donated to the monastery as a result of a vow, the following are required:

- 1â, the written authorization of the abbot;
- 2â, the consent of the monastic chapter;
- 3â, the written authorization of the President, with the consent of his council;
- 4â, the written consent of the Apostolic See (CIC 638.3).

D 34.3.3. No monastery of the Congregation may separate itself from its academic apostolate by transferring its financial and legal responsibility to outside interests without adequate compensation to the monastery and a responsible guarantee of the assumption of the associated obligations. Before such a transfer can be made, the approval of the President of the Congregation acting collegially with his council must be obtained. The President and his council may require that the approval of the general chapter be obtained.

C 35. Each autonomous monastery is to present to the President and his council an annual audit bearing unqualified attestation by an independent certified public accountant. The monasteries are to submit these reports not only for their own internal operations but also for those apostolic and charitable activities for which they may be legally or financially responsible.

D 35.1. Each abbey is to have its independent certified public accountant answer points of financial interest not specifically covered by the audit report.

D 35.2. If a management letter regarding the financial operation of the member abbey is available, it is to be attached to the questionnaire and submitted to the President and his council. In particular cases this letter may be required by the President.

CHAPTER III - THE GROWTH AND FORMATION OF THE MONASTIC COMMUNITY

Article 1 - THE NOVITIATE AND THE FORMATION OF NOVICES

C 36. Each independent monastery may have its own novitiate, which shall observe the established norms of universal law and the proper law of the Congregation. The abbot of the founding monastery, with the consent of the monastic chapter, may establish a novitiate in a dependent priory.

D 36.1. If a monastery of the Congregation chooses to have a period of formation prior to the novitiate, the norms established in the proper law of the Congregation are to be observed.

D 36.2.1. When a suitable candidate seeks admission to the monastery, the abbot, after consulting the council of seniors or other appropriate body, may admit him to the postulancy. The length of the postulancy and its circumstances are to be decided by the abbot.

D 36.2.2. The purpose of the postulancy is to ensure that the candidate has reached a degree of human and spiritual maturity that will enable him to enter the novitiate profitably.

D 36.2.3. The postulant is to be under the care of the master of novices or another capitular of the monastery deputed by the abbot.

D 36.2.4. According to the custom of the local monastery, a postulant wears either ordinary secular clothes or distinctive garb, which must be different from that of the monks.

D 36.2.5. Before beginning postulancy, the candidate may be asked to sign an agreement not to demand pay for any work done. This agreement is to be drawn up in such a way as to conform to civil law (see Appendix 2).

D 36.2.6. The postulant is free to leave the postulancy at any time and may be asked to do so.

C 37. The abbot of a monastery in which, for serious reason, novices cannot be properly formed may, with the consent of the chapter, send a novice to the novitiate of any monastery of the Congregation.

C 38. 1. The abbot, with the consent of the monastic chapter, may admit a suitable candidate to the novitiate.

C 38. 2. No candidate shall be admitted to the novitiate who does not possess the requisites for valid and licit admission as determined in universal law (CIC 643).

D 38.1. The prescriptions of CIC 644 and 645 are to be observed. No additional impediments to or conditions for admission have been established in the proper law of the Congregation.

D 38.2. The candidate is to be received according to the Rite for the Reception of Novices approved by the Congregation.

D 38.3. The custom of the local monastery determines the appropriate garb for novices, which is to be different from that of the professed.

D 38.4. Before beginning the novitiate, the candidate is to sign an agreement not to demand pay for any work done. This agreement is to be drawn up in such a way that it is binding in civil law (see Appendix 2).

C 39.1. After consulting with the council of seniors, the abbot appoints a solemnly professed monk of the monastery as master of novices.

C 39.2. The master of novices is to have full responsibility for the administration of the novitiate and the program of formation, always under the abbot's direction.

D 39.1. Since it is the responsibility of the master of novices to provide for the monastic formation of the novices and to assist them in the discernment of their vocation, he must be free enough from other responsibilities to serve in this position.

D 39.2. No one except the abbot and master of novices and those specifically designated by them may impose tasks on the novices (cf. also C 56).

C 40. During the novitiate the novices are to be assisted in developing human and Christian virtues. They are to receive a thorough formation in the elements of the monastic life,

instruction on the history of monastic life, on the Rule of Saint Benedict and the proper law of the Congregation, on the obligations of monastic profession, and the traditions and works of their own monastery. Also, they are to be introduced to the common life as lived in their own monastery. Their entire formation is to be animated by the Scriptures and the liturgical life of the Church.

D 40. Approximately six months after the beginning of the novitiate the master of novices is to present a report on each of the novices to the chapter.

C 41. A novice may freely leave the monastery at any time; he may also be dismissed by the abbot.

C 42. The novitiate is to last twelve months. Absence from the monastery that lasts more than three months, continuous or interrupted, renders the novitiate invalid. An absence of more than fifteen days must be made up. The abbot may allow first profession to be anticipated, but not by more than fifteen days.

C 43.1. Prior to the end of the novitiate the master of novices is to present a report to the chapter on each of the novices.

C 43.2. The abbot, with the consent of the monastic chapter, may admit a novice who has completed the novitiate to first profession. If a novice is judged suitable by the monastic chapter and by the abbot, he is to be admitted to first profession in accordance with the proper law of the Congregation.

C 43.3. If a doubt exists concerning the novice's suitability for profession, the period of probation may be prolonged by the abbot, after consultation with the council of seniors, but not for longer than six months. Otherwise the novice is to be dismissed.

Article 2 - MONASTIC PROFESSION

C 44. In the monasteries of the Congregation profession is made according to this formula:

In the Name of our Lord Jesus Christ. Amen.

I, Brother N., of (city, state), Diocese of N.,
 promise with vows valid for ___ year(s),
 before God and his saints,
 in the presence of our Father in Christ, Abbot N.,
 and the monks of this monastery,
 stability in this community,
 conversion through a monastic way of life,
 and obedience according to the Rule
 of our Holy Father Benedict

and the law proper to our Congregation.

In witness whereof I have prepared this document
and signed it here at N. (abbey/priory)
in the year of our Lord _____,
on the ____ day of _____ (month), the feast of _____.

D 44. Profession is made according to the Rite of Profession approved by the Congregation.

C 45. The entire period of temporary profession, to be determined by the abbot after consulting the monastic chapter, is never to be less than three years nor normally more than six years.

C 46. If the first profession is made for a period of less than three years, when the time for which it was made has elapsed, the abbot, after consultation with his council, may admit the candidate to a further period of temporary profession, with due regard for the provisions of CIC 689.1.

C 47. When the entire period for temporary profession as determined in accordance with C 45 has elapsed, the abbot, with the consent of the chapter, may admit a suitable candidate to solemn profession; or, after consulting the council of seniors and with due regard for C 48, he may admit the candidate to a further period of temporary profession; otherwise the candidate is to leave the monastery.

C 48. To extend the period of temporary profession beyond six years the consent of the monastic chapter is required. The entire time that a monk is bound by temporary vows must not in any case exceed nine years (CIC 657.2), with due regard for the provisions that are contained in the proper law of the Congregation regarding transfer of temporarily professed monks (cf. D 88.4.1-6).

C 49. Solemn profession may be anticipated for a just cause, but not by more than three months.

C 50. For solemn profession the monk is to use the formula presented in C 44, substituting "with solemn vows" for the clause "with vows valid for _____ year(s)."

C 51. As a sign of their consecration, the monks of the monasteries of our Congregation wear a monastic habit.

D 51. The cuculla, given at solemn profession, is worn according to the customs of the house.

Article 3 - THE OBLIGATIONS OF MONASTIC PROFESSION

C 52. The Rule of Saint Benedict prescribes that "before the entire community and in the presence of God and his saints the novice is to promise stability, conversion through a monastic way of life, and obedience" (RB 58: 17 18). The three elements contained in this promise are not meant to exhaust the full range of the monk's self offering. Rather, they are mutually related aspects of the one total commitment of the monk to prefer nothing to Christ by taking up the monastic way of life.

C 53. By his profession of stability the monk commits himself to perseverance in the monastic community of his profession until death (cf. RB 4:78; Prol 50). This commitment binds the monk not only to the community of a particular locality but especially to the monastic way of life of that community. By strengthening the monk's resolve to remain in loving service of his Lord and his brothers within the concrete circumstances of his own monastic family, such stability fosters his abiding in the love of Christ (cf. Jn 15:10,12).

C 54. By his profession of conversion through a monastic way of life (*conversatio morum*), the monk commits himself to the persevering exercise of monastic discipline and self denial that school him for growth towards the fullness of love (cf. RB Prol 45 49; 7:67). The ascetical labor of sharing in Christ's passion by dying to sin and by leaving unchosen many things of great value for the sake of the Kingdom leads to the life and freedom of the resurrection (cf. RB Prol 50). This paschal character of the monastic way of life shines forth in the monk's following of Christ in his poverty and celibate love.

C 54.1. The poverty that the monk embraces in the monastic way of life has its source in Christ's total dispossession of himself for love of his Father and the world and finds its model in the first Christian community, "where all things were held in common" (cf. Phil 2:6 8; Acts 4:32; RB 33). Benedictine poverty directs the monk towards a spiritual dependence on Christ as represented by the abbot, towards a radical interdependence among the brothers by a mutual sharing of goods, and towards a reverent and responsible use of material things so that in everything glory be given to God (cf., e.g., RB 31 34; 53:15; 57:8 9). To this end, in accordance with the proper law of the Congregation, the monk renounces, by his temporary profession, the free use and administration of his property; by his solemn profession he renounces his property absolutely and loses the capacity to acquire and possess property (CIC 598.1; 600).

D 54.1. 1. Before his temporary profession a novice is to sign a document, valid in civil law, ceding the administration of his temporal goods to whomever he chooses and making disposition for their use and their revenues (CIC 668.1; see Appendix 3). He is likewise to make provision for the disposition of any income that may accrue to him by way of pension, subsidy, or insurance in any way whatever (cf. CIC 668.3).

D 54.1.2. With the consent of the abbot, the person of the administrator and the terms of administration may be changed during the period of temporary profession.

D 54.2. 1. Before his solemn profession a monk is to sign a document, valid in civil law and effective on the date of his solemn profession, giving his property to whomever he chooses.

D 54.2.2. He is also to sign a document of renunciation (see Appendix 4) and a last will and testament, both documents valid in civil law and contingent upon his solemn profession, determining that whatever he may acquire after solemn profession is acquired for and in the name

of his monastic community. The current abbot and his successors in the office of abbot are to be named as the executor of the last will and testament (cf. CIC 668).

C 54.2. In foregoing marriage and family in order to enter into the life of his monastic community, the monk responds to the God who loved him first and calls him to prefer absolutely nothing to the love of Christ (RB 4:21). The monk's commitment to a celibate life of total continence (CIC 599) serves as a sign that a new age has dawned with Christ and as a means of transforming all his human powers of loving into a living sacrament of God's love.

C 55. By his profession of obedience the monk seeks to enter more fully into that mystery of loving obedience whereby Christ, fulfilling his Father's will, laid down his life for all and opened for the future the hope of the resurrection. Through his listening for and heeding of God's will as it is mediated to him both by his abbot and by the needs of his brothers, the monk seeks to express the lordship of Christ over his entire life (cf. RB 5:12-13). It is in this spirit that the monk binds himself to obey his superiors, including the Supreme Pontiff (CIC 590.2), in accordance with the Rule of Saint Benedict and the proper law of the Congregation (CIC 598.1; 601).

Article 4 - THE FORMATION OF MONKS

C 56. All members of the community are to be conscious of their responsibility in the formation of their junior brothers, particularly by their prayer and example of fidelity. They are to cooperate with the master of novices and the master of junior monks and their programs of formation. Likewise, they are to respect the established nature and measure of contact with the novices and junior monks.

C 57.1. During the time of temporary profession, a monk is under the special care of the master of junior monks, who must be a capitular of the monastery, appointed by the abbot after consulting the council of seniors.

C 57.2. It is the primary responsibility of the master of junior monks, under the direction of the abbot, to ensure that an adequate program of formation is provided for the junior monks whereby their personal growth is stimulated and their theological development is fostered. Likewise, they are to be provided with the opportunity to deepen their awareness of and appreciation for the basic elements of the monastic life and the life of their own community. The master of junior monks is to take care that the activities of the junior monks are in accord with their program of formation.

D 57. Each year the master of junior monks is to present a report on each of the junior monks to the chapter.

C 58. Each monk has the personal responsibility of continuing his own spiritual, doctrinal, and practical formation throughout his entire life. The abbot is to take care that the resources and time are available for this pursuit.

C 59. Spiritual conferences are to be given to the community regularly by the abbot or, on occasion, by another whom he appoints to do so. In addition, occasional conferences on theological, monastic, scriptural, and liturgical subjects should be provided.

C 60. Each year a retreat is to be given at the monastery. The abbot is to ensure that all monks have the opportunity to make an annual retreat.

C 61.1. The same Lord who calls a person to the monastic life may also call a monk to the diaconate or the priesthood. Discernment of a vocation to Holy Orders takes place throughout the period of monastic and theological formation. After appropriate consultation, it is the abbot who presents a monk for ordination to the diaconate or priesthood.

C 61.2. Monks preparing for Holy Orders are to follow a course of studies approved by competent Church authority. Their theological and pastoral formation must be firmly rooted in their specifically monastic vocation.

Article 5 - CLAUSTRAL OBLATES

C 62. Following a long tradition, the monasteries of the Congregation may receive claustral oblates. Though they are not monks, claustral oblates are men who seek God by following the Rule of Saint Benedict in a manner adapted to their status and by sharing in some measure the common life of a specific monastery.

D 62.1. The abbot, with the consent of the monastic chapter, may admit a candidate for a year of probation.

D 62.2. During the period of probation the candidate is to receive appropriate formation for life in the monastery from the master of novices or from another capitular whom the abbot appoints for this duty.

D 62.3. At the end of the probationary period, the abbot, with the consent of the monastic chapter, may admit the candidate into the community with the status of a claustral oblate. The oblate is to make a promise of obedience to the abbot in the presence of the community.

D 62.4. Oblates are to make a written contract, valid also under civil law that they will undertake the work or service the abbot requires of them in full obedience and without claim to payment of any kind (see Appendix 2).

D 62.5. Before making his promise of obedience to the abbot, the candidate may be asked to make provision for his temporal goods in the manner described in D 54.1.

D 62.6. The promise of obedience may be withdrawn by the oblate at any time, in which case he is to leave the monastery. The abbot may, for good reason and after consultation with the council of seniors, dismiss the oblate, in which case the obligation of obedience is automatically cancelled.

D 62.7. The custom of the local monastery determines the appropriate garb for claustral oblates, which is to be different from that of the monks.

CHAPTER IV - FUNDAMENTAL ELEMENTS OF BENEDICTINE MONASTIC LIFE

C 63. Those who choose to live under the Rule and an abbot and commit themselves to life long formation in the school of the Lord's service embrace certain values that are common to all Christians but receive a special emphasis and relationship to one another in Benedictine life (cf. RB 1:2; Prol 45). Fundamental to this way of life are the following elements.

D 63.1. Since the wholesome traditions and practices of each monastery are a fundamental expression of its own creative fidelity to the Benedictine monastic tradition, each monastery of the Congregation is encouraged to develop its own Book of Customs.

D 63.2. To assist in maintaining a proper balance among the elements of prayer, work, and *lectio*, the daily horarium is to be established by the abbot in consultation with the council of seniors.

Article 1 - PRAYER

C 64. By its way of life each community is to support the efforts of its members to fulfill the Lord's injunction to pray constantly (Lk 18:1). Such personal and pervasive prayer finds its communal expression when the monks come together at special hours of the day to celebrate the Work of God. Indeed, the spiritual life of the community, rooted as it is in love among the brothers and toward all, demands expression in such common prayer and finds genuine nourishment in it.

C 65. Monastic communal prayer celebrates the mysteries of God's wondrous deeds in Christ Jesus in praise, adoration, and thanksgiving to him. The prime medium of monastic prayer has traditionally been the psalms, rich in sentiments of compunction and praise, which express the monk's basic spiritual stance, humility.

C 66. 1. Each monastic community daily celebrates the monastic liturgy of the hours in common; in so doing they truly constitute the Church at prayer.

C 66. 2. All monks in solemn vows are obliged to celebrate the monastic liturgy of the hours daily (cf. CIC 663.3; 1174.1). If, therefore, they are not present at the common celebration, they must celebrate it privately (RB 50).

C 66. 3. For a just cause, the abbot can dispense from or commute the public or private obligation.

C 67. In its celebration of the Eucharist the monastic community renews in grateful remembrance the Lord's covenant sacrifice, celebrating the deepest dimension of the existence and purpose of the community. Through communion in the Body and Blood of Christ, the

monastic family confesses and experiences the mystery of faith and hope, while fraternal unity is fostered and strengthened.

C 68. In all the monasteries of our Congregation, the conventual Mass is to be celebrated daily at a time that enables the monks to be present.

C 69. The monk's commitment to continuing conversion and his need for forgiveness when he has failed find unique expression in his celebration of the Sacrament of Penance. Therefore, a monk should make frequent use of this sacrament.

C 70. The monks of the monasteries of the Congregation are encouraged to continue those devotional practices that have been traditional in the monastic order, either integrated into the liturgy or in harmony with it, especially those that honor Mary, the Mother of God.

C 71. When a monk has completed his earthly pilgrimage, every monk of the Congregation is to offer the suffrages determined by the proper law of the Congregation and the customs of his own monastery.

D 71.1. Burial of a monk should normally be according to the customs of the monastery and in the monastic cemetery.

D 71.2. Notice of the death of a monk is to be sent to the other monasteries of the Congregation as soon as possible.

D 71.3. In all monasteries of the Congregation mention of a deceased monk is to be made daily for one month according to the custom of the house.

D 71.4. In addition to the suffrages that each community may determine for its own members, once each month every monk is to offer the Eucharist for all the departed of the Congregation. While this obligation is personal, the abbot can commute or dispense from this obligation in individual cases for sufficient reason. Also, once each month the conventual Mass is to be offered for the deceased of the Congregation.

D 71.5. Within eight days after All Saints, the office of the day and the conventual Mass are to be offered in each monastery for the deceased members of that community.

Article 2 - LECTIO DIVINA

C 72. An essential element in the monk's life is *lectio divina*. The reflective pondering of the word of God aims at giving the monk an awareness of God's presence, a consciousness of the immersion of his life in the mystery of God's activity as revealed in sacred history. Not only the Scriptures but also the Fathers and spiritual and ascetical writers of every age provide the nourishment without which the life of prayer is inevitably retarded in the promise of its growth.

C 73. The life long formation of the monk must include an adequate schooling in *lectio divina*, and the ordering of his day must permit the time and conditions conducive to regular prayerful reading.

Article 3 - SILENCE

C 74. Silence in the monastery is essential under two aspects. As a means of growth in self discipline and consideration for others, it has for the monk an ascetical and penitential aspect. But its deeper and more positive aspect is that of being a necessary habitual condition for hearing and responding to the call of God.

C 75. Recollection is a bulwark against the enervating dispersion of oneself and the consequent loss of a clear identity and vision of one's life. It is also a reminder and witness to a world that often attempts to forestall confronting itself and its problems by escaping into frenetic activity and noise.

Article 4 - COMMUNITY LIFE

C 76. The monks of the monasteries of the Congregation take to heart the primacy of charity and the communal dimensions of Christ's saving action. Hence they choose communal life above all other forms of monastic life and recognize in the formation of a Christian community of charity the preferred context for pursuing personal holiness. By mutual service and generous sharing of life the monastic family anticipates the heavenly life and gives hope to a world that is sorely tempted to despair of the possibility of people's living together in trust and love.

D 76.1. All monks are to share the tasks of community service to the extent of their ability and according to the needs of the community.

D 76.2. The sick and the aged are to be served with the greatest care. For this reason the abbot shall appoint an infirmarian and shall himself visit the sick. It is the abbot's duty to see that the sick have the opportunity of receiving the Eucharist daily and that, when appropriate, they receive the Sacrament of the Anointing of the Sick.

C 77. The monks of the monasteries of our Congregation normally live the cenobitic life either in the monastery of their profession or, in obedience to the abbot, in a monastery dependent on the monastery of their profession.

D 77. The abbot must consult the council of seniors before sending a monk to a dependent priory.

C 78. Enclosure, which fosters cohesion among the members of the community and helps to provide an environment for prayer and recollection, is a necessary condition of communal monastic life.

D 78. The abbot is to establish the areas in which enclosure is to be observed (CIC 667.1). He may, for a special need or occasion, grant a dispensation from the rules of enclosure.

C 79. To send a monk to serve in any apostolate that is already being exercised in the name of the community and also requires that the monk live apart from the common life of the monastery, the abbot must have the consent of the monk concerned.

C 80. The abbot may permit a monk to live outside the monastery in accordance with the provisions of universal law (CIC 665.1).

D 80.1. Permission to live outside the monastery, unless for reasons of health, studies, or an apostolate exercised in the name of the monastery, may not be granted for longer than one year.

D 80.2. The abbot, with the consent of the council of seniors, and, if the monk is a cleric, with the prior consent of the ordinary of the place where the monk is to reside, may grant a monk permission to live outside the monastery for reasons other than those cited in D 80.1.

D 80.3. In such cases, the following procedure is to be observed:

D 80.3.1. The monk must request in writing the permission to live outside the monastery, indicating the reason for the request and the length of time for which he is seeking the permission. The length of time must not exceed one year.

D 80.3.2. The permission is to be given in writing and must include the following (see Appendix 5):

- 1â, the name of the person for whom it is granted;
- 2â, at least a summary of the reasons for the permission;
- 3â, the length of time for which it is granted;
- 4â, from which obligations, if any, the monk is free during his absence;
- 5â, whether the monk is permitted to wear the monastic habit and whether he retains active and passive voice in the monastic chapter during the period of absence;
- 6â, the terms of any financial agreements made between the monk and the abbey and whether the abbey is liable for any debts or actions or omissions or obligations incurred by the monk during his absence;
- 7â, the provision that if the monk does not return at the end of the period for which the permission is granted he may be subject to dismissal from the monastery.

D 80.3.3. The abbot and the monk are to sign the written permission, one copy of which is to be kept in the monastery and one by the monk.

C 81. There exists a mutual responsibility to nurture the bonds of fraternal charity between monks living in the monastery and monks living outside the monastery. Each monastery should develop practices that facilitate contact.

C 82. If a monk wishes to embrace the eremitical life, the abbot, after consulting the council of seniors, may permit him to do so, either for a definite or for an indefinite period of time. The hermit monk must submit his rule of life to the abbot for his approval and he remains subject in obedience to the abbot.

Article 5 - WORK

C 83. Work is essential in the life of the monk. Therefore, the monk takes up his daily work as a task full of hope and promise, as a means of providing livelihood for himself and his community, and as a service to his brothers, to the Church, and to the world at large.

C 84. The monasteries of our Congregation are not, by their nature, bound to specific endeavors. Each monastic community should pursue work that is consonant with its own wholesome traditions and its place in the local and universal Church. In each generation it is to reflect critically upon the appropriateness of the work in which it is engaged.

C 85. The work of the monks and the monasteries of the Congregation are meant to concretize the fundamental values they profess, namely, the primacy of God and the things of God, a reverence for the sacred, and a profound awareness of the meaning of one's existence. This work must reflect the monastic commitment to prayer, silence, community, and perseverance.

C 86. It is the responsibility of the abbot to ensure that a monk is not assigned work that precludes sufficient time for prayer and lectio divina.

C 87. No monk is to accept duties, offices, or any other work outside the monastery without the permission of the abbot.

D 87.1. Since publications and media appearances involve the name of a community in a public way, before undertaking such projects a monk is to secure the requisite permissions (cf. CIC 831, 832).

D 87.2. In the apostolates of the monasteries of the Congregation every effort should be made to communicate in an appropriate way the values that the monks themselves profess (cf. C 85).

CHAPTER V - THE SEPARATION OF MONKS FROM THE MONASTERY

Article 1 - TRANSFER TO A MONASTERY OF THE AMERICAN-CASSINESE CONGREGATION

C 88. For a perpetually or temporarily professed monk of any monastery within the Benedictine Confederation to transfer to a monastery of the American-Cassinese Congregation, the prescriptions of universal law (CIC 684.3) and the norms of the proper law of the Congregation must be followed.

D 88.1. The stability of a perpetually professed monk may be transferred only after the monk has completed a period of probation of at least one year living in the monastery to which he wishes to transfer.

D 88.2. The procedure for the transfer of stability is as follows:

D 88.2.1. The monk who wishes to transfer must obtain the written permission of his own superior who is competent to give such a permission.

D 88.2.2. The monk is to write a petition to the abbot of the monastery to which he wishes to transfer, asking for admittance to that monastery. Included with the petition must be a copy of the written permission of his superior to pursue the transfer.

D 88.2.3. With the consent of the monastic chapter of the monastery to which the monk wishes to transfer, the abbot of that monastery may admit the monk to the period of probation.

D 88.2.4. After the monk has completed his period of probation, the abbot, with the consent of the monastic chapter of the monastery to which he wishes to transfer, may issue a rescript accepting the monk and transferring his stability (see Appendix 6). This decree is to be kept in the archives of the monastery; an authenticated copy is to be sent to the appropriate superior of the monk who transferred.

D 88.2.5.1 The stability of a monk who is elected or appointed abbot of a monastery other than that of his profession is, from the moment of his confirmation, transferred to the monastery of which he becomes abbot.

D 88.2.5.2 When such a monk ceases to be the governing abbot, he has the option of retaining his stability in the monastery in which he has served as abbot or of returning to the monastery of which he was a monk at the time of his abbatial election or appointment. In the latter case, the provisions of D 88.1 and D 88.2.1-4 do not apply.

D 88.2.5.3 The intention of the former abbot to transfer his stability back to the monastery in which he was a monk at the time of his abbatial election or appointment must be stated in writing within one year of the cessation of his abbatial office. The transfer of stability is effective upon receipt of the written statement by the abbot of the monastery to which the monk is returning. A

copy of his statement is to be kept in the archives of each of the two monasteries. Notification should be sent to the President of the Congregation by the abbot who is transferring.

D 88.3. The stability of a temporarily professed monk may be transferred only after the monk has completed at least one year of probation living in the monastery to which he wishes to transfer. However, he may not be admitted to solemn profession in the monastery to which he wishes to transfer until he has spent at least three years of probation living there.

D 88.4. The procedure for the transfer of stability is as follows:

D 88.4. 1. The monk who wishes to transfer must obtain the written permission of his own superior who is competent to give such a permission.

D 88.4.2. The monk is to write a petition to the abbot of the monastery to which he wishes to transfer, asking for admittance to that monastery. Included with the petition must be a copy of the written permission of his superior to pursue the transfer.

D 88.4.3. With the consent of the monastic chapter of the monastery to which the monk wishes to transfer, the abbot of that monastery may admit the monk to the period of probation.

D 88.4.4. If the time for which the monk has made temporary profession elapses before he has spent one year of probation in the monastery to which he wishes to transfer, the abbot of that monastery, with the consent of the monastic chapter, may admit him to temporary profession for the length of time necessary to complete the first year of probation.

D 88.4.5. 1. After the monk has completed the first year of probation in the monastery to which he wishes to transfer, the transfer of stability as a temporarily professed monk may take place in accord with no. 6 below.

D 88.4.5. 2. If the transfer of stability does not take place at the end of the first year, it may take place during the second or third year of probation; when, for example, the time for which the monk made temporary profession in the monastery from which he wishes to transfer elapses.

D 88.4.5. 3. At the end of three years of probation, the monk must either be admitted to solemn profession in the monastery to which he wishes to transfer (by which act his new stability is established); or transfer his stability as a temporarily professed monk; or return to the monastery of his first profession.

D 88.4.6. 1. If the transfer is to be effected by decree in accord with D 88.4.5.1, D 88.4.5.2 or D 88.4.5.3, the abbot, with the consent of the monastic chapter of the monastery to which the monk wishes to transfer, may issue a rescript accepting the monk and transferring his stability (see Appendix 6). This decree is to be kept in the archives of the monastery; an authenticated copy is to be sent to the appropriate superior of the monk who transferred.

D 88.4.6. 2. If the transfer is to be effected by temporary profession in accord with D 88.4.5.1, D 88.4.5.2 or D 88.4.5.3, the abbot, with the consent of the monastic chapter of the monastery to which the monk wishes to transfer, may admit the monk to temporary profession when the time of his profession for the monastery from which he wishes to transfer elapses.

Notification of the profession is to be sent to the appropriate superior of the monk who transferred.

D 88.4.6. 3. If the transfer is to be effected by solemn profession, the provisions of the proper law of the Congregation must be observed. Notification of the profession is to be sent to the appropriate superior of the monk who transferred.

D 88.4.7 To the extent that they are applicable, the provisions of D 90.4, D 90.5, and D 90.6 are to be observed.

C 89. A perpetually professed monk who is a member of a monastic congregation or institute that follows the Rule of Saint Benedict but is not a member of the Benedictine Confederation may be admitted to probation in a monastery of the American-Cassinense Congregation in accordance with the provisions of CIC 684.1 and the procedures established in the proper law of the Congregation. A new novitiate is not required.

D 89.1. The following procedure is to be observed:

D 89.1.1. Once the monk has obtained the permission of his own superior who is competent to give such a permission, the abbot of the monastery to which he wishes to transfer, with the consent of the monastic chapter, may admit him to a one year probation in the monastery.

D 89.1.2. At the end of the year, the monk, with the written consent of the competent superior and council of the institute from which he wishes to transfer, is to make application for transfer in writing to the abbot of the monastery to which he wishes to transfer (cf. CIC 684.1).

D 89.1.3. The abbot then presents the request to the monastic chapter.

D 89.1.4. With the consent of the monastic chapter, the abbot may then clothe the monk in the habit of the monastery to which he is transferring. The monk is to have the status of a junior monk for a period of not less than three nor more than six years, the provisions of CIC 685.1 being observed.

D 89.2. When all the stages of probation have been completed, the abbot, with the consent of the monastic chapter, may admit the monk to solemn profession in accordance with the proper law of the Congregation (cf. CIC 685.2).

D 89.3. If at any time the monk chooses not to persevere in the monastery, or is not admitted to a further stage of probation, or is not admitted to solemn profession, he is to return to his former institute, unless an indult of departure (secularization) has been obtained (CIC 684.2).

D 89.4 To the extent that they are applicable, the provisions of D 90.4, D 90.5, and D 90.6 are to be observed.

C 90. Perpetually professed religious not provided for in C 88 89 may be admitted to probation in a monastery of the Congregation in accordance with the provisions of CIC 684.1 and the procedures established in the proper law of the Congregation. A new novitiate is always required (cf. CIC 684.4).

D 90.1. The following procedure is to be observed:

D 90.1.1. Once the religious has obtained the permission of his own superior who is competent to give such a permission, the abbot of the monastery to which he wishes to transfer, with the consent of the council of seniors, may admit him to a period of probation in the monastery. The length of this period of probation and its circumstances are to be decided by the abbot.

D 90.1.2. At the end of this period of probation the religious, with the written consent of the competent superior and council of the institute from which he wishes to transfer, is to make application for transfer in writing to the abbot of the monastery to which he wishes to transfer (cf. CIC 684.1).

D 90.1.3. The abbot then presents the request to the monastic chapter.

D 90.1.4. With the consent of the monastic chapter, the abbot may admit the religious to the novitiate in the monastery.

D 90.1.5. At the end of the novitiate the religious is to be clothed in the monastic habit and have the status of a junior monk for a period of not less than three nor more than six years, the provisions of CIC 685.1 being observed.

D 90.2. When all the stages of probation have been completed, the abbot may, with the consent of the monastic chapter, admit the religious to solemn profession in accordance with the proper law of the Congregation (cf. CIC 685.2).

D 90.3. If at any time the religious chooses not to persevere in the monastery, or is not admitted to a further stage of probation, or is not admitted to solemn profession, he is to return to his former institute, unless an indult of departure (secularization) has been obtained (CIC 684.2).

D 90.4. From the time a capitular of a monastery of the American-Cassinese Congregation receives the written permission of his abbot to begin the process of transfer, he lacks active and passive voice in the monastic chapter of his monastery. If he returns, active and passive voice in the chapter are restored.

D 90.5. When a monk of a monastery of the American-Cassinese Congregation has completed the process of transfer, the abbot of the monastery from which the monk transfers is to:

D 90.5. 1. keep a record of the transfer in the archives of his own monastery;

D 90.5. 2. send authenticated copies of all pertinent documents (e.g., baptismal certificate, profession and ordination documents) to the appropriate superior of the monastery or institute to which the monk is transferring.

D 90.6. When a monk or religious transfers to a monastery of the American-Cassinese Congregation, the abbot of the monastery is to:

D 90.6. 1. secure authenticated copies of all pertinent documents from the appropriate superior;

D 90.6. 2. insure that new versions are drawn up of those documents that require rewriting in view of the transfer (e.g., last will and testament).

Article 2 - DEPARTURE FROM THE MONASTERY

C 91. The abbot, with the consent of the council of seniors, may, for a grave reason, grant an indult of exclaustation for not more than three years to a solemnly professed monk of his own monastery according to the prescriptions of CIC 686.1. The procedures and consequences established in the proper law of the Congregation are to be observed.

D 91. The following procedure is to be observed:

D 91. 1. The monk must request the indult of exclaustation in writing, indicating the reason for the request and the length of time for which he is seeking exclaustation.

D 91. 2. The abbot is to present the request to the council of seniors for their consideration.

D 91. 3. The council is to vote on the request by secret ballot.

D 91. 4. With the consent of the council and, if the monk is a cleric, with the prior consent of the local ordinary where the monk is to reside, the abbot may then issue the indult of exclaustation (see Appendix 7). The indult must include the following:

1â, the name of the person for whom it is granted;

2â, at least a summary of the reason(s) for which it is granted;

3â, the length of time for which it is granted;

4â, that, in accordance with CIC 687, the monk is free from obligations that are incompatible with his new condition of life and that at the same time he remains dependent on and subject to the care of the abbot and the local ordinary, especially if he is a cleric;

5â, whether or not the monk is permitted to wear the monastic habit during the time of exclaustation;

6â, that the monk lacks active and passive voice in the monastic chapter during the period of exclaustation;

7â, a disclaimer stating that the monastery is not liable for any debts or actions or omissions or obligations whatsoever incurred by the monk;

8â, the terms of any financial agreements that may be necessary.

D 91. 5. The abbot is to sign and date the indult.

D 91. 6. The indult of exclaustation takes effect upon presentation to the monk who requested it.

D 91. 7. A statement that the indult has been received is to be signed by the monk.

D 91. 8. An authenticated copy of the indult and the statement of receipt are to be kept in the monastery archives.

C 92. If a monk does not return to the monastery at the end of a period of exclaustation or other lawful absence, or if a monk is unlawfully absent from the monastery, the monastery is not liable for any debts or actions or omissions or obligations whatsoever incurred by the monk (cf. CIC 665.2).

D 92.1. Prior to the expiration of an indult of exclaustation, the abbot is to notify the exclaustated monk that the period of exclaustation is nearing an end and that the monk must either return to the monastery or make other provisions in accordance with universal law and the proper law of the Congregation. He is to remind the monk of the provisions of C 92.

D 92.2. 1. If a monk is unlawfully absent from the monastery, the abbot is to make every reasonable effort to assist the return of the monk.

D 92.2. 2. The abbot, after consulting the council of seniors, may make a written declaration stating that the monk is unlawfully absent and, for the sake of civil law, that the provisions of C 92 apply to the monk in question (see Appendix 8).

D 92.2. 3. If contacting the monk is possible, the abbot is to inform the monk of this action, request a response from the monk within ten days, and encourage his immediate return to the monastery.

D 92.2. 4. If the monk fails to respond or if the nature of the case is such that it can be established that the monk has no intention of returning to the monastery, the abbot, with the consent of the council of seniors, may inform the monk that if he does not return to the monastery within ten more days a formal process of dismissal will be initiated.

D 92.3. The abbot may initiate a process of dismissal for a monk who has been unlawfully absent for six months after the declaration referred to in D 92.2.2 (cf. CIC 696.1, 697).

C 93. For grave reasons the abbot, with the consent of the council of seniors, may initiate a petition through the President of the Congregation that exclaustation be imposed by the Apostolic See on a monk of his own monastery or of a monastery dependent on his own. The procedures established in the proper law of the Congregation are to be observed (CIC 686.3).

D 93. The following procedure is to be observed:

D 93. 1. The abbot is to collect or complete proofs of the gravity of the reason for the petition.

D 93. 2. After having received the consent of his council, the abbot is to notify the monk in writing or before two witnesses that the petition for imposed exclaustation is being initiated and clearly indicate the reasons for it. The monk is to be given full opportunity for self defense.

D 93. 3. If, after ten days, the abbot and the council consider that the reasons for initiating the petition remain and that the defense of the monk is insufficient, the abbot is to transmit to the President of the Congregation the petition to impose exclaustation and all the acts of the procedure, signed by the abbot and two witnesses. Any written response by the monk is also to be transmitted to the President.

D 93. 4. The petition is to contain the reasons for which the petition is made, the length of time for which the imposed exclaustation is being requested, and the terms of any financial agreements that may be necessary. If the monk is a cleric, the written consent of the ordinary of the place where he is to reside is also to be included as part of the acts.

D 93. 5. The monk is to be notified in writing or before two witnesses that the petition has been forwarded to the President of the Congregation. He is also to be informed of his right of recourse to the President.

D 93. 6. If, after fifteen days, the President and his council consider that the reasons for the petition remain and that the defense of the monk is insufficient, the President, with the consent of his council, may petition the Apostolic See to impose exclaustation on the monk.

D 93. 7. The President is to notify the abbot and the monk that the petition has been made to the Apostolic See.

D 93. 8. When the response of the Apostolic See has been received, the President is to notify the abbot of the provisions of the response. It is the responsibility of the abbot to communicate the response as soon as possible to the monk.

C 94. 1. A monk in temporary vows may leave the monastery when the time for which he made his profession expires (CIC 688.1).

C 94. 2. During the period of temporary profession a monk who asks to leave the monastery for a grave reason may be granted an indult to leave by the abbot, with the consent of the council of seniors (cf. CIC 688.2; see Appendix 9).

C 95. A monk in solemn vows is not to seek an indult to leave the monastery without very grave reasons weighed before the Lord. His petition, including the reasons for requesting the indult, is to be presented to the abbot of his own monastery, who is to observe procedures established in the proper law of the Congregation (CIC 691).

D 95. The abbot is to observe the following procedure:

D 95. 1. Within thirty days after receiving the petition, the abbot is to convoke the council of seniors to consider the matter.

D 95. 2. The abbot is to ask the members of the council to express by secret ballot their opinion regarding the petition.

D 95. 3. The abbot is to transmit to the President of the Congregation the petition of the monk, the opinion of the council of seniors, and the abbot's own opinion. If the monk is a cleric, a written statement from the bishop of the diocese who may incardinate the monk in accordance with CIC 693 must also be included.

D 95. 4. The President of the Congregation is to review the case. If he finds the material satisfactory, he is to transmit it, with notice of his approval, to the Apostolic See.

D 95. 5. The monk who made the petition is to be kept informed of the progress of his petition.

D 95. 6. The monk may have recourse to the President of the Congregation and his council if action on his petition is unduly delayed or if his petition is not supported by the abbot or the council of seniors.

D 95. 7. When the response of the Apostolic See has been received by the President, it is to be transmitted to the abbot, who, mindful of the provisions of CIC 692, is to present it to the monk.

C 96. A monk who, after completing the novitiate or after profession in any monastery of the American Cassinese Congregation, has left the monastery legitimately can be readmitted to any monastery of the Congregation by the abbot of the monastery to which he wishes to be admitted, with the consent of the monastic chapter of that monastery, without having to re-peat the novitiate. After consulting the council of seniors, the abbot is to determine the nature and length of the probation before the profession of temporary vows, and the time to be spent in temporary vows before solemn profession. These determinations must be in accord with CIC 655 and 657 as well as the proper law of the Congregation (CIC 690.2).

D 96. 1. The consent of the monastic chapter is required for the monk to be admitted to the probationary period and to make temporary and solemn profession. If the monk is admitted to the probationary period, he does not have to make a new novitiate.

D 96. 2. The monk must be in temporary vows at least three years before making solemn profession.

Article 3 - DISMISSAL FROM THE MONASTERY

C 97. A monk may be dismissed from the monastery only in accordance with universal law and the procedures established in the proper law of the Congregation (cf. CIC 694 703; see Appendix 10).

C 98. It is the responsibility of the abbot to complete the procedures assigned by universal law to the major superior.

C 99. Except in cases of ipso facto dismissal (CIC 694), the abbot is to send all acts of the case to the President of the Congregation for review and transmission to the Apostolic See.

D 99. 1. In cases of dismissal the President and his council fulfill the duties assigned by universal law to the supreme moderator and his council (cf. CIC 698-700).

D 99. 2. The President must act collegially with his council which, in this instance, must be composed of at least four members. The collegial decision is binding upon the President.

D 99. 3. If the President is impeded from fulfilling his duties in an individual case, the duty of the President devolves upon a member of the council in the order prescribed by the proper law of the Congregation (cf. C 118.1, 118.2). Likewise, if members of the council are impeded from acting in an individual case, the President may appoint substitutes who are perpetually professed monks of a monastery of the Congregation in order to fulfill the requisite minimum number of four members (cf. C 120).

D 99. 4. When confirmation of the dismissal is received from the Apostolic See, the President is to notify the abbot, who communicates the decree to the dismissed monk.

C 100. In all cases mentioned in CIC 695 and 696, the right of a monk to communicate with and offer a defense directly to the President of the Congregation remains intact (CIC 698).

CHAPTER VI - PROCEDURES FOR VOTING

Article 1 - GENERAL NORMS

C 101. The procedures for voting specified in the proper law of the Congregation are to be observed.

D 101.1. The monastic chapter may permit voting by proxy except when this is forbidden by civil or canon law. Each community is to determine the procedures and conditions under which proxies are permitted. No capitular, however, may act as proxy for more than one absent capitular.

D 101.2. 1. Whenever a candidate is presented to the monastic chapter for admission to the novitiate or to profession, if there is someone present (including the abbot) who is related to the candidate by blood or marriage to the fourth degree (up to first cousins) inclusive, he is to leave the meeting during the report and discussion. He is to return to the chapter for the vote.

D 101.2. 2. This same norm applies to all other discussions of individuals either in the council of seniors or the monastic chapter.

Article 2 - PROCEDURES FOR ELECTIONS

D 101.3. With the exception of the election of an abbot, which has its own provisions, and unless the local monastic chapter, by majority vote, adopts a different procedure, the following norms are to be observed for all elections in the monasteries of the Congregation (cf. CIC 119).

D 101.4. The chapter must be convoked in accordance with C 27. The provisions of CIC 166.2 3 are to be observed.

D 101.5. A majority of the capitulars must be present in person or by proxy for an election (CIC 119.1).

D 101.6. 1. An absolute majority of those present is required for someone to be elected on the first ballot (CIC 119.1). The majority is determined on the basis of the number of those present at the time of the voting in person or by proxy, regardless of whether or not their votes are invalid or abstentions.

D 101.6. 2. If no absolute majority is achieved on the first ballot, a second ballot is taken. An absolute majority of those present is required for someone to be elected on the second ballot.

D 101.6. 3. If no absolute majority is achieved on the second ballot, a third ballot is taken. On this ballot the choice is between the two candidates who have obtained the greater number of votes, or, if there are several with the same number of votes, between the two who are senior by

monastic profession. If two monks receive the same number of votes on the third ballot, that one is elected who is senior by monastic profession.

Article 3 - PROCEDURES FOR VOTING WHEN CONSENT IS REQUIRED

D 101.7. Unless otherwise explicitly stated in the proper law of the Congregation and unless the local monastic chapter, by majority vote, adopts a different procedure that is in conformity with universal law, the following procedure must be observed in the monasteries of the Congregation for all cases when the consent of a chapter or council is required (cf. CIC 127).

D 101.8. The capitulars or councillors are to be summoned in accordance with C 27 and C 31 and the provisions of CIC 166.

D 101.9. Only one ballot is taken. An absolute majority of the capitulars present in person or by proxy at the time of the voting is required for a resolution to pass.

D 101.10. If an absolute majority is not achieved or if there is a parity of votes, the required consent is not obtained. The abbot may, however, present the matter again at a later date.

Article 4 - PROCEDURES WHEN CONSULTATION IS REQUIRED

D 101.11. When universal law or the proper law of the Congregation requires that the abbot consult either the monastic chapter or the council of seniors, those bodies must be convoked. The following procedure is to be observed:

D 101.11. 1. The counsel of all present is to be sought (CIC 127.1).

D 101.11. 2. The abbot may ask that a consultative vote be taken by secret ballot. If he wishes, he may announce the results of the vote, but he is not bound to do so.

PART II - DEPENDENT PRIORIES

CHAPTER I - THE ESTABLISHMENT OF A DEPENDENT PRIORY AND ITS GOVERNANCE

C 102. An autonomous monastery, in accordance with the norms set down in the proper law of the Congregation and with the intention that the foundation may eventually be erected into an abbey, may establish a dependent priory in which the monastic life according to the Rule of Saint Benedict and these Constitutions is lived.

D 102.1. Before a dependent priory may be established, the following conditions must be met:

1â, There must be at least four monks available to lead the common life and to celebrate communally the monastic liturgy of the hours and the Eucharist.

2â, Adequate provision must be made to establish enclosure.

3â, The written consent of the bishop of the diocese in which the foundation is to be made must be obtained.

4â, The monastic chapter of the founding monastery must give its consent.

D 102.2. 1. With the consent of the monastic chapter, the abbot of the founding monastery is to issue a charter for the dependent priory.

D 102.2. 2. The charter is to set forth the principal rights and obligations of the priory (see Appendix 11).

D 102.3. 1. After consultation with the council of seniors, the abbot of the founding monastery is to appoint the prior of the dependent priory, who must be a solemnly professed monk.

D 102.3. 2. Normally the prior is to be a member of the founding monastery. With the written permission of his own abbot, a monk from another monastery of the Congregation may be appointed. If a monk from another Congregation is to be appointed prior, the written consent of the President of the American-Cassinense Congregation as well as the requisite approval of the competent authority of the monk's own Congregation must be obtained.

D 102.4. By his appointment, the prior of a dependent monastery receives from the abbot of the founding monastery all the jurisdiction that the abbot is capable of delegating to be exercised for the priory; however, particular jurisdiction may be reserved explicitly by the abbot, who remains the ordinary for the monks assigned to or accepted for the dependent priory.

D 102.5. 1. Each dependent priory in which there are at least four capitulars has a quasi chapter, which is composed of all the capitulars assigned to the priory.

D 102.5. 2. With the consent of the quasi chapter, the prior may invite other members of the community to participate in the quasi-chapter, but without the right to vote.

D 102.5. 3. Recommendations of the quasi chapter should not be rejected by the abbot or the monastic chapter without serious reason.

D 102.5. 4. A copy of the minutes of the meetings of the quasi chapter is to be sent to the abbot of the founding monastery within thirty days of each meeting.

D 102.5. 5. To the extent and in the manner that they are applicable, the provisions of C 25-28 are to be observed.

D 102.6. 1. Each dependent priory in which there are at least eight capitulars is to have a council of seniors; the number of capitulars who are to be members is determined by the quasi-chapter. However, the council must be composed of at least two capitulars, one appointed by the prior and one elected. If the council is larger, for each capitular appointed by the prior, one must also be elected.

D 102.6. 2. To the extent and in the manner that they are applicable, the provisions of C 29-31 are to be observed.

D 102.7. 1. With the consent of the abbot of the founding monastery, the prior is to appoint the necessary officials of the dependent priory.

D 102.7. 2. In those priories that have a council of seniors, the prior must also consult the council before appointing officials.

D 102.7. 3. The procurator must always be a capitular other than the prior (CIC 636).

D 102.8. 1. A monk assigned to a dependent priory retains the rights and obligations of the monastery of his profession until the priory becomes an abbey. He may then transfer his stability to the new abbey or return to the monastery of his profession.

D 102.8. 2. A monk assigned to a dependent priory retains the right of recourse to the abbot of the founding monastery, although in the meantime the command of the prior is not suspended.

D 102.9. 1. Candidates are to be sent to the novitiate of the founding monastery, unless the abbot and monastic chapter of the founding monastery have consented to an alternate arrangement (C 36).

D 102.9. 2.1. The abbot may delegate to the prior the right to admit candidates to any periods of probation, to the novitiate, to first profession, and to solemn profession.

D 102.9. 2.2. The monastic chapter may delegate to the quasi chapter its right to consent to the admission of candidates to any periods of probation, to the novitiate, to first profession, and to solemn profession.

D 102.9. 2.3. Profession is made for the dependent priory. Upon making solemn profession, a monk of a dependent priory acquires full chapter rights in the founding monastery.

D 102.10. The property of a dependent priory is to be held in a manner consonant with universal and civil law.

D 102.11. Before the priory can become an abbey, the following conditions must be met:

1â, A written statement of their desire to establish or maintain stability in the new abbey must be made by at least twelve solemnly professed monks.

2â, The priory must be financially independent and have reasonable assurance that it will remain so.

3â, The bishop of the diocese in which the priory is established must be consulted.

4â, The consent of the monastic chapter of the founding monastery must be obtained.

5â, Once the conditions have been met and the required consent has been obtained, it is the responsibility of the abbot of the founding monastery to present to the President of the Congregation the petition that a priory be raised to the status of an abbey.

6â, The recommendation of the President, having consulted his council, is presented with the petition to the general chapter.

7â, The approval of the general chapter must be obtained.

D 102.12. The President of the Congregation, acting in the name of the general chapter, is to issue a decree establishing the new abbey. When the decree becomes effective, the stability of those who made the written declaration of intention (D 102.11.1) is by that fact validly transferred to or maintained in the new abbey.

D 102.13. When a new abbey has been established, the election of an abbot is to be held as soon as possible; it must not be postponed beyond three months.

D 102.14. Repayment of money spent by a monastery to establish a dependent priory cannot be demanded, under the title of either justice or charity, unless the monastic chapter of the founding monastery voted to give the money under such a condition, and the quasi chapter voted to accept it under such a condition.

D 102.15. 1. If the membership of a dependent priory decreases to fewer than four monks and if this condition continues for two years, the house is automatically suppressed by the proper law of the Congregation.

D 102.15. 2. The abbot of the founding monastery may suppress a dependent priory with the consent of the monastic chapter and having consulted the monks living at the priory and the bishop of the diocese in which the priory is located (cf. CIC 616.1).

D 102.16. Should a dependent priory be suppressed, every effort must be made to provide for the persons involved. The stability of the monks who made profession for the dependent priory is automatically fully transferred to the founding monastery. Without prejudice to the intentions of the donors, the property of the dependent priory reverts to the founding monastery (cf. CIC 616.1) unless local laws and customs dictate otherwise.

CHAPTER II - THE ADOPTION OF AN ESTABLISHED MONASTERY AS A DEPENDENT PRIORY

C 103. When an independent or dependent monastery seeks dependency on an abbey of the American-Cassinese Congregation, all the provisions of the proper law of the Congregation concerning the establishment of a dependent priory (D 102.1 D 102.16) are to be observed to the extent and in the manner that they are applicable. For adoption of an established monastery, the proper law of the Congregation also contains provisions that either supplement or replace those made for the establishment of a dependent priory.

D 103.1. In addition to the conditions listed in D 102.1, the following must be met before an established monastery may be adopted:

D 103.1. 1. If it is an independent monastery already, the consent of the chapter must be given to seek dependent status, unless this action has been mandated by the general chapter for a monastery of our Congregation.

D 103.1. 2. If it is a monastery dependent on another abbey or on a congregation, the consent of the chapter of the abbey or the competent authority of the congregation on which it is dependent must be given. In addition, the consent of the quasi chapter or its equivalent in the dependent priory must be given.

D 103.2. Once the conditions of D 102.1 and D 103.1 have been met, the abbey and the adopted monastery are to enter into a probationary relationship for a period of not less than one year nor more than five years to allow sufficient time for both communities to assess the likelihood of success in the adoption. During this period the abbey has the rights and obligations of a founding house and the adopted monastery those of a dependent priory, exclusive of chapter rights in the adopting abbey. Likewise, any rights that the adopted monastery may have in any other chapter are suspended.

D 103.3. 1. When the probationary period has been completed, the relationship is to be reviewed and the requisite consents (D 103.1) are to be obtained again, this time for final adoption.

D 103.3. 2. A final juridic relationship is established only after the probationary period is concluded.

D 103.4. 1. When an established monastery is adopted, the monks of that monastery become monks of the dependent priory under the same conditions as specified in D 102.9.3.

D 103.4. 2. A monk assigned from the abbey to an adopted priory retains the rights and obligations of the monastery of his profession until the adopted priory becomes an abbey in the usual way.

D 103.4. 3. All monks at the adopted priory retain the right of recourse to the abbot of the adopting abbey, although in the meantime the command of the prior is not suspended.

PART III - MATTERS PERTAINING TO THE CONGREGATION

CHAPTER I - THE GOVERNMENT OF THE CONGREGATION AND ITS OFFICIALS

C 104. The government of the American-Cassinese Congregation as such resides with the general chapter, the President of the Congregation, and the council of the President, according to the norms of universal law and the proper law of the Congregation.

D 104. The procedures for voting established in D 101.1 D 101.11 are to be observed by the general chapter and the council of the President, with due regard for exceptions contained in the proper law of the Congregation.

Article 1 - THE GENERAL CHAPTER

C 105. The relationship that exists among the autonomous monasteries of the Congregation is nowhere more visible than in the general chapter. Gathered as brothers, the abbots and the delegates representing each monastery form the body that not only is the supreme authority of the Congregation, but also can promote for all the monasteries a fidelity to their Benedictine heritage and can encourage appropriate renewal (CIC 631).

C 106. The general chapter elects the President of the Congregation and his council and has the right to legislate for the Congregation (CIC 631).

C 107. The general chapter is to be convoked every three years by the President of the Congregation. With the consent of his council, the President may convoke an extraordinary general chapter for a grave cause.

D 107.1. The President, having consulted his council, selects the place of meeting, usually with the endorsement of the general chapter.

D 107.2. 1. At least nine months before the opening of an ordinary general chapter the President of the Congregation is to send a letter of convocation to all of the member monasteries, indicating the time and place of the general chapter, urging the election of delegates at once, and asking that propositions to be discussed at the chapter be submitted to him within three months.

D 107.2. 2. All monks of the monasteries of the Congregation have the right to submit material to the President or to any member of his council, though it is specifically the obligation of each delegate to ascertain the wishes of his community and to submit these.

C 108. The President of the Congregation presides over the sessions of the general chapter.

D 108. If the President is unable to attend, the presidency of the general chapter follows the order of precedence established in C 118.2.

C 109. The general chapter is composed of the following members who have a right to vote:

- 1â, the President of the Congregation;
- 2â, the members of the council of the President;
- 3â, the superior of each autonomous monastery;
- 4â, the delegate from each autonomous monastery elected in accord with the prescriptions of these Constitutions (CIC 631.2).

D 109.1. Each member of the general chapter has only one vote even if he is present under more than one title (CIC 168).

D 109.2. Priors of dependent monasteries participate in the general chapter but do not have the right to vote.

C 110. A superior who for grave reasons is unable to be present at the general chapter is to appoint a capitular from his own monastery to serve as a proxy.

D 110.1. The superior is to prepare a document of delegation that his proxy is to submit to the President of the Congregation.

D 110.2. If the President of the Congregation or a member of his council is not the superior of an autonomous monastery and is unable to attend the general chapter, he does not appoint a proxy.

C 111. The monastic chapter of each autonomous monastery is to elect a capitular of the community as its delegate to the general chapter.

D 111.1. This election is to be certified by the secretary of the monastic chapter and the notification forwarded to the President before the general chapter opens.

D 111.2. The monastic chapter of each autonomous monastery is to elect another capitular to serve as a substitute for the delegate in case it becomes impossible for the latter to attend the general chapter.

D 111.3. The office of delegate to the general chapter ceases with the close of the general chapter.

C 112. The President of the Congregation establishes, with the consent of his council, the agenda for the general chapter.

D 112.1. The agenda is to be sent to all superiors and delegates four months before the general chapter opens.

D 112.2. 1. The President of the Congregation, after consultation with his council, may invite experts to the general chapter.

D 112.2. 2. The expenses of such experts are to be paid by the Congregation.

C 113.1. Provided that the action taken is not contrary to universal law, the general chapter has the right to define, by extension or restriction, to abrogate, and to modify any provision of its own official documents and any decisions of the chapter, saving the right of the Apostolic See to approve changes in the Constitutions (CIC 587.2).

C 113. 2. A decision of the general chapter requires no further confirmation unless it is contrary to universal law or to these Constitutions. The decisions of the general chapter become effective upon publication in the Acts of the general chapter, unless the general chapter itself provides otherwise in specific instances.

C 113. 3. A decision of the general chapter that requires further confirmation becomes binding when the confirmation has been given and the monasteries have been notified.

D 113.1. 1. The general chapter has the authority to forbid a monastery faced with serious financial difficulties to burden itself with additional debt or to spend money over and above the ordinary expenses of administration without the express approval of the general chapter or, in an urgent case, of the President, with the consent of his council.

D 113.1. 2. Any superior violating or disregarding this prohibition shall be immediately suspended from office by the President, having obtained the consent of his council, and, if the case demands it, shall be entirely removed from office. In the case of an abbot of a territorial abbacy, the universal law must be observed.

D 113.2. The minutes of the general chapter are the responsibility of the executive secretary of the Congregation, though non members of the general chapter may be employed as recording secretaries. The executive secretary is to prepare the Acts and Decrees for publication. Following the approval of the President, the Acts and Decrees are published, copies of which are to be made available to each member of the Congregation in a manner determined by the President after consulting his council.

Article 2 - THE PRESIDENT OF THE CONGREGATION

C 114. The President of the Congregation represents in a personal way the particular bond of unity that exists among the member monasteries of the Congregation.

D 114.1. The President is the personal representative of the Congregation in relations with other Benedictine congregations, with the Benedictine Confederation, with the superiors of other institutes of consecrated life, and with other competent authorities in the Church.

D 114.2. From the President's initiative or with his support, ways of more effective cooperation among the monasteries of the Congregation may develop and prosper.

C 115. 1. The President has that power of governance over the Congregation that universal law (CIC 620) and the proper law of the Congregation attribute to him.

D 115.1. The President has the authority to give an authentic interpretation of the proper law of the Congregation in individual cases, with due regard for the prescriptions of C 5.1.

C 115.2. The President is to administer the affairs of the Congregation in accord with the requirements of universal law and the proper law of the Congregation.

D 115.2. It is his responsibility:

- 1â, To convoke and preside at a general chapter;
- 2â, To insure that the decisions of the general chapter are implemented;
- 3â, To convoke and preside at meetings of his council;
- 4â, To give direction or to make decisions in matters presented to him between meetings of the general chapter or the council of the president, always in accord with the provisions of universal law and the proper law of the Congregation;
- 5â, To preside at the election of an abbot; likewise, to confirm the election or admit a postulation;
- 6â, To accept the resignation of an abbot and to set the date on which the office becomes vacant;
- 7â, To maintain vigilance over the financial situation of the monasteries of the Congregation by appropriate means;
- 8â, To provide for visitation of the monasteries of the Congregation;
- 9â, To grant dispensations, in individual cases, from the proper law of the Congregation;
- 10â, To make provisions for the monks and property of a suppressed autonomous monastery;
- 11â, To submit petitions and required reports to the Apostolic See in the name of and for the Congregation;
- 12â, To convoke his council to act with him as a tribunal when so required by law;
- 13â, To call for the required subsidies from the houses of the Congregation, to administer the funds of the Congregation, to present a financial statement to the general chapter, and, at the end of his term, to turn over all funds to his successor;
- 14â, To appoint an archivist for the Congregation;
- 15â, To maintain a file of all documents and correspondence pertaining to the Congregation; at the end of his term of office, to send the current material to his successor and the remainder to the archives of the Congregation at Saint Vincent Archabbey.

C 116. The President of the Congregation is elected by the general chapter for a term of six years. Upon acceptance of election the President assumes jurisdiction. He may be reelected indefinitely.

C 117. Any monk of the Congregation who possesses the qualifications for the office of abbot specified in C 13 may be elected President of the Congregation.

D 117.1. 1. The election of the President and his council shall be the last item on the agenda of the general chapter.

D 117.1. 2. Early in the general chapter, a preliminary ballot shall be taken in which each capitular may nominate two candidates for the office of President of the Congregation.

D 117.2. If the monk elected is not an abbot, he does not receive the abbatial blessing.

C 118.1. The first councillor assumes the responsibility of the President of the Congregation whenever it is impossible for the President to act in his own behalf, and for those matters which affect the President as the superior of an autonomous monastery.

C 118.2. If the President dies in office, resigns, or becomes impeded from exercising his office, the first councillor assumes the office of president until the next general chapter. If the first councillor is impeded, the presidency passes to the second councillor and so on to the third and fourth, to the executive secretary, and then to the abbot with jurisdiction who is senior by election.

D 118.1. If, for serious reason, the President decides to resign his office, he is to prepare a document of resignation indicating the date on which the resignation is to be effective. He is to submit this document to the first councillor, though acceptance of the resignation of the President by the first councillor or by anyone is not required.

D 118.2. If it appears that the President is impeded from fulfilling his office, it is the responsibility of the first councillor to make the decision, with the consent of the remaining members of the council, whether the President is actually impeded.

C 119.1. In the discharge of his duties the President of the Congregation is to be assisted by an executive secretary who is to be a solemnly professed member of a monastery of the Congregation.

C 119.2. The executive secretary of the Congregation is nominated by the President of the Congregation for a term of three years, subject to the consent of the general chapter. He serves as secretary of the meetings of the council of the President and of the general chapter.

C 119.3. The executive secretary ranks last in seniority on the council of the President.

C 119.4. If the executive secretary dies, resigns, changes his status, or becomes impeded from exercising his office, the President, with the consent of his council, is to appoint another monk to take his place until the next general chapter.

C 120. Qualified individuals, normally monks from monasteries of the Congregation, may be appointed by the President, with the consent of his council, to assist him in the discharge of his duties.

D 120.1. 1. The Congregation will retain the services of a procurator to the Apostolic See who is nominated by the President of the Congregation for a term of three years and approved by the general chapter. Should the procurator be unable to fulfill his duties, the President, with the

consent of his council, is to appoint another monk to serve as procurator until the next general chapter.

D 120.1. 2. The procurator is to receive appropriate remuneration from the Congregation.

D 120.2. Competent accountants or financial experts, normally monks from monasteries of the Congregation, are to be employed to assist the President and his council in reviewing the annual audit reports.

Article 3 - THE COUNCIL OF THE PRESIDENT

C 121. The President is to have a council to aid him in the government of the Congregation. The president is to consult, seek the consent of, or act collegially with his council in accordance with the norms of universal law and the proper law of the Congregation (CIC 627.1).

C 122. The council of the President consists of four elected members and the executive secretary of the Congregation. Of the elected members, at the time of the election two must be abbots with jurisdiction and two must be capitulars of a monastery of the Congregation.

C 123. The first four members of the council are elected by the general chapter for a term of three years.

D 123.1. 1. To provide a list of candidates each capitular of the general chapter may name one abbot and one monk by secret ballot.

D 123.1. 2. After the election ballots, another ballot is taken to rank the elected councillors in seniority.

D 123.2. The appointment and ranking of the executive secretary of the Congregation are provided for in C 119.2 and C 119.3.

D 123.3. If any elected member of the council of the President dies, resigns, or becomes impeded from exercising his office, the President, with the consent of the remaining members of the council, may appoint another to fill out the term until the next general chapter. However, the council must never consist of fewer than four members.

C 124. The council of the President must meet at least once a year to discuss matters pertaining to the Congregation. The President may convoke the council more frequently when he deems it necessary. An extraordinary meeting of the council must be called by the President whenever three members of the council request it.

D 124. Regarding individual matters that cannot be prudently postponed until a meeting, the President may seek the consent of his council by conference call; he may consult his council by letter, telephone, or other private means of communication.

C 125.1. Between general chapters the President and his council, acting collegially, possess the authority of the general chapter to make decisions on matters for which the proper law of the Congregation has not provided. Such a decision shall be valid only until the next general chapter.

C 125.2. When the general chapter is not in session, the President has the power to decide any doubts or difficulties that may arise concerning the meaning and application of any particular prescription of the proper law of the Congregation. Such a decision, however, shall not have the force of a general law, but shall be valid only for the case that provoked it.

D 125.1. It is the responsibility of the council:

- 1â, To serve as a steering committee during the general chapter;
- 2â, To review the reports of the visitations that are sent to the President;
- 3â, To assist the President whenever specific directives given by visitators are not carried out;
- 4â, To review each year the annual audit report of the individual monasteries.

D 125.2. The consent of the council is required for the President to act in all instances specified by universal law or by the proper law of the Congregation, among which are the following:

- 1â, To remove an abbot from office;
- 2â, To decide if a special visitation of a monastery is required;
- 3â, To impose a mandate recommended by visitators;
- 4â, To decide, in urgent cases, if a monastery faced with financial difficulties may spend money over and above ordinary expenses;
- 5â, To grant a dispensation from the proper law of the Congregation;
- 6â, To decide on petitions for imposed exclaustation;
- 7â, To establish fees applicable to activities of the Congregation;
- 8â, To appoint a body to arbitrate matters submitted to him;
- 9â, To appoint a congregational tribunal as necessary;
- 10â, To approve the alienation or contracting of debts defined in D 34.3.2.

D 125.3. The President must consult with the council in all instances specified by universal law or by the proper law of the Congregation, among which are the following:

- 1â, To prepare the agenda for the general chapter;
- 2â, To review the appointment of visitators;
- 3â, To accept the resignation of an abbot and to set the effective date of the resignation;
- 4â, To appoint a temporary administrator;
- 5â, To recommend that a dependent priory be raised to the status of an abbey.

D 125.4. The council acts collegially with the President in all instances specified by universal law or by the proper law of the Congregation, among which are the following:

- 1â, To give decisions and directives in major matters that may arise between general chapters;
- 2â, To act in the formal process of dismissal (CIC 699.1);
- 3â, To review a recourse against a superior with jurisdiction;
- 4â, To approve the separation of an autonomous monastery from an academic apostolate;
- 5â, To make appropriate provisions in serious cases before the suppression of an autonomous monastery can be considered by the general chapter;
- 6â, To suppress an autonomous monastery in accordance with the conditions specified in D 9.2.3.

CHAPTER II - VISITATIONS

C 126. Visitation is the personal evaluation of a monastery by authorized representatives of the Congregation in order to assess monastic life and observance, to stimulate growth, to aid in the correction of deficiencies, and to assist the local community in the solution of any problems.

C 127.1. An ordinary visitation of each autonomous monastery of the Congregation is to be held at intervals of not fewer than three and not more than five years according to the procedures established in the proper law of the Congregation.

C 127.2. If special circumstances arise in a community, a special visitation may be requested either by the abbot of that monastery or by a majority of the members of the council of seniors, after they have informed the abbot.

C 127.3. The President, with the consent of his council, may require a special visitation when circumstances indicate that this would be beneficial.

C 128. It is the responsibility of the President of the Congregation to provide for a visitation, either ordinary or special, according to the procedures established in the proper law of the Congregation.

D 128.1. 1. Any capitular of a monastery of the Congregation may be appointed as visitor. The President is to develop a roster of potential visitors from recommendations made by capitulars of the general chapter and from other sources.

D 128.1. 2. In the case of an ordinary visitation, the team of visitors is to consist of at least two members, one of whom is to be an abbot. A single visitor is to be assigned only in exceptional cases.

D 128.1. 3. The procedure for the selection of visitors shall be as follows:

- 1â, The President, after consulting his council, is to assign a team of visitors for each monastery to be visited, taking into consideration the requests of the local community.

2â, The names of the proposed visitators shall be communicated to the abbot of each respective monastery.

3â, The abbot, after consulting his council, shall inform the President of his concurrence or shall make alternative suggestions.

4â, The final decision is to be made by the President.

5â, The President is to appoint one member of each team as chairman.

D 128.1. 4. In the case of a special visitation (C 127.2 and C 127.3), the visitation team is to consist of a minimum of three members, including the President and at least one member of his council.

D 128.2. 1. The abbot, with the consent of his council, determines whether the ordinary visitation of his monastery should be conducted at an interval of three, four, or five years after the previous ordinary visitation.

D 128.2. 2. At least a year in advance of the time thus determined, the abbot, after consulting his council, is to suggest to the President one or more suitable dates for the visitation.

D 128.2. 3. The President, in consultation with the visitators, then selects the date of the visitation and so informs the abbot.

D 128.2. 4. The abbot is to notify all the members of the community of the date of the visitation and the identity of the visitators in good time after receiving this information.

D 128.2. 5. Preparation for the visitation is to be determined by the local community and undertaken at an appropriate time.

D 128.2. 6. No less than two weeks before the opening of the visitation the abbot is to send to all the members of the community, including those stationed outside the monastery, a reminder of their rights and duties regarding the visitation, together with whatever information is available about the visitation schedule, especially about arrangements for scheduling an interview with the visitators.

D 128.3. At least one month before each scheduled visitation, each of the visitators is to receive from the abbot of the monastery to be visited a copy of the following documents:

1â, the reports made to the abbot and to the community, respectively, at the previous visitation;

2â, the implementation report filed with the President within a year following the previous visitation;

3â, a report on any preparations that have been made for the forthcoming visitation, and the results thereof.

D 128.4. Sufficient time should be available for the visitation, according to local needs and circumstances, to give unhurried attention to all aspects of the process.

D 128.5. At the beginning of the visitation:

D 128.5. 1. The chairman of the visitation team is to address the community regarding the nature and method of the visitation.

D 128.5. 2. The abbot is to submit to the visitators for their inspection:

1â, the minutes of the meetings of the chapter, of the quasi chapter of any dependent houses, of the council of seniors, and of any significant committees;

2â, a list of all the members of the community and their assignments;

3â, any other pertinent documents requested by the visitators.

D 128.5. 3. The visitators are to meet separately with the abbot and with the council of seniors.

D 128.6. 1. Each member of the community, including juniors, novices, and postulants, is to avail himself of the opportunity for an interview with the visitators. Those who do not present themselves spontaneously may be summoned by the visitators.

D 128.6. 2. Monks stationed outside the monastery who are unable to come for the visitation may submit comments in writing or be interviewed by telephone. The visitators may also, to the extent that this is feasible, go to visit those who are stationed in the vicinity of the monastery.

D 128.6. 3. Monks who are involved in the same work or who share similar concerns, and whose common interests may affect their monastic life, may request a group meeting with the visitators.

D 128.7. Visitators have an obligation to preserve the confidentiality of any information imparted to them that is of a confidential nature.

D 128.8. 1. At the conclusion of the visitation the visitators are to provide two written reports, one for the abbot and one for the chapter.

D 128.8. 2. The report for the abbot is to be discussed privately with him by the visitators.

D 128.8. 3. The report for the chapter is to be discussed first with the abbot and then with the council of seniors, and their reactions should be considered in preparing the final draft for the chapter. This final draft is to be made available to the community in writing and, after they have had sufficient time to examine it, is to be discussed with them at a community meeting.

D 128.8. 4. A copy both of the report for the abbot and of the report for the community is to be forwarded to the President by the senior visitator immediately after the visitation.

D 128.8. 5. The judgments of the visitators expressed in their reports may be classified according to the following categories:

- 1â, commendations, which recognize and commend favorable trends in the community's life and encourage their further development;
- 2â, observations, which draw attention to problems that do not directly concern the central monastic witness of the community and, while they may be important, are not of a serious or urgent nature in themselves;
- 3â, directives, which in more serious or urgent cases define specific problems and impose the obligation to seek solutions to them;
- 4â, mandates, which in the case of very serious problems or abuses define specific solutions that the community is obliged to adopt, with due regard for the prescription of D 128.8.6.2.

D 128.8. 6. 1. Directives promulgated in the visitation reports are effective immediately.

D 128.8. 6. 2. Mandates expressed in the visitation reports take effect only when they have been confirmed by the President, with the consent of his council, and when the President has notified the community of their confirmation.

D 128.8. 7. The office of the visitators ceases when they have submitted their reports to the President. The President, however, may consult them in regard to matters that may arise in the implementation of the judgments that result from the visitation.

D 128.8. 8. After examining the visitation reports, the President, with the consent of his council, may in more serious cases impose alternate or additional directives or mandates upon a monastery.

D 128.8. 9. If there are serious difficulties on the part of the local community about the fulfillment of the directives or mandates mentioned in D 128.8.6 and D 128.8.8, the abbot, with the consent of his council, is to communicate these problems or objections to the President within thirty days.

D 128.9. The implementation of a visitation is to comprise the following steps:

D 128.9. 1. Within a month after the close of a visitation, a report on the visitation process itself and on the visitators is to be submitted to the President by the abbot, after consulting his council. Upon request, a visitator may receive from the President a summary of the community's estimate of his performance.

D 128.9. 2. All directives and mandates are to be fulfilled within one year, unless another deadline has been specified by the visitators or by the President.

D 128.9. 3. Within a year after the visitation, unless the President specifies an earlier date, the abbot, after consultation with his council of seniors, is to send a report to the President to inform him of what steps have been taken to implement the visitation.

D 128.9. 4. If a directive or mandate has not been carried out within the time specified, or if the abbot and the monastic chapter or council of seniors request postponement or cancellation of it, it is the responsibility of the President to determine the most appropriate course of action in the circumstances.

D 128.10. 1. The ordinary visitation of a dependent monastery is the responsibility of the abbot of the founding monastery, acting either personally or through others.

D 128.10. 2. The visitation of a dependent monastery by the Congregation is to be undertaken only when requested by the abbot of the founding monastery, by the quasi chapter of the dependent house with the approval of the abbot, or by the visitators of the founding monastery.

D 128.11. 1. The expenses of the visitators are paid by the Congregation. Each monastery visited will reimburse the Congregation an amount to be periodically determined by the President with the consent of his council.

D 128.11. 2. The expenses of a visitation of a priory dependent upon an abbey of the Congregation are paid by the founding abbey.

CHAPTER III - THE RIGHT OF APPEAL AND RECOURSE

C 129. Since the Congregation does not normally intervene in matters pertaining to the internal governance and discipline of individual monasteries, alleged denials or violations of rights should be resolved at the lowest level.

D 129.1. Each monk is to recognize his personal responsibility to resolve a disagreement with his brother promptly, effectively, and justly. Should these efforts prove fruitless, those means known as conciliation are recommended.

D 129.2. 1. While processes of conciliation are ordinarily left to the resourcefulness of the individual monastery, competent monks from the Congregation may be invited to take part in the procedures.

D 129.2. 2. The President, with the consent of his council, has the right to appoint a body to conciliate all matters submitted to him under this title.

D 129.2. 3. Any expenses of the process are to be borne by the monastery from which the action was initiated.

C 130. When a monk feels that he has suffered injustice, he has the right to refer a case from a lower to a higher superior or tribunal, according to the norms of law (CIC 1732 1739).

D 130.1. 1. In the case of recourse against an administrative act, the decision of the superior who posited the act remains in force until the matter is resolved.

D 130.1. 2. Recourse against an administrative decision issued by an abbot or appeal from a judicial sentence is made to the President of the Congregation and his council. Further appeal is made to the Apostolic See. The recourse or appeal follows the norms of universal law.

D 130.1. 3. The recourse is to be made in writing. The petitioner may be invited by the competent authority to whom the recourse is directed to appear in person.

D 130.2. 1. As often as the need for a congregational tribunal arises, the President, with the consent of his council and according to the norms of law, is to appoint the requisite tribunal to adjudicate the matter at hand, with due regard for the prescriptions of law regarding dismissal (CIC 699).

D 130.2. 2. Any expenses are to be borne by the monastery from which the action is initiated.

CHAPTER IV - THE ORDER OF PRECEDENCE

C 131. The order of precedence for the Congregation is established in the proper law of the Congregation.

D 131.1. The President of the Congregation or his representative holds the first place during the sessions of the general chapter and at abbatial elections.

D 131.2. During sessions of the general chapter, the following order is observed:

- aâ, The President of the Congregation;
- bâ, The members of the council of the President, in the order of their rank;
- câ, Superiors of autonomous monasteries or their representatives, in the order of the foundation of their houses;
- dâ, Delegates of independent monasteries, in the order of the monasteries they represent;
- eâ, Priors of dependent priories, in the order of their foundation.

D 131.3. In all other gatherings the following order is observed unless the abbot or the custom of the community has determined a different order for the local community:

- 1â, The abbot with jurisdiction in his own monastery and in houses under his jurisdiction;
- 2â, The President of the Congregation;

- 3â, During a visitation, the visitators;
- 4â, Abbots of territorial abbacies, in the order of their election;
- 5â, The archabbot of Saint Vincent Archabbey;
- 6â, Abbots with jurisdiction, in the order of their election;
- 7â, Retired or resigned abbots, first of the place, then in the order of their election;
- 8â, Conventual priors with jurisdiction, in the order of their election;
- 9â, The claustral prior of the place;
- 10â, The subprior of the place;
- 11â, Priors of dependent priories, in the order of their appointment;
- 12â, The master of novices of the place;
- 13â, All other professed monks, in the order of their first profession unless the practice
of the house provides otherwise;
- 14â, Novices, in the order of their reception into the community;
- 15â, Claustral oblates, in the order of their reception into the community, are ranked
according to the practice of the house.

APPENDICES

APPENDIX 1

The following is the text referred to in D 18.

[The text is that approved by the Congregation for the Doctrine of the Faith to be used in observance of CIC 833.5-8 beginning on 1 March 1989; see AAS 81 (1989) 104-106; Origins 18 (1989) 663.]

PROFESSION OF FAITH

I, [Name], with firm faith believe and profess everything that is contained in the symbol of faith: namely,

I believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is seen and unseen. I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in Being with the Father. Through him all things were made. For us men and for our salvation he came down from heaven: By the power of the Holy Spirit, he was born of the Virgin Mary, and became man. For our sake he was crucified under Pontius Pilate; he suffered, died, and was buried. On the third day he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshiped and glorified. He has spoken through the Prophets. I believe in the one holy catholic and apostolic church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. Amen.

With firm faith I believe as well everything contained in God's word, written or handed down in tradition and proposed by the church—whether in solemn judgment or in the ordinary and universal magisterium—as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed by that same church definitively with regard to teaching concerning faith or morals.

What is more, I adhere with religious submission of will and intellect to the teachings which either the Roman pontiff or the college of bishops enunciate when they exercise the authentic magisterium even if they proclaim those teachings in an act that is not definitive.

OATH OF FIDELITY

I, [Name], on assuming the office of abbot promise that I shall always preserve communion with the Catholic Church whether in the words I speak or in the way I act.

With great care and fidelity I shall carry out the responsibilities by which I am bound in relation both to the universal church and to the particular church in which I am called to exercise my service according to the requirements of the law.

In carrying out my charge, which is committed to me in the name of the church, I shall preserve the deposit of faith in its entirety, hand it on faithfully and make it shine forth. As a result, whatsoever teachings are contrary I shall shun.

I shall foster the common discipline of the whole church and urge the observance of all ecclesiastical laws, especially those which are contained in the Code of Canon Law.

With Christian obedience I shall associate myself with what is expressed by the holy shepherds as authentic doctors and teachers of the faith or established by them as rulers of the church. And with diocesan bishops I shall gladly devote my energy so that apostolic activity, to be exercised by the mandate and in the name of the church, is -- with provision made for the character and goal of my institute -- carried out in the communion of the church.

So help me God and the holy gospels of God, upon which I lay my hand.

Signature of abbot-elect

Date

APPENDIX 2

The following is a sample of the document referred to in D 36.2.5.; D 38.4.; D 62.4.

DECLARATION CONCERNING NON-REMUNERATION

I, [Legal/Baptismal Name,] [If applicable: otherwise known in religion as Father/Brother [Religious Name],] candidate/postulant/novice/oblate of [Name] Abbey in [City, State,]

in consideration of the law of the Roman Catholic Church concerning the remuneration of candidates, postulants, novices, and members of a religious institute of consecrated life recognized by the Roman Catholic Church and in consideration of the proper law of the American-Cassinese Congregation of Benedictine Monasteries, which law I fully know and deliberately acknowledge and to which I voluntarily submit myself, and

for and in consideration of the benefits accruing to me as a candidate, postulant, novice or oblate of [Name] Abbey, an approved religious institute, incorporated as [Name of Corporation,] existing under and by virtue of the laws of the State of [Name],

do solemnly state and declare that I shall never claim or demand, directly or indirectly, any wages, compensation, remuneration, or reward, either in specie or by way of annuity or pension, for the time or for the services or work that I devote to or perform with [Name] Abbey during the time I may remain there or elsewhere in the name of or upon commission from [Name] Abbey.

In witness whereof I have subscribed my name this _____ day of _____ in the year _____.

Signature _____

Witness 1 _____

Witness 2 _____

APPENDIX 3

The following is a sample of the document referred to in D 54.1.1.

**AGREEMENT CEDING ADMINISTRATION OF TEMPORAL GOODS BEFORE
TEMPORARY PROFESSION**

An agreement between [Full legal name of novice to be professed,] party of the first part, and [Full legal name of Abbey,] party of the second part.

The party of the first part, for and in consideration of being admitted to temporary profession by the party of the second part and of receiving the necessities of life from the latter during this period, hereby mutually agrees and covenants with the party of the second part as follows:

1. That the first party agrees to render his service and labor gratis to the party of the second part.

2. That the first party retains ownership of all his property, real and personal. However, the party of the first part makes a provision for such property ownership as follows:

aâ☐ Party of the first part hereby cedes the administration and possession of all his property, real and personal, that he now owns and that shall come to his ownership during the time of his temporary profession, and hereby appoints _____ or his/her successors as the administrator.

bâ☐ The use of said property shall be disposed of as follows:
[Here indicate provisions]

câ☐ The accumulations, income and interest of said property shall be disposed of as follows:
[Here indicate provisions]

dâ☐ If temporary vows cease in any way whatsoever, this agreement becomes ipso facto null and void.

The parties hereto state that they intend to be legally bound by this agreement.

Party of the first part

President of party of second part

Secretary of party of second part

I hereby accept the administration of the property listed on "Addendum A" attached hereto.

Administrator

Date

APPENDIX 4

The following is a sample of the document referred to in D 54.2.2.

DECLARATION CONCERNING RENUNCIATION OF GOODS

I, [Legal/Baptismal name,] [If applicable: otherwise known in religion as Father/Brother
[Religious name,] of [Name] Abbey in [City, State,]

in consideration of my profession of solemn vows and in consideration of the law of the Roman Catholic Church and of the law of the American-Cassinense Congregation of Benedictine Monasteries concerning the renunciation of goods, hereby renounce all of my goods and all goods that I may acquire in the future.

This declaration is to be effective from the date of my solemn monastic profession, [Date].

Signature _____

Witness 1 _____

Witness 2 _____

Date _____

APPENDIX 5

The following is a sample of the document referred to in D 80.3.2.

PERMISSION TO LIVE OUTSIDE THE MONASTERY

for Father/Brother [Name] monk [and priest] of [Name] Abbey [City/State]

In consideration of [Here indicate reason for leave, for example: his need to resolve certain personal issues regarding his monastic (and priestly) life], and in accordance with CIC 665.1 and with the consent of the council of seniors of [Name] Abbey, permission to live outside the monastery for a period of one year from the date of acceptance of this permission and its provisions is granted to Father/Brother [Full name].

During the period for which this permission is granted:

- 1â, Although his vows remain, Father/Brother [Name] is free from the obligations that are incompatible with his new condition of life. The obligation of celibacy, however, remains intact.
- 2â, Father/Brother [Name] remains dependent on and subject to the care of the abbot of [Name] Abbey and the local ordinary (CIC 687). [For priests add: He shall not exercise his priesthood without the explicit permission of the abbot and the local ordinary.]
- 3â, The monastic habit may/may not be worn by Father/Brother [Name] [Conditions may be added, for example: may not be worn except at the abbey].
- 4â, Father/Brother [Name] maintains/lacks active and passive voice in the monastic chapter of [Name] Abbey except/even in the case of an abbatial election.
- 5â, [Example of provision: Father/Brother [Name] shall continue to be eligible for the ordinary benefits of the medical care plan held by the monks of [Name] Abbey only until [Date].]
- 6â, Father/Brother [Name] shall be responsible for all his financial obligations and neither [Name] Abbey nor the American-Cassinense Congregation shall be liable for any debts or actions or omissions or obligations whatsoever incurred by him (cf. CIC 639) with due regard for [Example: the single exception noted in no. 5 above].
- 7â, Father/Brother [Name] shall keep the abbot of [Name] Abbey informed of his place of residence and telephone number.

8â, At the expiration of this permission Father/Brother [Name] must return to [Name] Abbey unless further provisions, in accordance with universal law and the proper law of the American-Cassinese Congregation, have been made by the abbot of [Name] Abbey with the consent of the council of seniors. Otherwise, Father/Brother [Name] shall be considered unlawfully absent from the monastery and may be subject to dismissal from the monastery.

Given at [Name] Abbey, this _____ day of _____ in the year _____.

Rt. Rev. [Name], O.S.B., Abbot

Consent of the council of seniors of [Name] Abbey given on [Date].

[SEAL OF THE ABBEY]

Secretary of the council of seniors

I, Father/Brother [Full name,] hereby accept this permission to live outside the monastery and all its provisions.

Father/Brother [Full name,] O.S.B.

Date

APPENDIX 6

The following is a sample of the document referred to in D 88.2.4 and D 88.4.6.1.

DECREE OF TRANSFER OF STABILITY

In accord with the provisions of universal law and the proper law of the American-Cassinese Congregation of Benedictine Monasteries,

and in consideration of the request of Father/Brother [Full Name], until now a solemnly/temporarily professed monk of [Name] Abbey who began the process of transfer with the permission of his superior, [Name], and has completed the probation prescribed in the proper law of the American-Cassinese Congregation, and with the consent of the monastic chapter of [Name] Abbey,

I hereby decree that the stability of Father/Brother [Full Name] is transferred to [Name] Abbey.

Given at [Name] Abbey, this _____ day of _____ in the year _____.

Rt. Rev. [Name], O.S.B., Abbot

[SEAL OF THE ABBEY]

Consent of the monastic chapter of [Name] Abbey given on [Date].

Secretary of the monastic chapter

APPENDIX 7

The following is a sample of the indult referred to in D 91.4.

INDULT OF EXCLAUSTRATION

for Father/Brother [Name]
monk [and priest] of [Name] Abbey
[City/State]

In accord with the Code of Canon Law, 686.1, and the request of Father/Brother [Full name], in his letter dated [Date], with the consent of the council of seniors of [Name] Abbey [For a cleric add: and with the consent of the bishop of the (Arch)Diocese of [Name],] an indult of exclausturation is granted for a period of _____ [one-three] year[s] from the date of the acceptance of the indult. The indult is granted in consideration of the following reason[s]:

[Here state in summary the reason[s] for requesting the indult.]

During the period for which this indult is granted:

- 1â, Although his vows remain, Father/Brother [Name] is free from the obligations that are incompatible with his new condition of life. The obligation of celibacy, however, remains intact (cf. CIC 687).
- 2â, Father/Brother [Name] remains dependent on and subject to the care of the abbot of [Name] Abbey and the local ordinary (CIC 687). [For priests add: He shall not exercise his priesthood without the explicit permission of the abbot and the local ordinary.]
- 3â, The monastic habit may/may not be worn by Father/Brother [Name] [Conditions may be added, for example: except at the abbey].
- 4â, Father/Brother [Name] lacks active and passive voice in the monastic chapter of [Name] Abbey even in the case of an abbatial election.
- 5â, [Example of provision: Father/Brother [Name] shall continue to be eligible for the ordinary benefits of the medical care plan held by the monks of [Name] Abbey only until [Date].]
- 6â, Father/Brother [Name] shall be responsible for all his financial obligations and neither [Name] Abbey nor the American-Cassinese Congregation shall be liable for any debts or actions or omissions or obligations whatsoever incurred by him (cf. CIC 639) with due regard for [Example: the single exception noted in no. 5 above].

- 7â, Father/Brother [Name] shall keep the abbot of [Name] Abbey informed of his place of residence and telephone number [Here may be added other conditions, for example: regular meeting with the abbot].

At the expiration of this indult of exclaustation Father/Brother [Name] must return to [Name] Abbey unless further provisions, in accordance with universal law and the proper law of the American-Cassinese Congregation, have been made by the abbot of [Name] Abbey with the consent of the council of seniors. Otherwise, Father/Brother [Name] shall be considered unlawfully absent from the monastery and may be subject to dismissal from the monastery.

Given at [Name] Abbey, this _____ day of _____ in the year _____.

Rt. Rev. [Name], O.S.B., Abbot

[SEAL OF THE ABBEY]

Consent of the council of seniors of [Name] Abbey given on [Date].

Secretary of the council of seniors

I, Father/Brother [Full name,] hereby accept this Indult of Exclaustation and all its provisions.

Date _____

Father/Brother [Full name], O.S.B.

APPENDIX 8

The following is a sample of the declaration referred to in D 92.2.2.

DECLARATION OF UNLAWFUL ABSENCE

In accordance with the proper law of the American-Cassinense Congregation of Benedictine Monasteries, having consulted the council of seniors of [Name] Abbey, as abbot of [Name] Abbey, I hereby declare that, as of the date of this declaration, Father/Brother [Full name] is unlawfully absent from the monastery.

This declaration is made in view of the fact that [Here state the reason[s] for the declaration, for example: the period of his exlaustration has expired and he has neither returned to the monastery nor made further provisions for continued lawful absence.]

As a consequence of this unlawful absence, in accordance with the provisions of the Constitutions of the American-Cassinense Congregation, from the date of this declaration [Name] Abbey is not liable for any debts or actions or omissions or obligations whatsoever incurred by Father/Brother [Name].

Given at [Name] Abbey, this _____ day of _____ in the year _____.

Rt. Rev. [Name], O.S.B., Abbot

[SEAL OF THE ABBEY]

The council of seniors of [Name] Abbey was consulted on [Date].

Secretary of the council of seniors

[The intent of D 92.2.2 is that this declaration is to be made as soon as the unlawful absence begins. If, for some justifiable reason, the declaration is delayed, the wording should be changed accordingly.]

APPENDIX 9

The following is a sample of the indult referred to in C 94.2.

DISPENSATION FROM TEMPORARY VOWS

for Brother [Full name]

Monk in temporary vows of [Name] Abbey

Brother [Full name], of [Name] Abbey, who professed temporary vows on [Date] requested in his letter of [Date] a dispensation from temporary vows for [Here state summary of reason[s] for request].

In consideration of his request and in accordance with the Constitutions of the American-Cassinese Congregation, with the consent of the council of seniors of [Name] Abbey, I, as abbot of [Name] Abbey, grant the dispensation as requested, effective immediately.

Anything to the contrary notwithstanding.

Given at [Name] Abbey, this _____ day of _____ in the year _____.

Rt. Rev. [Name], O.S.B., Abbot

SEAL OF THE ABBEY

Consent of the Council of Seniors of [Name] Abbey given on [Date].

Secretary of the Council

Though not required for the validity of the dispensation, the petitioner may be asked to sign and date the form below for the sake of the records:

I, Brother [Name], gratefully accept the dispensation from the temporary vows that I professed on [Date].

Signature _____

Date _____

APPENDIX 10

The following is a sample of the document referred to in
CIC 694 (cf. C 97-99).

DECLARATION OF AUTOMATIC DISMISSAL

of
Father/Brother [Name],
monk [and priest] of [Name] Abbey
[City, State]

TO ALL CONCERNED:

Father/Brother [Name], a professed member of [Name] Abbey has contracted/attempted marriage
contrary to his vows and thus has incurred the penalty of automatic dismissal from the abbey
under the provisions of the Code of Canon Law, 694.1.2.

The facts are as follows:

[Here may be recorded the date of profession, the date of contracted or attempted marriage, the
place in which the marriage is recorded.]

Wherefore, in accordance with the universal law of the Church and the proper law of the
American-Cassinense Congregation of Benedictine Monasteries, I, the abbot of [Name] Abbey
with the council of seniors, decree and declare that [Name] is automatically dismissed from
[Name] Abbey. The vows, rights and obligations of [Name] hereby cease (CIC 701), and neither
[Name] Abbey nor the American-Cassinense Congregation shall be responsible for him or for any
of his obligations.

Given at [Name] Abbey. this _____ day of _____ in the year _____.

Rt. Rev. [Name], O.S.B., Abbot

Secretary of the council of seniors

APPENDIX 11

The following is a sample of the document referred to in D 102.2.

CHARTER FOR A DEPENDENT PRIORY

In the name of our Lord Jesus Christ. Amen.

I. The Granting of the Charter for a Dependent Priory

Be it known that the monastic chapter of [Name of founding monastery] grants this charter in accord with the proper law of the American-Cassinese Congregation to and for the dependent priory of [Name of foundation], to be situated at [Name of place], in the diocese of [Name of diocese].

The dependent priory, authorized by vote of the chapter on [Date], is hereby founded with the approval of the proper local ordinary, Bishop [Name], of [Name of diocese].

[A recital of the motives for the founding of the dependent priory may be set forth in this place.]

The priory of [Name of foundation] is granted all the rights and privileges and assumes all the obligations of a dependent priory as set forth in the universal law of the church and the proper law of the American-Cassinese Congregation.

A. The Purpose of the Priory

It is declared that the purpose of the priory is to establish monastic life according to the Rule of Saint Benedict at [Place of foundation].

The prior and the community are to have as their first aim and duty to establish and preserve the essential elements of the monastic life according to the Rule of Saint Benedict and the proper law of the American-Cassinese Congregation.

B. The Apostolic Work of the Priory

The priory shall have as its apostolic work the following:

[A list of apostolic works may be given in this place.]

Moreover, with the approval of the superior and chapter of the founding monastery and, if the case demands, with the consent of the local ordinary, the priory of [Name of foundation] may undertake other apostolic works consistent with the Benedictine way of life and the resources of the priory.

II. The Administration of the Dependent Priory

A. The Abbot of the Founding Monastery

The abbot of the founding monastery is the ordinary and the major superior of the dependent priory and has full executive, legislative, and jurisdictional power in and over the priory (CIC 596; D 102.4).

B. The Prior of the Dependent Priory

[The dependent prior, who is to be a solemnly professed monk, is appointed by the abbot of the founding monastery after consulting his council of seniors (D 102.3).]

The prior of [Name of priory] is hereby delegated the jurisdiction necessary for the administration of the priory.

[The abbot may delegate all the jurisdiction necessary to be exercised for the priory or may give restricted jurisdiction. Any jurisdiction restricted by the abbot of the founding monastery should be mentioned at this place (D 102.4).]

[If the prior is to be appointed for a term, e.g., three or five years, the term may be written into the charter here.]

The prior is to give a report annually to the abbot of the founding monastery regarding the observance of the monastic life and the works of the dependent priory.

C. Other Officials

The prior, with the consent of the abbot of the founding monastery, is to appoint the necessary officials of the dependent priory (D 102.7.1).

[In a priory having a council of seniors, the prior is also to consult his council before appointing officials for the dependent priory (D 102.7.2). The procurator of the dependent monastery must be a capitular other than the prior (D 102.7.3).]

D. The Quasi-Chapter

As long as [Name of priory] has at least four capitulars, the priory is to have a quasi-chapter, which is composed of all the capitulars assigned to the priory (D 102.5.1). The rights and duties of the quasi-chapter are determined by the prescriptions contained in the proper law of the American-Cassinese Congregation (cf. D 102.5).

E. The Council of Seniors

[A dependent priory that has at least eight capitulars is to have a council of seniors (D 102.6.1). The number of capitulars who are to be seniors is to be determined by the quasi-chapter. The council must have at least two capitulars, one appointed and one elected. If the council is larger, for each capitular appointed by the prior, one must be elected (D 102.6.1).]

The provisions of C 29-31 of the proper law of the American-Cassinese Congregation, *mutatis mutandis*, are to be observed (D 102.6.2).

F. The Book of Customs

The prior and the quasi-chapter shall propose to the abbot of the founding monastery, within a year of the foundation, a book of customs for the dependent priory (D 63.1).

III. Financial Matters

The dependent priory is to be governed in financial matters by universal law and the proper law of the Congregation. Matters requiring permission are to be presented to the abbot of the founding house after approval by the quasi-chapter with sufficient time to allow the abbot to obtain proper approval (C 34).

A. The chapter of the founding monastery delegates to the quasi-chapter the authority to expend funds and transact the business of the priory as follows:

1. The procurator of the priory shall administer the temporal goods of the monastery under the direction of the prior in accordance with universal law (CIC 636-638; 1279-1289).
2. The funds to be expended by the priory are the following:
 - aâ, funds that are on hand and that are not encumbered;
 - bâ, funds that are not restricted or invested for a specific purpose;
 - câ, funds for projects for which the requisite permissions have been obtained (D 34.2.1).

B. Debts may be incurred or property alienated only with the written permission of the abbot, the council of seniors, and/or the chapter of the founding monastery, and, if necessary, the President and his council and the Apostolic See (D 34.2; 34.3).

C. All property, personal and real, movable or fixed, deposits of funds, and investments will be kept in the name of the priory (C 33). Moreover, the priory is to hold title to any properties belonging to its apostolic works to the extent permitted by universal and civil law (D 102.10).

D. The prior of the dependent monastery is to present an annual budget, already approved by the quasi-chapter, for the approval of the abbot and chapter of the founding monastery. Items contained in an approved budget are considered to have the permission necessary for execution.

E. The procurator of the dependent priory is to prepare the annual financial statements of the priory and its apostolic works and present them to the quasi-chapter. Two copies of each statement are to be sent to the abbot of the founding monastery. One set of reports will be forwarded to the financial counselors of the Congregation at the time the founding monastery's own statements are submitted (cf. C 35).

IV. Admission to the Dependent Priory and to Sacred Orders

[Options regarding candidates. The powers listed below are optional and separable.]

[A. Novitiate

The abbot of the founding monastery, with the consent of the monastic chapter, may establish a novitiate in a dependent priory (C 36; D 102.9).]

[B. New Members

1. The chapter of the founding monastery may delegate to the quasi-chapter of the priory the following rights:

- aâ, to consent to the admission of candidates to the novitiate;
- bâ, to consent to the admission of candidates to temporary profession;
- câ, to consent to the admission of candidates to solemn profession (D 102.9.2.2).

2. The abbot of the founding monastery may delegate to the prior of the priory the following rights:

- aâ, to admit a candidate into the novitiate;
- bâ, to admit a novice to temporary vows;
- câ, to admit a temporarily professed monk to solemn vows (D 102.9.2.1).]

C. The Formulae of Profession

Candidates of the dependent priory are to make their profession of vows for the dependent priory with formulae that are to include the words: "in this community, a dependent priory of [Name of independent monastery]."

D. Rights of Capitulars

Upon making solemn profession, a monk of a dependent priory acquires full chapter rights in the founding monastery (D 102.9.3).

E. Advancement of Monks to Sacred Orders

When a monk of the priory is to be advanced to the diaconate or to the priesthood, the prior will propose the candidate for orders to the abbot of the founding monastery. The abbot will issue the call and necessary documents (C 61.1).

V. Visitation and Review of Status

A. Visitation

The abbot of the founding monastery will arrange for the visitation of the dependent priory. The ordinary visitation of a dependent monastery is the responsibility of the abbot of the founding monastery, acting either personally or through others (D 128.10.1). [The frequency of visitations may be stated here.]

[The visitation of a dependent monastery may be undertaken by the Congregation only if requested by the abbot of the founding monastery, by the quasi-chapter with the approval of the abbot, or by the visitators of the founding monastery (D 128.10.2).]

B. Review of Status

At the time of visitation, the prior and quasi-chapter shall give a review of the status of the dependent priory to the chapter of the founding monastery. This written report is to include testimony as to the progress of the priory in living the monastic life and its advancement toward independent status (C 102).

VI. The Congregation

As long as the priory is dependent upon an autonomous monastery of the American-Cassinese Congregation, the priory remains a member of the Congregation and is subject to the proper law of the Congregation.

VII. Amendments

Amendments to or modifications of this charter may be proposed to the quasi-chapter by the abbot and/or chapter of the founding monastery, or by the prior, quasi-chapter and/or council of seniors of the dependent priory to the founding monastery. Upon the vote of the quasi-chapter, the recommendation must be sent to the chapter of the founding monastery for ratification.

VIII. Suppression

Should it become necessary to suppress the dependent priory known as [Name], every effort must be made to provide for the persons involved. Without prejudice to the intentions of the donors, the property of [Name of priory] reverts to [Name of founding monastery] (see CIC 616.1; D 102.16).

If the membership of a dependent priory decreases to fewer than four (4) monks, and if this condition continues for two years, the priory is automatically suppressed by the proper law of the Congregation (D 102.15.1).

[The abbot of the founding monastery may suppress a dependent priory with the consent of the monastic chapter and after consultation with the bishop of the diocese in which the priory is located (CIC 616.1; D 102.15.2).]

The stability of the monks who made profession for the dependent priory is automatically fully transferred to [Name of founding monastery] (D 102.16).

Given this _____ day of _____, _____ at [Name of founding monastery),
[City], [State].

Abbot of founding monastery

Secretary of chapter

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SUPPLEMENTARY MATERIAL

Future Decisions of the General Chapter and
eventual amendments to
The Constitutions or The Directory
may be attached to the following pages,
which are provided for this purpose.

NORMS FOR FINANCIAL TRANSACTIONS

of the American-Cassinese Congregation
of Benedictine Monasteries

Approved by the 48th General Chapter, June 18, 2004

A. ORDINARY EXPENDITURES

NFT 1. Each monastery is to establish norms for financial transactions.

NFT 2. 1 Each monastery is to establish an annual operating budget for the monastery itself. According to the custom of the monastery, either the monastic chapter or the council of seniors is to approve this budget and receive regular reports on performance (cf. D 34.1).

NFT 2. 2 Budgets for apostolic works and any other endeavors over which a monastery has fiduciary responsibility are to be prepared and reviewed according to the established procedures of each monastery (cf. D 34.1).

B. EXTRAORDINARY EXPENDITURES

NFT 3. Any expenditure not included in the monastery budget is to be considered extraordinary (cf. D 34.2.1 and D 34.3.1). The following norms govern these transactions.

NFT 3. 1 In amounts not in excess of \$5,000 or \$50 per capitular, whichever is greater, the abbot acts by his own judgment. The monastic chapter may establish a lower amount and add other conditions.

NFT 3. 2 In amounts not in excess of \$30,000 or \$500 per capitular, whichever is greater, the consent of the council of seniors is required. The monastic chapter may establish a lower amount and add other conditions.

NFT 3. 3 For larger amounts, the consent of the monastic chapter is required. The monastic chapter may establish a lower amount and add other conditions.

C. INDEBTEDNESS

NFT 4. The monastery is encouraged to consult the financial counselors of the Congregation on matters of debt.

NFT 5. The council of seniors of the monastery may request the financial counselors of the Congregation to review the indebtedness plan before voting on the proposal.

NFT 6. In all instances of contracting a debt, the authorization of the abbot must be given in writing. If the amount exceeds the limits established in the norms for extraordinary expenditures, the consent of the council of seniors (NFT 3.2) or of the monastic chapter (NFT 3.3) is also needed (D 34.3.1).

NFT 7. For any transaction which could worsen the patrimonial condition of a monastery¹, and exceeds the sum fixed by the Apostolic See², the abbot is to obtain also the approval of the President, with the consent of his council, and of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (D 34.3.2).

D. ALIENATION OF PROPERTY

NFT 8. In all instances of alienation of stable patrimony³, the authorization of the abbot must be given in writing. If the value (appraisal) of the stable patrimony to be alienated exceeds the limits established in the norms for extraordinary expenditures, the consent of the council of seniors (NFT 3.2) or of the monastic chapter (NFT 3.3 is also needed (D 34.3.1).

NFT 9. If the value (appraisal) of the stable patrimony to be alienated exceeds the amount defined by the Apostolic See², the abbot is to obtain also the approval of the President, with the consent of his council, and of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (D 34.3.2).

NFT 10. If precious art having historical value or an item given to the monastery as a result of a vow is to be alienated, the abbot is to obtain the consent of the monastic chapter, of the President, with the consent of his council, and of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (D 34.3.2).

E. SPECIAL AUTHORITY OF THE PRESIDENT AND HIS COUNCIL

NFT 11 In urgent cases and for the good of the monastery, the President, with the consent of his council, may impose immediate restrictive financial norms on a monastery, including norms related to indebtedness and the granting of leases (D 115.2.7 and D 125.2.4).

NFT 12 The President, with the consent of his council, may impose restrictive financial norms on any monastery whose financial reports indicate that for three successive years the monastery has incurred a financial loss (deficit) in operating funds before any voluntary transfer to or from any other fund (D 115.2.7 and D 125.2.4).

NFT 13 Regardless of the imposition of restrictive financial norms, the President, with the consent of his council, may still authorize an extraordinary expenditure that incurs additional debt, after examining a written projection showing the feasibility of amortizing the total debt.

¹ With regard to borrowing money:

If a monastery has no debt and desires to borrow money in an amount that exceeds the limits of the Apostolic See (footnote 2 below), it must seek the approval of the President's council and that of the Apostolic See.

For a monastery with existing debt, the patrimonial condition is "worsened" if the amount of the monastery's liquid unrestricted net assets after the new borrowing is less than what it had been after the previous borrowing.

2 Apostolic See limits: 2004: Canada \$4,294,330 CD; Mexico \$400,000 US; Puerto Rico \$250,000 US; United States \$5,000,000 US.

3 Stable patrimony includes all real property contiguous with the monastery and any other real property designated as stable patrimony by the monastic chapter.

NORMS FOR COMPENSATION OF MONASTERIES THAT SUPPLY ADMINISTRATORS

1. A community that receives an administrator from another monastery is to be responsible for providing for him, during the term of his service, board and room, health insurance, and retirement benefits, and for covering reasonable ordinary expenses in the same manner as is customarily done for its own monks, including travel expenses for the administrator to visit his own monastery up to twice a year.
2. In addition, a monastery that supplies an administrator is to receive a monthly cash stipend of \$2,000, either from the monastery served by the administrator, or from the Congregation, or partly from the one and partly from the other, as follows.
 - A. A monastery that is served by an administrator is to pay whatever percentage of this monthly sum is within its capabilities. This amount is to be determined, after dialogue with the monastery, by the President, acting with appropriate counsel.
 - B. Any percentage of the monthly payment that is beyond the capabilities of the monastery that the administrator serves is in each case to be paid by the Congregation.
 - C. In years when the Congregation is responsible for such payments, the President, with the consent of his council, is to increase by an appropriate amount the annual assessment to be paid to the Congregation by each monastery, provided, however, that the supplement added for the compensation of an administrator shall not be charged to any monastery that is currently supplying an administrator.
3. Precise determination of the compensation paid for an administrator is to be made through dialogue between the President and the abbot of the monastery supplying the administrator. The compensation thus determined is to be paid by the monastery being served, by the President, or partly by each, for each full month during which an administrator exercises jurisdiction, beginning with the month when he assumes his office.
4. Adjustments to the monthly cash stipend are to be made from time to time in the light of current economic factors by the President with the consent of his council.
5. Similar provisions may be made in the case of monks who are loaned to other communities to serve in other capacities, such as financial officers or formation directors. The compensation may be adjusted by the President, with the advice of his council and in dialogue with the respective superiors, to correspond to the services provided.
6. Monks who are loaned to another community for service in a school apostolate are to be paid by the school according to the qualifications of the monk and the provisions of the salary scale of the institution.
7. In the case of suppression of a monastery and eventual liquidation and distribution of its assets, consideration is to be given to repayment of other monasteries for services rendered before and during the process of dissolution.

