

Texts concerning non-cleric superiors: changes required in the monks' Constitutions

The Central Commission of 2024 took the following vote:

Vote 66

We ask the Law Commission to study possible changes to our legislation in the light of the Papal Rescript of May 18, 2022, on the possibility of a non-cleric being a major superior of a clerical institute of pontifical right.

PLACET 21 NON PLACET 2 ABSTENTIO **Proposition Accepted**

The possibility of non-cleric superiors requires changes in C. 34 and C. 39.6 of the monks.

Proposed new text for C.34 (m)

C. 34: The Abbot's Power of Governance

1. The abbot **who is a priest** is a major superior with ecclesiastical power of governance in both the external and the internal forum.

ST 34.1.A (text unchanged)

The superior of a monastery that is still part of the mother-house has delegated power. This he may sub-delegate.

ST 34.1.B (text unchanged)

The superior ad nutum mentioned in ST 39.2.B has proper ordinary power as a major superior of an autonomous community.

2. The abbot who is not a priest is a major superior according to the norms of law. In the spirit of the Rule of St Benedict he enjoys full power in the monastery in both temporal and spiritual matters. The function of Ordinary is entrusted to the Father Immediate or, if he is not a priest, to the Abbot General.

(NB: The first part of the new par. 2 is taken from the nuns' Constitutions. The Dicastery for Legislative Texts has confirmed that a non-cleric does not exercise the role of Ordinary.)

Proposed new text for C. 39.6 (m)

C. 39.6

The election is confirmed by the Abbot General. Each re-election requires a new confirmation. If the brother who is elected is a **not a priest**, the Abbot General is not to confirm the election until he has verified that the one elected is willing to receive the priesthood and has the qualities required by universal law for ordination. **If this brother is not willing to receive the priesthood or does not have the qualities required by universal law for ordination, the Abbot General follows the procedure established by the Holy See.**