

# **Constitutions of the Order of the Blessed Virgin Mary of Mercy**

## **SACRED CONGREGATION FOR RELIGIOUS AND SECULAR INSTITUTES**

Prot. n. M.—1/83

### **DECREE OF APPROVAL**

The Order of the Blessed Virgin Mary of Mercy, founded by Saint Peter Nolasco chiefly to visit and free those Christian captives who, through circumstances contrary to the dignity of the human person, find themselves in danger of losing their faith, following the norms of the Second Vatican Council and other directives of the Church, has prepared a new text of its Constitutions.

The said text, studied and approved by various General Chapters, has been presented by the Master General to the Holy See, humbly requesting its approval.

The Sacred Congregation for Religious and Secular Institutes, taking into account the favorable vote of the Commission, which took place on the eighth day of last January, by the present decree, approves and confirms the said text with the modifications established by the same Commission, according to the copy edited in Spanish, which is kept in its archives, having observed what is required by law.

The Sacred Congregation expresses its desire that the religious of the Order of Mercy, by venerating Mary as Mother and continuing the liberating mission of the founder in the new forms of captivity in present society, by means of the new Constitutions, may realize with greater vigor the mission which has been entrusted to them by the Church.

Rome, May 13, 1985,  
Feast of Saint Peter Nolasco

+fr. J. HAMER, O.P., Pro-Prefect

+V. FAGIOLO, Secretary

## **MASTER GENERAL of the Order of the Blessed Virgin Mary of Mercy**

Prot. N. 5/86

### DECREE OF PROMULGATION

With the approval of the constitutional text by the Congregation of Religious and Secular Institutes, the Mercedarian Order terminates the time of experimentation and begins the definitive phase, in regards to its legislation.

It is very gratifying to have, finally, a body of law updated according to the spirit of Vatican II and the new Canon Law, along with the new fundamental approaches always in line with the continuity of the best legislative tradition of the Order.

These Constitutions, besides the defining norms of behavior, translate in a language that we could call canonical, the doctrine concerning the charismatic nature of the Order, by putting in evidence its charismatic elements: its liberating spirit, the Marian character and the figure of Saint Peter Nolasco, model of the authentic Mercedarian.

Our Constitutions, approved in the jubilee year of our founder and the very day of his feast, can be considered a true gift from God to the Mercedarians to be accepted with an attitude of faith and to be deeply known and joyfully lived.

May the Lord grant that the new legislation become an efficacious means which helps the Order grow in the spirit of Saint Peter Nolasco and makes the religious always better prepared to carry on their liberating mission.

With trust in the grace of God and the protection of the most Holy Virgin Mary, our Mother, I hereby promulgate the present Constitutions as they have been approved by the Congregation of Religious and Secular Institutes on May 13, 1985.

Rome, January 1986. 751<sup>st</sup> year of the approval of the Order and 768<sup>th</sup> year of its foundation.

Fr. DOMINIC ACQUARO, O. de M.  
Master General

Fr. CARMEN PORTUGAL, O. de M.  
Secretary General

**PART ONE**  
**THE ORDER IN THE CHURCH**

## CHAPTER I

### **ITS ORIGIN, PURPOSE AND NATURE**

1. God, the Father of mercy, has visited and redeemed humankind, offering them, through Jesus Christ, the gift of his love, and enriching them with the liberty of sonship. In the same way he has willed to raise in the Church men and women, guided by the redeeming spirit of Jesus Christ, to visit and free those Christian<sup>1</sup> captives who, by circumstances contrary to the dignity of the human person, find themselves in danger of losing their faith.<sup>2</sup>

2. To out this mission, Saint Peter Nolasco, impelled by the love of Christ, inspired by the Virgin Mary and responding to the needs of the Church, on the 10<sup>th</sup> of August 1218, founded in Barcelona the Order of the Virgin Mary of Mercy of the Redemption of Captives, under the sponsorship of James I of Aragon and before the bishop of the city, Berenguer de Palou.

By virtue of the approval of Pope Gregory IX on the 17<sup>th</sup> of January 1235 the Church recognized the action of the Holy Spirit in the founding of the Order, and ratified it by assigning it the Rule of Saint Augustine. She gave it universal character by incorporating it full into her life and approved its work as a mission among the People of God.<sup>3</sup>

3. Our Order, since its foundation, has followed Jesus, making him present as a friend and redeemer among the Christians who "in power of the Saracens and of other enemies of our Law" found themselves exposed too the danger of losing their faith. Thus the Order fulfilled the word of the Gospel: "The Spirit of the Lord is upon me...for he has sent me to proclaim liberty to the captives", by being able to see in them the face of Jesus who, on the Day of Judgement will say: "I was in prison and you came to visit me".

Today there are arising in our societies new forms of social, political, and psychological slavery which derive ultimately from sin and become for the faith of the Christians just as dangerous as the slavery and oppression of former times. Therefore, our Order commits itself to give testimony to the same Good News of love and redemption that it has shown since the beginning of its history.<sup>4</sup>

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<sup>1</sup> This word was omitted in the first English translation, but is found in the Italian and Spanish.

<sup>2</sup> Cf. 2 Cor. 1:3; Lk. 1:68; Rom. 8:21; CA, Prologue

<sup>3</sup> Cf. CA, Prologue; Bullarium Romanum, III, 1858, 485.

<sup>4</sup> Cf.. CA, Prologue; Lk. 4:18; Mt. 25:36; GS 4, 29, 41

4. We, the Mercedarians, dedicate ourselves to God, source of all holiness, in order to obtain our own sanctification through the profession of the evangelical counsels. Faithful to the ideals of our founder and, “with integrity of faith, love of God and neighbor, devotion to the Cross and with hope of future glory”, we dedicate ourselves to visit and redeem, by means of suitable works of mercy, Christians who are victims of new forms of captivity, in which they find themselves exposed to the abandonment of the practices of the Christian life and to the loss of their faith. In order to attain this end, we are prepared to surrender our lives, should it be necessary, in imitation of the Redeemer.<sup>5</sup>

5. Our Order is a clerical religious institute with solemn vows and pontifical law, made up of priests and brothers who live religious life in the same manner, practice the perfect life according to the Rule of Saint Augustine and enjoy exemption in accordance with the laws of the Church, for a more universal and effective service to the kingdom of God, according to its specific religious and apostolic character.

Its official title is: *Order of the Blessed Virgin Mary of Mercy*, and in shortened form: *Order of Mercy*. After the name of the religious the initials---O. de M., or Mercedarian, are added.<sup>6</sup>

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<sup>5</sup> Cf. PC 25; CA, Prologue

<sup>6</sup> Cf. LG 45b, ChD 33-35; PC 8,15; CIC 591

## CHAPTER II

### THE SPIRIT OF THE ORDER

6. We, the Mercedarians, have Christ the Redeemer as our teacher and model, who with his death<sup>7</sup> has freed us from all slavery and we are willing to follow him by sacrificing even our own lives in the exercise of redemptive ministry.

7. On account of her intervention in the beginning and the life of the Order that bears her name, we, the Mercedarians, call Mary the *Mother of Mercy* and venerate her as the inspirer of the work of redemption. She is the mother of captives whom she protects as beloved brothers and sisters of her Son and is equally the mother of redeemers as they offer liberty to the captives, for she encourages and promotes the mission of the Lord who "casts down the mighty from their thrones and lifts up the lowly". In contemplating Mary, we discover the meaning of our spirituality and the urgency of our apostolic action.<sup>8</sup>

8. On account of his surrender in favor of captives and his life of service to the Order, Saint Peter Nolasco is for us the closest sign of the redeeming love of Jesus and the perfect realizer of the liberating work of Mary. Therefore, we strive to imitate his life, to continue his action within the Church and to venerate him as a father.

9. The Mercedarian spirit requires fundamentally the discovery of Christ who continues to suffer in oppressed and captive Christians in danger of losing their faith, and it brings with it the practical duty of charity to place one's own life at the service of these brethren so that they may live in liberty as the children of God. Therefore, we, the Mercedarians, must be strong in faith, unwavering in charity and firm in the hope of the kingdom of God.

Practicing these three virtues we experience God as the redeeming power who has become incarnate in Jesus on earth.

10. We base our apostolic activity among the people of God upon the rooted tradition of religious life, and exercise it by forming a community of brothers living "with one soul and one heart in God".<sup>9</sup>

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<sup>7</sup> This phrase was omitted in the first English translation.

<sup>8</sup> Cf. Jn. 19:25-27; Mt. 25:31-46; Lk. 1:47ff.; LG 55,56, 58; CR 81

<sup>9</sup> Cf. RSA 1,3

11. The spiritual patrimony of our Order has been enriched throughout the centuries by the holiness of many religious, who, strengthened by the Eucharist, have cultivated the redemptive spirit, spread the faith in Christ, propagated love of the Virgin Mary and sealed, even with their blood, their ministry at the service of the Church. Therefore, we are concerned with knowing and loving our Order by permeating our lives and apostolic action with its spirit.

12. The Mercedarian spirit is expressed even by groups or religious institutes and lay associations which have arisen throughout the centuries. All of them are inspired by the same original founder, Saint Peter Nolasco, with whom, at times, other particular founders are associated. These institutes and associations commit themselves to carry on, though in different ways, the same liberating mission. They feel the same love for the Virgin Mary, under the title of Mercy, cultivate the same spirit, promote fraternal bonds and form the Mercedarian family.



## CHAPTER III

### THE FOURTH VOW

13. Following Saint Peter Nolasco and enlightened by his charism, we, the Mercedarians, believe that our liberating mission belongs to the nature of the Church and we exercise it in the name of the Church and with true concern for the needs of humankind.<sup>10</sup>

14. In order to fulfill this mission we, impelled by love, consecrate ourselves to God with a special vow, by virtue of which we promise to give up our lives, as Christ gave his life for us, should it be necessary, in order to save those Christians who find themselves in extreme danger of losing their faith by new forms of captivity.

15. This vow, taken as a voluntary, conscious and absolute promise, is characteristic of our Order; it inspires all the actions of its redemptive work and qualifies the fulfillment of our mission within the Church.

16. The new forms of captivity, which constitute the proper field of the mission and fourth vow of the Mercedarians, occur where there is a social situation which contains the following conditions:

- i. It is oppressive and degrading to the human being,<sup>11</sup>
- ii. It springs from principles and systems opposed to the Gospel,
- iii. It puts the faith of Christians in danger,
- iv. It offers the possibility of helping, visiting, and redeeming people who are in such situations.

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<sup>10</sup> Cf. CIC 675

<sup>11</sup> The Spanish and Italian say *persona humana* and *persona umana* respectively; therefore, a more accurate English translation would be the *human person*.

## CHAPTER IV

### **THE REDEMPTIVE MISSION AND MINISTRIES OF THE ORDER**

17. The Order, during the course of its history and according to the needs of the Church, besides its redemptive mission, has undertaken other charitable and apostolic ministries. Presently, the Order continues to exercise these ministries by organizing them according to the needs of each local Church and updating them in conformity with its redemptive mission.

The redemptive spirit of the Order must foster the entire apostolic action of the religious, so that it may find in it, its nourishment and unity.

18. We, the Mercedarians, by living our religious consecration with the interior attitudes required by the fourth vow, fulfill with a redemptive spirit the ministries entrusted to us by obedience for the building up of the Body of Christ.

In choosing and accepting ministries, we should prefer those which better correspond to the purpose and spirit of the Order, keeping in mind the unity and effectiveness of the action and needs of the time and place.<sup>12</sup>

19. Since our ministries cannot be exercised effectively in an unknown society, the religious should study the spiritual values that manifest themselves historically according to the signs of the times, and everything else that would contribute to a better individual and social knowledge of man.

20. The general government and that of each province promote the redemptive mission of our Order through present ministries or by means of new initiatives and actions that spring from the spirit and charism of Saint Peter Nolasco.

The provincial statutes regulate the exercise of charitable and apostolic ministries.

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<sup>12</sup> Cf. PC 20

**PART TWO**  
**THE CONSECRATION OF THE MERCEDARIAN**

## CHAPTER I

### THE MYSTERY OF THE CHURCH

21. Incorporated into the Church by their baptismal consecration, the religious are witnesses of Christ before men, by the fullness of Christian life and the perfection of charity. They express their consecration in a more radical way by the evangelical counsels of chastity, poverty, and obedience. They surrender themselves to Christ by putting themselves at the service of the Church; they free themselves from the obstacles that hinder the exercise of charity and offer witness of their consecrated life, prefiguring the value of the kingdom of God which surpasses all created things.<sup>13</sup>

22. We, the Mercedarians, qualify our religious consecration with the vow of redemption in line with martyrdom, considered by the Church an excellent gift and supreme proof of love; in this way we appear as a sign of the offering of Christ who gave up his life to redeem us from all slavery.<sup>14</sup>

23. We fulfill our consecration, based upon Mary and lived in an exemplary manner by our Father, by cultivating it in a process of purification and interior surrender that allows us to live in liberty, by overcoming egoism and allowing the gifts of the grace to bear fruit.

A constant consciousness of the place which God has assigned us with the Church, impels us to live the vows of our profession and to aspire to the highest demands of their respective virtues.

24. Besides the frequent private renewal of profession, the religious will renew their vows in common and according to our ritual each year on the anniversary of the foundation of the Order, or on some other day established by superior with the consent of the community.

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<sup>13</sup> Cf. LG 44; PC 5.

<sup>14</sup> Cf. LG 42b.

## CHAPTER II

### COMMUNAL BROTHERHOOD

25. Our Order is a Christian brotherhood in which, by venerating Mary as Mother, following the example of Saint Peter Nolasco and in imitation of the first Christian community, in which all was held in common, we, the Mercedarians, wish to realize the great desire of Jesus: "Father, let them be one, as we are one".

The same communal life, sustained by a deep human love vivified by the Holy Spirit, is the place of the presence of God, according to his word: "Where two or three are gathered in my name, there am I in their midst". This life, furthermore, manifests the coming of Christ and strengthens the very consecration by creating a climate more favorable for the observance of the vows.<sup>15</sup>

26. In professing the Rule of Saint Augustine and in seeking the perfection of love which the fourth vow requires, we cultivate a union of heart, spirit, and goods; by creating a climate of friendship and mutual affection, we share what we have and use it for our redemptive mission.

27. By living in common the experience of faith and prayer which we express in our particular lifestyle, we ought to bear each others' burdens, accept and love one another with our similarities and differences, and be always ready to pardon each other's offenses.<sup>16</sup>

28. The practice of common life—prayer, work, meals, recreation and every other action—is the expression of communion of spirit and brotherhood that must prevail in our communities, nourishing the unity and strength of our apostolic mission.

29. The greatest effort shall be placed upon creating a true communitarian conscience, by means of planning and the participation of all the members in the works of the community, with the same rights and responsibilities, safeguarding the responsibility that each one has because of his office.

The superior shall enhance this cordial cohesion and harmony in the community and in apostolic action.

30. The apostolic ministries, duties and acts assigned by obedience shall be considered a practice of common life; and those responsible for

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<sup>15</sup> Cf. Jn. 17:22; Mt. 18:20, Acts 1:14; RSA 1,4; PC 15

<sup>16</sup> Cf. Gal. 6:2

pastoral work shall seek adequate ways with which to reconcile difficulties that may arise between communitarian acts and apostolic activities.

31. When a religious, in fulfilling his ministry, cannot attend a communitarian act, shall unite himself with his brothers and they shall consider themselves represented by him in his service to the Church, offered in the name of the community.

32. The major superiors shall foster this harmony among all religious by their frequent presence in the communities, by being concerned and aiding them in the fraternal life.

## CHAPTER III

### **RELIGIOUS CHASTITY**

33. God, who abundantly blesses human love, calls by means of a special vocation some of his children to chastity for the sake of the kingdom of heaven. Through chastity the religious respond generously to the gift of love which God offers them in Jesus Christ, poor and virginal; they gratefully accept his presence and cultivate his mystery. Ratified by a vow, chastity consecrates them eminently to the service of God and of humankind and produces in them a closer union with the paschal mystery; it makes them capable of greater spiritual growth on the communitarian and apostolic levels and endows them with special self-discipline so that no other vow expresses better the total and exclusive consecration of religious life.<sup>17</sup>

34. The religious intend, by chastity, to stir up and foster a brotherhood of Jesus' followers who, committed by definitive bond, fulfill the commandment: "Love one another". At the same time, this vow carries with it the obligation to observe absolute continence in celibacy for the sake of the kingdom of heaven.<sup>18</sup>

35. Since chastity is an integral way of fulfilling oneself in the dimension of love, it is a source of more abundant productivity, by making the religious suitable for their apostolic commitment. Therefore, we, the Mercedarians, for the sake of chastity strengthened by the fourth vow, fully accept the love of God and put ourselves at the service of the redemptive work of Christ.

36. Chastity contains a special Marian meaning. Like Mary, the servant of the Lord and fruitful virgin, the Mercedarian surrenders his own person and life into the hands of Christ the Redeemer.

37. Religious chastity proceeds from Christ and is sustained by his grace, therefore and first of all, supernatural means are necessary; it is developed progressively with a personal, humble and trusting surrender to Christ and apostolic ministry. Natural means are likewise important, for they lead to the proper control of passions and to a normal affective equilibrium.<sup>19</sup>

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<sup>17</sup> Cf. LG 42c, 46; PC 1

<sup>18</sup> Cf. Jn. 13:34; CIC 599

<sup>19</sup> Cf. PC 12.

38. The religious shall live fraternal charity in community, in order to nourish a climate in which, by helping each other in chastity they allow this virtue to reach full maturity. When they are obliged to live outside of the community for awhile, they shall take advantage of every opportunity to live with other brothers of the same habit, or with other religious.<sup>20</sup>

39. The behavior of the religious towards women shall be prudent, seemly and simple. They shall value the efficacy of their collaboration in apostolic work, especially in the specific works of the Order.

Besides the dispositions of the superiors to safeguard chastity, one's own responsibility and moral conscience shall be required for greater control.

40. The religious should consider chastity as one of the most visible signs of the holiness and transcendence of the Church, and as an anticipation in this world of the future heavenly life; they shall observe it by offering themselves to God with an undivided heart.

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<sup>20</sup> Cf. PC 12; RSA 4, 24.



## CHAPTER IV

### EVANGELICAL POVERTY

41. Through poverty the religious consecrate themselves to God and acknowledge the treasure of the kingdom offered by Jesus, who “being rich became poor that we might become rich through his poverty”. Therefore, they consider worldly wealth a secondary importance, live poverty with an attitude of interior detachment and confident abandonment in the hands of the Father, by renouncing all excessive concern for temporal goods.<sup>21</sup>

42. The religious shall hold in common what they are and what they have. By the vow of poverty they are required not to use or dispose of material goods without the authorization of the superiors, so that whatever they acquire through their work, or by reason of the institute and what they may receive from Social Security, annuity, salary or in any other way, they acquire it for the community.

With temporary profession the religious do not lose the capacity to possess and to acquire goods; nevertheless, before the profession of simple vows, they surrender the administration, use, usufruct of their goods to whom they wish. Before solemn profession they must renounce their goods in a manner that is valid, and if possible, according to civil law.<sup>22</sup>

43. The interior detachment and fraternal communion of goods culminate in a gesture of help to the needy. Therefore, we, the Mercedarians, following in the footsteps of Saint Peter Nolasco, commit ourselves to put our goods and life at the service of the redemptive mission.

44. We see in Mary a model of redemptive poverty, since she put herself in the hands of God as a servant possessing nothing, She consented to every form of renunciation demanded by the Father, even to the surrender of her own Son on the cross, and ended her earthly life sharing it with the faithful of Jesus in the Church.<sup>23</sup>

45. Besides the communitarian possession of goods, this vow requires a genuine detachment and dependency upon the superiors in the use and disposition of goods, together with the personal and collective witness of poverty.

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<sup>21</sup> Cf. 2 Cor. 8,9

<sup>22</sup> Cf. CIC 668

<sup>23</sup> Cf. Acts 1:14; Lk. 1:48

Keeping in mind that poverty is a special sign of the following of Christ, there shall not exist in the communities any accumulation of goods, immoderate gain or event the appearance thereof.<sup>24</sup>

46. As religious we must consider the goods of the Order as belonging to the poor of the Church because of our vow of poverty and the purpose for which they are destined; we must them as a means for our charitable and redemptive mission, and treat them with great care, as faithful administrators who must give an account of them to God and to the community.

47. Religious poverty is expressed also in the supernatural acceptance of the common law of work to provide as the poor for our own subsistence and to help the need. This obliges us to avoid laziness and to put forth our best efforts in fulfilling assigned tasks.

48. Each religious should be provided with what is necessary according to his material needs and ministry within the spirit of poverty. When religious are moved from one community to another they may take with them objects of personal use which may be necessary.

49. Unless it be for reason of sickness, old age, or other necessity, there shall be no distinction among the religious in the practice of poverty, doing everything possible so that no inequalities shall be introduced because of different nationality, province, house, or duty.

50. In addition to the realization of our redemptive duty, insofar as possible, the communities shall contribute to the solution of the needs of the Church and the aid of the needy by being generous toward the poor, particularly on the feasts of the Order.

51. The provincial, with his council, shall study the way to aid any needy parents of the religious.

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<sup>24</sup> CIC 600

## CHAPTER V

### OBEDIENCE IN FAITH

52. By obedience the religious discover and accept the will of God manifested in Christ, who, obedient to the Father, came not to be served but to serve.

By obedience they renounce the urge to dominate others by putting themselves in the hands of God and carrying out his will on earth, convinced that obedience, rather than lessening the dignity of the human being, leads to full maturity by extending the freedom of the sons of God.<sup>25</sup>

53. By their vow of obedience the religious submit their own will to their lawful superiors, whom they must view as representatives of God when they command accord to the Constitutions.

We, the Mercedarians, acknowledge as a sign of God's will the commandments, the evangelical counsels, the teachings of the Church, fraternal life, the redemptive need, the laws and traditions of the Order, the commands of the superiors, and even agreeable or painful events.<sup>26</sup>

54. Following Saint Peter Nolasco, the profession of obedience reaches its highest degree in union with the saving will of God by means of the fourth vow which associates us to the redeeming sacrifice of Christ, who humbled himself, taking upon himself the condition of a servant in order to free his brother.<sup>27</sup>

55. We, the Mercedarians, discover the perfect model of our obedience in Mary, who with humble, generous and trust faith, fully and responsibly accepted the divine will by associating herself to the redemptive offering of her Son in spirit of service to God and humankind.

56. Obedience obliges all religious as they are committed to the discernment of the will of God.

The superiors fulfill their task by encouraging this discernment, fostering a life of prayer and fraternal charity, and organizing together with the religious services of the apostolate.

The other religious, in a spirit of faith and as co-responsible for common work, offer their own initiatives and collaboration; they present their reasons with respect and accept the final decision of the superiors

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<sup>25</sup> Cf. Jn. 4:34; Phil. 2:8-9; PC 14: Mt. 20:28

<sup>26</sup> Cf. Phil 2:7

<sup>27</sup> Cf. Phil 2:7

through whom are manifested in the community the designs of the Lord, and help them with prayer.

57. The superior, in imitation of Christ, shall exercise his authority as a service to the community, as a friend and brother “more loved than feared” by the religious; he shall help them patiently and prudently in seeking personal and communitarian perfection.<sup>28</sup>

58. The religious should have the same sentiments as the Church and be ready to fulfill her precepts and instructions; they shall give filial obedience, even by virtue of the vow, to the Vicar of Christ, and shall collaborate with the local ordinary according to canon law.

59. So that dialogue between the superiors and their religious may be truly constructive, it shall always be carried with the greatest respect and charity. Superiors shall facilitate the liberty of the children of God and only in exceptional cases shall make use of the formal precept of obedience, which must be given in writing.

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<sup>28</sup> Cf. RSA 7, 46.

**PART THREE**  
**SPIRITUAL LIFE AND OBSERVANCE**

## CHAPTER I

### THE WORD OF GOD AND LITURGICAL LIFE

60. Perfection in the following of Christ is realized and sustained, above all, by means of a living contact with the word of God and liturgical celebration.

61. Holy Scripture, the word of the Father who “comes forth lovingly to meet and converse with his children”, should be our assiduous reading, so that accompanied by prayer, it may lead us to true dialogue with God and become a source of spiritual life.

Spiritual reading oriented toward the imitation of Christ is highly recommended.<sup>29</sup>

62. We intend to give careful attention and theological understanding of our celebrations, in order to live more fully the liturgical spirit and to receive more abundant grace from the sacred action, in which Christ is present in a very special way by associating the Church to himself, worshiping the Father through him.<sup>30</sup>

63. We cultivate the study of sacred liturgy in order that we may live it and communicate it to the faithful by word and example.

Worship in our churches shall be carefully organized with active participation in the liturgical movement of the diocese.<sup>31</sup>

64. We participate daily in the Eucharist, the source and summit of Christian life, by offering the Divine Victim and ourselves along with him and partake of the Supper of the Lord, the efficacious sign of unity of the people of God and the bond of our fraternal communion.<sup>32</sup>

65. Wherever it is possible there shall be a celebrated daily a community Mass in which the priests shall concelebrate; nevertheless, each priest shall be free to celebrate this Eucharist individually.<sup>33</sup>

66. Our priests should celebrate Mass each day with dignity and devotion; the other religious shall participate full in it by receiving the Most Sacred Body of Christ.<sup>34</sup>

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<sup>29</sup> Cf. DV 21, 25; PC 6

<sup>30</sup> Cf. SC 7, 11, 17.

<sup>31</sup> Cf. SC 16-19; IOE 11-14, 18.

<sup>32</sup> Cf. SC 47, 48.

<sup>33</sup> Cf. EM 47; IOE 15; CIC 902

<sup>34</sup> Cf. PO 13; CIC 663.2.

67. In order to attain and express our continual interior conversion, we must approach frequently the Sacrament of Penance, keeping in mind that offenses committed against God also wound the Church of Christ.<sup>35</sup>

68. By means of the Divine Office or the Liturgy of the Hours, especially when celebrated in common, our Order associates itself with the hymn of praise by which the Church and Christ direct themselves unceasingly to the Father. Therefore, we strive to “unite the mind with the voice” in order to represent the praying Church with dignity before God and to nourish our piety and personal prayer.<sup>36</sup>

69. We must perform with dignity and the greatest piety the complete recitation of the Liturgy of the Hours and its celebration ordinarily should be done in common at the appropriate hour, keeping in mind the possible participation of the faithful.

In fulfilling charitable works or the apostolate hinders its complete recitation, the community must come together at least for Morning and Evening Prayer.<sup>37</sup>

70. The celebration of Mass in our churches and the recitation of the Liturgy of the Hours, in common as well as in private, are regulated by the calendar of the Order.

71. We sanctify the Lord’s Day, the foundation and nucleus of the liturgical year, and feast days with solemn liturgical celebrations of the Eucharist and the Word.<sup>38</sup>

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<sup>35</sup> Cf. LG 11b; CIC 664.

<sup>36</sup> Cf. SC 84, 90.

<sup>37</sup> Cf. CIC 1173, 1174, 1175.

<sup>38</sup> Cf. SC 106; IOE 15.

## CHAPTER II

### **MENTAL PRAYER AND THE PRACTICE OF PIETY**

72. In addition to liturgical celebrations it is necessary to pray to the Father in secret by cultivating the spirit of prayer and personal prayer based on the word of God and the sources of Christian and Mercedarian spirituality.<sup>39</sup>

73. We, the Mercedarians, experience in prayer the presence of Mary, the mother of Jesus who presides over and inspires our prayer and with her, who "excels among the humble and the poor of the Lord", we glorify God and beg his compassion upon the oppressed. We extol his justice against the powerful and try to imitate Mary in her union with him and in the offering of her own life.<sup>40</sup>

74. We see in our Father, Saint Peter Nolasco, the guide and model of Mercedarian prayer; we imitate his contemplative attitude and find in union with Christ the Redeemer, who suffers within captives, the strength which transforms us into messengers of love and freedom.

75. The community comes together for mental prayer each day for at least one hour, as a time dedicated to intimate reflection and union with God, which has to foster our life for brotherhood and our apostolic action.

Likewise, the community comes together daily for the examination of conscience, if possible at the recitation of Night Prayer, so that each of us may make progress in knowing himself and purifying the motives of his work.<sup>41</sup>

76. Each community establishes the time and manner of mental prayer and of other community practices of devotion and submits all to the approval of the provincial. The superior, as the spiritual promoter of the community, takes care of their daily fulfillment as well as the celebrations set forth in the ritual for the feasts of the Order.

77. Following the Eucharistic tradition of our Order, the Mercedarians assiduously visit and adore the Lord present in the Blessed Sacrament.<sup>42</sup>

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<sup>39</sup> Cf. Mt. 6:6; SC 12; PC 6.

<sup>40</sup> Cf. Acts 1:14; LG 55; Lk. 1:46-55.

<sup>41</sup> Cf. PO 18b; CIC 663.3; 664.

<sup>42</sup> Pf. PO 18c; CIC 663.2.



78. The community comes together at least once a month to review its life on matters of spirituality and apostolate by studying the best practical means for greater regular observance and apostolic efficacy.

79. Our monthly day of recollection and the annual period of spiritual retreat will be carefully prepared and done at a convenient time and place, so that all the religious may be able to participate.<sup>43</sup>

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<sup>43</sup> Cf. CIC 663.5.

## CHAPTER III

### **DEVOTION TO OUR MOST HOLY MOTHER AND TO THE SAINTS OF THE ORDER**

80. Our Order, along with the Church, admires and exalts Mary, who is united to the saving work of her Son by an indissoluble bond, as the most splendid fruit of redemption, and contemplates her as the most pure image of that which it itself yearns and hopes to be.<sup>44</sup>

81. We, the Mercedarians, intend to love Mary as her sons and to honor her as "Our Mother", for she is the spiritual foundress of the Order. We strive to uphold her as a lively model of consecration to God and of redemptive service to men; we beg her constantly for faithful perseverance in our vocation and we feel obliged to promote with ardor her devotion among members of the Mercedarian family, oppressed Christians and the faithful entrusted to our apostolic service.<sup>45</sup>

82. In order to know and imitate her better, we, the Mercedarians, study with particular interest the figure of Mary; we must show forth her mission and the privileges with simplicity and competence and promote authentic Marian devotion by our life and example.

83. We honor the Mother of God especially with the following acts:

- i. the daily recitation of five decades of the Rosary
- ii. on Saturdays, according to liturgical law, the Mass of our most holy Mother and the Liturgy of the Hours of the Blessed Virgin Mary; and, at the appropriate hour, the singing of the "Salve Regina";
- iii. special prayers for oppressed Christians on the last Saturday on each month;
- iv. the solemn celebration of her feast on September 24<sup>th</sup>;
- v. the dedication of provinces, churches, and oratories;
- vi. the presence of her image in the choir and private rooms of the religious.

84. Likewise, we venerate with special love our Father, Saint Peter Nolasco. We must study diligently his life and mission in the Church, in order to perpetuate his spirit and redemptive service in the Order.<sup>46</sup>

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<sup>44</sup> Cf. LG 53, 68; SC 103.

<sup>45</sup> Cf. CM 1.5; CR 81, 225ff.

<sup>46</sup> Cf. Liturgy of the feast of St. Peter Nolasco, hymn at Evening Prayer.

85. We honor our holy Father by celebrating solemnly his feast in all our communities, by setting forth his virtues and example of the faithful, instructing members of our Third Order and confraternities in the knowledge of his life and mission and by adding a hymn of praise in his honor after the singing of the "Salve Regina" on Saturdays.

86. We celebrate the feasts of the other saints of our Order with fraternal spirit, keeping in mind the example of their lives as models of a faithful response to the same vocation.

## CHAPTER IV

### **SELF DENIAL AND MORTIFICATION**

87. Baptismal and religious consecration require that the follower of Christ deny himself and realize in his personal and community life the death and resurrection of the Lord, by dying to sin and the world, to live only for God.<sup>47</sup>

88. Since we have to form in us the perfect image of Jesus Christ, we need not only interior self denial, but also to practice bodily mortification on the personal and community level that will lead us to holiness and characterize our life, thus becoming apostolic witnesses and impelling us to great charity in service to our brothers.

89. We shall respond generously to God when he inspires us to practice mortification, keeping in mind that the best of all mortifications consists in accepting with faith the renunciations and discomforts that consecrated community life carries with it.

90. On the day of spiritual retreat or on another convenient day, especially in Advent and Lent, there shall be held community penitential celebrations, ordinarily accompanied with sacramental confession.

91. Besides the days established by the Church, penitential days in our Order are those that precede the feasts of our most holy Mother, and our holy Father, and those determined by provincial statutes which shall indicate the acts of mortification most appropriate to the place and the actual manner of living them.<sup>48</sup>

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<sup>47</sup> Cf. Rom. 6:4-6; PC 15.

<sup>48</sup> Cf. PAE III, CIC 1249-1253

## CHAPTER V

### **CARE OF THE SICK AND AGED**

92. All of us must see in sickness a way of associating ourselves to the passion of our Lord, and in death the supreme oblation of our lives.

93. The religious who are weak, sick or aged represent Christ in the community in a special way. Therefore, we will attend to them with particular fondness and fraternal charity, frequent visiting the sick and handicapped.

94. The superior shall take care with solicitude and charity that the religious are assured in regard to illness and old age and have old age benefits where it is possible, making sure that nothing is lacking to the sick and the aged.

95. The superior will also take care that our religious, who are seriously ill or advanced in age, may receive promptly the Sacrament of the Anointing of the Sick and the Sacred Viaticum that he himself will ordinarily administer to them, accompanied by the other religious of the community.

## CHAPTER VI

### **COMMUNICATION, SILENCE AND ENCLOSURE**

96. Human communication is a precious gift that requires the capacity of listening and of acceptance of the other person in a climate of trust, without which the communitarian life fraternally shared becomes impossible.

Scripture reminds us to that we must be “quick to hear, slow to speak” and that Jesus communicated to his disciples, as to friends, all that he had received from the Father. Likewise, our friendship as brothers in Christ must be expressed in a sincere communitarian interchange and in a friendly simple manner.<sup>49</sup>

97. We gather at the same table with the proper blessing and thanksgiving to the Lord, in the midst of a healthy joy that fosters our fraternal union, taking care that our meals be sober and sufficient in respect to poverty.

After the thanksgiving, the religious share for awhile in fraternal recreation.

98. Necessary discretion must be observed in the use of the media of social communication, avoiding whatever is harmful to religious consecration, by respecting due love for silence and fraternal union.

99. Our religious shall value silence as a practice of regular observance which favors piety, study, recollection and rest; therefore, they must observe it at the times and places determined by the community, in order to create in our houses an atmosphere conducive to an encounter with God, the development of intelligence, the exercise of virtues and appropriate physical rest.

100. In order to favor recollection and the religious spirit of the community, the enclosure as it is established in our houses must be observed, taking care that it does not impinge upon pastoral ministry and by always reserving a part of the house for the religious alone.<sup>50</sup>

101. The provincial, having heard his community, establishes in each case the limits of the enclosure from which he may dispense for just

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<sup>49</sup> Cf. Jas. 1:19; Jn. 15:15.

<sup>50</sup> Cf. CIC 667.1.

cause. The local superior, in similar circumstances, may occasionally dispense from it.

102. Visits shall be received at suitable times and places, avoiding useless distractions' the religious shall observe the greatest discretion when visiting private homes, they shall neither involve themselves in affairs extraneous to their apostolic work nor carry abroad those of the community.

## CHAPTER VII

### **DOMESTIC ORDER AND OTHER OBSERVANCES**

103. The schedules, by which domestic order is regulated, must be at the same time precise and flexible, so that neither religious spirit nor the efficacy of the apostolate suffer detriment

104. As truly poor we must do our work by making our talents productive and at the complete disposal of the community. Tasks shall be distributed fairly according to personal qualities and apostolic needs, giving also to each one enough time for rest and privacy.<sup>51</sup>

105. For the sake of internal order, the religious shall ask permission from the superior or vicar when they need to leave the house, unless they go out for reason of their office.

106. The annual vacations shall be organized in each province and community in such a manner that neither the spiritual life be impaired nor apostolic service left unattended.

107. As a sign of their consecration and in witness to poverty, the religious shall wear the habit of the Order. It is white, of simple material, composed of a tunic, belt, scapular, capuche and shield.

For special reasons and for as long as they last, the Master General may permit another apparel with the shield of the Order, which contains the cross of the cathedral of Barcelona in the upper part and the coat of the arms of James I of Aragon in the lower part; the royal crown is usually placed above the cross.<sup>52</sup>

108. In documents and official writings the seal of the Order shall be used, unless a serious reason impedes it. The major superiors shall put the year of foundation of the Order after the year of our Lord at the end of documents addressed to the religious.

109. The order of profession among the priests, brothers, and professed students shall be followed whenever acts require it: the Master General in the Order, the provincial in his province and the local superior in his community shall occupy the place of presidency.

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<sup>51</sup> Cf. PC 13; ES II,26.

<sup>52</sup> Cf. PC 17; CIC 669.1.



110. The religious shall travel with the required permission. The local superiors may authorize them in ordinary cases, the provincial within the limits of the respective country or province. The authorization of the Master General is required for extraordinary and prolonged trips.

111. When a religious arrives at a place in which there is a house of the Order, he shall visit it at least to greet his brothers and the community shall welcome him fraternally. Should he have to remain awhile to fulfill some ministry let him join in the community life, recognizing the authority of the local superior, in accordance with common and proper law.

112. At times established by the community, a chapter of the Rule of Saint Augustine and the Constitutions of the Order shall be read each week, since they are the sure guide by which we live our religious consecration.

## CHAPTER VIII

### **PARTICIPANTS AND COLLABORATORS**

113. We consider the members of the other institutes of the Mercedarian family as offspring matured from the spirit of our Order, and offer to these communities of nuns and sisters, with a fraternal spirit and in whatever measure possible, the pastoral service they require.

114. The Mercedarian nuns, a precious inheritance from that group of woman who, with Saint Mary of Cervellon, collaborated since the beginning in the redemptive work of Saint Peter Nolasco, are affiliated with the Order. Preserving their own manner of life and government, they may be associated to the Order in such a way that the Master General may have authority over their convents in accordance with the own constitutions.<sup>53</sup>

115. It is within the jurisdiction of the Master General, upon the request of the respect supreme moderator, to add another religious institute to the Order, so that it may form part of the Mercedarian family, always keeping its own canonical autonomy.<sup>54</sup>

116. The general and provincial governments shall have a delegate who is in charge of promoting relations with those institutes, so that they may help each other and organize, if possible, some common apostolate. In order to strengthen the bonds of union even more, it is useful to promote meetings of spiritual character, study, and planning.

117. Since the beginning of the Order, lay people have participated and collaborated in the exercise of our redemptive mission, forming various associations and confraternities. Among these the most important is the Third Order, an association of lay people integrated into the Mercedarian family, that participates in the redemptive spirit. In the Third Order the Christian realizes his baptismal consecration inspired by the spiritual values of Saint Peter Nolasco; he is centered in the love for our Mother of Mercy, seeks his own sanctification and gives efficacious collaboration in the mission of the Order.

118. It pertains to the Order to establish, organize and attend with special care to these lay associations, by promoting the spiritual maturity and permanent formation of their members, their active participation in

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<sup>53</sup> Cf. CIC 614-615.

<sup>54</sup> Cf. CIC 580.

apostolic action and their integration into the Mercedarian family by some specific bond.

119. The establishment of these lay associations is the day of the major superior according to the dispositions of the Church. The general secretariat and the secretariat of the respective province shall take charge of the Third Order, the Confraternities of Mercy and new associations, by updating or approving their statutes, promoting meetings of their leaders among themselves and with other apostolic movements.

120. Each province must try to promote, establish and develop new lay associations according to the directives of the Church, the needs of our redemptive spirit and the circumstances of each country. Therefore, we must offer to the lay people who collaborate in our apostolic action the possibility of knowing and cherishing the spiritual treasure of our Order, so that, while maintaining their lay character, they may realize the Mercedarian ideal.

Likewise, special attention shall be give to young people to whom the Mercedarian ideal must be presented as a concrete path for Christian life in today's world. According to the possibilities of each place, a Mercedarian youth movement should be established under the guidance of the pastoral life secretariat.

121. We consider the parents and relatives of the religious as an integral part of the Mercedarian family, by trying to strengthen their friendship and spiritual union with us, especially during the time of formation of their sons.

122. We welcome with fraternal hospitality the relatives of the religious, members of other institutes and diocesan priests, following the traditional spirit of the Order.

123. We must treat with justice and charity those who work for our communities, by giving them a fair salary, sufficient rest, vacation, social security and proper care of their spiritual lives.

124. The Master General may grant to benefactors, when he judges it appropriate, a share in the spiritual goods of the Order or of a provincial or local community. The provincial may do the same with respect to his province.

## CHAPTER IX

### SUFFRAGES

125. Charity, which endures forever, must unite us even after death. Therefore, the brothers who are resting in Christ will always be present in our community and personal prayer, especially in the Holy Sacrifice of the Mass.<sup>55</sup>

126. The deceased religious are to be dressed with the habit, with the addition of a stole for priests. The provincial and the relatives of the deceased shall be promptly notified.

The secretary of the province notifies the Master General of the deceased confrere, and he will inform the other provincials of the same, through them all the communities. The secretary of the province furthermore prepares a short biography of the deceased to be published in the Bulletin of the Order.

127. Besides the suffrages that may be established in the provincial statutes, the following shall be observed:

- i. for the Holy Father, one Mass in each local community of the Order.
- ii. for the Master General or ex-General, one Mass by each priest of the Order and the participation of the brothers in a Mass, a community one if possible.
- iii. for a religious of the same province, a Mass celebrated by each priest of the province and the brothers participating in one.
- iv. for religious of another province, a Mass in each local community of the Order.
- v. for each one of the religious, the Mass of Christian Burial and a Gregorian course of Masses, celebrated in the house to which he was assigned; if the community cannot fulfill the Gregorian course the provincial determines the manner of celebrating it.
- vi. for a religious elevated to the episcopacy, the same suffrages indicated above according to each case. The respective provincial curial shall celebrate a Gregorian course.
- vii. for a novice, the same suffrages as for a religious.
- viii. for the father or mother of a religious, three Masses in the house of which he is a member

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<sup>55</sup> Cf. 1 Cor. 13:8.

- ix. in the month of November and on the appointed day each community shall commemorate the deceased religious, sisters, Third Order members, confraternity members, captives, relatives, and benefactors, by the suffrages and prayers of that day. For the same intention, each local community shall celebrate an anniversary Mass in February, July, and October; in each one of the remaining eight months a Mass will be celebrated for all the faithful departed.
- x. for the last deceased Master General, an anniversary Mass each year in the general curia.
- xi. for the religious deceased since last chapter, an anniversary Mass in the general and provincial chapters.

These suffrages should be offered wherever possible, during the community Mass, so that all the religious may participate in it, since it is above all during the celebration of the Eucharistic Sacrifice that we best join ourselves with our brothers who are resting in the peace of Christ.<sup>56</sup>

128. In each community the names of the deceased religious shall remain displayed in a suitable place for some years so that their memory may move us to pray for them.

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<sup>56</sup> Cf. LG 50d.

**PART FOUR**  
**FORMATION AND STUDIES**

## CHAPTER I

### **ENCOURAGEMENT, ACCEPTANCE AND DISCERNMENT OF VOCATIONS**

129. The duty of encouraging vocations pertains to Christian parents and the whole ecclesial community. For a greater reason religious should consider themselves obliged to cultivate, welcome and discern vocations.<sup>57</sup>

130. Our priests in proclaiming the Word of God shall frequently treat the theme of the evangelical counsels, the spirit and the apostolate of the Order. Each religious, in his ministry and by his example, shall likewise exercise his apostolic zeal in stirring up, welcoming and cultivating vocations, observing the norms of the Church.

It is the duty of the superiors and especially the provincials to take the initiative and actively carry on, in an efficacious manner, the vocational task as the indispensable means for the survival and growth of the Order.<sup>58</sup>

131. Each community, by means of its evangelical and Mercedarian life-style, must become an invitation so that others may wish to follow Christ according to the charism of the Order. Furthermore, the community must also be disposed to encourage and welcome prospective vocations that may arise in its surroundings or through its apostolic activity. However, if the aspirant is to live with the religious, the permission of the provincial is required.

132. The provincial secretariat of vocations, formation, and studies, in agreement with the corresponding general secretariat, organizes the work for Mercedarian vocations and the most adequate methods to recruit, accept, and discern them according to the circumstances of each province.<sup>59</sup>

133. The task of discernment must be carefully continued throughout all periods of formation until solemn profession. Those who do not show a Mercedarian vocation shall be oriented toward another type of Christian vocation.<sup>60</sup>

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<sup>57</sup> Cf. LG 11b; OT 2; RF 5-10.

<sup>58</sup> Cf. PC 24; PO 11.

<sup>59</sup> Cf. RF 10.

<sup>60</sup> Cf. OT 6; RF 40.

## CHAPTER II

### RESPONSIBLE DIRECTORS

134. Formation in the Order has as its goal the leading of candidates to progressively live their religious life according to our spirit and mission in the Church. The major superiors are especially responsible for this formation, with the help and orientation of the secretariats of vocations, formation and studies, and teams of directors.

135. In order to have unity and effectiveness in the promotion of vocations and internal formation of those who are received into the Order, the general and provincial "Ratio Institutionis et studiorum" following the directives of the Church, shall organize all the formative elements which contribute to the unity of life for each candidate.<sup>61</sup>

136. The directors of formation shall be chosen from among the priests in solemn vows who possess great virtue and better qualities for each period of formation; they shall be prepared with sound study on questions of theology, vocation pedagogy and Mercedarian spirituality, and have sufficient pastoral experience.<sup>62</sup>

137. The masters are appointed by the provincial with the consent of his council. The other directors are designated by the provincial.

138. Under the guidance of the superior, the master and his co-workers shall establish a close union of spirit and action, by forming with the candidates such a familiar communion that it may respond to the prayer of the Lord "that they may be one" by promoting in them the joy of feeling called to the Order.<sup>63</sup>

139. The team of directors shall meet frequently under the leadership of the superior to review its own action and that of those in formation in order to continually revise pedagogical and didactic methods in regard to study and the spiritual life.<sup>64</sup>

140. The houses of formation must be the first concern of the superiors and of all the religious, with respect to buildings and finances, and above all, with respect to personnel<sup>65</sup> and spiritual means. The religious who are

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<sup>61</sup> Cf. PC 18b.

<sup>62</sup> Cf. PC 18; OT 5z; RF 30, 33-35; CIC 651.1.

<sup>63</sup> Cf. OT 5; RF 29, 38b; Jn. 17:22.

<sup>64</sup> Cf. RF 29, 38a, 90.

<sup>65</sup> This was a misprint in the first English translation, which read *personal*.



suitable should willingly accept the demanding task of being directors of formation.

141. The General Secretariat of Vocations, Formation and Studies, whose function and organization are determined by the General "Ratio" fosters formation and studies in the entire Order.

142. The Provincial Secretariat of Vocations, Formation, and Studies, whose function and organization are established by the Provincial "Ratio" gives incentive and fosters formation and studies in the province.

## CHAPTER III

### **NOVITIATE**

143. The novitiate has the purpose of aiding the novice, in theory and practice, in the knowledge of the requirements of Mercedarian religious life, so that he, by exercising the evangelical counsels and realizing an intimate union with Christ in activities proper to the Order, may prepare himself for profession.<sup>66</sup>

144. The candidates for both the priesthood and the brotherhood must pass a period of preparation before entering the novitiate, established by the provincial statutes and planned by the provincial "Ratio", according to the distinct circumstances of each province.

145. During this time of preparation the candidates, helped by a director, in light of the Word of God, prayer, Mercedarian charism and personal motivation, discern the signs of their vocation in relation to the nature and peculiar purpose of the Order. The director, before proposing the candidates to the provincial, should be certain that the candidates possess sufficient maturity and the other qualities required by the Church and the Order to begin the novitiate. Should it be necessary, the advice of experts shall be sought.<sup>67</sup>

146. The provincial admits a candidate to the novitiate keeping in mind the judgment of those who have taken care of his formation and acting in a manner that only those are admitted who possess the required qualities and maturity and have met all the requirements demanded by common law.<sup>68</sup>

147. Before being admitted to the novitiate the candidate shall present the documents necessary and those that may seem appropriate to the provincial. The minimum age to begin the novitiate is seventeen.<sup>69</sup>

148. After the candidates have made a spiritual retreat, the act of admission to the novitiate is done according to the ritual of the Order, by recording the act in the appropriate book. The provincial statutes determine the concrete form of completing this time of formation as established by the provincial "Ratio".

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<sup>66</sup> Cf. ES II, 33; CIC 646.

<sup>67</sup> Cf. CIC 642

<sup>68</sup> Cf. CIC 645.

<sup>69</sup> Cf. CIC 363.1; 645.1-4

149. The novitiate, to be valid, must be made in a house designated for this purpose by a written decree from the Master General with the consent of his council, where the novices live fraternally united under the direction of their master. While each novice strives to discover and to faithfully follow the signs of his vocation, the master and the community sustain and help his religious and human development, by examining with him the progressive realization of his ideal and by offering him an example of life and prayer.<sup>70</sup>

150. Granted the formation efficacy of live in fraternal communion, when a reduced number of novices does not allow the creation of this favorable condition, the Master General with the consent of his council, may see the feasibility of moving the novitiate to a suitable community. In particular cases and as an exception, he may allow a candidate to make his novitiate in another house of the Order, designated in the same way under the direction of a director who assumes the role of master of novices.<sup>71</sup>

151. The provincial may permit the novices with their master to live for a determined period of time in another house of the province designation by him.<sup>72</sup>

152. The formation of novices includes the gradual renunciation of all that hinders an answer to the call of God, by means of prayer and the practice of human and Christian virtues, meditative reading of Sacred Scripture and knowledge of the mystery of salvation; well prepared liturgical celebrations, especially the Eucharistic Celebration and the Liturgy of the Hours; an openness to the impulses of the Holy Spirit in order to establish a filial relationship with the Father, so that they novice may pattern his life after that of Christ by fraternal communion and the evangelical counsels, according to the character, spirit and discipline of our Order properly set forth.<sup>73</sup>

153. The novices must be initiated into the study of the Rule, Constitutions, ritual, history and spirituality of the Order and in everything else that constitutes its best tradition and spiritual patrimony. The master shall stir up in the novices the joy of being called to an institute which for so many centuries has given itself to liberating service

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<sup>70</sup> Cf. CIC 647.1; 652.4

<sup>71</sup> Cf. CIC 647.2.

<sup>72</sup> Cf. CIC 677.3.

<sup>73</sup> Cf. CIC 652.2.

in the Church, by directing them toward a great love for the Church and its sacred pastors.<sup>74</sup>

154. In order that the novices may better center their lives in Christ the Redeemer, they shall be oriented toward the imitation and veneration of Mary, our foundress and mother, impressing her image as a seal upon their hearts, so that nothing may be in their mouths, minds or conduct that does not breathe love for the Virgin Mary.

They shall regard Saint Peter Nolasco in a similar manner by studying with deep interest and devotion his person and work, until they assimilate the redemptive spirit that was his legacy to the Order; thus they shall prepare themselves to profess the fourth vow.

155. The master, avoiding both excessive rigor and too much leniency, paternally corrects their defects, by letting them discover the deep motivations of their acts and the proper religious ideal; he shall help them purify their motivations, to achieve a healthy human and vocational equilibrium and to fulfill with generous decision the will of God which is going to be more clearly manifested to them.

156. The master shall always be ready to welcome and help with great understanding and charity each novice with his problems, doubts and crises, respecting his freedom of choice and the gift of God. The novices, on their part, shall approach the master, sincerely confiding in him their difficulties, listening to his advice in a spirit of faith and obeying his orders. The novices exercise, furthermore, those apostolic activities that the master chooses as formative for them, with the consent of the provincial and according to the "Ratio" of each province. These activities may be carried out outside the novitiate community during some periods of time.

157. The novitiate must last twelve months, not counting possible formative activities done outside the house, and must not exceed two years, including the time for said activities.

The canonical period of the novitiate is invalidated by an absence from the novitiate house which lasts more than three continuous or interrupted months. If the absence from the novitiate is for a period of more than fifteen days but less than three months it must be made up. The major superior may all profession to be anticipated for a just cause, but not by more than fifteen days.

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<sup>74</sup> Cf. CIC 646; 652.2.

158. One month before completing the novitiate, the novice asks the provincial in writing for admission to religious profession and prepares himself for it by making a spiritual retreat. The master sends a detailed report to the provincial. According to the indication of the provincial, the superior convenes the consultative chapter of the religious with solemn vows in order to propose by secret vote, admission of each novice to profession and sends the results to the provincial.<sup>75</sup>

159. It pertains to the provincial, with the deliberative vote of his council, to admit to profession the novice who has met all the requirements of common law and to receive the profession either personally or through his delegate, according to the ritual, recording the act in the Book of Professions with the signature of the professed and of him who has received the profession.

By virtue of the simple profession the novice agrees to participate in the common life of the brothers and to observe the vows according to the Rule and Constitutions of our Order, while preparing himself for solemn profession.<sup>76</sup>

160. Simple profession is made from year to year for a period of six years. In exceptional cases the provincial has the power, with the consent of his council, to anticipate or postpone solemn profession, for no more than three years.<sup>77</sup>

161. The novice may leave the Order when he wishes and the provincial may dismiss him for just causes; in urgent cases, the superior may also do so in agreement with the master, informing the provincial as soon as possible.

162. The novice in danger of death may make his profession with the authorization of the provincial or, in an urgent case, with that of the superior, in order to give the novice the possibility to consecrate himself God and the joy of dying as a member of the Order; but if the novice recovers, such profession has no juridical value.

163. Both simple and solemn profession must be made according to the following formula:

I, Brother N.N., born in \_\_\_\_\_, on the \_\_\_\_\_th day of \_\_\_\_\_ (month and year) for the glory of God the Father, who redeemed us through Jesus Christ his Son and made us his adopted children

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<sup>75</sup> Cf. CIC 656

<sup>76</sup> Cf. CIC 656.3

<sup>77</sup> Cf. CIC 655; 657.2

through the Holy Spirit, do wish to consecrate myself more intimately to him and to follow Christ more closely throughout all my life; therefore, before my brothers here present and before you, Father N.N.,<sup>78</sup>

I make profession of solemn vows<sup>79</sup> and I promise to observe chastity, poverty, obedience and the fourth vow, according to the Rule of Saint Augustine and the Constitutions of the Order of the Blessed Virgin Mary of Mercy, and I freely and willingly unite myself to this religious family in order to live in union with my brothers and, by imitating our father and founder, Saint Peter Nolasco, attain through the grace of God and the help of our Mother of Mercy the perfection of love in generous and faithful fulfillment of the redemptive mission of the Order. I ratify this free decision by signing it with my own hand, in this house of \_\_\_\_\_, on the \_\_\_\_\_th day of \_\_\_\_\_ (month and year).

He who receives the profession says:

And I, by the power granted to me, receive in the name of the Church the vows you have made in the Order of the Blessed Virgin Mary of Mercy and I wholeheartedly entrust you to God, that you may fulfill your offering, which is joined to the Eucharistic Sacrifice.<sup>80</sup>

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<sup>78</sup> The title of the office of the major superior who receives the profession, or the name of the delegate in this way “and before you, Father N.N., delegated by the competent superior”.

<sup>79</sup> At first profession and subsequent renewals, he says “I make profession of simple vows for one year”.

<sup>80</sup> If profession is made outside of the Mass the words: “which is joined to the Eucharistic Sacrifice” are omitted.

## CHAPTER IV

### **RELIGIOUS FORMATION**

164. During the time between simple and solemn professions, the religious formation is continued and completed, both for clerics and for brothers through different stages, by helping those in formation to grow in their vocation and giving them an efficacious preparation for their total consecration.

165. Under the authority and encouragement of the superior and, if it is necessary, under the more immediate care of a director or master, the clerics at their house of studies and the brothers in suitable houses, shall continue the formation initiated in the novitiate, in order to acquire an integral religious formation in regard to personal, communal, ecclesial and ecumenical aspects, by alternating theoretical study with corresponding practical exercises.

166. In order that the religious who are still in formation may attain personal maturity and joyfully live their consecration, the superiors and directors shall keep in mind the principles of sound pedagogy both for the internal organization of the house of formation and the proper relations of those in formation with those to whom they will have to bring the evangelical message of liberation.

167. In an atmosphere where discipline is accepted with conviction and responsibility is shared, the professed religious shall acquire and adequate doctrinal formation by those didactic methods which facilitate personal elaboration of what has been learned, love for truth, seriousness in work and humble recognition of their limitations.

168. The provincial "Ratio" organizes the formation of the religious during the period of formation according to our Constitutions, the General Ratio and the provincial statutes. During this time and until they complete their ecclesiastical or technical studies, they should not be given tasks which could impede their religious, intellectual or practical formation.<sup>81</sup>

169. One month before the period of profession is completed the religious request renewal from the provincial in writing. The master or the responsible director sends his report to the provincial. Once the renewal is granted and made according to ritual, the act is recorded in

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<sup>81</sup> Cf. CIC 660.2.

the respective book, signed by the religious who has renewed his profession and by him who has received it.

When the period for which the profession was made is completed, the religious may leave the Order; and the provincial having heard his council, may deny him renewal. Those who are not suited shall be directed toward another type of vocation, giving them charitable aid.

170. In order that all may make solemn profession with full liberty and with the required maturity and suitability, each religious three months in advance, makes a written request to the provincial, to whom the master or the responsible director sends his report.

The provincial, having heard his council, can refuse to admit him to solemn profession, whenever there are just causes.

171. At least during the three months before solemn profession, as a second novitiate and under the direction of a master or another competent religious, those who are to profess must prepare themselves with greater intensity by acts particularly directed to this purpose and a spiritual retreat.

172. Solemn profession presupposes that the religious has attained that degree of human and vocational maturity required by his free decision, by which he consecrates himself irrevocably to God and joins himself definitively to the Order. For its validity the candidate shall be at least twenty-one years of age and at least three years have passed since his first profession. For a just cause solemn profession may be anticipated but not by more than three months.

The provincial, with the consent of his council, and after having heard the chapter in solemn vows and being assured that the candidate has fulfilled all the requirements of the law, admits the religious to solemn profession and receives the profession himself, or through his delegate, according to the ritual; the act of profession is recorded in the Book of Professions, and signed by him who has made profession, the one who has received it and two witnesses, after have carried out the renunciation of goods and the other requirements of the law.<sup>82</sup>

173. With solemn profession the intense time of Mercedarian religious formation ends; nonetheless, it must be continued always through ongoing formation, which the superiors must facilitate and encourage, especially through the secretariat of religious life, whose directives must be accepted by all the religious and followed with the greatest interest.

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<sup>82</sup> Cf. CIC 658.



## CHAPTER V

### **PRIESTLY FORMATION**

174. Those who are called to the priesthood in our Order must be trained in all that pertains to sacred ministry, especially in theology, Holy Scripture, catechetics, preaching the Word of God, liturgy and administration of the sacraments, orienting their pastoral action in accord with our particular spirit and ministry.

175. Theoretical formation must be united with pastoral practice so that, by knowing men well and loving Christ, they may be able to nourish the flock of the Lord with preference for those whose faith is in danger and the most needy.

176. In each country ecclesiastical studies should be conformed to the plan of the respective Episcopal conference and to the law, indicating in the General "Ratio" those things which, according to the Constitutions, complete the formation of the Mercedarian priest and in the provincial "Ratio" its concrete planning.

177. Candidates for the ministries and acolyte shall prepare themselves for their reception with meditative study of the duties of these ministries and a spiritual retreat.

Between the ministry of acolyte and the diaconate, the time for the exercise of these ministries must not be less than six months.

178. To receive Holy Orders the religious must have acquired pastoral competence and met the other requirements demanded by the Church, which guarantee before the superiors and the people of God the worthy exercise of the priestly function.

The diaconate constitutes for the religious cleric a special identification with Christ, the servant of man; he must prepare himself for it with serious reflection, prayer, and a spiritual retreat.

The candidate shall not receive the diaconate before solemn profession and before the completion of his twenty-third year of age.

The provincial shall not grant the dimissorial letter before having heard the opinion of his council and is morally certain of the fitness of the candidate.

179. Because of the special participation in the priesthood of Christ that the presbyterate confers for the building up of the Mystical Body, the religious who are about to be ordained priests must possess a great love for Christ, whom they are to represent, and an ardent desire to serve

and evangelize the people whom they are sent. The provincial determines the period of time for pastoral experience for the deacon which must not be less than six months.

All that has been said regarding the preparation and fitness for the diaconate is likewise applicable and with greater reason to the priesthood. The candidate must have completed at least twenty-five years of age before his priestly ordination.<sup>83</sup>

180. Though, once the presbyterate has been received, priestly formation may be judged to be substantially completed, nevertheless, its perfecting and application must last for the entire life through permanent formation according to the provincial statutes, the law of the Church and the norms of the diocese where the Mercedarian priest exercises his pastoral service.

181. When it seems convenient, the Master General, with the consent of his council and having heard the interested provincials, may establish inter-provincial house of formation, governed by special statutes drawn up by the General Secretariat of Vocations, Formation and Studies and approved by the Master General with the consent of his council.

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<sup>83</sup> Cf. CIC 1034.1; 1032.1; 1031.1.

## CHAPTER VI

### **FORMATION OF BROTHERS**

182. The brothers fully realize the evangelical ideal of religious life in our Order, at the service of the Church, by becoming a yeast in the world for the growth of the Body of Christ and by cooperating in the specific apostolate and other ministries.

183. They shall receive specific formation which will make them fit for those ministries of the Order and their province for which they have a greater aptitude and in accordance with the needs of time and place, through a careful apostolic, doctrinal and technical preparation, obtaining whenever the possible corresponding credentials.

184. The provincial "Ratio" plans the special formation of brothers, even by giving the possibility to attend special courses of formation in religious and or lay institutions or in other centers.

185. The brothers, as well as clerics, must be in continuous formation, following the directives established by the Provincial Secretariat of Vocations, Formation and Studies to this purpose; the superior must demand that they are carried out, and all the brothers must accept them with interest in order that the talents which God has given them may be fruitful.

186. Those religious, who, having completed ecclesiastical studies and do not desire to receive Holy Orders, become brothers with all the corresponding effects.

## CHAPTER VII

### **CULTURAL PROMOTION IN THE ORDER**

187. The superiors should encourage the cultivation of the best qualities of the religious, if it is possible, with advanced studies in institutes and universities, by giving them even the possibility to participate in congresses or special courses. The respective secretariats shall direct and coordinate the entire cultural movement according to the spirit and purpose of the Order.<sup>84</sup>

188. Specific apostolic ministry, integrated into the present cultural situation, requires of us, the Mercedarians, a careful preparation in the arts and sciences, as well as the use of social communication and all that serves to explain the sacred sciences for spreading of the doctrine of Christ, by putting all in relation to the purpose, history and spirituality of the Order.<sup>85</sup>

189. The religious shall keep in mind the directives and norms of the Church concerning books being published and radio and television programs, by seeking the required permits. For writings which treat questions of religion and morals, besides the authorization of the local ordinary, our religious also need the authorization of the provincial.

Two copies of edited works shall be sent to the General Curia and another two to the Provincial Curia.<sup>86</sup>

190. The Master General with his council may promote to the degree of Master of Sacred Theology, a faculty granted to the Order by apostolic privilege, a religious who possesses a doctorate in theology, has taught for ten years and has published valuable writings on theological matters, after the request from the provincial of the candidate approved in chapter or council.

191. The Historical Institute, dependent upon the Master General and governed by its own statutes, promotes the research of Mercedarian history and spirituality and fosters knowledge of the Order by means of appropriate publications.

The provinces shall offer their diligent collaboration so that this service may be always more efficacious and continue to grow daily for the benefit of the Order.

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<sup>84</sup> Cf. OT 18; RF 85.

<sup>85</sup> Cf. IM 13-15; GE 10-11; RF 68.

<sup>86</sup> Cf. CIC 832

192. Appropriate editions shall be made of the sacred and secular works of writers of the Order, who are better representative of science and holiness, whose reading may help the religious to grow in the true Mercedarian spirit.

193. The library of the General Curia should contain the most significant works of the Order, along with catalogued information regarding books and objects of artistic or cultural value of the houses. It should be completed with a Mercedarian museum with the cooperation of the provinces.

194. The provincial library should be an efficacious instrument for study and research for our religious with a complete as possible section of the publications of the Order. The provincial, with the consent of his council and consultation with the interested house, may transfer valuable books that are found in that house to the provincial library.

195. Each community must take care that its library contains the necessary books on matters regarding teaching or the particular apostolate to which its religious are dedicated.

196. Private libraries of those religious dedicated to the study of higher education should be encouraged; however, they are not personal property, but at the disposition of the provincial, who decides what is best for the common good. Manuscripts of a deceased religious become the property of the provincial archives.

197. In both the curia and houses there should be archives with administrative and historical sections, whose keys shall be kept by the superior and the archivist. In order to always safeguard charity towards the person, nothing shall be removed from the archives or published without the authorization of the respective superior, taking care that the documents are returned intact and that all remains in good condition.

The major superior shall maintain special archives for confidential matters, periodically destroying anything that is not useful.

**PART FIVE**  
**GOVERNMENT OF THE ORDER**

## CHAPTER I

### **SPIRIT AND GENERAL NORMS**

198. We, the Mercedarians, are a religious brotherhood united in Christ by the Holy Spirit; we feel called to live the Good News and are consecrated to the saving mission of the Church according to the charism of our Father, Saint Peter Nolasco, and the sound traditions of our Order, with liberty strengthened by obedience and with apostolic efficacy derived from voluntary submission to the superiors who govern us.

We intend to create a community that seeks and loves God above all things, by putting our entire effort into listening to the voice of the Spirit that is manifested through norms and fraternal life.

199. Called to a form of life that foreshadows the Future City, we are guided principally by the Holy Spirit whom we hear also through our superiors. The same Spirit encourages us to guard the unity of our common vocation, thanks to obedience and the development of our own gifts for the good of the community.

200. Our Order has received from the Church the strength of its organization and internal order, as well as adequate faculties for a more full realization of its life and work. The demands of obedience oblige all the religious to respond to the commandment of charity of Christ and the norms of ecclesiastical hierarchy.

To facilitate a generous response, the Order makes superiors of some of its members.

201. All religious shall consider themselves the servants of divine will, and each community, fraternally united, shall try to discover this will, keeping in mind the purpose of the Order and the needs of men.

202. The Constitutions determine the authority of each superior, according to the level at which he acts; local, provincial or general level. The exercise of this authority is facilitated by the active and responsible cooperation of all and the application of the principle of subsidiarity.

203. The Master General and, under his direction, the provincial superiors together with the local superiors are at the service of their respective communities, whose well-being, unity and growth they procure by virtue of service carried out in the name of the Church, with fidelity to the ordinances and dispositions of their respective chapters.

204. In chapters and councils, whatever their level, decisions are made by an absolute majority of those voting, except for a special disposition, such as, for example, in number 291; in the case of two consecutive tied ballots, the president shall decide.

In cases in which for the realization of certain acts the superiors need the consent or opinion of the councilors, they shall proceed according to common law.

When there is a lack of agreement in non-electoral matters, two-thirds of the chapter may entrust these matters to religious not belonging to their chapter; their decision must be accepted as if it were a capitular one.

205. In the elective acts of chapters and councils, besides the prescriptions of common law for the counting of an absolute majority, the following must be observed:

He is considered elected who has obtained the absolute majority of votes, that is, more than half of those taking part in the vote. If it is a matter of electing a candidate who at the inauguration of the chapter would have filled the office for a complete term, whether by election or by simple appointment, two-thirds of the votes of the participants are required in order for his election to be valid.

If several ballots are necessary, to obtain an election, after the fourth ballot, the president allows a recess for a prudent amount of time, then the voting continues for two more ballots.

On the seventh ballot the vote must be concentrated on the two candidates who have received the most votes on the sixth ballot; if the candidates are more than two, he who is senior with regard to first profession has precedence, and in the case of equal seniority, with regard to first profession, the senior with regard to age has precedence, the two candidates do not participate in voting and the one who receives the most votes is elected, or in the case of a tie, the first in order of precedence.

If a candidate stands for re-election and on the sixth ballot he does not receive two-thirds of the votes, he may not be re-elected and the voting continues for two more ballots only with the other candidates. If by the ninth ballot there is still no election, the procedure of the seventh ballot is followed.

If the elected candidate resigns, the election begins as from the beginning with all the candidates.<sup>87</sup>

206. The office of superior is temporary in accord with the time established for each office.

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<sup>87</sup> Cf. CIC 119.1.



It should be avoided that same religious be constituted superior too long a time or that too many tasks be concentrated in one person.<sup>88</sup>

207. Superiors may be transferred during their term, with their consent, to another responsibility when the good of the province requires it, and they may be deprived of office if they have gravely violated the obligations of religious life, or if their behavior constitutes a serious disregard of fulfillment of their service to the community and, having been warned, they have not corrected themselves or offered their resignation.

Dismissal from office, if not foreseen in another manner, can be done by him who conferred the office or by a higher authority.<sup>89</sup>

208. When a superior, in order to act, needs the consent or opinion of his council, he must obtain it according to the procedure set forth in law.<sup>90</sup>

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<sup>88</sup> Cf. CIC 624.1-2. The Spanish says *procúrese evitar que los mismos religiosos sean constituidos superiores por mucho tiempo y que en la misma persona se acumulen cargos* [emphasis added] and the Italian translation reads *si procuri di evitare che gli stessi religiosi siano costituiti superiori per molto tempo e che nella medesima persona si accumulino incarichi* [emphasis added]. Therefore, a more accurate English translation would probably be *it should be avoided that the same religious be constituted superiors a long time and that the same person acquire too many obligations.*

<sup>89</sup> Cf. CIC 624.3

<sup>90</sup> Cf. CIC 127.1.

## CHAPTER II

### THE LOCAL COMMUNITY: ITS MEMBERS

209. The local community is the first and immediate expression of life consecrated to God in our Order. The religious, in fraternal communion encouraged by superiors, pledge themselves to the realization of their religious profession and to be a public witness and sign of the Church of the world to come.<sup>91</sup>

210. The communities shall direct their aspirations and their realizations to the service of the province of which they are members.

The provincial statutes regulate the relations between the local communities and the province.

211. The local community must live in a house legitimately constituted, under the authority of the superior.

The Master General establishes a house by formal decree after having received the report and petition of the provincial with the consent of his council, the written approval of the diocesan bishop, and after other legal requirements have been fulfilled.

212. Before proceeding with the establishment of new houses, it should be ascertained that:

- i. there is need for our redemptive service in the local church;
- ii. necessary conditions for religious and common life are guaranteed;
- iii. it will be the regular residence of at least three religious;
- iv. it does not impinge upon other churches or communities because of proximity;
- v. it will provide proper support for the religious.<sup>92</sup>

213. The Master General with the consent of his council, may suppress a legitimately constituted house, at the request of the provincial with the consent of his council and after having consulted with the diocesan bishop, and complying with other legal requirements. All internal measures shall be exhausted before seeking and decreeing the suppression of a house, keeping in mind that our ministry is also exercised for the sake of particular churches.

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<sup>91</sup> Cf. CIC 573.

<sup>92</sup> Cf. CIC 608ff.

214. The provincial determines the local assignment of each religious, which lasts until his new appointment.

215. The communities, according to each case, shall have the following books:

- i. of chapters and councils;
- ii. of admission to the novitiate and professions;
- iii. of acts of visitation;
- iv. of diary
- v. of constitutional and foundational Mass as well as those received daily;
- vi. of deceased religious;
- vii. of financial administration.

## CHAPTER III

### **THE LOCAL CHAPTER**

216. The local community gathered in chapter experiences an encounter of particular and fruitful communion in Christ, whose presence has been promised to those who are gathered in his name; in union with the superior, the community intensifies its religious and apostolic life through prayer and reflection.

217. Each community, convoked and presided over by its superior, plans within its constitutional limits its activities and capitular meetings in which all the religious participate with equal rights, unless in some case it is otherwise indicated.

The local chapter is also held in the residence of the general and provincial curias.

218. All religious of the community:

- i. plan and revise their fraternal, spiritual and disciplinary life;
- ii. deal with biblical, liturgical or moral topics, especially those of greater pastoral actuality;
- iii. order their apostolic activity;
- iv. prepare for the visitation of major superiors in accord with the instructions given in its announcement;
- v. prepare information and suggestions for chapters;
- vi. deepen with study and observation the capitular dispositions;
- vii. deal with matters that require special attention, before the superior makes a decision;
- viii. give their consent for the acceptance of parishes, the opening of educational centers, the taking of chaplaincies or other similar ministries when they are accepted in a permanent manner.

219. The solemnly professed gathered in chapter:

- i. give their consent for the naming of domestic councilors and procurator;
- ii. deal with economic matters according to law;
- iii. give consultative vote for admission to simple and solemn profession;
- iv. propose four candidates for provincial councilors;
- v. propose three candidates for provincial;
- vi. propose three candidates from the province for the general council;

- vii. propose three candidates for Master General, with the possibility of selecting three names from their own province, or two from their own province and one from any other province of the Order

What is enacted in chapter is communicated to the provincial for respective effects, except for clause 4 and 5, whose results are presented by the local superior to the provincial chapter for its scrutiny.

The provincial statutes determine the time and manner of carrying out chapters.

220. For the presentation of candidates for Master General, general councilors, delegates, provincial councilors and for the presentation or election of delegates to the provincial chapter previous inquiries of discernment may be made.

## CHAPTER IV

### THE LOCAL SUPERIOR

221. Docile to the will of the Father, the superior promotes and guides the fraternal, spiritual, and apostolic life of the community with prudence and care, making the exercise of his authority a service of love following the example of Jesus Christ.

222. The superior must be a priest who has been in solemn vows for at least five years, and endowed with the gifts similar to those indicated in number 297, except the conditions of age and religious profession.<sup>93</sup>

223. The superior is elected<sup>94</sup> for three years; his nomination may be extended for another three years. In exceptional cases he may be named superior of the same community for a third consecutive term, after having consulted the concerned religious. For a fourth consecutive term, in the same community,<sup>95</sup> the confirmation of the Master General is required.

He has jurisdiction over all the religious in the community. He names his vicar and determines the duties of the domestic officials.

224. If the superior resigns, dies, is moved to another responsibility or is removed, the case shall be resolved according to law; meanwhile the vicar serves in his place.

225. The superior, after having made the ritual oath and the profession of faith, assumes his duties with the reading of the nomination by the provincial or by his delegate before the respective community.

At the end of the provincial chapter, the superior remains in office until his successor takes possession of it, unless the provincial determines otherwise. The outgoing superior shall always personally hand over the administration of office to his successor.

226. It is the duty of the superior:

- i. to preside over the community and to represent it in civil and ecclesiastical acts;
- ii. to preside in celebrations of particular solemnity, unless a major superior is present;

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<sup>93</sup> Cf. CIC 623.

<sup>94</sup> The Spanish reads *nombrado* and the Italian *nominato*; therefore, it is more accurate to say *nominated* in English.

<sup>95</sup> The phrase *in the same community* is in the Spanish and Italian, but omitted in the first English translation.

- iii. to promote the spiritual life, watch over the fraternal life, oversee good internal order and to give permission to anyone who is to preach to the religious of the community;
- iv. to direct activities, entrusting them to the religious in conformity with their physical and psychological conditions, with whom he consults with respect to the same;
- v. to effect juridical acts, according to the law;
- vi. to see that the procurator provides for the needs of the religious;
- vii. to reside with the community and to meet with it, according to law;
- viii. to give an account of his office to the provincial and to the provincial chapter.<sup>96</sup>

227. In houses dedicated principally to the parish apostolate, in order to promote the unity of activities, unless the order of the community advises to the contrary, the same religious should exercise the office of superior and pastor

The duty of financial procurator should not be held by the superior, with the authorization of the provincial.

228. The vicar, in absence of the superior, attends to the daily life of the community in accordance with the instructions received; if the office is vacant, he shall not make innovations or decisions in unforeseen or difficult situations, without first consulting the community.

In absence of the vicar, the senior priest in profession acts in his place.

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<sup>96</sup> Cf. CIC 765.

## CHAPTER V

### **THE DOMESTIC COUNCIL**

229. The domestic council, which is convoked and presided over by the superior, ought to be constituted in all local communities, with the purpose of aiding the superior to carry out his office properly.

230. In large communities the chapter assigns to the superior, as councilors, two religious in solemn vows; in communities with six or less members, all the religious in solemn vows form the council

231. The councilors propose whatever they esteem useful for the community, expressing their opinion with faithfulness, frankness and respect toward the religious in whose name they act.

232. The superior designates one of the councilors as secretary, whose duty is to record all the acts of the chapter and of the council, to which he attests, and takes care of the local achieves, if they are not entrusted to another religious.

233. The council, together with the superior:

- i. promotes the spiritual life, fraternity and apostolate;
- ii. distributes the responsibilities of administration according to the law;
- iii. plans the presentation of matters to the local chapter;
- iv. intervenes, generally,<sup>97</sup> in matters of some importance.
- v. gives its vote, when prescribed by law.

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<sup>97</sup> The word generally does not appear in the first English edition; however, it is in the Spanish and the Italian.



## CHAPTER VI

### **THE PROVINCIAL COMMUNITY: ITS MEMBERS**

234. The local communities, special signs of the union of brothers in Christ, acquire a greater fullness of expression when united juridically among themselves and under the direction of a common superior, they form together the provincial community.

235. As a means of fostering the expansion of the Order and to do so that it may be established with proper characteristics in new places, new provincial communities shall be conveniently promoted so that, together with those already in existence, they may give a coordinate and effective service to the Church in a communion of life and fraternity.

236. It belongs to the general chapter, after mature study and an appropriate period of preparation on the part of the interested parties, to erect new provinces, to divide those existing or to join them to others, and to assign a house to another provincial community.

237. To province has by right:

- i. its own assigned religious;
- ii. juridical identity;
- iii. its own major superior;
- iv. recognized houses of novitiate and studies;
- v. participation in the acts of the Order and precedence according to its seniority.

238. To erect a province there must be at least thirty religious, the union of six houses, including those of novitiate and studies and its own vocations.

No province shall be erected, unless it is certain that the erection will be proved advantageous and that the normal procedure of its operation and of the religious life in each house, principally in the houses of formation, may be foreseen.

239. Houses that are grouped together and at the same time very distant from the provincial residence, should have the possibility to be organized into provinces, according to law; for this purpose local vocations should be particularly encouraged. In circumstances, when there are four house with at least twelve religious, the Master General with the consent of his council, can constitute a vicariate, at the request of the province and his council

240. The assignment to a province is done with the admission of the novice to simple profession; and can be modified only with the authorization of the Master General.

241. Provincials may request from the Master General the transfer or exchange of religious, after fraternal dialogue with the interested parties.

## CHAPTER VII

### **THE PROVINCIAL CHAPTER**

242. The provincial community experiences its brotherhood most closely when it meets in provincial chapter, as the representative assembly of all its members, to examine the state of the province and to foster its progress in all aspects, by studying its vital problems and its connection with the whole Order. The participants bring their insights and experiences, explain the initiatives of their communities and their own concerns, verify common work and seek together the signs of the will of God, with a great sense of responsibility in regard to the community that they represent.

The chapter has ecclesiastical jurisdiction over all the religious assigned to the province.

243. The administrative-elective chapter is held every three years; the administrative one when exceptional circumstances require it. In both cases, the Master General convokes the chapter and presides over it either personally or through his delegate.

244. The following have the right to vote.

- i. the Master General or his delegate
- ii. the ex-Masters General assigned to the province;
- iii. the Provincial
- iv. the ex- Provincials
- v. the provincial councilors
- vi. the local superiors
- vii. the masters of novices, of professed, and of postulants
- viii. the delegates elected by the religious, and others, according to the provincial statutes.

The chapter may call other religious as advisors.

245. The Master General announces the celebration of the chapter with sufficient time, before convoking it, to begin its celebration.

246. The provincial statutes and the letters by which the chapter is announced, determine the method of its preparation with the greatest participation of the religious.

247. The chapter is convoked on the Saturday closest to the end of the period; six months before its celebration, the Master General sends the convocation letter to the Provincial which the capitulars by right will sign adding their respective titles. With the consent of his council, the Master

General may anticipate or postpone the celebration of the chapter by three months.

From the convocation of the general chapter until its closing, the celebration of provincial chapters is suspended. The Master General, with the consent of his council, may anticipate or postpone them as he sees fit.

248. Once the chapter is convoked, the capitulars cannot be removed from their office, except for extremely serious causes.

249. The capitulars shall be at the place where the chapter is held on the established day. If a superior, because of an impediment recognized by the provincial council, cannot attend, the local vicar replaces him full rights and responsibilities, and if the vicar is unable to attend, a religious with solemn vows is elected by the chapter of the professed with solemn vows.

250. The chapter proceeds according to its own norms, the provincial statutes and the agenda established in preparation.

251. If the Master General or his delegate cannot preside over any session, he is substituted by the religious who is senior with regard to profession.

To direct the sessions the president may appoint moderators, whose directives shall be respected by the capitulars as if they proceeded from the presidency.

252. It pertains to the chapter especially:

- i. to acquaint itself with the state of the provincial community and of the local communities by means of written and properly signed reports;
- ii. to examine the religious life, vocations, apostolate, government and economy and to decide concerning the same;
- iii. to correct abuses;
- iv. to issue statutes, decrees and decisions, and to revise what was previously established;
- v. to study the need to erect or suppress any house, with the purpose of presenting the request to the Master General;
- vi. to study the suggestions of the communities and of the religious;
- vii. to fix the amount for the provincial treasury;
- viii. to elect the provincial and provincial councilors.

253. For the elections the votes of the candidates for provincial and councilors, presented by the provincial and the superiors are counted. The president communicates the candidates.

After the corresponding oath, the chapter elects the provincial and the councilors from the above candidates.

254. For the election of the provincial the capitulars must choose from among the five candidates who have received the most votes. The provincial statutes may establish that the candidates may be only three.

To elect councilors the capitulars may choose only from among the eight candidates who have received the most votes. In remaining matters number 205 shall be observed.

255. Once the election is done; the president proclaims the one elected and after he has accepted, if he has the faculties,<sup>98</sup> confirms him; the secretary extends the document of election; the elected takes the oath according to the ritual and makes his profession of faith, having observed canonical formalities.<sup>99</sup>

256. In session of adjournment the capitulars sign the acts; the secretary gives the capitular documents to the provincial and the president leads the recitation of the ritual prayers.

257. The decisions that have been made, after their approval by the Master General, are published in a form determined in each case.

258. The decisions take effect one month after publication, unless the chapter determines a shorter time.

A copy of these acts is sent to the general curia.

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<sup>98</sup> The qualifier, *if he has the faculties*, does not appear in the first English translation; however, it is in the Spanish and Italian editions.

<sup>99</sup> Cf. CIC 833.8.

## CHAPTER VIII

### **THE PROVINCIAL SUPERIOR**

259. The provincial, guide and promoter of his community, encourages and coordinates the life of the province with the help of his council and the participation of the local communities.

His duty, incompatible with any other, is for three years with the possibility of successive re-elections.

260. He shall possess qualities and gifts of leadership similar to those indicated for the Master General in number 297. He shall be a priest, be at least thirty years of age, and have been in solemn vows for five years.

261. He exercises authority over all the local communities, the religious assigned to the province and provincial activities, according to common and proper law and the provincial statutes.

262. He may name a vicar, with delegated faculties in the provincial residence as well as outside of it. Whatever is established for the provincial applies proportionately to his vicar.

263. In the exercise of his authority, the duty of the provincial is:

- i. to concern himself with the spiritual and fraternal life of the religious;
- ii. to oversee formation and the cultivation of vocations;
- iii. to coordinate the redemptive mission of the Order in the province and the service it offers the Church;
- iv. to strengthen collaboration with the other provinces, especially neighboring ones, in order to study and solve common problems;
- v. to see that our laws are observed and that no abuses or transgressions are committed;
- vi. to facilitate the development of the gifts the religious have received;
- vii. to inform the council regarding the spiritual and temporal state of the province;
- viii. to give an account of his office to the provincial chapter and to inform the general chapter regarding the state of the province.

264. For occasional absences the provincial may appoint as vicar one of his councilors; he must do so in the case of an absence or impediment of more than six months; if he does not do so, the senior councilor by

profession convokes the council, which elects from among its members a vicar for the period of the absence of impediment.

If the provincial resigns, he must present the resignation with his reasons to the Master General, who may either accept or reject it.

When the provincial seat is vacant, the senior councilor by profession, after a new presentation of candidates according to the provincial statutes, convokes the council to elect a provincial to complete the term. The act is sent to the Master General for his approval. When there are more than two years remaining in the term, if the provincial statutes foresee it, a chapter may be celebrated to elect a provincial who will remain in office for the ordinary term of three years.

265. The provincial names his vicar for the group of house to which number 239 refers. The provincial statutes determine the faculties that should be granted to the vicar for the best care of the said communities.

## CHAPTER IX

### **THE PROVINCIAL COUNCIL**

266. The provincial council is a body composed of four religious with solemn vows, who aid the provincial in the government of the province. It is convoked and presided over the by the provincial.

The length of office for councilor is three years, with the possibility of successive re-elections.

267. The qualities of the councilors shall be similar to those indicated for provincial at whose level they act, excepting those conditions of age, religious profession and Holy Orders.

268. Upon assuming office, the councilors take the oath according to the ritual; they reside in the curia, or for a just cause, in a nearby community, depending in this case from the local superior, except in matters referring to their functions.

269. Although the councilors do not have authority over the religious, they act in the name of and with the attributions received from the provincial in the exercise of their functions.

270. The provincial names one of his councilors as provincial secretary, whose responsibility is proportionately similar to that of the secretary general.

Whenever possible, it shall be avoided that the other councilors have government responsibilities which could impeded fulfilling their office.

The provincial curia shall have, furthermore, necessary officials for proper internal development and just attention to governmental affairs.

271. Among the things, it pertains to the provincial council:

- i. to give its vote, when required by common and proper law;
- ii. to give its consent to the naming of local superiors, masters of novices and other masters, and to their removal for serious causes;
- iii. to give consent to the naming of the provincial treasurer, to accept parishes and missions with the authorization of the Master General;
- iv. to give consent to the opening of educational centers, to the acceptance of chaplaincies or other similar ministries when the are accepted on a permanent basis;



- v. to organize and attend to the provincial secretariats according to number 306;
- vi. to scrutinize the votes of the candidates of the province for Master General, for general councilors, and to present to the general chapter, by means of the provincial, the candidate who has received the most votes for Master General, and the three candidates who have received the most votes for general councilors, along with their respective "curriculum".
- vii. to scrutinize the votes for deputy to the general chapter and to elect the titular from among the three who have received the most votes, and, if for any reason, he does not accept, they elect a substitute from the remaining two of the group of three;
- viii. to scrutinize the votes for a new presentation of candidates for provincial and general government.

The result of these ballots shall be communicated to the interested individuals and communities.

272. Within constitutional limits, the statutes complete the competency and organization of the provincial council.

273. Within two months of the adjournment of chapter, unless the provincial statutes foresee a longer period of time, the local superiors and masters are named; but, if the province has not celebrated an elective chapter, the period is computed from the formation of the council. When a vacancy among the superiors and masters occurs, the council, within a month, must give its consent to name a successor to complete the term.

274. If any councilor is absent for more than six continuous months for reasons foreign to the government of the Order, he shall be asked to resign; if he does not comply, he must be removed.

If the behavior of a councilor causes serious damage to the province, the provincial may remove him with the consent of his council and with the approval of the Master General, in a way similar to that set forth in number 315.

If a vacancy occurs in the council, a new titular must be named within three months, after a new presentation of candidates by the religious; if this is not done, the Master General shall provide for this.

## CHAPTER X

### **THE COMMUNITY OF THE ORDER: ITS MEMBERS**

275. The community is made up of religious, who, have made profession according to the same Constitutions and being assigned to a particular province, are united by the bond of redemptive charism of Saint Peter Nolasco and by life in common.

276. The community of the Order is articulated in a group of provinces which receive and directly form religious, transmit their traditions their and realize in a concrete way their apostolic commitment. The provincial communities complement each other by reciprocal help in difficulties, encouragement in actions and rejoicing in their successes.

The variety of traditions and the unity of charism constitute the treasure of the Order.

277. The provincial communities reach full unification by means of general chapter; however, their bond of constant unity is constituted by the Master General, aided by his council, to which belong the functions of direction and encouragement for the whole Order.

278. The exercise of authority is a service which benefits brothers, in other that provincial communities be bound together to form the Order of Mercy.

Our Order has by law:

- i. juridical entity;
- ii. its own major superior;
- iii. its patrimony of movable and immovable goods.

## CHAPTER XI

### **THE GENERAL CHAPTER**

279. Our Order meets in general chapter, a representative union of the entire Mercedarian brotherhood, to examine itself and to deal with matters referring to the common good.

Examining the signs of the times, it renews loyalty to its spirit and mission, plans the participation of the communities, strengthens the unity of its members and brings up to date its laws and administration in accordance with the thought of the Church.

280. The general chapter has supreme power in all communities and members of the Order in constitutional range.

281. The ordinary chapter is celebrated every six years; an extraordinary chapter of administrative character may be celebrated when a grave cause suggests it.

In both cases, the Master General announces, convokes, and presides over it; but, in the case of the extraordinary chapter, he shall consult the provincials and ask the consent of his own council.

282. Those who may vote are:

- i. the Master General or his vicar;
- ii. the ex-Masters General;
- iii. the general councilors;
- iv. the provincials or their vicars;
- v. one deputy from those provinces who have a member in the general government, and two deputies from those who do not;
- vi. one student in solemn vows from each province elected according to provincial statutes;
- vii. the provincial vicars or vicariates legitimately constituted in conformity with number 239.

283. The chapter shall be carefully prepared for with the participation of the religious. The deputy of the province shall gather information in a special way regarding the state of the community he represents and take note of whatever suggestions the religious offer, making himself their spokesman in the chapter for a more efficacious representation.

284. The Master General announces the celebration of the chapter one year before its inauguration and with the consent of his council names and makes known the commission that is to prepare it.

285. The agenda, already prepared, and an indication of the material or economic contribution shall be sent to each capitular sufficiently in advance, in order to facilitate the work of the chapter.

286. Six months prior to the end of the six year term, the Master General shall send the convocatory letter, indicating the principal purpose, the place and the date which coincides with the Saturday closest to the end of the said term, in which the chapter will be inaugurated. With the consent of his council and for very serious reason, he may advance or postpone the day of its beginning, but not by more than three months.

287. Once the chapter has been convoked, the voters may not be removed from their office except for a very serious reason, approved by the Master General with the consent of his council.

288. The voters convene in the place and on the established date unless prevented by serious impediment, of which the Master General shall be promptly informed.

289. The chapter proceeds according to its own norms, the general statutes and the agenda established during the period of preparation.

The secretary, elected in chapter, attests to all the acts of the chapter.

290. If the Master General cannot preside over any session, the senior capitular by profession takes his places. The president may designate moderators.

291. The chapter, after having pondered with freedom of spirit and serenity, legislates, makes decisions and gives orientations as is becoming to the children of God, keeping as a basis the Constitutions.

Decisions of a general nature are not immediately incorporated into the Constitutions; they shall be experimented with in the manner of decrees until the next chapter, which will decide what shall be done.

To introduce amendments to the Constitutions, a two-thirds of the vote and approval of the Holy See are required.<sup>100</sup>

292. Among the matters of greater importance, the chapter:  
i. safeguards the spiritual patrimony of the Order;

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<sup>100</sup> Cf. CIC 587.2.

- ii. acquaints itself with the condition of the Order, and of the provincial communities, by means of duly signed written reports;
- iii. examines the religious life, vocations, apostolate, government, studies and the administrative activities of each province;
- iv. corrects abuses;
- v. erects, divides, or suppresses provinces;
- vi. elects the Master General and the general councilors;
- vii. revises the dispositions of previous chapters and of the Master General;
- viii. fixes the contribution to the general treasury.

293. The candidates for election to general government are announced.

A list of the religious proposed for Master General is prepared containing the names of the candidate who has received the most votes in each province, and a list containing the three religious who have received the most votes in each province to complete the general council.

The duly authenticated act of the provincial council accredits the legitimacy of the candidates.

294. The capitulars, after the ritual oath, must elect from the aforementioned lists the Master General and those who will make up the general council.

The elections proceed according to 205. For the rest, what is established in numbers 235 and 255 must be proportionately observed.<sup>101</sup>

295. The chapter itself determines the promulgation of its legislative acts.

If the chapter has not established a different manner, the Master General communicates the decisions of the chapter along with the principles that guide them through the Bulletin of the Order. They take effect two months after publication, if the nature of the matter or an expressed disposition does not require a different interval. The other decisions are published by direct communication to the interested parties, unless the Master General decides to do so by other means.

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<sup>101</sup> Cf. CIC 833.8.

## CHAPTER XII

### **THE MASTER GENERAL**

296. The Master General, as guide and animator of the Order and coordinator of the life and activities of the provinces, is a symbol of unity and guarantee of continuity of the redemptive work of Saint Peter Nolasco.

297. He shall distinguish himself through his witness as a man consecrated to God, by his fraternal charity and regular observance, by his concern for the common good and apostolic zeal, for knowledge in sacred sciences, and organizational ability, he shall always remain faithful to the directives of the Church, to the spirit and traditions which make up our spiritual patrimony and to our laws.

Besides being a priest, he must be at least forty years of age and ten years in solemn vows.

298. As supreme moderator he has power over all provinces, houses, and members of the Order in conformity with common and proper law.

His service lasts six years, with the possibility of successive re-elections.

299. He shall share his responsibility with his councilors, whom he will consult, not only when it is required by law, but also with greater frequency and spontaneity. He shall maintain contact with the provincials, so that direct knowledge of the provinces will facilitate solutions to their problems. He shall pay particular attention to orientations of the conferences of bishops and of major superiors in order to stimulate the activities of the provinces according to them with the proper characteristics.

He resides with his council in the general curia.<sup>102</sup>

300. Whatever is prescribed for the Master General applies proportionately to his vicar.

301. Among other things, the Master General has the duty:

- i. to promote the redemptive work of the Order;
- ii. to issue decrees and precepts, according to circumstances, for the entire Order, or for the provincial or local communities;

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<sup>102</sup> Cf. CIC 629.

- iii. to confirm, approve, or amend, with the consent of his council, the decisions of the provincial chapters;
- iv. to confirm those elected in chapter; in a contrary case, to appoint, bearing in mind the candidates presented by the local communities;
- v. to provide, according to the aforesaid manner, when there was no election, or the election was invalid;
- vi. to make decisions, after having consulted with his council and that of the concerned province, in case the provincial resigns;
- vii. to name, with the consent of his council, the provincial and councilors of the provinces, when for a grave reason the elective chapter is not held;
- viii. to accept a mission in the name of the Order, with the consent of his council, after having heard the provincial councils and to select missionaries, or to entrust the mission to one or several provinces, after have heard the opinion of the respective provincials;
- ix. to inform his council regarding the fulfillment of his office;
- x. to keep the communities informed regarding principal acts of government which have a general character;
- xi. to give an account of his office to the general chapter.

302. If he must be absent, for reasons of office, he shall appoint one of his councilors as vicars.

If, for reasons foreign to his office, he is absent for more than six months, or is incapacitated, or dies, the general council, convoked by the senior councilor by profession, elects one of its members vicars, who governs until the Master General returns, the impediment ceases, or the six year term is completed.

If he resigns, he shall present the resignation along with the reasons to his council, which in the absence of the Master General and in full session, will decide by secret vote if it is to be accepted; in an affirmative case, the senior councilor by profession convokes the council to elect a vicar to complete the six year term. However, before accepting the resignation, the Holy See must be informed of it.

If more than four years remain of the six year term, a new general elective chapter must be celebrated within six months for the election of a Master General, who in this case, will remain in charge until the ordinary end of the six year term.

## CHAPTER XIII

### **THE GENERAL COUNCIL**

303. Four councilors constitute the permanent assisting body associated with the Master General for the proper government of the Mercedarian community. The four councilors shall be from distinct provinces and from the province of the Master General in order to better express, in unity, the plurality or the provincial communities.

The general councilors are elected for six years with the possibility of successive re-elections.

The council is convoked and presided over by the Master General.

304. The councilors shall distinguish themselves by their qualities similar to those indicated for the Master General, at whose level they act, with the exception of the conditions of age, religious profession and Holy Orders.

305. The Master General, having heard his councilors, distributes the tasks of governing in accordance with the various secretariats, which will be presided over by a member of the council.

306. Under the direction of the Master General, the councilors are responsible for the following secretariats:

- i. Secretariat for Religious Life which, by adequate initiatives, promotes religious life and the fulfillment of its obligations, and takes care that our charism, which must enliven our entire life, may be maintained and known.
- ii. Secretariat of Vocations, Formation, and Studies which, in agreement with provincial secretariats, promotes vocations by adequate means, values the work for Mercedarian vocations and sees that candidates to the Order may be formed according to our spirit and mission, with a pastoral sense and in accordance with the progress of science and culture of the region in which they work.
- iii. Secretariat of Mercedarian Pastoral Life which promotes the redemptive activity of the Order, integrates its pastoral activities along with the work of the local churches, takes care of the Third Order, the Confraternity of Mercy and other Mercedarian lay associations, always seeking their more effective participation in our apostolate.
- iv. Secretariat of Order and Government which assists in cases that require concrete applications of the law; examines requests and suggestions regarding the Constitutions so that



they may be better observed, and studies those modifications which must be presented to the general chapter.

Other secretariats may be established if there is a need.

307. The councilors shall maintain constant communication with the superiors and religious concerning matters entrusted to them through the secretariats, whose activity shall be published in the Bulletin of the Order.

308. The Master General, with the consent of his council, names a religious, who may or may not belong to the council, as procurator general, whose duty is deal with the affairs of the Order before the Holy See and to bring to a satisfactory completion those before ecclesiastical authorities.

The procurator general shall always act in accordance with the mandate received from the Master General, with whom he will communicate frequently concerning cases which are to be negotiated.

309. The Master General names one of his councilors as secretary general, who, as the major notary of the Order, must excel in prudence and erudition.

310. The secretary general, upon assuming his duties, shall take the ritual oath before the Master General.

In virtue of his office, he shall:

- i. give public witness;
- ii. redact the acts of the council;
- iii. publish official documents;
- iv. take care of the administrative archives.

At the conclusion of the six year term, he remains as pro-secretary until he hands over to his successor the corresponding documents under the supervision of the Master General.

311. The general treasurer, named by the Master General with the consent of his council, administers the goods belonging to the patrimony of the Order; he supervises that a true witness of collective poverty is given in the whole Order; he catalogues the goods of the patrimony of the Order; receives the contributions of the provinces for the general curia; fulfills the acts of ordinary administration, presents reports and gives an account at the time and in the form established by general statutes.

312. The Master General, with the consent of his council, names a postulator to handle, according to law, the causes of the religious, nuns, sisters and members of our Third Order, who gave faithful witness in their following of Christ.

313. The Master, with the consent of his council, names a general chronicler of the Order responsible for the Historical Institute, in accord with its own statutes. Besides, he names the other officials whom he retains opportune for the work of the curia.

314. If for reasons foreign to the government of the Order, a councilor is absent more than six months, he shall be invited to return or to resign; if he does not comply, he must be removed.

If a vacancy occurs, the Master General with his council, after having heard the corresponding provincial council, names the successor from the same province of him who has vacated the office.

315. A councilor may be removed when he has caused serious harm by his actions. In such a case, the Master General shall invite him to resign; if he refuses, he shall inform the council, which, after hearing the councilor, shall deliberate in his absence; if two-thirds recommend his removal, he must accept it; it shall be insisted, nevertheless, that he may resign, before taking this extreme.

## CHAPTER XIV

### **THE COUNCIL OF PROVINCIALS**

316. The Council of Provincials is an extraordinary consultative body which has the duty to counsel the Master General.

317. The provincial superiors of the Order are its members by right. The Master General may invite a general councilor or an expert to their meetings.

318. Its purpose is:

- i. to study the problems proposed by the Master General;
- ii. to contribute to the achievement of greater integration among the provinces, in that which pertains to the common good of the Order;
- iii. to evaluate the results of the decisions of the general chapters;
- iv. to propose to the Master General matter which may concern the entire Order or one of its provinces.

319. The Council of Provincials meets twice during each six year term and every time the Master General deems it necessary or opportune.

It is always convoked and presided over by the Master General. At each meeting a secretary is designated from among its members.

The minutes shall be signed by all the participants and made known to the communities through the Bulletin of the Order, the provincial bulletins or other means deemed suitable.

## CHAPTER XV

### VISITATIONS

320. The canonical or official visitation helps to strengthen community life and the vocation of each religious. Therefore, the visitation shall be seen as a brother who comes with the simple attitude of service. The visitor shall undertake dialogue with the religious in order to understand and to help them, and, if it is the case, to bring them back to the good.

All are obliged to contribute towards attainment of the purpose for the visitation and to manifest with charity to the visitor, who questions them the truth in matters pertaining to the object of the visitation.<sup>103</sup>

321. The Master General shall visit the provincial communities at least once during each six year term; the province, once in each three year term, the local communities. If they cannot comply, having heard their council, they shall entrust this duty to another competent priest.

The major superiors can also send delegates in special circumstances.

322. The visitor shall inform the respective superior regarding his action, indicating to him the measures that he has taken and those which, in his judgement, must be taken.

323. The visitation, which must be announced opportunely to the communities, comprehends among other things:

- i. religious life and discipline;
- ii. vocations and their formation;
- iii. the specific redemptive apostolate;
- iv. the apostolate and fulfillment of diocesan<sup>104</sup> directives, especially those regarding parishes and schools;
- v. minutes of chapters and councils;
- vi. the provincial economy and that of the communities, parishes, and schools;
- vii. the books referred to in number 215;
- viii. the archives and library of the province and of the houses.

324. The visitation adjourns with the reading of the resolutions in the presence of the community.

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<sup>103</sup> Cf. CIC 628.

<sup>104</sup> This phrase was omitted from the first printing of the English translation.

It is permitted to make recourse, according to law, against the decrees of the visitorator.

## CHAPTER XVI

### **SEPARATION FROM THE ORDER**

325. For the exlaustration of a religious, passage to another institute, leaving, dismissal and readmission to the Order, the norms of common and proper law are followed.

326. In spite of the strength of the contracted bond of religious profession, it is possible that a religious may have reasonable doubts concerning his permanence in the Order. In such cases, with true fraternal love and respect for personal freedom, the community and superiors shall provide adequate means which can help overcome temptations or confusing illusions for a serene decision in the Lord.

327. The Order, on its part, may dismiss those who show an attitude gravely contrary to the needs of consecrated life. However, before beginning the corresponding process, the superiors shall exhaust all means of persuasion and correction suggested by charity and prudence.

328. Those who legitimately leave the Order or who have been dismissed from it, have no right to demand anything for any work they have done. Nevertheless, equity and evangelical charity shall be observed toward every separated member, particularly if he continues to feel bound to the Order with gratitude and love.<sup>105</sup>

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<sup>105</sup> Cf. CIC 702

**PART SIX**  
**TEMPORAL GOODS**

## CHAPTER I

### **OWNERSHIP OF TEMPORAL GOODS**

329. As sons of God and heirs of the Kingdom of Heaven, the religious must tend toward eternal goods; nevertheless, in their pilgrimage upon earth, they require temporal things in order to attend to divine worship, to provide for their own livelihood and that of the houses of formation and to foster the work of the apostolate and of charity.

The possession of temporal goods in our Order is regulated by the vow of poverty and the fundamental intention to put them at the service of our religious brotherhood and redemptive mission.

330. The Order, each province, and each house are able to possess, acquire, administer and alienate goods.

331. The property, acquisition, administration and alienation of temporal goods are regulated by the norms of common and proper law.

The Master General, in the name of the Order; the provincial, in the name of the province; the local superior, in the name of the house or their legitimate delegates can acquire by all those just, positive and natural means, which are licit to other persons.

Likewise, within proper limits, they may sell or alienate movable or immovable goods, faithfully observing that which is prescribed by common and proper law in number 345.

In civil law they shall use those juridical forms recognized as valid, by which patrimonial and administrative rights are better safeguarded.

332. The patrimony of each **house** consists, with the limits established by provincial statutes, of movable and immovable goods legitimately acquired, their income, donations and gifts of any kind made to the house or to its religious and the earnings of the religious.

333. The patrimony of each province consists of movable and immovable goods legitimately acquired by it as such, their incomes and interests, the contributions of local communities, emoluments deriving from the ministry or work of the provincial and the religious directly dependent from him, donations and gifts made in any way to the province and contributions for supporting its work.

334. The patrimony of the Order consists of movable and immovable goods legitimately acquired, the contributions of the provinces, emoluments deriving from the ministry and work of the Master General and of the religious directly dependent from him, donations, and gifts,

the earnings and interest of works and institutions whose expenditures are the responsibility of the Order.

335. Safeguarding the will of the donor and the acquired rights, goods of a suppressed house pass into the patrimony of the province; likewise, the goods of an extinct province are incorporated into the patrimony of the Order, in accordance with the decisions taken in this regard by the general chapter.



**PART SIX**  
**TEMPORAL GOODS**

## CHAPTER II

### **USE OF GOODS**

336. Always relying on Divine Providence the religious shall consider their assiduous labor as the main source of temporal goods and the moderate use of the same as a requirement for their condition of being poor.

337. As members forming the same organism, the houses of the same province shall be solicitous of each other and of the provincial community, as well as each province must be in regard to the Order; they shall strengthen their union through the interchange of goods, so that those who have the means may aid those who are in need.

338. The provincial, with the consent of his council, having heard the respective domestic council, for the need or utility of the province may transfer to the provincial patrimony the goods of a house, when they are not needed there, taking care not to put in danger its economic security and always respecting its acquired rights.

339. The provincials, with the consent of their respective councils, may agree on mutual economic aid in the spirit of fraternal collaboration; but in the case of an urgent and serious common necessity, over which the said agreement has not been reached, the Master General, with the consent of his council and after having heard the respective provincial and their councils, may dispose of the goods of the provinces.

340. The Master General, with the consent of his council and having heard the respective provincial councils, may in special cases impose a contribution from all provinces.

The provincial, with the consent of his council, may do the same with respect to the houses within his jurisdiction.

## CHAPTER III

### **ADMINISTRATION AND ALIENATION**

341. Administration is carried out according to the norms of common and proper law and keeping in account civil law. It comprehends those necessary acts by which goods may be preserved, used and made fruitful, so that they may fulfill their purpose.

Administration is considered ordinary when acts are directed to the current and normal necessities of the community or useful to preserve goods and their fruits; administration is considered extraordinary when acts are carried out that require the permission of a superior or some other formality.

342. Administration of the goods of the houses, provinces and the Order pertain to the respective superiors; nevertheless, under their direction and vigilance, it is entrusted to religious, who, by virtue of their competent preparation, are able to fulfill the duty of treasurer.

343. Those entrusted with the responsibility of administration shall always give special witness of their religious spirit, by acting with the diligence and seriousness of one who administers the goods of the poor. Therefore, they shall avoid all excessive concern for material goods, serve their brothers with charity, providing for their necessities in conformity with vowed poverty, and render an account of their administration at the indicated times.

344. Each administration shall possess archives in which are kept, in an orderly manner, the titles of property and other administrative documents.

345. Goods shall not be alienated, unless the necessity or a great advantage require it, always taking due precautions and according to common and proper law.

To alienate goods or contract debts or obligations whose value exceeds two-third of the sum fixed by the Holy See, is required written permission from the Master General, given with the consent of his council. If these transactions do not exceed two-thirds of the said sum, the norms established by provincial statutes shall be observed.

The permission of the Holy See is required when the transaction exceeds the amount fixed by the same, and when it is a matter of goods

given to the Church in virtue of a vow or it is a matter of precious objects of artistic or historical value.<sup>106</sup>

346. In a request made by anyone for authorization to contract new debts or obligations, the existing debts or obligations must be declared; otherwise the authorization is null.

Superiors, however, shall not grant authorization if they are not certain that the one requesting permission will be able to pay the debts or satisfy the obligations with ordinary income and within a reasonable period of time.

In the clauses of the contract it shall be made clear that the only one responsible for the debt or obligations is the contracting juridical person.

347. The provincial statutes regulate the centralization of goods in each province for a greater strengthening of brotherhood and better care of the redemptive service.

348. The major superiors may contract extraordinary expenses, without recourse to the consent of their councils, up to one-tenth of the sum fixed by the Holy See.

The provincial, with the consent of his council, according to times and places, determines the amount which the local superior may spend by himself or with the consent of his council.

349. To accept pious foundations for a determined time and to invest money or movable goods of some foundation, the consent of the local chapter and the written authorization of the provincial with the consent of his council, is required.

Pious foundations in perpetuity or for an indefinite time shall not be accepted.<sup>107</sup>

350. Money or valuable objects belonging to persons extraneous to the Order shall not be accepted on deposit; neither shall their goods be administered, except for urgent reasons of charity, and with the consent of the major superior, with the advice of his council.

351. To condone debts or renounce inheritance or other goods that belong in any way to the Order, the authorization of the Master General or of the provincial, with their respective councils, is required depending

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<sup>106</sup> Cf. CIC 638.3.

<sup>107</sup> Cf. 1304.1.2.

upon whether the value exceeds or not two-thirds of the sum established by the Holy See.

## CHAPTER IV

### **THOSE ENTRUSTED WITH RESPONSIBILITIES**

352. Regarding his own administration, each local superior may:
- i. incur expenses and perform other juridical acts of ordinary administration, by himself or through the procurator, or occasionally through another religious, according to law;
  - ii. to oversee and revise the acts of the procurator and other administrative officials and request them to render account.
353. When the provincial and his council entrust to a request the administration of some particular sector of the province, the provincial determines the sum of money that may be spent without recourse to him, and the time and manner of rendering account.
354. Everyone in charge of economic administration must give account to the competent authority according to the respective statutes, and every time that it is requested by the legitimate superior.
355. The local superior and the provincial shall render account of their administration to the provincial chapter. The Master General to the general chapter.
356. Procurators and treasurers shall inform the religious of the financial and administrative state of the houses, of the province and of the Order, according to what the respective statutes and resolutions establish, so that all the religious may feel as co-responsible participants in the common good.

**PART SEVEN**  
**OBSERVANCE OF THE CONSTITUTIONS**

## FUNDAMENTAL PRINCIPLES

357. Observance of the present Constitutions manifests the fidelity of our consecration to God.

It leads by a sure path to religious perfection, in the same way that their inobservance or deliberate neglect would charge one with infidelity in his commitment to Christ.

358. Authentic interpretation of the Constitutions belongs to the Holy See. The general chapter interprets the dispositions of the general and provincial chapters.

The Master General, with the consent of his council, may give practical interpretations that have value until the next general chapter.

359. The Master General, for a just cause, may temporarily dispense from any disciplinary norm of our Constitutions in favor of a single religious or the communities of the Order.

The provincial has the same faculty within his province and the local superior for the religious of his community.

Dispensations shall be granted for a just cause, bearing in mind the matter and object of the dispensation and the common good.

360. When it shall be necessary to correct a religious for seriously transgressing the Constitutions, the superior, in fraternal dialogue, shall lead him to reflection and, if the case requires it, to make use of other appropriate means for his amendment.

The other religious shall cooperate charitably, considering that it is easier to remain faithful when one feels supported by the love and understanding of others.

361. Juridical power in our Order will be exercised, according to law, whenever it is necessary to use it.

362. If on some point an expressed constitutional disposition is lacking, the Master General, with the consent of his council, may, in particular cases, dictate regulating norms, safeguarding equity and in conformity with our preceding law and the general principles of common law.

The provincial enjoys the same faculty with the consent of his council, with regard to provincial legislation.

363. It pertains to the Master General, with the deliberative vote of his council, to approve provincial statutes and their amendments redacted according to the dispositions of the present Constitutions.



364. Constitutional laws, in force until now, and not contained in the present text, are abrogated.