

9

He called the twelve and began to send them out two by two, and gave them authority

(Mark 6:7a)

Authority that is dialogical and co-responsible

COMMUNAL - PARTICIPATIVE LEADERSHIP

A characteristic of the way we exercise leadership in the Congregation and in our ministry is that it is communal and participative. We understand our mission as dialogical and co-responsible in three ways. First, our apostolate finds its origin in the ss.cc. community. It comes from the community or through the community in the church and we carry it out in the name of the Congregation. Secondly, we are sent to a community, a new one or a more developed one, and we serve that community for a time. Finally, we minister in community.



A. THE SCRIPTURES

* *Elijah said to Elisha, "Stay here; for the LORD has sent me as far as Bethel." But Elisha said, "As the LORD lives, and as you yourself live, I will not leave you." So they went down to Bethel. (2Kings 2:2)*

* *Simon Peter said to them, "I am going fishing." They said to him, "We will go with you." They went out and got into the boat...(John 21:3)*

* *And they cast lots for them, and the lot fell on Matthias; and he was added to the eleven apostles. (Acts 1:26)*

* *Then the apostles and the elders, with the consent of the whole church, decided to choose men from among their members and to send them to Antioch with Paul and Barnabas. They sent Judas called Barsabbas, and Silas, leaders among the brothers...(Acts 15:22)*

* *...so we, who are many, are one body in Christ, and individually we are members one of another. (Romans 12:5, 1 Corinthians 12:27)*

* *As for Titus, he is my partner and co-worker in your service; as for our brothers, they are messengers of the churches, the glory of Christ. (2 Corinthians 8:23)*

* *Still, I think it necessary to send to you Epaphroditus-my brother and co-worker and fellow soldier, your messenger and minister to my need...(Philippians 2:25)*

* *Paul, a prisoner of Christ Jesus, and Timothy our brother, to Philemon our dear friend and co-worker...(Philemon*

1)



B. THE GOOD FATHER AND HIS WRITINGS

Even at a time when authority in the church and religious life was understood in a vertical sense, the Good Father was known to use expressions of trust, dialogue, consultation, care and respect for individuals. This can be seen when he speaks of the mission to the Sandwich Islands: *It seemed better first to ask them what they thought and then to choose among the ones more open to going to the mission in the Sandwich Islands those who seemed to me the most qualified* (LEBP 1066b/6.10.1825/6, 159-160). He consulted Father Alexis Bachelot about the possibility of his going to the mission: *I promised the Propagation of the Faith three missionaries (for the Sandwich Islands) and I immediately thought of you as one of the three. But in no way do I want to oblige you in virtue of holy obedience. Reflect on this in God's presence and get back to me as soon as you can.* (LEBP 1069/17.10.1825/6, 164).

This sense of trust and dialogue goes hand in hand with the fraternity that was so much part of the community. For that reason the Good Father was concerned when it came to the mission and the apostolate that the brothers engage in them fraternally. He makes this point to Father Bachelot just as he is about to take the boat to Oceania: *Be kind and obedient*

toward one another. Let each one not adhere too much to his own ideas. It is more in conformity with the will of God to give in a little for the common good, than to demand the best when the difference between the two is not an evil in itself. (CS 10, n. 514)

In the Good Father's letters we also find him expressing confidence in the brothers, especially those to whom he has confided authority. He trusts the local superiors and he helps them take responsibility for their acts and decisions as those having authority. *My friend, if Mr. de Fouras comes back, which I don't believe he will, and if Father de Barre comes back also (These were two priests who wanted to enter the Congregation. Barre came back and remained.) do whatever you think is the most prudent. The only thing I fear is criticism. You can judge and weigh things. Take them back or don't take them, I leave you completely free. (LEBP 277/26.7.1806/2,277).*



C. CONSTITUTIONS AND RULE OF LIFE

This characteristic of participative-coresponsible authority invites reflection on our role as religious and priests within the communities we serve.

Our mission has its origin in our being sent. The Lord confides the mission to a community. In a commentary on Article 6 of our Constitutions we read: *The risen Jesus sent us, in the power of the Spirit, to proclaim the Good News (John 20:19-22). As the Father has loved me, he says to us once more, so I have loved you. Remain in my love. (John 15:9) To proclaim the Gospel is to love as Jesus loves. The commentary goes on to say: Jesus does not entrust the task of evangelization, given him by the Father, to individuals. On Easter night, there is already a community which he sends on mission. Your mission does not belong to you. It has been entrusted to the Congregation, to your community. You are its servant. (The Lord Took Us by the Hand, Booklet on the Constitutions ss.cc. to be published)*

The challenge is two fold: **the common mission** – to be conscious that our mission originates in the ss.cc. community and in the church and **communion in mission** - we carry out the mission in community for the mission is given to the community.

Our desire *to keep alive in ourselves the love our Founders had for the Church* (Constitutions, art. 42) enables us to carry out our mission ecclesially. Our Congregation was born in the communion of the church and so also our mission comes from the church (Cf. Constitutions, art. 1, RL, n. 7). The Congregation is sent by the church and each one of us is sent by the Congregation. In this way our common mission is congregational. In identifying with the Congregation's mission and its orientations, we find our own way of following Jesus. Belonging to the Congregation brings with it the active and serious participation of each brother in the life of the Congregation at all levels. In that way we fulfill its mission (Cf. Constitutions, art. 33-34). We become part of a mission which does not originate with us. *In his apostolate, each brother is aware that he has been sent by the community.* (Constitutions, art. 41. 3)

Article 38 of our Constitutions speaks of communion in mission: *Our common mission and consecration through religious profession create among us a bond of communion, which we are called to foster in an intense community life.* For that reason our apostolic leadership is linked to the community and our ministry experiences the tension between apostolate and community, which is both enriching and demanding, (Cf. Constitutions art. 43). That reinforces the communal dimension of our apostolic leadership. It also means that we see our

consecration and our mission in a dialectic relationship between being and doing. This creates a participative-coresponsible style of authority in which power is understood as service (Cf. Constitutions, art. 90-92).

The Rule of Life, especially in articles 23-28, reinforces the relationship between community and apostolate. Number 27 says: *Apostolic work becomes the power which generates holiness in the community. Our fellowship thus comes to be an active oneness in the apostolate, in witnessing and zeal for the Kingdom, in involvement in the welfare of our fellow man.* (RL, n. 27)



D. LIVING THIS TODAY

Jesus, the one who creates community

The way Jesus, the Good Shepherd, worked was to create community. He formed individuals to live in community and he sent them two by two to do his work. Jesus pedagogy is the pedagogy of the church whose foundation was the original community of twelve from which other communities originate.

Participative and co-responsible leadership involves seeing the church as communion. That then involves dialogue which trusts others and delegates responsibilities for the good of the community we serve. Participative leadership means renouncing individual power and taking on authority in a co-responsible way, having a collaborative and interdependent attitude.

This collaborative style is translated into concrete ways in which the participation of others is welcomed and team ministry is valued according to the circumstances and characteristics of the place and people. This means valuing the contribution of others,

especially the laity, as necessary to the ministry of evangelization.

The spirit of communion which is essential to the church involves openness to dialogue with people who are beyond the spatial and ideological boundaries of our communities. The spirit of dialogue means being in dialogue with other cultures, religions and movements, which are important to the life of men and women of our time.

Servants for a time

Given this kind of church we come to see our authority as a delegated power. We do not own the works or the persons or the institutions. We are servants for a time who must receive from others and continue the mission of Jesus. Authority and leadership that is centered on ourselves can damage the unity and continuity of the communities we serve. The stability of the community does not reside in the minister but in the community itself with its past, present and future. This is bigger than the ministers and pastors who accompany the community for a certain time. As pastors we can ask ourselves: How do we understand authority as part of our ministry? Do we sometimes understand authority as being superior to others?

According to the role we have been given or we

have taken on ourselves, do we see our call to represent Christ as head of the community as domination in relation to people, groups, institutions and material goods? Or do we see that role as making the mission our personal affair rather than providing the parish community with the needed continuity which comes from being a mission of the ss.cc. community in the church. We must grow in the conviction that pastoral leadership means accepting a responsibility entrusted to us by the community as part of a tradition and also a future that neither begins nor ends with ourselves.

We have to see our leadership as a ministry that finds its origin and energy in the ss.cc. community, which is the foundation for mission. The ministry is not just our work. This perspective challenges the tendency we have toward individualism and making ourselves the center of things. Living our charism in community can be something that contributes both to the common mission and to communion in mission.

Team ministry, dialogue, co-responsibility

For various reasons groups in the Congregation have been working recently on this topic. We would like to mention two examples.

In the course of the dialogue which was part of developing this document, in responding to Guide II

for sharing experiences brothers raised some important points about of this characteristic: a) the ability to welcome others, to listen, to enter into dialogue, to be empathetic and to accompany others; b) the ability to trust others, to delegate responsibilities, to support others and to promote interdependence at different levels and c) the ability to create a team spirit, to bring together and animate groups and to work as a team.

As part of ongoing formation in Africa the brothers responded to Questionnaire 2 on our exercise of authority in the apostolate. They indicated as fundamental to apostolic leadership the following which refer to the characteristic we are now discussing: a) to promote fraternity, dialogue, co-responsibility and team work; b) to love others so as to work with them more effectively, fraternity; c) to know the people among whom we work and those with whom we work; d) to build communion and e) to work in an organized way, to have a process so that the people know we are attentive to their concerns. Among the main characteristics of authority, they mentioned: a) work as part of a team, dialogue and b) co-responsibility, subsidiarity.

Team leadership

In our complex, chaotic and constantly changing world, team leadership is necessary. This is a kind of

leadership in which all can give their best, take initiative and respond quickly and effectively according to an evolving understanding of the challenges that must be faced. Such leadership can anticipate those challenges, trust in others on the team and build a cohesive team in which all are aware of the strengths and weaknesses of each member.

This kind of leadership is very different from the bureaucratic leadership exercised by many leaders, which is based more in the authority that comes with the position rather than in personal authority coming from work together, communication and mutual trust.

The key to this new style of leadership is the distribution of power among all the members of the team. Power is not concentrated in someone who thinks he knows everything and is the only one who can think, decide and act and who sees himself as the savior of a group dependent on himself.

In a world that is more and more complex and in constant change it is necessary to distinguish being a leader from being a boss so as to insure that all participate together in making the kind of changes which are needed.

III. CHARACTERISTICS of the WAY we ORGANIZE our APOSTOLATE

We have considered nine characteristics which help us to define and describe ss.cc. apostolic leadership. These characteristics are founded in our ss.cc. tradition and charism. This is an inheritance we must receive and live out according to the diversity of ministries and cultures because it has value and relevance for today.

These characteristics invite us to look at how the values, attitudes and styles involved in each characteristic are related to ways we organize our different apostolic works. The characteristics described at the personal level and the ways they are implemented are together part of a process of growth and renewal. In what follows it is impossible to be inclusive of the great diversity of communities and ministries in which the Congregation carries out its mission. Even if we can not include everything, we hope that brothers can take these reflections and adapt them to their own circumstances. In any case, it must be noted that since we are a clerical congregation, emphasis is placed on pastoral work.

What does an ss.cc. apostolate look like in which the nine characteristics of which we have been speaking are evident and effective?

1. Participation: There are structures that allow those we serve to commit themselves and collaborate. It sees authority and apostolic activity as service to God's people. We are not the proprietors but rather servants of people and works. A special aspect of this participative style is the existence of teams, ministry teams of diverse kinds as for example, the pastoral team, parish councils, boards of directors etc. Such teams are frequently a sign of a leadership style that is communal and participative. Our being religious challenges us to give special attention to finding ways for exercising corresponsability as well as being a community with a common mission.

2. Planning: Individuals, groups, communities and institutions are encouraged to grow as adults by 1) analyzing the situation in which they live, 2) planning and programming activities and 3) evaluating the activities. Our apostolic style can help by teaching how to take responsibility by planning and programming together. These kinds of processes motivate those involved in the mission toward commitment and produce common orientation in action. That orientation

can become an authority for the group or institution. It gives value to decisions, plans and programs.

3. Coordination: We find ways to maintain and encourage what the community or organization decides and how that is implemented. It is a style that has different ways and means of motivating participants. It remembers decisions and agreements the group has made and plans times together of renewal and sharing. *Then Jesus called the twelve together...and he sent them out to proclaim the kingdom of God and to heal...On their return the apostles told Jesus all they had done. He took them with him and withdrew privately to a city called Bethsaida* (Luke 9:1-2, 10). Apostolic projects which include analysis of the situation, planning and evaluation require this kind of attention throughout their existence. This prevents projects from just remaining on paper or wonderful wishes without ever being implemented.

4. Diversification: The apostolate varies according to the different people with whom we work and the different types of ministry. However the poor and suffering always have pride of place as well as developing types of leaders. For that reason we would point out the importance of creating different lay ministries which can contribute to the development of the mission both within and outside the community or organization. In many communities such diversification in the apostolate according to the particularities of different places and ministry is already a reality. Here

we would mention youth ministry, catechesis, liturgical ministry, family ministry, social ministry, missions, ministry to the sick and others. In this same context, within our communities and ministries it is necessary that we be concerned for promoting the Christian vocation in its various forms. This is a ministry done by the church for the good of the church.

5. Formation: Our ministry is more oriented toward proclaiming the Gospel and encouraging people's faith than to administering an organization. For that reason the main means of formation are the force of the word and the witness of our work. We can speak of a style that is formative and persuasive. These are complementary aspects in the development of adult faith both of individuals and communities. The contents and the values of formation are joined to experiences and ways of interiorizing. To that end it will be necessary to find means, resources and structures which allow this to happen (for example: programs of formation, workshops, mission experiences etc.) It will be also helpful to provide formation in the three aspects of our charism: to contemplate, to live and to announce.

6. Accompaniment: We try to give our apostolic style a personal note involving close personal relationships, listening, acceptance and trust. It is a style that creates personal freedom and responsibility, relationships that are equal, direct and brotherly/sisterly.

It is a style which generates apostolic relationships. Given the constant risk of ministry that is impersonal or excessively directive, Jesus reminds us of the value of closeness, knowledge and care for persons when he speaks of himself as *the shepherd of sheep*. He knows and guides his sheep and even though they may be few he accompanies them and he lives with them and his effort bears fruit. This is our responsibility as we organize our apostolate. We have to make sure there are times and places to accompany individuals and groups. The sacrament of reconciliation as well as holistic spiritual direction would come under this heading.

7. Openness. Our ministry is open to new challenges and extends beyond the limits that often confine our work. An example of this would be one of the last messages of the Good Father. As he was dying he recalled the two foreign missions that the Congregation had just begun: *Valparaiso, Gambier*. In life and death the Good Father imagined a Congregation that would go to the ends of the world proclaiming to all the redeeming love of the Heart of Christ and giving witness to Mary's heart as an example to imitate in the following of Jesus. Today we must find new ways to share this message. Today distances and borders are not so much geographic. The meaning of mission is evolving. Some of our brothers are involved in the reevangelization of areas which have become dechristianized. Others have gone to be among the poor and marginalized of society. Others are in

ministries that go beyond borders. Overcoming marginalization, being open to new situations and responding anew flexibly and creatively are signs of this style of leadership.

**RASGOS DEL LIDERAZGO APOSTÓLICO SS.CC. / TYPES DE LEADERSHIP APOSTOLIQUE SS.CC.
CHARACTERISTICS OF SS.CC. APOSTOLIC LEADERSHIP**

	Rasgos en Español	Rasgos en Francés	Rasgos en Inglés
1	Liderazgo confiado en la Providencia	Leadership confiant dans la Providence	Leadership : trusting in Providence
2	Liderazgo en el Espíritu y por el Espíritu	Leadership dans l'Esprit et pour l'Esprit	Leadership in the Spirit and through the Spirit
3	Liderazgo Pascual	Leadership Pascal	Paschal Leadership
4	Liderazgo Auténtico-Testimonial	Leadership par l'Authenticité et le Temoignage	Leadership as Witness
5	Liderazgo Paterno-Materno	Leadership Paternel et Maternel	Fatherly - Motherly Leadership
6	Liderazgo Visionario	Leadership Visionnaire	Visionary Leadership
7	Liderazgo Crítico-Disidente	Leadership Critique et Dissident	Critical Leadership
8	Liderazgo Reparador-Liberador	Leadership Réparateur et Libérateur	Reparative and Liberating Leadership
9	Liderazgo Comunitario-Participativo	Leadership Communautaire et Participatif	Communal-Participative Leadership

Keeping in mind the fact that the Spanish version was transom the list of apostolycated into French and English, it is advisable to rely on the list of apostolic leadership characteristics in the three languages.

Subject III:

"The service of the animation in the Major Community"

(Practical rules for
further superiors ss.cc.)

to be used
in different
possible cases



PROCURA GENERALE
Congregation of the Sacred Hearts
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CONTENTS

PRACTICAL PROCEDURES p. 207
to be used in cases of:

DEPARTURES FROM THE
CONGREGATION
SALE OF LAND OR HOUSES

DOCUMENTATION p. 209

- DISPENSATION OF
TEMPORARY VOWS
- DISPENSATION OF PERPETUAL
VOWS
- EXLAUSTRATION
- DISPENSATION FROM THE
OBLIGATIONS OF THE
DIACONATE
- INCARDINATION IN A

DIOCESE

- TRANSFER FROM THE CONGREGATION TO ANOTHER INTITUTE
- DISPENSATION FROM THE PRIESTLY AND RELIGIOUS OBLIGATIONS
- DISMISSAL FROM THE CONGREGATION
- PERMISSION FOR ABSENCE FROM THE RELIGIOUS HOUSE
- SALES OF PROPERTY OR HOUSES

MODELS

p. 225

- MODEL OF THE EXAMINATION
- MODEL OF THE EXAMINATION OR THE TESTIMONIES OF THE WITNESSES
- MODEL OF THE DECLARATION OF THE FACT

PRACTICAL PROCEDURES

to be used in cases of:

DEPARTURES FROM THE CONGREGATION

Verify the departure in one of the following cases:

1. Completion of Temporary Vows.
2. Not admitted to Perpetual Profession.
3. Dispensation of Temporary Vows.
4. Dispensation of Perpetual Vows.
5. Exclaustration.
6. Dispensation of obligations of Deaconate.
7. Indult of incardination in a diocese.
8. Indult of transfer to another Congregation.
9. Dispensation of sacerdotal and religious . obligations.
10. Dismissal from the Congregation.
11. Special case “Permission for absence” from the Community.

Note: in the cases of 1 and 2, no Dispensation is needed. It is sufficient to have a document that shows Temporary Vows were terminated and the subject has definitely left the Congregation. (Cf. p. 209)

SALE OF LAND OR HOUSES

“Sale of lands or houses” (Cf. p. 223)

DOCUMENTATION

to be used to obtain different dispensations

DISPENSATION OF TEMPORARY VOWS (cc. 688 sq.)

This is reserved to the Superior General with the consent of **his Council** (c. 688)

The necessary documents: (only one copy)

- a. Petition for Dispensation written and signed by the suppliant, not by the Provincial or the Superior, **and addressed to the Superior General.**
- b. A short history of the life of the Petitioner.
- c. Report of the Provincial to the Superior General.

The Provincial will send the documents to the Superior General.

When the Dispensation is granted, the Superior General will send the document with the Dispensation to the Provincial.

When he receives the Dispensation, the Provincial will give it to the Petitioner and ask for a written acceptance which he will preserve in the archives.

DISPENSATION OF PERPETUAL VOWS

(c. 691)

Reserved to the Holy See.

Necessary documents: (only one copy)

a. The petition for the Dispensation, to be composed and signed by the applicant, not by the Provincial or the Superior.

b. The petition must be **addressed to the Holy Father** and sent to the Superior General, who forwards it to the Holy See.

c. A short history of the life of Petitioner.

d. The report of the Provincial which contains the reasons for the request (this petition requires very serious reasons).

e. The decision of the Superior General with the consent of his Council.

f. When the Dispensation has been granted, the Superior General will send the receipt of the Dispensation through the office of the Procurator General to the Provincial who will give it the interested party.

g. The effects of the Dispensation will begin the moment that it is communicated to the interested party provided that he has not rejected it at this time.

h. In the archives, the Provincial will keep a photocopy of the Dispensation signed by the interested party affirming the fact that he received the Dispensation and accepts it.

EXCLAUSTRATION (cc. 686-687)

Pertains only to religious in Perpetual Vows

a. For three years: reserved to the Superior General, the petition of the suppliant must be **addressed to the Superior General.**

b. For more than three years: reserved to the Holy See, the petition of the suppliant must be **addressed to the Holy Father.**

c. Necessary documents: the same as for the Dispensation from Perpetual Vows (check above - make only one copy).

d. Requirements: a serious reason and the consent of the diocesan Bishop where the religious must reside.

e. The canonical situation:

- He becomes free of obligations, which are not compatible with his new situation.
- He depends on the Superior and Ordinary of the place.
- His active and passive voice is suspended.

DISPENSATION FROM THE OBLIGATIONS OF THE DEACONATE

Celibacy and the religious vows

Competent authority: the Congregation of the Sacraments and divine worship.

Documentation: same as for Dispensation from Perpetual Vows (Check the above).

INCARDINATION IN A DIOCESE

(cc. 688-693)

Pertains to clerics

a) During time of Temporary Vows: necessary documents:

1. Petition of the interested party **addressed to the Superior General** and a serious reason.
2. Short history of life.
3. Report of the Provincial with the motivating reasons.
4. Reserved to the Superior General with the consent of his Council.
5. The cleric returns to the diocese of his origin when he receives the Dispensation from his Temporary Vows.

b) During time of Perpetual Vows:

1. The Petitioner will present his request with very serious reasons, **addressed to the Holy Father**.
2. A short history of the life of the Petitioner.
3. The report of the Provincial with the motivating causes.
4. The petition **addressed to the Holy Father** is presented to the Superior General who, with

the expressed opinion of his Council, sends it to the competent authority of the Holy See.

5. The interested party must have previously contacted a benevolent Ordinary who will admit him to his diocese “ad experimentum” for at least five years. After a period of five years, if there is no word from the Ordinary, the party becomes automatically incardinated in the diocese.

6. Actually everything depends on the Ordinary of the place who has admitted him.

7. If the Bishop has not admitted him after the trial time has finished, the cleric returns to the institute from which he departed, or if he contacts another benevolent Bishop he can go to the diocese of this Bishop. He must make a new request for incardination into the new diocese.

c) The effects of the indult: this takes place immediately after the communication of its concession unless at that time, the party involved rejects it.

TRANSFER FROM THE CONGREGATION TO ANOTHER INSTITUTE

**A society of Apostolic Life or Secular Institute
(cc. 684-685)**

a) When it pertains to a member in Temporary Vows (c. 688)

1. If he has completed his Temporary Vows, it is sufficient for him to leave the Congregation

2. If he has not completed the time of his Temporary Vows, it is sufficient that he write a petition **to the Superior General** asking for a Dispensation from his vows and leaves.

b) If it concerns a member in Final Vows (cc. 684-685), requirements are:

1. A just cause.

2. Permission of competent authority.

▪ If he transfers from one Congregation to another (c. 684, § 1-2) the permission is granted by the Superiors General (of the Community he left and the one he joins) with the consent of the General Councils. The petition of the suppliant must be **addressed to the Superior General**.

▪ If he transfers from one Congregation to a Secular Institute or a Society of Apostolic Life (or vice versa) the Holy See gives the permission (c. 684, § 5). The petition of the suppliant must be **addressed to the Holy Father**.

3. It is necessary that he lives in the new institute for at least three years before Perpetual Profession.

4. He is incorporated into the new institute or Congregation by his Perpetual Profession (c. 685, § 1 and § 2).

The documentation that is necessary: regarding members with Perpetual Vows it is the same as that for the Dispensation from Perpetual Vows.

DISPENSATION FROM THE PRIESTLY AND RELIGIOUS OBLIGATIONS.

Or "the reduction to the lay state"

Reserved to the Holy See (the Congregation of the Sacraments).

Documents required by the Congregation of the Sacraments for the procedure for Dispensation from obligations rising from priestly ordination: (the original and two copies):

1. Letter of the priest concerned, in his own writing, addressed, to the Holy Father, in a spirit of humility and penance, with a summary of the principal motives which lead him to withdraw, and the reasons which don't allow him to turn back in order to overcome the crisis and resume his own ministry. The request must be personally signed by the Petitioner. [Please note that **the original** and two copies of the petition of the suppliant addressed to the Holy Father must be sent.]

2. A "Curriculum vitae" of the Petitioner in which, in addition to the more significant stages and dates of his own life, his own formation and his own

ministry, the reasons for his crisis and withdrawal are explained and justified with greater depth and accuracy; and in which, if they exist, the grounds which lead him to believe his defection is irreversible, are clarified. (The “curriculum vitae” functions as an “introductory memory” for the case, together with the request for dispensation).

3. A document which summarizes all of the pastoral attempts made by the diocesan Ordinary or the Religious Superiors in order to dissuade the Petitioner from pursuing his petition for dispensation, and the help which was offered to him in order to overcome the crisis, to return to the right path and to reassume ministerial activity

4. A document which proves that the Petitioner, after his definitive decision to withdraw from the priesthood, **has been suspended from exercising Holy Orders** - avoiding any scandal and saving his reputation- starting from the time the request for dispensation was presented and accepted by his own Ordinary or Religious Superior.

5. The decree of appointment of the judge instructor of the case and of the notary obliging them to keep the “*Normae de dispensatione a sacerdotali coelibatu ad instantiam partis*” edited by the Congregation of the Doctrine of Faith, October 14th, 1980 (AAS, LXII (1980) pp. 1132-1137).

6. The examination of the Petitioner done by the judge instructor (Cf. p. 221) in the presence of the notary, with the “de veritate dicenda” oath at the beginning, followed by previously prepared precise questions, especially regarding the period of formation preceding Ordination, and with a particular investigation of everything regarding the reasons presented and indicated in the curriculum vitae as the motives for the crisis, withdrawal and its irreversibility.

7. The examination and depositions of the witnesses, (Cf. p. 225) either indicated by the Petitioner or chosen by the judge instructor: parents and relatives of the Petitioner; his Superiors and fellow students from his formation period; his current Superiors and confreres, etc.

8. Possible medical, psychological, psychoanalytical or psychiatric certificates from the formation period or afterwards.

9. A copy of the inquiry prior to ordination, and other documentation regarding the Petitioner held in the archives of the houses of formation.

10. A summary of the personal judgement of the judge instructor regarding the importance of the case, whether or not it is appropriate to grant the dispensation, taking into account not only the reasons given in the examination or the personal well-

being of the petitioner, but also the well-being of the Church, the Diocese or the religious Institute, and the people under the ministerial care of the Petitioner.

11. A personal note of judgement by the Bishop or the Religious Superior who had the responsibility of introducing the case, either on the merits of the case itself resulting from the documentation received from the instructor judge, or on the possibility or opportunity of granting the dispensation, and on the absence of scandal in case of the possible granting of the dispensation.

12. A personal judgement on the absence of scandal on the part of the Ordinary of the place where, in fact, the Petitioner has been living since leaving his ministry.

13. An authenticated copy of a possible civil marriage or of the possible declarations of **annulment or divorce** regarding the woman or the Petitioner.

Note: The above mentioned documents, compiled and bound in good order, and with numbered pages, all have to be authenticated by the notary and sent in triplicate to the Congregation for the Divine Cult and the Discipline of the Sacraments; they should not contain any possibly unreadable handwritten documents, which, if considered of some importance, have to be transcribed and typewritten. The same applies to the legibility of photocopies.

**DISMISSAL FROM THE
CONGREGATION**
Or expulsion from the Congregation
(cc. 694-704)

A “IPSO FACTO” (c. 694)

B. “BY DECREE” (cc. 695-704)

A. “IPSO FACTO”: a religious is expelled from the Congregation “ipso facto” in the following cases:

- Notorious defection from the catholic faith.
- Contracting marriage if in Temporary Vows.
- Attempting marriage, if in Perpetual Vows, even if only civil marriage.

Procedure in these cases (Cf. p. 225): the Major Superior with his Council gathers together the proofs of the act, and **makes a formal “declaration of the fact” (see a model of the declaration further on) and he keeps this in the archives. This declaration is only a proof.** The act itself causes the expulsion not the declaration. He will communicate this to the Superior General.

B. “BY DECREE”: Consider three cases:

- Obligatory expulsion: the Major Superior must proceed “ex officio” to the expulsion: c. 695.
- Expulsion by means of process: the Major Superior can proceed with the expulsion: cc. 696-698 once the process is completed.
- Expulsion in an urgent case: serious external scandal or grave imminent harm to the institute: c. 704.

PERMISSION FOR ABSENCE FROM THE RELIGIOUS HOUSE

A particular case (c. 665)

One is reminded, in this canon, that permissions for absence from the religious house, if it is prolonged for more than one year, **can only be granted by the Major Superiors** when it is for reasons of *sickness, studies or an apostolate exercised in the name of the Community*.

(Read this canon with its commentaries)

SALES OF PROPERTY OR HOUSES

Documentation to be prepared

1. It is necessary to advise the Bishop of the diocese where the property intended for sale is located. It is only necessary to advise the Bishop because his authorisation is not needed. The reason for advising the Bishop is that the diocese might be interested in buying it. Insofar as it is ecclesiastical property, it is better that it remains so, but if the diocese is not interested or cannot pay the price, it may be sold to someone else (c. 1293, § 2).

2. Permission of the Holy See is required only if the value of the property is above the amount established by the Episcopal Conference of the country for these cases (c. 1292, §2).

3. To obtain permission from the Holy See it is necessary to send a petition of the Major Superior with an estimate or evaluation of the property *made by experts in writing*, identifying the boundaries of the property and whether or not there is an existing building, and indicating the value of the building and of the property (c. 1293. § 1, 2°).

4. Reasons for the sale: in making the request, the reasons justifying the sale must be put in the letter to the Superior General, requesting the permission for the sale and routing a petition to the Holy See for permission, when this is necessary. The Procurator General will bring the request to the Holy See with all the information that was sent to the Superior General (c. 1293, § 1, 1°).

5. Destination of the money from the sale: it is sufficient that this topic be included in the letter sent to the Superior General (c. 1294, § 2).

6. When the petition is made to the Superior General, he must be informed that the Bishop has been advised, and whether or not the Bishop agrees with the sale.

7. One copy of the total is sufficient, but there must not be hand-written as they are not clear and legible.

8. Send it to the Superior General.

MODELS

MODEL OF THE EXAMINATION

Note: There is no official model for examination but this one has been used for several years. It is not necessary to answer all the questions if there is nothing to say about some. However it is always necessary to write each question before the respective answer. It is recommended that the answers not be given in short words; the answers should, in some way, illustrate and explain the situation and the answers given. It has to be done by the Petitioner at the request of the judge instructor.

General information about the petitioner

1. Please give your name, surname (s), place and date of birth, and mailing address of your present residence.
2. What was the civil, economic, religious status of your family? What sort of family life did you lead? What education did you receive?
3. Where and when:
 - a. Did you receive your education as a youth?

- b. Did you enter the Novitiate?
- c. Did you pronounce your first vows?
- d. Did you study philosophy?
- e. Were you engaged in special studies?
- f. Did you teach?
- g. Did you study theology?
- h. Were you ordained priest?
- i. Did you make Tertian ship?
- j. Did you do further special studies?
- k. Were you awarded academic degrees and which?
- l. Did you pronounce Final Vows, and which?

4. After ordination, which offices and ministries did you exercise? When and where?

5. Did you suffer from any serious physical or mental disease before entering the Congregation? During the years of formation? After ordination? Did you take proper care regarding it? With what result? Is there anyone in your family who suffers from the same disease?

6. What is your present juridical status, both ecclesiastical and civil?

Reasons for petition

7. In your youth, at home, at school, and in general before entry into the Congregation, was there anything, which disturbed your equilibrium (physical, mental, religious) and the proper development of your character? Any indications contrary to your priestly

vocation?

8. Was your decision to enter the Congregation mature, freely made, with no undue influence of parents, relatives, or others?

9. Was your decision to pronounce your first vows mature, free, responsible, and not superficial, emotional, quasi-passive...?

10. During the time of formation or before Ordination, did you ever have serious doubts about your calling to the religious and priestly life?

11. During the time of formation or before Ordination, was there any weakening of your sense of dedication, of religious observance (in prayer, reception of the Sacraments, community life, observance of vows and rules)?

12. As you approached theological studies, what ideas and judgements did you have concerning the priesthood, religious consecration, and its responsibility? Were the burdens inherent in the priesthood well known to you?

13. Before Ordination to the priesthood, did you have any serious lapses in the matter of poverty, chastity and obedience? Any psychic immaturity, especially affective? Any difficulties concerning the doctrines of the Church or any crisis of faith?

14. In the time of formation and before Ordination, did you have open and sincere dialogue with your Spiritual Directors and Superiors concerning your difficulties, so that they might be able to judge whether you were really suited to lead a life of perpetual celibacy?

15. Is there anything else, from the years before Ordination, which you judge helpful for the understanding of your present difficulties?

16. Did you ever seriously think, spontaneously or prompted by counsel of Superiors or others, of deferring Ordination to the priesthood, or not receiving it all?

17. When you signed a declaration, confirmed by oath, that you were receiving Orders with full knowledge and freedom, did you do so in full freedom, responsibility, sincerity, and not moved by emotion, human respect, fear, or the influence of others?

18. Was your formation for the affective life sufficiently balanced with respect to celibacy? Were you fully conscious of the significance and gravity of the obligation of celibacy? Did you freely accept this obligation?

19. Did you accept priestly Ordination, with its obligations, freely and joyfully, as a positive act of perpetual dedication, and not passively, simply passing from one stage of formation to another?

20. Did you pronounce your final vows with the same sense of perpetual commitment?

21. What are the causes and circumstances by which you have been led to the decision to ask the favour of dispensation from priestly celibacy? Is there question of a crisis of faith? Of an affective crisis? Of a lack of real adaptation to the sacred ministry? Of difficulties with community life? Do you experience frustrations and anxiety? A sense of emptiness and loneliness? Are there moral problems?

22. What have you done to overcome these difficulties? How long have you had them?

23. Whom (Superiors, spiritual directors, fellow religious, physicians, others) have you consulted about your difficulties? What advice did they give you?

24. Through the course of your religious and priestly life, do you believe that Superiors, spiritual directors or others were mistaken in their judgement of your vocation, in the direction or counsel they gave you? If so, how?

25. Are you living at present outside religious houses?

26. Have you already abandoned the exercise of the priesthood? If so, when?

27. Is your intention to ask for the favour of dispensation from celibacy final? Do you think you can consider the matter once more, better, and more deeply? Do you understand that this step you are now taking is irrevocable?

28. In making your decision have you had psychiatric or psychological consultation or care? With whom? With what result?

29. Do you foresee a real possibility of supporting yourself after you have returned to the lay state?

30. If dispensation were granted, do you intend to marry? Just a general intention? A specific person? When? A woman who is canonically free to marry? If so, was she a religious?

31. In the place where you are living, do people know that you are a priest?

32. Are there any persons who could give

testimony, to be kept secret, concerning your difficulties and the reasons you are giving for obtaining a dispensation could you give their names in order that they may be questioned?

33. Have you contracted a civil or religious marriage? When? With a Catholic woman? If so, what is her juridical position (civilly divorced, legitimately freed from the bond of a previous marriage, by the definitive sentence of a competent ecclesiastical tribunal)? Was she a religious? Do you have children? Why do you desire to remedy this situation?

34. Do you wish to add anything to the above answers?

35. Do you consent that the above information may be used as far as necessary, so that your case may be dealt with by the Curia General and by the Holy See?

Place, day, month and year

Signature of Petitioner

Signature of Judge Instructor

Signature of Notary

MODEL OF THE EXAMINATION OR THE TESTIMONIES OF THE WITNESSES

In reference to **number 7 of this document** (p. 214), the witnesses must respond to the following questions, always placing each question before the respective answer.

1. Name- first and last names. Religious name.
Age.
2. Profession, office, domicile.
3. Are you a friend or family member of the
Petitioner?
4. Do you swear before God to respond truthfully
to the questions proposed?
5. Since when have you known the Petitioner?
Can you say that you know him well?
6. Did you know the situation and condition of
the family of the Petitioner?
7. Do you know if the Petitioner entered religious
life and priesthood spontaneously and freely or under
some force or inopportune persuasions?
8. Can you describe the principal qualities and
character of the Petitioner?
9. Do you know if the Petitioner has ever suffered

a grave illness, physical or mental?

10. Does the Petitioner have a good social disposition with others or does he have a notable difficulty when it comes to true social activity, human or religious?

11. Do you know if the Petitioner conducted himself in a correct manner during the time of his formation and did he appear to follow a right conscience and serene manner in the religious and sacerdotal state?

12. Was he esteemed by his Superiors, teachers and fellow-students?

13. Do you know if he had confidence in his Superiors and spiritual Directors?

14. Do you know if he had serious difficulties with his religious and sacerdotal vocation?

15. If you knew him before his religious vows and Sacred Orders, do you think that he made these vows and received Sacred Orders with sufficient human and spiritual maturity?

16. How did the Petitioner conduct himself in the exercise of the sacerdotal ministry? Did he appear happy, gifted with apostolic zeal and integrating himself in the apostolic work of the Community?

17. Do you have knowledge of any difficulty he might have had in the exercise of his duties?

18. Do you know if he had any difficulty in the affective life?

19. Do you know if he failed seriously in his contracted obligations? Or if he did his work in such a way as to cause admiration or scandal among the faithful?

20. Do you know if the Petitioner admits or may have admitted some aberrations to the sanctity or life of the priesthood or consecrated celibacy?

21. Do you know if he had received counselling or any warning when he had these difficulties?

22. Do you know if the Petitioner contracted civil marriage or lives with some woman?

23. Do you know what the people thought about him in the areas where he exercised his ministry and what the same people think about him now?

24. Do you think that the decision of the Petitioner to leave the religious and sacerdotal life can be considered as definite and irrevocable, based on serious motivations?

25. Keeping in mind not only the benefit of the Petitioner but also the good of the Church, do you think that it would be suitable and opportune that the supreme pontiff grant the Dispensation from sacerdotal celibacy and the obligations attached to sacred orders and religious life as requested?

26. Do you have anything more to add to what you have already testified?

27. Is it possible that you have any letter or document, which will help to clarify the understanding in this case?

28. Do you think that the Petitioner spoke the truth in his answers to the questions proposed to him in the advancement of this case for the Dispensation from sacerdotal celibacy?

Place, day, month, and year.

Signature of the provincial

Signature of the witness

Signature of the notary

MODEL OF DECLARATION OF THE FACT

Modelo No-oficial de "Declaración del hecho"

I, the undersigned NN ..., the Major Superior of the religious province of ... (*the country*) having made the necessary investigations pertaining to this case and with the consent of the Provincial Council,

DECLARE officially and in accordance with canon 694, § 2, of the present code of Canon Law that this religious NN ..., a member of this religious province, is expelled “*ipso facto*” from the Congregation of the Sacred Hearts, the conditions of canon 694, § 1 (*number 1 or 2, as might be the case*) having been verified in his case.

This is endorsed with the following proofs:

1. (If possible a photocopy of the document of civil marriage, or;)
2. (If possible the testimony of two or more who assisted at the marriage or who know with certain knowledge that this is true;)

3. (If possible the admission of the interested party;)
4. Etc., etc.

And in order to obtain all the juridical effects of the law, I sign this document on ... (*day, month, year*).

The Major Superior:

(Seal)

1st witness:

2nd witness:

COLLABORATORS and WRITERS

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