

LEX PROPRIA OF THE BENEDICTINE CONFEDERATION

INTRODUCTION

1. The Benedictine Confederation was formed from those monastic Congregations which, while preserving their autonomy, entered the union sanctioned by Pope Leo XIII in the Papal Brief 'Summum semper' and regularly approved by all of his successors. By order of Pope Pius XII precise legal provision was made for this union in a *Lex propria* which was reviewed after the Second Vatican Council.
2. The official designation of the Confederation of the Congregations of monasteries of the Order of Saint Benedict is *Confederatio Benedictina*. (Benedictine Confederation)

PART I

THE NATURE, CONSITUTION AND PURPOSE OF THE BENEDICTINE CONFEDERATION

Section I

3. The Benedictine Confederation is endowed with the status of a juridic person as well as a corporate collegial identity, without however thereby creating a new religious Institute or a new monastic Congregation
4. The Confederation can possess and defend its own rights and possessions according to the provisions of the law.
5. The Confederation is ruled by common law and the provisions of this *Lex propria* which is made up the extraordinary code and the adjunct code, as well as by ordinances issued in accordance with the *Lex propria*.
6. Under the direction of the Abbot Primate, the Congress of Abbots and the Synod of Presidents and within the limits defined in this *Lex propria*, the Confederation is responsible for all matters appertaining to the common good of the Confederation.
7. Juridical effects which arise from beyond the fraternal bonds of the Confederation and from the common law of the Church are to be prosecuted according to the particular norms of the Confederation.
8. The bond by which monastic Congregations, orders and monasteries are incorporated into the Confederation, with regard either to its permanence or to its effect, is reserved to the Holy See.

Section II

THE CONSITUTION OF THE CONFEDERATION

Chapter I

The Members of the Confederation
Article 1 – Ordinary Members

9. Ordinary full (immediate) members of the Confederation are the Congregations of monasteries of Benedictine monks.
10. Individual monasteries enrolled in Congregations or which in the future are legitimately so enrolled accede *ipso facto* by way of these Congregations to all the effects of Confederation as ordinary indirect (mediate) members.
11. New monastic Congregations which the Holy See, having heard the petition of the Synod of Presidents, shall recognise as Congregations in conformity with the Holy Rule and the traditions proper to the Order of Saint Benedict and shall duly erect, become *ipso facto* ordinary immediate members of the Confederation. The petition of the Synod shall be composed following the principles defined by the Congress of Abbots concerning the criteria according to which conformity with the Holy Rule and the traditions proper to the Order of Saint Benedict can be asserted.
12. In these cases and in those of other individual Orders following the Rule of Saint Benedict, a decree of the Holy See is required before they can be accepted as ordinary immediate members of the Confederation. This decree must be preceded by a petition from the Congress of Abbots.

Article 2 – Extraordinary members

13. Every monastery of the Order of Saint Benedict ought to be enrolled in a Congregation. Unless there are serious grounds to prevent it, a monastery which by virtue of an indult of the Holy See does not belong to a Congregation or which has left a Congregation and not joined another, can, with the consent of the Congress of Abbots, be enrolled as an immediate member of the Confederation. The superior and monks of such a monastery are subject to the same obligations and enjoy the same rights as the superiors and monks which, by virtue of membership of a Congregation, are ordinary mediate members of the Confederation.

Chapter II

Institutes Associated with the Confederation

14.
 - a) A monastery of women which follows the Rule of Saint Benedict, if incorporated into or united with a Congregation or monastery of monks which is a member of the Confederation, is associated through this congregation or monastery with the Confederation.
 - b) Any other monastery, Federation or Institute of consecrated life, either of women or of men, whose members strive to live according to the spirit of benedictine monasticism, can, without infringing the rights of the local ordinary, be associated with the Confederation by decree of the Abbot Primate.
 - c) The criteria and conditions of association with the Confederation are to be defined by the Congress of Abbots.

15. a) The Confederation and the monasteries and Institutes associated with it are to assist each other, especially in spiritual matters.
- b) Monasteries and Institutes associated with the Confederation enjoy all the spiritual benefits and privileges of the Confederation and share, to the extent to which they can, the rescripts and indulgences conceded to the whole Confederation, provided these rescripts and indulgences are in conformity with the nature of the monastery and Institute. Association, however, does not limit either the autonomy of individual monasteries or Institutes nor the rights of the relevant Ordinary.

Section III

THE AIMS OF THE CONFEDERATION

16. The Benedictine Confederation was constituted and continues to exist in order that, led by the Gospels, under the guidance of the Holy Spirit and directed by the Church, monastic life according to the Rule of Saint Benedict and the wise traditions of each Congregation and monastery adapted to the conditions of time and place may be fostered and fraternal assistance between Congregations in the areas of personnel, goods and works be encouraged in every way.
17. The chief ways of pursuing these aims are:
- a) the Congress of Abbots at which the superiors of monasteries gather to exchange experiences and opinions and promote the well-being of the whole Confederation;
 - b) the Synod of Presidents in which the Presidents of Congregations gather in council to deal with matters affecting the whole Confederation;
 - c) the office of the Abbot Primate whose function it is to represent the Confederation and to do all he can to foster co-operation between the confederated monasteries;
 - d) the College and Athenaeum of Sant'Anselmo, the cultural centre of Benedictine monachism for the Confederation, where monks from all the monasteries of the Confederation come together primarily for the purposes of study.
18. Moreover, to facilitate more effectively fraternal assistance among confederated monasteries, a novitiate may be validly served in a monastery of another Congregation by candidates permitted to do so by their President.

PART II

GOVERNANCE OF THE CONFEDERATION

Section I

THE CONGRESS OF ABBOTS

19. The legitimately convoked Congress represents the whole Confederation provided that at least the majority of those who enjoy a deliberative vote are present either in person or by procurator.

20. The Congress is not intended to be a Chapter General nor does it possess any power at variance with the autonomy of the Congregations or of monasteries; rather it serves the good of the Confederation within the limits described above (nos. 16-17).

Chapter I

The Members of the Congress

21. The following have active voice in the Congress:
- a) the Abbot Primate;
 - b) Presidents of Congregations;
 - c) Ruling Abbots and Priors of autonomous monasteries;
 - d) Properly constituted Administrators of autonomous monasteries;
 - e) Legitimately constituted Procurators of autonomous monasteries in which the position of Superior is vacant.

21² Should one of the above be legitimately hindered from attending the Congress he shall explain his absence in writing to the Congress and is to designate one of the Superiors at the Congress as his procurator with a general mandate, provided that no individual may act as procurator for more than two absent members and exercise their votes.

22. The Prior of the College and the Rector of the Athenaeum of Sant'Anslemo take part in the Congress but enjoy an active voice only in those matters pertaining to the College or the Athenaeum, including the election of the Abbot Primate.

22² When the Prior or the Rector are unable to be present they are represented by the Sub-Prior or the Vice-Rector who shall enjoy the same rights. If the Vice-Rector should not be a monk of the Confederation he shall attend the Congress only for matters pertaining to the Athenaeum and enjoy only a consultative voice.

22³ The following also attend the Congress without, however, having the right to vote:

- a) three representatives of the College and Athenaeum chosen according to the relevant Statutes;
- b) representatives of the associated monasteries and Institutes chosen by the one who convokes the Congress.

22⁹ In addition, experts, consultants and visitors may be invited to all or some of the sessions.

Chapter II

The Convocation of the Congress

23. The right to convoke the Congress rests with the Abbot Primate or, in the case of the see being vacant, with his Vicar.
24. The Congress takes place every four years, whereby this time-span is to be interpreted loosely; thus, for good reason, the Congress can be held either before or after the date on which, technically, it is due, provided that this anticipation or postponement is not greater than six months.

Chapter III

The Business of the Congress

25. The Congress is competent to discuss and decide all matters pertaining to the Confederation as a whole and to the College and Athenaeum of Sant'Anselmo.
26. The Abbot Primate has the right to preside at the Congress, but when the see is vacant, this right passes to the Vicar.

26² The President of the Congress, in consultation with the Synod of Presidents, draws up an agenda for the Congress, which agenda, however, can be altered or added to by the Congress or by the President with the consent of the Congress.

26³ The Congress, since it has the duty to watch over the administration of the temporal goods of the Confederation and of the College and Athenaeum, has the right to receive a report on the financial administration of these at the approaching Congress.

Chapter IV

Resolutions of the Congress

27. Resolutions of the Congress are binding on all monasteries of the Confederation only if:
 - a) the matter pertains to the whole Confederation or to the Athenaeum of Sant'Anselmo; and
 - b) the resolution has been passed by two-thirds of votes cast.
28. The provisions of the *Lex Propria* of the Confederation may not be altered by the Congress of Abbots except in accordance with no.27 above. Moreover, changes involving an alteration of Canon Law require the confirmation of the Holy See.

28² Certain resolutions (e.g. on the procedure for conducting the Congress and similar matters) shall be decided by absolute majority of votes of the Congress, provided these motions do not affect prescriptions of the *Lex Propria*.

28³ Resolutions of the Congress have immediate effect unless the Congress decides on a delay.

Chapter V

The Election of the Abbot Primate

28. The Congress of Abbots elects the Abbot Primate who holds office for the period of time decided in law. In this election every monk of a monastery of the Confederation who is a priest and has at least five years of perpetual profession enjoys passive voice.

29² In accordance with no.29, the Abbot Primate is elected for a period of eight years and can be re-elected twice, each time for a period of four years.

29³ a) The office of Abbot Primate being vacant, the Congress, in a first session under the presidency of Vicar or the pro-Primate, decides whether or not the election of the Abbot Primate should take precedence over other business.

b) On the expiry of his mandate, the Abbot Primate shall at the appropriate time and with the consent of the Presidents, declare his mandate to have definitively ended. In the subsequent election he enjoys active and passive voices.

29° Out of reverence for Our Holy Father Benedict, the right to preside at the election of the Abbot Primate always belongs to the ruling Abbot of Montecassino, and should the latter be impeded, the ruling Abbot of Subiaco. Should both be impeded the right passes to the Presidents of Congregations in order of their seniority in the presidency.

30. Whoever receives two-thirds of the votes in one of the first three ballots is deemed elected. Should a fourth ballot be necessary, an absolute majority will suffice for election. In this fourth ballot, those two candidates who received a relative majority of the votes in the third ballot shall enjoy a passive voice but not an active voice.

30² If in the third ballot the votes are equal, passive voice goes to the candidate or candidates senior by first profession or by age. In the case of equal votes in a fourth ballot the same norms apply.

31. By accepting the election, the one elected immediately receives the office of Abbot Primate with full rights, unless he requires confirmation.

31² If the one elected is not an Abbot he should receive the Abbatial Blessing as soon as possible.

Section II

THE SYNOD OF PRESIDENTS

Chapter I

The Synod

32. The Synod of Presidents is summoned so that the Presidents of Congregations can consult among themselves, can discuss matters relevant to the whole Confederation which it considers in its competence, and make suggestions for the business of the Congress of Abbots.
33. Matters which of themselves require a decision of the Congress of Abbots may not be decided by the Synod, except in cases of urgent necessity when a decision cannot be postponed until the next Congress. Any such decision, however, must be ratified by the Congress.
34. It is also the function of the Synod to put into effect those matters ordered by the Holy See or by the Congress of Abbots, taking care that this be done with reference to other mandates arising from either common or particular law or established by the Congress of Abbots.
35. The members of the Synod are the Abbot Primate, who convokes and presides, and the Presidents of Congregations.

35² A President who is legitimately impeded must delegate the one designated by the Constitutions of his Congregation as Presidential Vicar or another major superior of his Congregation.

35³ The Synod must be convoked at least once every two years.

35^o The Abbot Primate may invite to some or all sessions of the Synod, abbots or monks whose learning or experience would be of assistance.

35^o The Abbot Primate may freely designate a Secretary who will keep an accurate record of the proceedings of the Synod.

35^o A President is permitted to bring with him the Secretary of his Congregation or another qualified monk of his Congregation, who will not, however, enjoy an active voice.

Chapter II

The Council and the Vicar

36. The Synod shall establish a special Council to deal with particularly urgent matters which cannot be deferred until the next meeting of the Synod.

36² The Synod shall elect three Presidents as members of this Council who will remain in office until the next Synod.

36³ Should a member of this Council cease to be President of his Congregation, he also ceases, by that fact, to be a member of the Council. The Abbot Primate, with the consent of the other members, shall nominate another President to the vacant mandate.

37. The Synod shall elect from the member of this Council a Vicar who shall take the place of the Abbot Primate who is impeded and, should the office of Abbot Primate be legitimately vacant, shall assume according to law the temporary governance of the Confederation. Should the office of Vicar be vacant, the Abbot Primate, having consulted the Presidents, shall designate as Vicar one of the members of this Council.

Section III

THE ABBOT PRIMATE

Chapter I

The Monastic Status of the Abbot Primate

38. The Abbot Primate retains his monastic stability as it was at the time of his election but, during his mandate, this stability is suspended in regard to matters which are not considered compatible with his office.

38² The Abbot Primate, in accordance with law, enjoys the use of pontifical insignia, even after the expiry of his mandate.

38³ He takes precedence before all superiors of the Confederation, even Presidents of Congregations, in all places, even with regard to their own superiors in individual monasteries in the functions of monastic life.

Chapter II

The Duties of the Abbot Primate

Article 1 – Duties towards the Confederation

1. Ordinary Duties

39. Of right the Abbot Primate is counted among the Major Superiors but his powers derive from this *Lex Propria* and the special decrees of the Holy See.
40. The Abbot Primate legitimately represents the whole Benedictine Confederation at the Holy See and, when necessary, to other religious and civil bodies and persons in matters concerning the whole Confederation, without infringing the rights of Procurators of Congregations.
41. It is the Abbot Primate's responsibility to initiate, oversee and execute business affecting the whole Confederation. He should be careful to preserve and promote everything which is in keeping with authentic Benedictine tradition, in particular the Benedictine spiritual and cultural heritage.

41² The Procurators General of monastic Congregations should notify the Abbot Primate of at least the more important matters affecting their Congregations, this as much to keep him informed as, where it may arise, to hear his advice or obtain his help, particularly in matters which are to be decided by the Holy See. Copies of the documents treating of such matters are to be preserved by the Abbot Primate in the archives of the Confederation. Reports of Chapters General and a copy of the Constitutions of individual Congregations should be sent to the Abbot Primate.

41³ Each Congregation should provide the Abbot Primate with a copy of the reports it sends to the Holy See.

42. During his period of office, the Abbot Primate has the right to Institute alumni of the College of Sant'Anselmo as Lectors and Acolytes, provided they have received dimissorial letters from their respective Major Superiors.
43. The Abbot Primate has faculties to hear the confession of any member of a monastery of the Confederation and of associated monasteries or Institutes.
44. Just as a regular Superior, the Abbot Primate may enter the enclosure of a monastery of nuns associated with the Confederation.
45. At the election of a Superior in which, according the particular law of a Congregation, passive voice is enjoyed only by monks of that Congregation, should a monk of another Congregation be postulated who is otherwise suitable, the Abbot Primate has the faculty to dispense from this impediment, all other provisions of the law being respected.

2. Extraordinary Duties

A. Visitations

46. For sufficiently grave reasons and under conditions laid down in this *Lex Propria*, the Abbot Primate has the right to conduct a Visitation in the Congregations or monasteries of the Confederation.

46² The Abbot Primate needs the consent of the Synod of Presidents to conduct a Visitation of a whole Congregation. Moreover, he shall consult in advance the President of the Congregation which is the subject of the Visitation. If the case is urgent and should any doubt remain, it is appropriate that the Holy See be consulted.

46³ At the invitation of a President of a Congregation or at the instigation of a monastery and having consulted the President, the Abbot Primate may initiate a Visitation of a particular monastery. He may do the same for the monastery of the President if invited to do so by those to whom the responsibility of visitation of that monastery is entrusted, or at the instigation of the monastery, having consulted the Visitors.

46⁹ The Abbot Primate, for reasons of grave necessity and associated difficulties, has, with the consent of his Council referred to in No.36 above, the right to conduct a Visitation of any monastery or monasteries. Furthermore, before beginning the visitation, he shall consult the President of the Congregation to which the monastery or monasteries belong, or, should the monastery in question be that of the President, he shall consult those to whom the responsibility of visitation is entrusted.

46⁹ Similarly, the Abbot Primate has the right to conduct the visitation of individual monasteries if those responsible do not conduct the canonical visitation for two of the periods foreseen by the relevant Constitutions.

47⁹ Except in the case of a visitation of a whole Congregation which he must conduct in person, the Abbot Primate may conduct visitations himself or may specially delegate the task to other suitable abbots or monks, and may, if this is advantageous, himself, or his delegate, choose to be accompanied by a member of the Congregation to which the monastery being visited belongs. The visitation shall be conducted in accordance with the norms of the Constitutions of the Congregation in question, all matters being referred to the appropriate instances.

B. Matters to be referred to the Abbot Primate

47. If difficulties or disagreements arise between Presidents or Major Superiors of different Congregations which cannot be settled peacefully, the parties, before resorting to legal proceedings shall have recourse to the Abbot Primate, who will leave nothing undone to resolve the controversy satisfactorily and equitably.
48. Should a just and satisfactory settlement not be possible, and if the matter cannot be delayed, the Abbot Primate, in cases of genuine urgency or necessity shall himself there and then discern what, before the Lord, appears to him the most equitable solution, subsequently making a report on the matter to the Holy See.

Article 2 – Duties relating to Monasteries not belonging to any Congregation

49. With regard to monasteries not belonging to any Congregation, the Abbot Primate enjoys the same faculties, rights and duties which by common law appertain to Presidents of Congregations, unless otherwise ordered by particular law.

49² The Abbot Primate, having consulted the Superiors who are interested parties, shall form a council composed of two monks of the College of Sant'Anselmo, or at least resident in Rome, whom he shall consult in legal matters concerning the exercise of his faculties, rights and duties in regard to such a monastery.

49³ Every three years the Abbot Primate shall conduct a visitation of every such monastery, either in person or by delegating another suitable abbot or monk, all enjoying the ordinary competencies of visitors.

49^o Monasteries not aggregated to a Congregation shall conduct their relations with the Holy See through the Abbot Primate.

Chapter III

The Termination of the Abbot Primate's Mandate

50. The Abbot Primate is elected for a term of office. If during the period of his mandate he judges, before the Lord, for a just cause, that he should relinquish his office, he shall submit his resignation to the Holy See, to which is reserved the right to accept the resignation.
51. a) The office of Abbot Primate being legitimately vacant, the governance of the Confederation passes by law to the Vicar elected by the Synod of Presidents in accordance with no.37 above.
- b) If the Congress of Abbots is due to be held within one year, the Vicar remains in office until the election of the new Abbot Primate.
- c) If the period until the next Congress of Abbots is greater than one year, the Vicar shall as soon as possible convene the Synod of Presidents, who shall elect as Pro-Primate a monk of the Confederation who possesses the qualities enumerated in no.29 above, who shall hold office until the next Congress of Abbots,

51² The Pro-Primate enjoys all the rights, faculties and duties of the Abbot Primate with the exception of the following:

- a) he may retain any office he holds in the monastery where he has his stability;
- b) if he has not already received the abbatial blessing, he shall not do so, nor shall he enjoy the rights as described in no.38² above.

52. The Abbot Primate, on the termination of his mandate, shall revert to the monastery of his stability, unless he should prefer, with the consent of the relevant Superior and Chapter, to choose another monastery.
53. The fitting support of the Abbot Primate, once his mandate has ceased, shall be shared with the monastery where he has his stability. Should doubts arise in this matter, the Synod of Presidents shall decide the issue fittingly and with equity.

53² With regard to goods the following norms are to be observed:

- a) Whatever is acquired by the Abbot Primate during his term of office at the expense of the Confederation or of the College or for their benefit, belongs to the Confederation or College; everything else belongs to his monastery of stability.
- b) Items for the use of the Abbot Primate are presumed to belong to the College of Sant'Anselmo, unless proven otherwise; personal furniture, however, remains his property even after the expiry of his mandate.

53³ After his death, letters and other private documents of the Abbot Primate are deposited either in the primatial archives or if other provision has to be made, this shall be at the

discretion of his successor. However, documents generated by virtue of his office, shall be the property of the Confederation.

53° When an Abbot Primate dies, either in office or after the expiry of his mandate, as well as the suffrages which are to be made in the Abbey of Sant'Anselmo, the Eucharistic Sacrifice shall be celebrated in every house of the Confederation and in the associated monasteries and Institutes.

Section IV

The Abbot Primate's Curia

54. The Abbot Primate's Curia consists of the Cellarer, the Secretary and other officials.
55. The Abbot Primate nominates the Cellarer of the Confederation, who may also be the Cellarer of the College and Athenaeum of Sant'Anselmo, to whom is entrusted the administration of the goods of the whole Confederation according to the norms laid down in the *Lex Propria*.

55² The Abbot Primate shall nominate a Secretary, who shall be responsible for everything entrusted to him by the Abbot Primate and who also shall act in accordance with law as notary in all matters pertaining to the Confederation.

55³ The Abbot Primate shall appoint a monk to administer the archives of the Confederation.

55° The Abbot Primate may nominate a Procurator General at the Holy See, who, while respecting the rights of the Procurators General of individual Congregations, shall deal with matters concerning the Confederation as well as matters entrusted to him by the Abbot Primate.

55° The procedure for requesting the services of monks for the curia is the same as that laid down in nos. 59-59³ below.

PART III

THE ABBEY OF SANT'ANSELMO DE URBE

Introduction

The Collegio Sant'Anselmo, founded at San Calisto by the Cassinese Congregation, was moved to a new site on the Aventine through the generosity of Pope Leo XIII. After the establishment of the Confederation the same Pope wanted the College not to be restricted to members of one Congregation but to be available to all.

The Athenaeum established at Sant'Anselmo received the privilege from Pope Leo XIII and confirmed by Pius X of conferring academic degrees just like other academies existing in Rome. Pope Pius XI honoured the academy of Sant'Anselmo de Urbe with the title of 'Pontifical Athenaeum'. Pope John XXIII added the Pontifical Liturgical Institute to the Athenaeum.

56. The College and Athenaeum of Sant'Anselmo belong to the Confederation which is the guarantor of the means of their support, and whose supreme governance, according to the provisions of the law, is exercised by the Congress of Abbots, the Synod of Abbots President and the Abbot Primate.

56² a) The purpose of the College is the facilitation in the community of Sant'Anselmo, made up of monks from the whole Confederation, of the living of monastic life suitably adapted to a

house of studies as well as the promotion of the bonds of charity between the various monasteries.

b) The purpose of the Athenaeum is the pursuit of true knowledge of the sacred sciences by students taken, in the first place, from the monasteries of the Confederation, contributing to a clearer view of the tradition of monastic life and the theology of the church.

Section I

THE COLLEGE AND ATHENAEUM

57. The Abbot Primate is the ruling abbot of Sant'Anselmo, which is his residence. To him pertain all the rights and duties which are expressly attributed to the superior of a monastery *sui iuris*, in common law as well as in the decrees of the Supreme Pontiffs and in particular law.

57² The Abbot Primate's Commission for Sant'Anselmo is responsible for the supervision of the College and Athenaeum, particularly with regard to matters that concern the Confederation as a whole.

57³ In addition to the Abbot Primate the members of this Commission are three Presidents elected by the council as described in no.36 above, and two further members nominated by the Abbot Primate for a four-year term and confirmed by the Synod of Presidents. The Prior of Sant'Anselmo and the Rector of the Athenaeum attend the Commission and have a consultative vote.

57⁹ The Commission in addition to its economic competencies (cf. nos. 60² and 60³below) is, along with the relevant officials, primarily responsible for approving all matters concerning the College and Athenaeum which have to be decided and decreed, consulting where appropriate the professors and students. Special questions may be referred to the Synod and a report presented to the Congress of Abbots.

Chapter I

Requesting the Services of Monks

58. Every monastery accepts the obligation of sending monks to provide services in the College and Athenaeum. The Abbot Primate has the right to choose monks for these tasks but may not request more than one monk from any given monastery.

58² Except in the case where the individual in question is elected abbot or conventual prior no one who holds office in the College or Athenaeum may be recalled by his own monastery unless the Abbot Primate gives his consent, or unless the monk's superior for a serious reason gives fifteen months' notice of the recall, or if the term of office has previously been agreed. For a just cause such a monk may be removed by the College or the Athenaeum according to the provisions of the Statutes.

58³ In the case of a conflict of opinion between a superior and the Abbot Primate in the matter of summoning or recalling a monk, the issue shall devolve to the council mentioned in no.36 above for a judgement on the merits of the case.

Chapter II

Economic Matters

Article 1 - Calculating the subvention of the College and the Athenaeum

59. The College and Athenaeum are to be maintained by all the Congregations and monasteries (no.56 above). The Congress of Abbots decides the amount and the share of each Congregation and monastery which is due for the support of the Abbot Primate and his curia.

59² The Commission for Sant'Anselmo is responsible for the calculation of the amount of subsidy to be paid by the Congregations and the individual monasteries, which sums are presented for approval to the Synod of Presidents.

59³ In order better to equip the library of Sant'Anselmo, a copy of every work published in the Confederation should be sent to that library.

Article 2 - The Administration of Goods

60. The Abbot Primate appoints the Cellarer of the College and of the Athenaeum, to whom are committed, under the authority and supervision of the Abbot Primate and his council as described in no.36 above, the ordinary administration of ordinary business matters. The Cellarer, however, may not transact business which exceeds the limits of ordinary administration without previously asking the permission of the Abbot Primate. The Cellarer shall give a written account of the whole administration to the Congress of Abbots and to the Synod of Presidents.

60² Every year the Cellarer, having consulted the Seniors, the Academic Senate of the Athenaeum and the Secretary to the Abbot Primate, shall prepare a budget providing for an appropriate allocation of income and expenditure for the following year between College, Athenaeum and the curia of the Abbot Primate. This budget is submitted to the Commission for Sant'Anselmo.

60³ a) The Cellarer shall outline to the Commission the economic situation of the College and Athenaeum.

b) At the end of each year, the Cellarer shall draw up and submit to the Commission an account of the income and expenditure of the College and Athenaeum. This account having been carefully examined by the Commission, the Cellarer submits it, along with a report on the administration of the curia of the Abbot Primate, to the Presidents for their approval.

60⁹ Before the Congress of Abbots, the Abbot Primate, having consulted the Synod of Presidents, shall nominate experts who shall investigate the economic affairs of the College, the Athenaeum and the curia of the Abbot Primate and shall prepare a written report on these matters for the Congress.

Section II

Governance of the College

61. The College of Sant'Anselmo is the house of studies which is governed by common law, by this *Lex propria* and by special Statutes.
62. According to the norms of the *Lex propria*, the Abbot Primate possesses the power of ordinary jurisdiction in the College. Thus, while taking due account of the rights of their own Superiors, he enjoys in the area of monastic discipline the same rights and duties in respect of monks resident in the College as their own abbots. He shall so order the governance of the College that the regulation of the common life is delegated to the Prior of the College.

62² The Council of Seniors of the College is chosen according to the procedure laid down in the Statutes and fulfils the functions prescribed for it in this *Lex propria* and in the Statutes.

62³ The Prior of the College is nominated by the Abbot Primate, having consulted the Commission for Sant'Anselmo. He nominates the Sub-prior after consulting the Seniorate. The other officials of the College are appointed by the Prior. The rights and duties of all officials are determined by the statutes of the College.

62^o The community of the College is made up of all the monks of the Confederation who intend to reside in the College for at least one year, while retaining their stability in their own monasteries.

62^o Admission to the College is primarily for those students who are bound at least by temporary vows in a monastery of the Confederation and who are sent by their Superior for the purposes of study. Those who do not belong to the Confederation are accepted only in particular cases at the discretion of the Prior.

62^o The Canonical Visitation of the College is conducted at the request of the Congress of Abbots or as often as is decided by the Synod of Presidents. It is conducted by two or three visitators elected by the Synod. A report on the result of the Visitation is presented to the Congress by one of the visitators.

62^o The Statutes of the College are approved by the Synod of Presidents. The Commission for Sant'Anselmo can, having consulted where appropriate the community of the College, propose modifications to the Synod which, in case of necessity and with the consent of the Abbot Primate, may be introduced until the next Synod. A report shall be made to the Congress of Abbots of all changes that have been introduced.

Section III

Governance of the Athenaeum

63. The Pontifical Athenaeum of Sant'Anselmo is governed by common law, by this *Lex propria*, by the Statutes approved by the Holy See and by regulations added by the Athenaeum itself.

64. The Abbot Primate acts by legal right as Chancellor of the Athenaeum. He exercises the supreme supervision of the Institute and its personnel and is responsible for the summoning of new professors.

64² The Academic Senate decides those matters of greatest moment for the Athenaeum, acting in accordance with the norms established by the Statutes. Decisions which in the judgement of the Senate itself, of the Rector or of the Chancellor are of particular importance, and all decisions which place an extraordinary financial burden on the Confederation, require the confirmation of the Chancellor, who can, however, refer the matter to the Synod of Presidents or the Congress of Abbots.

65. The Rector, chosen from the monks of the Confederation, rules and administers the Athenaeum according to the norms laid down by the Holy See and the Statutes of the Athenaeum.

65² The election of the Rector takes place according to the procedure laid down in the Statutes; the Chancellor presides at the election and may himself propose candidates. If in the third ballot no candidate has received the majority of votes required by the Statutes, the right of nominating the Rector devolves on the Chancellor. The Chancellor himself must present the elected or nominated individual to the Holy See for confirmation. The Rector's term of office is determined by the Statutes.

65³ The Rector shall present to the Synod of Presidents and to the Congress of Abbots a written report on the curriculum of studies and their progress.

65^o The majority of the professors of the Athenaeum should usually be drawn from the Benedictine Confederation and also, in keeping with the international College character of the Athenaeum, from all the monastic Congregations. Similarly, students should primarily be drawn from the monasteries of the Confederation.

STANDING ORDERS FOR THE CONDUCT OF THE CONGRESS OF ABBOTS

1. In these standing orders the designation 'voter' is used for those who attend the Congress with active voice, i.e. the right to vote. The designation 'participant' is used of all of those who are present but do not enjoy an active voice.

Chapter I

Convening the Congress

2. The right to summon the Congress of Abbots belongs to the Abbot Primate or, in the event of the see being vacant or the Abbot Primate being impeded, to his Vicar (*Lex propria*, no.23).
3. Within the limits laid down by the *Lex propria* (no.24), the one summoning the Congress shall consult the Presidents of Congregations regarding its location and date.
4. To enable the one summoning the Congress to draw up a schedule of matters to be treated, the Presidents and other participants shall be asked in good time for their opinion on what they consider should be discussed.

5. Convocation is done by means of a circular letter which shall be sent to all interested parties at least three months before the opening of the Congress and which shall contain a short notice of the matters to be dealt with by the Congress.
6. The Abbot Primate, or the Vicar where applicable, may set up commissions to prepare the next Congress.

Chapter II

The Opening of the Congress

7. The right of presiding at the deliberations of the Congress belongs to the Abbot Primate or if the see is vacant or the Abbot Primate impeded to the Vicar (*Lex propria*, no.26).
8.
 - a) If the office of Abbot Primate is vacant, at the first session under the presidency of the Vicar the Congress shall decide by majority vote whether or not to elect an Abbot Primate before moving to the business of the Congress.
 - b) On the completion of his mandate, the Abbot Primate shall himself at an appropriate time and with the consent of the Presidents declare his mandate to have expired. (cf. *Lex propria*, n.29³).
9. The Congress opens with the celebration of the Eucharist in the presence of all participants.
10. At the beginning of the Congress, Procurators shall present their mandates to the President of the Congress. These mandates shall be preserved in the archives.
11. The President of the Congress shall nominate three Secretaries of the Congress who shall be presented to the Congress at the first session. These secretaries need not be drawn from the voters at the Congress.

Chapter III

The Business of the Congress

12. The deliberations of the Congress follow the schedule of business drawn up by the President. This schedule, however, may be changed or added to by the President with the consent of the Congress. (cf. *Lex propria*, no.26²).
13. The presentations to the Congress shall contain:
 - a) reports on matters of major importance concerning the Confederation;
 - b) reports on the studies, discipline and administration of the College and Athenaeum of Sant'Anselmo;
 - c) reports on the administration of the temporal goods of the Confederation and of the College and Athenaeum of Sant'Anselmo since the previous Congress (cf. *Lex propria*, no.26³);
 - d) reports on the activities of the commissions.

14. Matters to be discussed in the Congress are presented by the President or, where applicable, by the relator of the commission which prepared the material in question.
15. Once the matter has been presented by the reator, a discussion begins. Anyone wishing to contribute to the discussion requests to be heard by raising his hand or by another means determined by the President. The President of the Congress, unless he prefers to cede this task to a moderator of his own nomination, calls the speakers according to the order in which they have requested to speak. The President, however, and the relator where applicable, are permitted to speak outside of this order.
16. The discussion finishes when there are no further requests to speak. The discussion may, however, be ended before this if one of the voters request this and the majority of voters agree.
17. Similarly, with the consent of a majority of voters a vote may be deferred or the matter in question may be submitted to a commission for further study.
18. All voting shall be free and voters not bound by any instructions.
19. If it appears useful to the President or to the Congress, an indicative ballot may be requested. This ballot shall not decide the question but, rather indicate the mind of the voters as to how the matter may be brought a stage further. In this indicative ballot it shall be permitted to vote 'Placet iuxta modum', in which case the qualification shall be put in writing either at once or within a time-limit set by the President.
20. When a matter has been sufficiently discussed by the Congress the motion to be voted on shall be separately formulated in writing and presented for ballot to the voters. In this deciding ballot it shall not be permitted to vote 'Placet iuxta modum' and such a vote shall not be counted in the result.
21. In the case of serious issues, and the President or a voter requests it, the ballot must be secret.
22. The Congress may set up commissions to develop certain matters further. The Abbot Primate, having consulted the Presidents, presents the names of the members of such commissions to the Congress.

Chapter IV

The Election of the Abbot Primate

23. Out of reverence for Our Holy Father Benedict, it is always the right of the ruling Abbot of Montecassino to preside at the election of the Abbot Primate. Should he be impeded, the right falls to the ruling Abbot of Subiaco followed by the Abbots President of Congregations in order of their seniority in office (*Lex propria*, no.29°).

Article 1 - Preliminary Ballot

24. If a majority of the voters requests it, the President of the election may permit a preliminary ballot on the day before the election. Each voter submits one name. The President and two scrutineers examine the votes and draw up a list of the names mentioned along with the number of votes cast for each. This list is read to the voters.

Article 2 - Procedure before the Election

25. Immediately before the session for the election of the Abbot Primate, the Presidents of Congregations, voting under the chairmanship of the President of the election, in a single ballot elect three scrutineers from among the voters. In this election those persons are deemed elected who have obtained a relative majority of the votes. Their election is announced by the President of the election.
26. At the beginning of the session the President asks the first secretary to read the list of the electors according to name and surname. As his name is called, each elector rises and says 'Present' or 'Procurator present'. After this, all except those whose presence is, in the judgement of the President, necessary for assisting in the election, are requested to withdraw.

Article 3 - Voting Procedure

27. The scrutineers distribute the voting-papers to the electors. The text of the paper reads: *'Eligo vel postulo in Abbatem Primate Confoederationis nostrae Rev.um Dominum'*.
28. The electors write the name of the one to be elected or postulated on the voting-paper which is then folded properly and placed in the ballot-box. The scrutineers then go to the sick-rooms of any indisposed voters to receive their voting-papers.
29. When all the voting-papers have been collected, the scrutineers count them in the presence of the President of the election to see if the count tallies with the number of voters. If the number of ballot-papers is greater than the number of electors, no vote has taken place and the President declares the ballot void. When, however, the number of voting-papers is found to be equal to or less than the number of electors, the President announces the correspondence or inequality. The senior scrutineer then opens each voting-paper individually and shows it to the other scrutineers for them to read. He then announces the name in a clearly audible voice. The secretaries immediately note the name.
30. If a candidate has received the number of votes required by the norms of the *Lex propria* (30 and 30²) the first secretary announces that an election has taken place. The President then declares the election valid and announces the name of the one elected. Should the one elected be absent, he is immediately informed of his election along with the number of votes received. If, however, the requisite majority has not been reached, the President declares that no election has taken place and either orders another ballot to take place at once or at a time he shall appoint.
31. The secretaries draw up a certificate of election which is signed by the President of the election, by the secretaries and by the scrutineers and deposited in the archives of the Confederation. The scrutineers shall, however, destroy the voting-papers.

Article 4 - Procedure following the Election

32. As soon as possible, but not later than one day after receiving news of the election, the one elected must declare whether or not he accepts the election (*Lex propria*, no.31). If the candidate refuses the election he loses all rights deriving from this election, nor

can a subsequent acceptance make this election valid. He can, however, be elected again in a subsequent election. The Congress then proceeds to a new election, starting with the first ballot.

33. Having accepted election, the one elected shall make the profession of faith in the presence of the Congress, (or if absent, in the presence of a delegate of the Congress).
34. The secretaries of the Congress shall draw up a short account of the election and its acceptance. This is signed by the President of the election and by the secretaries and sent to the Holy See.

Chapter V

The Ending of the Congress

35. When the business of the Congress has been properly discussed and decided, the Abbot Primate with the consent of the voters declares the Congress at an end.
36. Before the transactions of the Congress are sent for printing, they are examined by properly designated voters.
37. The transactions of the Congress are signed by the Abbot Primate, by the other Presidents of the Congress where applicable, and by the secretaries.
38. Should publication of the transactions of the Congress be considered appropriate, the method of this publication shall be prescribed by the Congress. The Abbot Primate is entrusted with the task of making public those matters which it is considered opportune to communicate.
39. The Abbot Primate closes the Congress with a prayer or a liturgical act.

NORMS FOR ASSOCIATION WITH THE CONFEDERATION

Chapter I

Association in General

1. The Benedictine Confederation was constituted and continues to exist in order that, led by the Gospels, under the guidance of the Holy Spirit and directed by the Church, monastic life according to the Rule of Saint Benedict and the wise traditions of each Congregation and monastery adapted to the conditions of time and place may be fostered and fraternal assistance between Congregations in the areas of personnel, goods and works be encouraged in every way. (*Lex propria*, n.16).
2. To further the pursuit of these aims, monasteries, Federations and Institutes of women of the Order of Saint Benedict along with other Institutes of consecrated life either of men or women whose members cultivate the spirit of Benedictine monasticism can be associated with the Confederation.
3. Monasteries and Institutes associated with the Confederation enjoy all the spiritual benefits and privileges of the Confederation and may avail themselves of all rescripts and indulgences conceded to the Confederation, but association does limit the autonomy of individual monasteries or Institutes nor the rights of their own ordinary. (*Lex propria*, no.15b).
4. Through the bonds of association, fraternal collaboration is promoted:
 - a) between monasteries, Federations and Institutes of women in the Order of Saint Benedict among themselves;
 - b) between the Benedictine Confederation and monastic Congregations and the monasteries, Federations and Institutes of women in the Order of Saint Benedict and other associated Institutes.

Chapter II

Conditions for Association

5. A monastery of women following the Rule of Saint Benedict which is incorporated in or united with a Congregation or monastery of monks incorporated in the Confederation, is associated with the Confederation through this Congregation or monastery (*Lex propria*, no. 14,a). A new monastery founded by an associated monastery is automatically considered associated with the Confederation.
6. Monasteries, Federations and Institutes which in future wish to be associated with the Confederation shall make a petition to the Abbot Primate in accordance with the following norms:
 - a) The constitutions are sent to the Abbot Primate who shall judge:
 - i) if these are based on and inspired by the spirit of life of the Rule of Saint Benedict;
 - ii) if the common life is being properly lived;

- iii) if the *Opus Dei* forms an essential part of community life.
- b) It is highly appropriate that a monastery, Federation or Institute which requests association with the Confederation should cultivate spiritual contact with a monastery of the Confederation.
- c) Further, the approval of the following is required:
 - i) in the case of a monastery of women, two-thirds of the votes of the Chapter;
 - ii) in the case of a Federation of nuns, two-thirds of the votes of the Chapter of each monastery as well as of the council of the Federation;
 - iii) in the case of an Institute or house of sisters or of another Institute of consecrated life, two-thirds of the votes of the participants in the General Chapter.
- d) The petition is then submitted in writing to the Abbot Primate, who, if he does not know the monastery or Federation or Institute seeking association sufficiently well, shall request letters of recommendation from the superior of another confederated monastery or Institute.
- e) These conditions having been satisfied, the Abbot Primate, having duly consulted either the commission for nuns or the commission for sisters, shall issue a decree granting association.

(Cf. *Lex propria*, no.14, b & c)

Chapter III

The Commissions for Nuns and for Sisters

7. The Abbot Primate shall set up two commissions, one for nuns and one for sisters, each of which shall advise him on matters that pertain to them.
8. Each commission shall have a minimum of six members and a maximum of ten, chosen from the women superiors of various nations and parts of the world, to represent all the associated monasteries and Institutes.
9. The members of the commissions shall generally be invited to be present at the Congress of Abbots to represent all the associated monasteries and Institutes.
10. The commissions shall meet whenever they are summoned by the Abbot Primate, but in general, however, the members shall discuss matters among themselves and give their opinions by written communication.

Chapter IV

Mutual Help between the Confederation and Associated Monasteries and Institutes

11. The Confederation and the monasteries and Institutes associated with it are to assist each other, especially in spiritual matters. (*Lex propria*, no.15,a).
12. Monasteries of monks, if requested, shall do what they can to give spiritual help to associated monasteries and Institutes.
13. The whole Confederation is helped in the first place by the office of the Abbot Primate whose charge it is to represent the Confederation and to do all he can to foster co-operation between the confederated monasteries and associated monasteries and Institutes (cf. *Lex propria*, no.17.c). Monasteries of women, however, who are under a regular superior and in particular such of these as are incorporated with a Congregation or monastery of monks shall look to these primarily for help.
14. Associated monasteries and Institutes shall make a financial contribution in respect of services received or expected from the Confederation. The Abbot Primate along with the commissions for nuns and sisters shall indicate an appropriate sum of money.
15. Without impinging on the rights of regular superiors or of procurators general, the Abbot Primate can:
 - a) if they request it and he considers it appropriate, represent associated monasteries and Institutes at the Holy See;
 - b) if he considers it appropriate, recommend petitions to the Holy See;
 - c) if requested, make recommendations to the Holy See concerning the nomination of Apostolic Visitators.
16. The Abbot Primate shall:
 - a) give and receive news and be the centre for the gathering and dissemination of news for the whole Confederation;
 - b) send to associated monasteries and Institutes documentation regarding the monastic life;
 - c) foster co-operation between monasteries of monks and associated monasteries and Institutes and can establish mixed commissions to deal with matter of common interest.
17. The Abbot Primate can:
 - a) by means of advice and support, help gatherings of nuns and sisters meeting in regional or linguistic groups;
 - b) advise Federations of nuns when they are proposing a priest to the Holy See for the office of Assistant;
 - c) help monasteries forming a Federation, or monasteries wanting to join an existing Federation;
 - d) be asked for his advice by associated monasteries or Institutes which in the judgement of the Holy See do not display a realistic hope of further flourishing.
18. The Abbot Primate can visit associated monasteries and Institutes and, according to the provisions of the *Lex propria*, enjoys faculties to hear the confessions of the members and to enter the enclosure of nuns. (cf. *Lex propria*, nos. 43&44).

19. The Abbot Primate may approach those responsible if, for two of the periods foreseen by the law, the ordinary canonical visitation of a monastery or Institute has not taken place.
20. If recourse is had to him, the Abbot Primate, without impinging on the rights of regular superiors, may for his part settle disputes between monasteries or Institutes or their members.
21. When an Abbot Primate dies, either in office or after the expiry of his mandate, the Eucharistic Sacrifice shall be celebrated for him in every associated monastery and Institute (cf. *Lex propria* , no. 53°).