

THE TEXT

THE APOSTOLIC CONSTITUTION CONCERNING CANONICAL STATES AND LAY INSTITUTES DIRECTED TO THE ATTAINMENT OF CHRISTIAN PERFECTION.

PIUS, BISHOP, SERVANT OF THE SERVANTS OF GOD: BE IT KNOWN AND PERPETUALLY HELD IN REMEMBRANCE.



WITH signal diligence and maternal affection our far-seeing Mother the Church has striven continually to make worthy of their godly purpose and supernatural vocation¹ those favoured sons of her choice, who consecrate the whole of their lives to Christ our Lord,² and follow him freely and resolutely in the way of the counsels. How wisely she has always regulated their system of life, the repeated teaching and admonitions of Popes, Councils and Fathers bear witness, and is splendidly proved by the unbroken course of the Church's history, as well as the whole tenor of canonical discipline up to the present time.

Undeniably from earliest Christian times onwards the Church has busied herself with elucidating by her authoritative teaching the doctrine of Christ and the Apostles, paramount and inspiring examples of perfection.³ With assurance she has taught by what system a life dedicated to perfection was to be led and duly regulated. So earnestly in her work and ministry did she spread and encourage wholehearted dedication and consecration to Christ, that the early Christians preferred spontaneously to live by the evangelical counsels, and thus became good soil ready for sowing and sure to yield abundant harvests.⁴ Within a short time, as can be easily proved from the Apostolic Fathers and more ancient ecclesiastical writers,⁵ so widespread and flourishing was the ideal of perfection adopted, that those

1 Cf. Pius XI, Radio message 'Ad Religiosos', 12.ii.1931. Acta Ap: Sed: 1931, p. 67.

2 Cf. Tertullian, *Ad Uxorem* 1, 4. P.L. 1, 1281; Ambrose, *De Virginitate*, 3, 11. P.L. 16, 202; Eucherius of Lyons, *Exhort ad Monachos* 1. P.L. 50, 865; Bernard, *Ep.* 449. P.L. 182, 641, and *Apologia ad Guillelmum*, 10. P.L. 182, 912.

3 *Mt.* 16, 24; 19, 10-2; 16-21; *Mk* 10, 17-21, 23-30; *Lk* 18, 18-22, 24-9; 20, 34-6. 1 *Cor.* 7, 25-35, 37-8, 40; *Mt.* 19, 27; *Mk* 10, 28; *Lk* 18, 28; *Acts* 21, 8-9; *Apoc.* 14, 4-5.

4 *Lk* 8, 15; *Acts* 4, 32-5; 1 *Cor.* 7. Eusebius, *Hist. Eccl.* 3, 39. P.G. 20, 297.

5 Ignatius, *Ad Polycarp.* 5. P.G. 5, 724; Polycarp, *Ad Philipp.* 5, 3. P.G. 5, 1009; Justin, *Apologia.* P.G. 6, 349; Clement of Alexandria, *Strom.* P.G. 8, 224; Hippolytus, *In Proverb.* P.G. 10, 628; *de Virgine Cor.* id 871-4; Origen, *In Num.* 2, 1. P.G. 12, 590; Methodius, *Convivium decem virg.* P.G. 18, 27-220; Tertullian, *Ad Uxorem* 1, 7-8. P.L. 1, 1286-7; *de resurrect.* 8. P.L. 2, 806; Cyprian, *Ep.* 62, 11. P.L. 4, 366; *Testimon. adv. jud.* 3, 74. P.L. 4, 771; Ambrose, *de Viduis* 2, 9. P.L. 16, 250-1; Cassian, *de tribus gen. monachorum* 5. P.L. 49, 1094; Athenagoras, *Legatio pro christianis* P.G. 6, 965.

who pursued it began to constitute a kind of order or social group among the christian communities, clearly recognised under various names—ascetics, celibates, virgins and so on—and winning approval and honour from many.⁶

From ancient times until the compilation of Canon Law in our own days the Church, faithful to Christ her Spouse and loyal to her own principles, has gradually worked out with sure and unfaltering steps under the guidance of the Holy Spirit what pertains to the state of perfection. For those, who under many different forms, willingly and wholeheartedly profess the life of perfection, she has ever shown maternal solicitude. In two respects she has markedly favoured them in so holy an endeavour. In the first place she has not only accepted and recognised every single profession of perfection, always provided it be made in a public manner and witnessed on behalf of the Church, like that ancient and venerable blessing and consecration of virgins,⁷ which used once liturgically to be performed, but she has wisely confirmed such profession and zealously safeguarded it, according to many canonical prerogatives. Secondly, from the fourth century onwards, the Church has directed her gracious favour and devoted care, rightly and deservedly, to that complete and truly public profession of perfection which is made in societies and communities established by her consent, her approval and her command.

It is plain to all how closely and essentially linked has been the history of the Church's holiness and of her universal apostolate with the history and annals of canonical religious life. By the grace of the Holy Ghost, that unfailing source of life, they have daily developed in amazing diversity and been further strengthened by a new, ever deeper and more unshakable unity. No wonder then that even in the field of law the Church, firmly cleaving to the principle of action so clearly intimated by the far-seeing wisdom of God, should thus of set purpose have followed up and regulated the canonical state of perfection, so that she has rightly and deservedly been pleased to raise upon it the structure of church discipline, as upon one of its chief corner stones. Hence from the very first the publicly professed state of perfection has been counted among the three chief ecclesiastical states, and from it the Church has exclusively singled out the second order or rank of canonical persons (can. 107). Truly a fact worth weighing with grave attention: for the other two orders of

⁶ Acts 21, 8-10; cf. Ignatius, *Ad Smyrn.* 13. P.G. 5, 717; *Ad Polycarp.* 5. P.G. 5, 723; Tertullian, *de virginibus velandis* P.L. 2, 935; *de exhortatione castitatis*, 7. P.L. 2, 922; Cyprian, *de habitu virginum* 2, P.L. 4, 443; Jerome, *Ep.* 59, 4-6. P.L. 22, 582; Augustine, *Sermo* 214, P.L. 38, 1070; *contra Faust.* 5, 9. P.L. 42, 226.

⁷ Cf. Optatus, *de schism. donat.* 6. P.L. 11, 1071. Pontificale Rom. 2. *de bened. et consec. virginum.*

canonical persons, viz. clerics and laymen, are by divine law distinct in the Church. To this law ecclesiastical organisation conforms (cc. 107, 108 §3), for the Church is a society hierarchically constituted and appointed. However, this intermediate class of religious, set between clerics and layfolk yet comprising both (c. 107), is wholly chosen for its close and exceptional relationship to the goal of the Church, namely sanctification, which it pursues effectively by adequate means.

Moreover, to safeguard solemn and public profession from being rendered null and void, the Church has recognised this canonical state of perfection only in those societies established and regulated by herself. In this matter her tendency is to demand ever more stringent requirements, being satisfied only with Religious Orders (c. 488, 1), whose purpose and disposition she had in every instance not only again and again put to trial and weighed in the balance of doctrinal and philosophical principles, but had in very fact tested by actual experience. This is so rigorously and absolutely enforced by canon law, that in no instance, not even by way of exception, may the canonical state of perfection be recognised unless profession of it be made in a religious order approved by the Church. Finally the legal standing of the canonical state, insofar as it is a public state, has been wisely ruled by the Church. Thus, as far as clerical religious orders are concerned, the order does duty for the diocese in those matters which have generally to do with the clerical life of the religious, and embodiment in an order is judged equivalent to incardination in a diocese (cc. III, §1; 115; 585).

All legislation dealing with religious was carefully collated, assessed and accurately compiled in the Code. The Second Book (Part 2) was devoted to religious; and the canonical state of perfection, viewed again as a public state, was in many ways confirmed therein. Thus was wisely concluded the work of Leo XIII of happy memory, the Constitution '*Conditae a Christo*',⁸ whereby Congregations taking simple vows were admitted to the ranks of Religious Orders properly so called: there seemed nothing further to add regarding the discipline of the canonical state of perfection. Yet the Church in happy magnanimity and with maternal solicitude deemed it fit to supplement her legislation on religious with a short codicil (tit. 17, lib. 2), to round it off in a fashion suited to the times. She was pleased to accord certain Associations, and they deserved well of her and frequently of civil society too, a full measure of equality with the canonical state of perfection. These Associations, though lacking some of the juridical requirements, for

⁸ Const. '*Conditae a Christo Ecclesiae*', 8 dec. 1900; cf. Leo XIII Acta, 20, 317-27.

example public vows (cc. 488, 1 et 7; 487), necessary to the complete canonical state of perfection, nevertheless, in matters essential to the life of perfection, are closely bound up with religious orders properly so called, both by strong resemblance and by a certain necessity.

The scope of these wise, prudent and benevolent regulations gave every encouragement to numberless souls, desirous of leaving the world and embracing this newly established and truly canonical state given over to the winning of perfection. Now our Lord in his bountiful loving kindness, being no respecter of persons,⁹ has time and again invited¹⁰ all the faithful to the pursuit and practice of perfection, and that in all circumstances. Hence he has disposed according to the sublime designs of his divine providence that even in the world, disfigured and distorted by so many vices, never more apparent than in our own day, very many bands of chosen souls should have flourished and flourish still, who burn with zeal for their own perfection. Whilst remaining in the world they are able, through a special vocation from God, to devise new and unrivalled forms of confederation which particularly answer the needs of the times, and in which many can lead a life wholly conducive to the attainment of Christian perfection.

While with all our heart commending to the prudent and zealous care of spiritual directors the noble efforts in the realms of conscience of souls striving for perfection, our present concern is with the external character of their Associations, so designed as to lead their own members, as it were by the hand, to a life of solid perfection. Nor is it a question here of each and every Association which in all sincerity pursues perfection in the world, but only with those which by their internal constitution, by the hierarchical form of their government, by their complete self-dedication (their only bond) which they require of their members properly so called, by their profession of the evangelical counsels, and finally because they are employed in the apostolate and Christian ministry, more nearly approach the canonical state of perfection, i.e. as far as its substance is concerned. Especially do we refer to those Societies whose members neither take public vows (tit. 17) nor follow the religious life in common, but make use of other external criteria.

These Associations, hereafter to be cited as 'Secular Institutes', began to be established in the first half of the last century. Nor was their inauguration without the special inspiration of divine Providence. Their purpose was 'to follow the evangelical counsels

⁹ 2. Paral 19, 7; Rom. 2, 11; Eph. 6, 9; Col. 3, 25.

¹⁰ Mt. 5, 48; 19, 12; Col. 4, 12; James 1, 4.

faithfully in the world, and to undertake those duties of charity which the religious orders were almost, or even absolutely prevented from carrying out, owing to the evils of the times'.¹¹ The first Institutes gave a good account of themselves. They proved conclusively by their work and deeds that, favoured by this exceptional vocation from God and help of divine grace, they could assuredly achieve even in the world not only an inward but an outward consecration to the Lord, almost comparable to that of the religious life, and definite and effective enough for their purpose. This they accomplished through the stringent and prudent choice of their members, whose training entailed careful formation, long withal, and through the sufficiently firm yet flexible organisation of their life. Thus they showed they could be regarded as a most timely instrument of apostolic endeavour for leavening secular life. For such manifold reasons, not infrequently 'the Holy See commended these Associations of the faithful, no less than specifically Religious Congregations'.¹²

As time went by and these Institutes happily grew in number it became increasingly clear in how many ways they could be turned to the effective support of the Church and of souls. They can well be applied to the earnest pursuit of perfection, at all times and places. Many, for whom the canonical life is not possible or feasible, can join such Institutes. Through their daily contact with family life, professional circles and civil society, those whose lives are dedicated to sanctification can leaven the whole. Their manifold apostolate and Christian ministry may be turned to good use where even priests and religious are forbidden or can make no headway. But on the other hand experience has shown that dangers and difficulties have not been wanting; in fact they have sometimes, even rather easily, beset this life of perfection. For it was a life led without the outward support of a religious habit; it was led voluntarily, and lacked the supervision of diocesan bishops, whose notice it could easily escape, or of Superiors who, not infrequently, dwelt a long way off. Discussion has also begun on the juridical nature of these Institutes, and on the mind of the Church in approving them. Here we think it timely to mention the decree '*Ecclesia Catholica*' published by the Sacred Congregation of Bishops and Religious, and confirmed on 11 August 1889 by our predecessor of immortal memory Leo XIII (cf. A.S.S. 23, 634).

In this, praise and approval were not withheld from these Insti-

11 S.C. Episcoporum et Regularium dec. '*Ecclesia Cath.*' 11. aug. 1889; cf. A.S.S. 23, 634.

12 *ibid.*

tutes. But it was declared that when the Sacred Congregation praised and approved these Institutes 'it was pleased to praise and approve them not as Religious Orders of solemn vows, or as true Religious Congregations of simple vows, but only as devout fraternities. In them, apart from such things as are demanded by the prevailing discipline of the Church, religious profession properly so called is not made. If any vows are taken, they are deemed to be of a private character, and not like those vows which are accepted by a lawful Superior in the name of the Church.' Furthermore, as the same Congregation went on to say, these sodalities are praised and approved under this essential condition, namely that they are fully and thoroughly known to their respective Ordinaries, to whose jurisdiction they are wholly subject. These prescripts and declarations of the Sacred Congregation of Bishops and Regulars were timely in that they helped to modify the nature of these Institutes, and have governed their development and progress though not without imposing some restraints.

The Secular Institutes of this century have unobtrusively increased, and have assumed many forms, differing much from one another. Some are autonomous, others are linked in varying measures to Religious Societies. Nothing is said about them in the Apostolic Constitution '*Conditae a Christo*' which concerned itself only with Religious Congregations. Moreover, the Code of Canon Law has purposely omitted all reference to these Institutes; as the time for framing laws concerning them did not seem expedient, it left the matter for future legislation.

Time and again we turned these matters over, impelled by the consciousness of our duty and by the paternal love which we cherish for those souls who so generously pursue sanctity in the world. No less are we influenced by our determination to discriminate wisely and strictly between these Societies. It is our resolve, moreover, to recognise as authentic only those Institutes which have, as their genuine and avowed aim, the life of perfection in all its fulness. We have to guard against the constant rise of fresh Institutes, the foundations of which are not infrequently insecurely and imprudently laid. Likewise we have to frame special legislation which fully and aptly meets the nature, aims and requirements of those Institutes deemed worthy of our approval. For this reason it is our resolve and decree that the same measures, which our predecessor of immortal memory, Leo XIII, so wisely and prudently effected to deal with Congregations under simple vows through the Apostolic Constitution '*Conditae a Christo*' (loc. cit.) should be extended on behalf of Secular Institutes also. At our command and under our

direction, therefore, and after diligent examination by the Supreme Sacred Congregation of the Holy Office on all that falls within its jurisdiction, a general statute for Secular Institutes was drawn up and revised by the Sacred Congregation of Religious. In this present letter we give this statute our approval; and all that follows we decree and resolve and enact in virtue of our Apostolic Authority. Further, by decrees set forth above, we appoint the Sacred Congregation of Religious to put all these commands into execution, and grant all faculties needful and expedient so to act.

THE LAW GOVERNING LAY INSTITUTES

Article I.

Societies, whether clerical or lay, whose members profess the evangelical counsels in the world as their aim, in order to attain Christian perfection and the full exercise of the apostolate, come under the special name of Institutes or Secular Institutes; thus are they clearly distinguished from other general Associations of the faithful (Pars III, Lib. II, C.J.C.). Such Secular Institutes are subject to the laws of this Apostolic Constitution.

Article II.

1.—Since Secular Institutes neither allow the three public vows of religion (cans. 1308 1 and 488, 1), nor impose community life, or common domicile, on all their members according to the laws of the Church (cans. 487 ff. and 673 ff.).

(a) By the law of their rule neither are they, nor strictly speaking can they be described as Religious (cans. 487 and 488, 1), or Societies with community life (can. 673, 1).

(b) They are not bound by the law specific and exclusive to Religious Orders and to Societies of community life; nor can they invoke such law except when some prescript thereof, and especially if it obtain for Societies not taking public vows, is, in exceptional cases, found legally suitable and applicable to themselves.

2.—Whilst observing the general enactments of canon law applying to them, Institutes are governed by the following prescripts as by law distinctive to them, and which will more precisely meet their specific character and condition.

(a) By the general rules of this Apostolic Constitution, which lay down a statute which can be said to affect secular Institutes in particular.

(b) By the enactments which the Sacred Congregation of Religious shall have decided to promulgate as necessity arises or experience dictates; whether by interpretation or elaboration and application of the Apostolic Constitution, either for all or for some of these Institutes.

(c) By individual ratified Constitutions, as in the undermentioned

Articles (Arts. V-VIII), which prudently modify the general and particular enactments of the law described above (num. 1 and 2) according to the aims, needs and widely differing circumstances of particular Institutes.

Article III.

1.—For any devout Association of the faithful to achieve the status of a Secular Institute, in accordance with the Articles following hereafter, it must have these apart from other common requirements:

2.—With regard to the dedication of life and the profession of Christian perfection.

Associates who desire to be accounted members, in the stricter sense, of an Institute, in addition to those exercises of devotion and mortification undertaken by all who aspire to a life of perfection, must resolutely direct themselves to acquiring perfection according to the following stipulations:

(a) By profession of celibacy and perfect chastity genuinely made before God, and which is secured by vow, oath and consecration binding in conscience, according to the ruling of the Constitutions.

(b) By a vow or promise of obedience, of such a nature that they bind themselves by firm bond to dedicate themselves entirely to God and to works of charity or of the apostolate, and in all respects are always morally in the power and under the command (*sub manu et ductu*) of Superiors, according to the ruling of the Constitutions.

(c) By a vow or promise of poverty, in virtue of which they do not have the free, but a defined and restricted use of temporal goods, according to the ruling of the Constitutions.

3.—With regard to the embodiment of members in their own Institute, and the bond arising therefrom.

The bond, by which the Secular Institute and its members properly so called should be mutually joined together, must be:

(a) Enduring (*stabile*), in accordance with the ruling of the Constitutions, either for life or for a set period, in which latter case it must be renewed on expiry (can. 488, 1).

(b) Mutual and comprehensive (*plenum*), so that in accordance with the ruling of the Constitutions, the member hands himself wholly over to the Institute, and the Institute takes care of and is responsible for him.

4.—With regard to buildings and houses of the Institute held in common.

Even if Secular Institutes do not oblige all their members according to the ruling of the law to the common life or to live under the same roof (Art. II, (a)), nevertheless they should either of neces-

sity or for convenience have one or several common houses in order that in them:

(a) Those who exercise the authority of the Institute, the supreme in particular as well as the regional authority, may dwell.

(b) Members can live or come together to receive and carry out instruction, to take part in the spiritual exercises and other reasons of a similar kind.

(c) Members can be accommodated who, because of ill-health or for other reasons, cannot provide for themselves; or for whom it is deemed unwise (*non expedit*) to leave living privately, either alone or in associations with others.

Article IV.

1.—Secular Institutes (Art. 1) come under the Sacred Congregation of Religious, saving the rights of the Sacred Congregation of Propagation of the Faith as set down in can. 252, 3, with reference to Societies and Seminaries whose aim is the Foreign Missions.

2.—Societies (*consociationes*) whose whole object and function are not identical with the requirements of Art. I, and those also which lack the essentials reviewed in Arts. 1 and III of this Apostolic Constitution, are governed by the law which affects Associations of the faithful, can. 684 ff., and come under the Sacred Congregation of the Council save for the prescript of can. 252, 3, which deals with missionary countries.

Article V.

1.—Bishops, but not Vicars General or Capitular, can establish Secular Institutes, and raise them to the status of moral persons, in accordance with can. 252, para. 1 and 2.

2.—However, Bishops must neither found these Institutes nor allow them to be founded without consulting the Sacred Congregation of Religious, in accordance with can. 492, 1 and the Article which here follows.

Article VI.

1.—When Bishops, in accordance with Art. V, 2, make preliminary enquiries concerning the granting of permission for the erection of these Institutes, the Sacred Congregation of Religious must issue instructions (bearing in mind their own decisions in parallel matters) in accordance with their enactments governing the erection of purely diocesan Congregations and Societies of community life (nos. 3-5). In addition, measures heretofore or subsequently introduced by the same Sacred Congregation must be taken into account.

2.—Once the Bishops have obtained the licence from the Sacred Congregation of Religious, they shall in nowise be prevented from establishing the foundation, freely and as of their own right. How-

ever, Bishops must not neglect to inform officially the same Sacred Congregation that the establishment has been put into effect.

Article VII.

1.—Secular Institutes, which have obtained a decree of commendation or approval from the Holy See, come under pontifical jurisdiction (cans. 488, 3; 673, 2).

2.—In order that Secular Institutes of diocesan patronage may obtain a decree of commendation or approval, conditions similar to those required by statutes nos. 6ff. are required. Generally those conditions will be judged in the light of parallel decisions made by the Sacred Congregation of Religious, and decisions heretofore and hereafter taken by the same Sacred Congregation on behalf of Congregations and Societies living a common life.

3.—For the first, the renewed (if needs be), and the definitive approval of these Institutes and their Constitutions, the following procedure must be adopted:

(a) The first discussion will take place under the presidency of His Excellence the Secretary of the Sacred Congregation of the Secretariate, or of his delegate. Beforehand the data will be prepared in the normal manner, and set forth with the appreciation and recommendation of at least one of the Consultors.

(b) Then the whole matter is submitted to the examination and decision of the full Assembly of the Sacred Congregation of the Council, under the presidency of his Eminence the Cardinal Prefect of the Sacred Congregation. Experts or the more experienced among the Consultors should also be summoned, as necessity or expediency indicates.

(c) The resolution of the Assembly shall be made known by his Eminence the Cardinal Prefect, or by his Excellency the Secretary in audience with His Holiness the Pope, and it shall be submitted to His supreme judgment.

Article VIII.

In addition to their own laws, Secular Institutes are subject to diocesan bishops in all laws now prevailing, or subsequently to be enacted, according to the statutes governing non-exempt Congregations and Societies leading a common life.

Article IX.

The internal government of Secular Institutes can be hierarchic, following the pattern prevailing among Religious Orders and Societies of common life. This form of government, however, can only be instituted by the same Sacred Congregation if they, guided by their decisions promulgated in similar instances, deem such government to be conformable to the specific character, purpose and conditions of those Institutes.

Article X.

This Apostolic Constitution in no wise alters the laws and obligations of Institutes already in existence, no matter whether they were founded by Bishops in consultation with the Holy See or approved direct by the Holy See.

These aforementioned things we proclaim, declare and sanction; likewise we decree this Apostolic Constitution always to be and to continue to be permanent, valid and in force; further, we decree that its enactments will prevail and obtain, notwithstanding all things (no matter how important) to the contrary. Therefore, no one may lawfully infringe this Constitution, which we promulgate, nor transgress it with impunity.

Given at St Peter's in Rome on the second day of February, the feast of the Purification of the Blessed Virgin Mary, in the year 1947, the eighth of our Pontificate.

PIUS PP. XII.

THREE SHEWINGS OF GOD'S LOVE

BY

AMBROSE FARRELL, O.P.



THE opening words of the Catholic Catechism give a very simple answer to the enquiry concerning the origin and purpose of man. 'Who made you? God made me.' Here we are immediately confronted with the problem of our own origin, since as soon as our minds awaken from the slumbers of unconsciousness, we become supremely aware that we are alive, and seek for an explanation. The question then arises, 'Why are you alive?' And the correct answer must be, 'Because God loves me'. God's love is creative and the cause of things. But it may be asked, 'Why does God love you?' The answer to this query is found in the fact that God is what he is. He is infinite goodness, and wills to communicate himself to others. St Thomas has said, 'to love anything is nothing else than to will good to that thing'. (I, 20, 2.) It was by an act of love that 'God made me out of nothing by his word'. Moreover not only does God create, but he preserves in being whatsoever he has made; 'In him we live, and move, and are', says St Paul (Acts. 17, 28). Each living soul is indeed an immediate and distinct creation of God, and because of its immortality it can never die