

## **Constitution 7**

### **Authority and Responsibility**

- 80.** There can be no community among us unless our common life and mission are governed by deliberations and decisions that draw us all towards a unity of thought, sentiment and action. To those deliberations and decisions we are all obligated--as men pledged to obedience--both to contribute and to respond.
- 81.** We must be responsible--each of us--for the conformity of our lives to the gospel and for the harmony of our ministries with the mission of Christ. In chapter or in council or as individuals, we owe it to our confreres to enter into frank and respectful exchange about the decisions that are to be taken which affect us all. The Spirit of the Lord may choose any of us to speak the truths we all need to hear. Our vow of obedience itself obliges each of us take appropriate responsibility for the common good.
- 82.** Authority is a ministry among us and to us and is vested in our superiors, who act in conformity with our constitutions and statues. They elicit and open themselves to dialogue among the membership, preside over the reaching of consensus if possible, and then see that decisions are made. Whether he acts on his own judgment or after consultation or with required consent by others, a superior must frame his decisions as ones that he can best sustain in conscience.
- 83.** The first obligation of a superior is to preach and to witness the gospel to his confreres. He must hold before us the call of the Lord and lead us in a communal and individual response. He must also summon us to the fulfillment of our commitments as members of Holy Cross.
- 84.** The superior must also preside. Every member is responsible for the common good, but it is the superior's task to call forth this sense of communal responsibility in each of us. He draws our individual contributions into union with those of others for the sake of our life and mission together.
- 85.** The superior is also a pastor charged with the spiritual and physical welfare of every individual member. He owes us encouragement, gratitude, correction, solicitude and whatever else each one may need. With tact and prudence he cares for the total well-being of each person as well as of the community.
- 86.** A local community is established by the provincial according to the norms set by the provincial chapter. Those norms will take into account the needs of the common purse, the common table and common prayer.
- 87.** Houses are established by the provincial with the written consent of the diocesan bishop, and they may be suppressed by the superior general after consulting the bishop. Residences may be suppressed by the provincial.

# **Constitution 7**

## **Authority and Responsibility**

continued ...

- 88.** The local community is under the authority of a superior or, if the community does not fulfill the requirements of the religious house, of a director. They are appointed by the provincial, after consultation with the local community and must have been in perpetual vows for at least one year. Superiors are appointed to a term of three years and reappointment beyond a second consecutive term requires the consent of the superior general. Directors exercise delegated authority in the name of the provincial and are appointed for variable terms, but ordinarily for not more than six consecutive years.
- 89.** The superior or director is assisted by a local council to provide advice and consent. In larger communities the local council is composed of at least three members. In smaller communities all the members may constitute the council. Councilors serve for terms coextensive with that of the superior and are eligible for consecutive terms. They are members in perpetual vows. In exceptional cases a member in temporary vows for at least four years may be appointed but not elected as councilor, though he may never be assistant superior or assistant director. In a house which contains members of both societies in substantial proportions, each society should be represented by at least one member on the council.
- 90.** A district is a sector of a province outside its geographical boundaries but under its jurisdiction. It is erected by the provincial chapter with the approval of the superior general. It has the autonomy necessary to develop its common life and ministries and is governed under norms set by the provincial chapter.
- 91.** A district superior is elected or appointed according to the district norms to a term of three years renewable consecutively not more than twice. He must have been in perpetual vows for at least three years. He is assisted by a council of at least three members. If one society is less numerous than the other but its members form a substantial part of the district, each society should be represented by at least one member on the council.
- 92.** Suppressed by the General Chapter of 1998.
- 93.** A province is a sector of the congregation which has a high degree of autonomy. It is erected by the general chapter and is under a provincial superior. It comprises a number of local houses and members and sources of finance sufficient to support and develop its ministries, vocation promotion, formation and common life. In exercising autonomy over its own common life and its participation in the mission of the congregation, a province nevertheless acts in dependence upon the superior general and in collaboration with the other provinces.

# **Constitution 7**

## **Authority and Responsibility**

continued ...

- 94.** Provinces are either homogeneous or mixed: that is, composed of members of one society, priests or brothers; or of both societies.
- 95.** The highest authority in a province is vested in the provincial chapter, which must discern and decide the largest issues of the common good. Unless in particular circumstances the superior general has permitted an alternate method of constituting the chapter membership, it is composed of capitulants ex officio: the provincial who presides, the assistant provincial, district superiors, elected provincial councilors and, unless the preceding provincial chapter has decided otherwise, appointed provincial councilors; and of capitulants elected by the members of the province. Elected capitulants must be more numerous than those ex officio. In a mixed province the delegates are elected by and from the two societies in proportion to the number of province members with active voice in the respective societies.
- 96.** The provincial chapter meets ordinarily every three years. It analyzes the state of the province's common life and mission, determines major policies for the future, elects officers and delegates within its competence, and erects and oversees the development of districts. It requires the presence of two-thirds of the capitulants for valid acts.
- 97.** The province is guided and governed by a provincial, who holds personal authority over all members and houses. He is elected by a two-thirds vote of the provincial chapter or by an alternate method as provided in the statutes; his election is confirmed in writing by the superior general. He is elected to a term of six years, and may be elected to one consecutive term of three years. He must have been in perpetual vows for at least five years. Should he seek to resign, he must first consult with his council and then he must submit his resignation to the superior general. Should his office become vacant, the assistant becomes the acting provincial. The superior general, having consulted the province membership, either instructs the acting provincial to hold an election or appoints him as provincial until the next provincial chapter.
- 98.** The provincial council is composed of at least four members, two of whom are elected by the provincial chapter. After receiving the provincial's recommendations, the superior general appoints the other councilors and confirms the provincial's designation of the assistant, the secretary and the rank of the councilors. All serve for terms of three years. The assistant provincial is the vicar of the provincial. Should a councilor seek to resign, he must first consult with the provincial and then he must submit his resignation to the superior general.

# Constitution 7

## Authority and Responsibility

continued ...

- 99.** The highest authority in the congregation is vested in the general chapter, which must discern and decide the largest issues of the common good and regulate relations between the societies and among the provinces. It includes as capitulants ex officio: the superior general who presides, the general assistants, the provincial and the vice-provincials. The number of elected capitulants exceeds that of the capitulants ex officio. Capitulants are elected from and by the societies according to parity such that the societies are represented by equal numbers of capitulants exclusive of the superior general. The superior general meets and votes with both societies when they act separately.
- 100.** The general chapter meets ordinarily every six years. It analyzes the state of our common life and mission, promotes and safeguards the heritage of the congregation, reviews and amends the statutes, issues decrees, recommendations and declarations, elects the superior general and the general assistants, and erects, divides or suppresses provinces. It requires the presence of two-thirds of the capitulants for valid acts.
- 101.** The congregation is guided and governed by the superior general, who holds personal authority over all provinces, houses and members. He is elected by a two-thirds vote of the general chapter to a term of six years, or until the next ordinary general chapter, and may be elected to one other consecutive term. He must be a priest and have been in perpetual vows for at least ten years. Should his office become vacant, the first assistant convokes an extraordinary general chapter within six months to elect a superior general for the remainder of the term. With the consent of the other assistants he may await the next ordinary chapter if it is to be held within one year. During the interim he functions as acting superior general and actions requiring holy orders are carried out by the first priest assistant.
- 102.** Should the superior general feel obliged to resign during his term of office, he should consult the general assistants and then present his resignation to the Holy See unless an extraordinary general chapter is in session at the time. Only the Holy See can depose the superior general.
- 103.** The superior general is assisted by a general council whose four members are elected in the general chapter, two each by and from the two societies. All serve for terms coextensive with that of the superior general. The assistants hold rank alternately by society, the first assistant always belonging to the society other than that of the superior general. The first assistant is the vicar of the superior general. The general secretary and the general steward are appointed by the superior general and act under his authority.

# Constitution 7

## Authority and Responsibility

continued ...

- 104.** The council of the congregation is a consultative body whose members are the superior general, who convenes its meetings and presides, the general assistants, the provincials, the vice-provincials, and, as provided in the statutes, the district superiors. Other persons may be invited to attend. The council concerns itself with the ongoing life and mission of the congregation. It also provides the superior general with wider consultation in his duty to unify congregational planning, especially for new international works and foundations.
- 105.** Active voice, or the right to vote, belongs to all members of the congregation in perpetual vows or who have been professed for at least four years. Full or limited active voice may be extended by a provincial chapter to other members.
- 106.** Passive voice, or the right to be elected to office, belongs to all members of the congregation in perpetual vows, subject to the provisions of the constitutions and statutes.
- 107.** When the provincial is a brother, all acts involving ordination or ecclesiastical jurisdiction are carried out by his first priest councilor or they are referred to the superior general.
- 108.** The congregation at the general level, the provinces, the vice-provinces, the districts and the local houses all have the right and capacity to acquire, possess, administer and alienate material goods. This property is administered in accord with the statutes, chapter decrees, canon law and civil law, and consistent with the respective authority of higher superiors. It is administered as the goods of a congregation of men vowed to poverty among themselves and committed to social justice among the poor in this world.
- 109.** If a member seeks temporary or permanent separation from the congregation or if the congregation deems it necessary to dismiss a member, the norms of canon law are observed. Those who have been legitimately separated may be readmitted according to the norms of canon law.
- 110.** The statutes of the congregation are amended by an absolute majority of the general chapter. The constitutions are amended by a two-thirds vote of the general chapter with the approval of the Holy See.
- 111.** All members of the congregation shall ratify and embody their fidelity to the Lord and their brotherhood in Holy Cross by observing these constitutions with a sincere and unreserved obedience.