



# The Holy See

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## APOSTOLIC CONSTITUTION OF POPE PIUS XII CONCERNING SECULAR INSTITUTES

### *PROVIDA MATER ECCLESIA\**

1. An impressive chain of witness through the ages - Popes, Councils, Fathers, the wide sweep of Church history, the building of Canon Law - show how lovingly and earnestly the Church, far seeing Mother that she is, has cared for her best loved children,<sup>[1]</sup> those who commit the whole of life, like slaves to Christ the Lord, following him through thick and thin along their freely chosen way of the evangelical counsels. She has given them wise precepts for the ordering of their life to make them ever worthy of so heavenly an enterprise, so angelic a vocation.<sup>[2]</sup>
2. From the very first era of Christian history, when the Church could be said to be still in its cradle, she explained with authority those doctrines and examples of Christ<sup>[3]</sup> and the Apostles<sup>[4]</sup> which draw us to perfection. There is teaching, given with sureness of touch, on how to lead a life dedicated to perfection, how best to combine its essential features.
3. Thanks to the consistent active involvement of Church and Ministry in the promotion of, and care for, a life of complete dedication and consecration to Christ, "the first Christian communities were ready-made seed-beds for the evangelical counsels", good soil with the promise of excellent fruit. In the Apostolic Fathers and the older Christian writers<sup>[5]</sup> there is abundant evidence that in the various local churches the profession of a life of perfection had developed to a stage where it had begun to constitute an order or social class ('ascetics', 'the continents', 'virgins') widely accepted, approved and esteemed.<sup>[6]</sup>
4. Faithful to Christ her spouse, ever true to herself, guided by the Holy Spirit, moving with unerring and unhesitating steps through the long ages of her history, from the earliest beginnings to the formation of Canon Law, the Church has gradually developed the discipline of the state of perfection.
5. To those who chose to make public external profession of perfection in any form the Church, like a good mother acquiescing in a child's request, has always given every kind of help for so holy a purpose. For individual profession of perfection - always "coram Ecclesia" in the face of the Church, and public - it was provided that the Church herself should receive it and recognize it. But the Church has always wisely given it the seal of her sanction and strenuously defended it

and given it many canonical effects. This is seen in the primitive and venerable Blessing and Consecration of Virgins<sup>[7]</sup> which had its own liturgical rite.

6. From the time of the "Peace of Constantine", this care for the profession of perfection was, as the situation demanded, directed chiefly to public profession properly so called, i.e. made by groups united in fellowship for this purpose, approved and established by favor or command of Church Authority.

7. We have only to look at the glorious calendar of religious men and women through the ages to see how a canonical religious life is closely interwoven with the holiness and catholic apostolate of the Church itself. The relationship is integral to the Church and to the Religious Orders and Congregations, which by the grace of the life-giving Spirit has grown gradually and steadily in deeper and firmer self-consistency and unity and in wonderful variety of forms.

8. It was to be expected, as in fact it happened, that the field of juridical structure should reflect this development. Faithful to the guiding hand of God's wisdom and providence the Church so legislated for the canonical state of perfection as to make it one of the cornerstones from which the edifice of ecclesiastical discipline would be built.

9. In the first place the public state of perfection was given the standing of one of the three chief ecclesiastical states of life, a new canonical category was created. No other class of "canonical persons" was thought necessary, only religious (cleric or lay), (Canon 107). This deserves profound reflection. The existing "orders of canonical persons" were considered to arise by divine law from the nature of the Church as hierarchically constituted and structured: to these was thus added an ecclesiastical institution (canons 107, 108/3). This class, "religious", a state between the two and compatible with either, was created for no other reason than that it is closely identified with the essential purpose of the Church, sanctification effectually sought in ways congruous to so sublime a purpose.

10. Public profession may in fact of itself produce nothing. The Church therefore with progressively rigorous requirements restricted the approval of this canonical state of perfection to associations founded by the Church itself, that is to Religious (Canon 488/1) who received from the Church both canonical existence and approval of their way of life: in practice this meant approval, after trial and slow mature consideration, in virtue of the Church's teaching office not only in theoretical terms but in real life lived, and, tried and retried by the test of experience, seen to be lived.

11. The Code of Canon Law is so strict and uncompromising on this point that no exception whatever is contemplated. No canonical state of perfection is recognized unless the profession is made in a Religious Order or Congregation.

12. Finally, as the state of perfection has the status of a legal entity with its appropriate discipline, the Church made the wise provision that, for clerical Orders or Congregations, in all things that pertained to the Religious as clerics, the Order or Congregation itself would take the place of the diocese and admission would be equivalent to clerical incarnation. (canons 111 § 1, 115, 585). In the Code all the existing laws on Religious were assembled, reviewed, and given a definite formulation. Confirmation, cumulative from various contests, was given to the canonical acceptance of "states of perfection" as also to their legal standing. To Pope Leo XIII canonical provisions "Conditae a Christo"<sup>[8]</sup> a supplement was given, to complete the picture by the admission of Congregations of simple vows to the status of Religious. With this it could be thought that the whole terrain was mapped out. But a further possibility had to be envisaged. There were

associations which had deserved well of Church and State but had not all the specific features and legal formalities (public vows for instance) which go with a canonical state of perfection. Yet they were closely akin to Religious since they had everything that makes a life of perfection in the plain meaning of those words. With these, too, the Church must be concerned. They must be given in some way full and equal canonical standing in the manner and degree appropriate to their nature. This was accordingly done by an addendum to the section on Religious (Tit. XVII, Lib. II).

12. These wise and prudent laws, proofs of the Church's love and concern, made full provision for those very many who had set their hearts on leaving their secular condition and embarking upon a new way of life canonically approved, the life of Religious, a life consecrated and ordered solely and exclusively for the achievement of perfection.

13. But God's merciful kindness does not discriminate between man and man.<sup>[9]</sup> At his ways and purposes we can only wonder. He has sent out his invitation, time and time again, to all the faithful, that all should seek and practice perfection,<sup>[10]</sup> wherever they may be. So it has come about in the working of Divine Providence that many chosen souls even in the midst of the world, so vicious and corrupt, especially in our times, have opened out to him like flowers to the sun, souls not only full of burning zeal for that perfection to which each single soul is called, but capable in the midst of the world with a vocation that is from God of finding new and excellent ways of seeking perfection together in associations suitable to the needs of our times and yet well adapted to the search for perfection.

14. Every man and every woman may, in the hidden world of the human heart, (the canon lawyer would call it *forum internum*) reach out to perfection. This context of high personal endeavor we heartily commend to the prudence and zeal of spiritual directors. Our concern here is with the visible structure, the *forum externum*, associations which undertake to guide their members along the way that leads to perfection.

15. We do not mean every kind of association of people who are sincerely committed to secular Christian perfection. We are thinking of those which for all practical and essential purposes are closest akin to the states of perfection already recognized in the Church, and in particular to the Societies without public vows (Tit. XVII, of the Code) which have their own external ways of association, different from the common life of Religious. This convergence of essentials, as between these two kinds of association, is seen in the following common features: they have an internal organization with rules and regulations and distributed responsibilities: full membership involves freedom from incompatible commitments: they profess the evangelical counsels: they have their definite ways of ministry and apostolate.

16. One can see the hand of God with the emergence during the early years of the nineteenth century of such groups. The purpose then was to follow the evangelical counsels in the world and to be free to take on those imperative tasks of charity from which in those iniquitous times the religious communities were practically debarred.<sup>[11]</sup>

17. These earliest Institutes gave progressive factual proof of their worth. They had wise and exacting standards for admission. The training was well thought out and of sufficient duration, their method of shaping the members' daily life in the world was a combination of firmness and freedom to more. God's blessing was on their efforts, his grace was with them. It became quite clear that a strict and effectual consecration of oneself to the Lord in the world, much the same as that of Religious, was possible not only in the interior life but also in visible form, and that this did in itself constitute a most useful means by which apostolic action could reach and permeate the secular environment. For these reasons

"these Societies have repeatedly been given, equally with Religious Congregations, the hallmark of official praise from the Holy See".<sup>[12]</sup>

18. The successful development of these Institutes showed their varied potential for souls and for the Church.

19. In such Institutes it is quite possible to lead a life of perfection in spite of any difficulties arising from time, place and circumstances. For those who wish to do that but cannot or should not join a Religious Community, an Institute is often the answer. The effectiveness of Institute life in the Christian renewal of families, of secular professions, of society in general, through people's daily contact, from the inside of the secular scene, with lives perfectly and totally dedicated to God's sanctifying work in them is obvious. These Institutes also open the way to many forms of apostolate and service in times, places and circumstances from which priests and Religious are excluded by the nature of their calling, or which for other reasons are not accessible to them.

20. On the debit side of the account experience proved that this kind of free-lancing in the life of perfection without the help and support of common life and a religious habit had its difficulties and dangers which showed up from time to time as they could in the nature of the case be expected to do. There was no surveillance by the diocesan bishop who might well be ignorant of its presence in his diocese nor by superiors who often lived at a distance. There was great discussion about where they stood in Canon Law and what the Holy See had intended in giving them approval.

21. In 1889 Pope Leo XIII had issued a Decree on the subject<sup>[13]</sup> to the following effect: Although it was permissible to encourage and approve such Institutes the Congregation itself encouraged and approved them not as Religious Congregations but only as pious sodalities which did not have the existing canonical requirements for such status, in particular a real religious profession, since the vows (where they had vows) were private not public, that is received by a lawful Superior in the name of the Church. Such encouragement and approval could be given only on condition that the respective Ordinaries were given full information and responsibility. These statements and regulations were effective at the time in clarifying the nature of these Institutes without impeding their development and progress.

22. Quietly and without publicity the Secular Institutes have proliferated in the last forty years. They have taken many and various forms and some of them are completely self-contained while others are linked in various ways with existing Religious Orders, Congregations or Societies.

23. The Apostolic Constitution *Conditae a Christo* said nothing about Secular Institutes, being concerned only with Religious Congregations. The Code of Canon Law did not contemplate them because the time was not ripe for giving them canonical structure. The matter was deferred to future legislation.

24. In the light of all this, acutely conscious of Our responsibility in this field and not insensible to the claim of paternal love which these generous seekers of holiness in the world make upon us, We decided that what was needed was a wise, clear-cut differentiation of Institutes with full and authentic life of perfection as the test of authenticity; We were aware of the danger of thoughtless and feckless founders and the consequent proliferation of Institutes. We were also persuaded that deserving Institutes should have their own law based on their own meaning and purpose and condition. We have therefore decided to do for Secular Institutes with this present document what Pope Leo XIII did for Religious

Congregations of Simple Vows with the Apostolic Constitution *Conditae a Christo*.<sup>[14]</sup>

25. This present document is the result. It was first examined by the Holy Office, then, in Our name and under Our own guidance, it was reviewed and given its final wording by the Sacred Congregation for Religious. We hereby approve it. In general and in detail as here-under each statement, decree and constitution has our Apostolic authority.

26. The executive body with delegated plenary powers is the Sacred Congregation for Religious.

### ***The Law of Secular Institutes***

Art. I - Societies, clerical or lay, whose members make profession of the evangelical counsels, living in a secular condition for the purpose of Christian perfection and full apostolate shall be distinguished from all other associations (C.I.C. Pars Tertia, Lib. II ) by the name of Institutes or Secular Institutes and shall be governed by this present Apostolic Constitution.

Art. II - § 1. Not having the three public religious vows (canons 1308 1 and 488, 1) and being under no obligation to lead the canonical common life under the same roof (canons 487 and 673 ff.), Secular Institutes:

1. In law, normally, neither are nor, properly speaking, can be called Religious Orders or Congregations (canons 487 and 488, 1) or Societies of Common Life (c. 673, 1);

2. They are not bound by the legislation made for Religious Orders or Congregations as such: nor can they follow it except in cases where, by way of exception, some point of this legislation - in particular legislation for Societies without public vows - is lawfully adapted and applied to them.

§ 2. Without prejudice to existing common relevant canonical norms, Institutes are governed by these prescriptions as their own proper law framed in view of their proper natural conditions:

1. The general norms of this Apostolic Constitution as being the proper Statute of all Secular Institutes.

2. Norms laid down from time to time by the Sacred Congregation for Religious as need arises and in the light of experience, whether by way of interpreting the Constitution applying it, or improving upon it in general or in given cases.

3. Particular Constitutions approved in accordance with Articles V - VIII (below) which prudently adapt the general norms of law and the particular norms described above (nos. 1, 2) to the various purposes, needs and circumstances of each Institute.

Art. III - § 1. For canonical establishment as a Secular Institute a Pious Association, over and above the common canonical requirements of Pious Associations must have the following distinctive features:

§ 2. *In respect of their consecration of life and profession of Christian perfection:* besides the exercises of piety and self-denial which are a necessary part of the search for perfection of Christian life, those who desire to be formal members in the strict sense of the word, of a Secular Institute, must in fact tend to this perfection in the distinctive ways here specified:

1. By profession made before God of celibacy and perfect chastity in the form of a vow, oath, or consecration binding in conscience, according to the norms of the Constitutions.
2. By a vow or promise of obedience, a permanent bond enabling them to devote themselves entirely to God and works of charity or apostolate and to be constantly, in all they do, subject to and under the moral guidance of Superiors in accordance with their Constitutions.
3. By a vow or promise of poverty whereby their use of temporal goods is not free but defined and limited in accordance with the Constitutions.

§ 3. *In respect of the incorporation of members and the bond thereby created:* the bond of union between a Secular Institute and those who are in the strict sense of the word its members must be:

1. Stable as laid down by the Constitutions, either perpetual or temporary to be renewed at the lapse of a specified period (c.488, I );
2. Mutual and full so that, in the way specified by the Constitutions, the member hands himself over completely to the Institute and the Institute looks after the member and is responsible for him.

§ 4. *In respect of common residences or houses:* Secular Institutes while not requiring canonical common life, or life under one roof (Art. II, I ) must, as need or practical utility requires, have one or more houses, namely:

1. Residence for Superiors, especially General or Regional.
2. A house or houses where members in initial and final training may live or meet or hold retreats and similar gatherings.
3. A house or houses for members who, because of illness or circumstances, cannot look after themselves or who ought not to live on their own or in lodgings.

Art. IV - § 1. The point of reference for the government and care of Secular Institutes is the Sacred Congregation for Religious without prejudice to the rights of the Sacred Congregation for the spread of the faith, as provided in Canon 252 § 3, in respect of Societies and Seminaries for Mission work.

§ 2. Associations which are of a different nature from those described in Art. I or which are not wholly committed to the aim and object there set out, as also those which lack any of the features listed in Articles I and III of this Apostolic Constitution, are subject to the legislation laid down for Associations of the Faithful in canons 684ff. and come under the Sacred Congregation of the Council - without prejudice to the provisions of c. 252 § 3 for Mission territories.

Art. V - § 1. Secular Institutes may be founded and given canonical existence (as in Canon 100 1 and 2) by Bishops, but not by Vicars Capitular or Vicars General.

§ 2. Such foundations should not be made or permitted without previous consultation of the Sacred Congregation for Religious in accordance with c. 492 and with Art. VI here following:

Art. VI - § 1. The information to be sent to the Sacred Congregation when applying for permission to make a foundation should follow the lines of the information sent when a diocesan Congregation or Society of Common Life is to be set up. With the variations arising from the nature of the case as indicated from time to time by the same Sacred Congregation.

§ 2. The permission is an endorsement in the given case of the Bishop's right to make such foundations. Particulars of the foundation should be sent to Rome for registration.

Art. VII - § 1. By approval or decree of praise from the Holy See a Secular Institute becomes an Institute of pontifical right (c. 488, 3; 673 2).

§ 2. The requirements for such approval are, in general, the same as for Congregations or Societies of Common Life (nos. 6 ff.). The variations arising from the nature of the case are indicated from time to time by the Congregation.

§ 3. Approval of the Constitutions of the Institute is given in stages: a first approval, a further approval where opportune and a definitive approval. The procedure is as follows:

1. First discussion at a meeting of the Consultors Commission under the Chairmanship of the Cardinal Secretary of the Congregation or his deputy - the text presented and submitted with supportive arguments by at-least one Consultor.
2. A plenary meeting of the Sacred Congregation under the chairmanship of the Cardinal Prefect for detailed reconsideration and decision. Expert Consultors, including, where necessary or opportune, selected specialists, take part in this meeting.
3. The Cardinal Prefect or the Secretary at a personal Audience submits the decision to the supreme authority of the Sovereign Pontiff.

Art. VIII - In addition to their specific Secular Institute legislation, Institutes come under the jurisdiction of Local Ordinaries in accordance with the canons relevant to non-exempt Congregations or Societies of Common Life.

Art. IX - The structure of responsibilities and authority within the Institutes may follow the model of Religious and Societies of Common Life, due allowance made (and approved by the Sacred Congregation) for the nature, purposes and circumstances of each.

Art. X - The rights and obligations of Institutes already founded, and approved by Bishops (after consultation of the Holy See) or by the Holy See itself, are not affected by this Apostolic Constitution.

To this present document we give the full force of our Apostolic Authority.

*Rome, St. Peter's, February 2, feast of the Purification of our Lady, 1947, the eighth of our pontificate.*

## PIUS PP. XII

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\*The original text is in Latin.

[1] Pius XI, Message on the radio, 12 February 1931, R.C.R. 1931, p. 89.

[2] Cfr. Tertullius, *Ad uxorem*, lib. 1, c. IV (PL, 1,1281); Ambrosius, *De virginibus*, 1, 3, 11 (PL, XVI, 202); Eucharius Lugdun., *Exhortatio ad Monachos*, I (PL, L, 865); Bernardus, *Epistola CDXLLX* (PL, CLXXXII, 641); Id., *Apologia ad Guillelmum*, c. X (PL, CLXXXII, 912).

[3] Mt, XVI, 24; XIX, 10-12; 16-21; Mk X, 17-21, 23-30; Lk, XVIII, 18-22, 2429; XX, 3436.

[4] I Cor, VII, 25-35, 37-38, 40; Mt, XIX 27; Mk, X, 28; Lk, XVIII, 28; *Acts*, XXI, 8-9; Rev. XIV, 4-5

[5] Ignatius, *Ad Polycarp.*, V (PG, V, 724); Polycarpus, *Ad Philippen.*, V, 3 (PC, V, 1009); Iustinus Philosophus, *Apologia I pro christianis* (PG, VI, 349,; Clemens Alexandrinus, *Stromata* (PG, VIII, 24); Hyppolitus, *In Proverb.* (PG X, 628); Id., *De Virgine Corinthiaca* (PG, X, 871-874); Origenes, *In Num. hom.*, II, 1 (PG, XII, 590); Methodius, *Convivium decem virginum* (PG, XVIII, 27-220); Tertullianus, *Ad uxorem*, lib., I, c. VII-VIII (PL, I, 1286-1287); Id., *De resurrectione carnis*, c. VIII (PL, 11, 806); Cyprianus, *Epistola XXXVI* (PL, IV, 827); Id., *Epist.*, LXII, 11 (PL, IV, 366); Id., *Testimon. adv. iudeos*,



lib. III, c. LXXIV (PL, IV, 771); Ambrosius, *De viduis*, II, 9 et sqq. (PL, XVI, 250-251); Cassianus, *De tribus generibus monachorum*, V (PL, XLIX, 1094); Athenagoras, *Legatio pro christianis* (PG, VI, 965).

[6] (Acts, XXI, 8-10; cfr. Ignatius Antioch., *Ad Smyrn.*, XIII (PG, V, 717); Id., *Ad Polyc.*, V (PG, V, 728); Tertullianus, *De virginibus velandis* (PL, II, 935 sqq.); Id., *De exhortatione castitatis*, c. VII (PL, 11, 922); Cyprianus, *De habitu virginum*, II (PL, IV, 443); Hieronymus, *Epistola LVIII*, 4-6 (PL, XXII, 582-583); Augustinus, *Sermo CCXIV* (PL, XXXVIII, 1070); Id., *Contra Faustum Manichaeum*, lib., V, c. IX (PL, XLII, 226).

[7] Cfr. Optatus, *De schismate donatistarum*, lib. VI (PL, XI, 1071 sqq.); Pontificale Romanum, I 1: *De benedictione et consecratione Virginum*.

[8] Cost. "Conditae a Christo Ecclesiae", 8 dec. 1900; cfr Leonis XIII, *Acta*, vol. XX, p. 317-327.

[9] 2 Par., XIX, 7; Rom, 11, 11; Eph VI, 9; Col. 111, 25.

[10] Mt, V, 48; XIX, 12; Col, IV, 12; James, 1, 4.

[11] S. C. Episcoporum et Regularium dec. "Ecclesia Catholica", d. 11 augusti 1889; cfr . A. S. S., XXIII, 634 .

[12] S. C. Episcoporum et Regularium dec. "Ecclesia Catholica".

[13] Cfr. A.S.S. XXIII. 634.

[14] Cfr. Leonis XIII, *Acta*, vol. XX. D. 317-327.