**OUTLINE OF REFLECTION ON JURIDICAL TOPICS FOR GC29**

The Rector Major, in convening the 29th General Chapter, divided the general theme of study into 3 core areas.

The third core area concerns “*A courageous review and re-planning of the governance of the Congregation at all levels*”.

He specified that this third core area touches on three aspects of service.

* **The service of authority in the world community** on topics such as: the effectiveness of the animation of the General Council, methods of discernment in General Chapter elections, arrangements for Sectors and Secretariats, structuring of the Regions. In the letter of convocation this area is deliberately open to gather suggestions and proposals from the provincial chapters.
* **The Service of Authority in the Provincial Community**, taking up the nine topics that the 28th General Chapter could not address due to early closure. Other suggestions and proposals from the Provincial Chapters may also emerge in this regard.
* **Service of authority in the local community.** In this regard, the General Chapter will have to decide whether or not to avail itself of the dispensation granted by Pope Francis to can. 588 §2 CIC (with rescript of 18 May 2022), in reference to the possibility that a non-cleric religious is appointed local Superior and Major Superior, or is elected Supreme Moderator in a clerical Institute of pontifical right.

The following are the nine juridical issues not addressed in GC28. These issues, together with the proposals that will come from the Provincial Chapters, will be placed in order by the Pre-Chapter Commission and offered for reflection by GC29.

**PROVINCE**

**1. Tasks of the Vice-Provincial**

CIC can. 620; can. 134 §1; can. 618; can. 619

C 168; 167; 166; 164

R 154

PdV 880-881

Situation

1.1. Are the duties as set out in C. 168 sufficiently clear?

1.2. Have any special problems arisen in the performance of his duties?

1.3. If so, which are they?

Proposal

Are there any proposals regarding the tasks of the Vice-Provincial? If so, which are they?

**2. Composition of the Provincial Council**

CIC can. 627

C 164

R 155; 160

PdV 878-882

GC23 244 - Ratio 247

Situation

2.1. Is the composition of the Provincial Council provided for in C 164 considered satisfactory?

2.2. If not, why?

Proposal

2.3. Should the Provincial Delegate for Formation, as suggested in Ratio 247, be an ex officio member of the Council in addition to the Vice-Provincial and the Provincial Economer?

2.4. If so, why?

2.5. Is it considered that in addition to the Vice-Provincial and the Provincial Economer, the Provincial Delegate for Youth Ministry should also be a member of the Council by right, given the importance of this Delegate as indicated in GC23 No. 244?

2.6. If so, why?

**3. Offices, secretariats, provincial commissions**

CIC can. 617; can. 618; can. 633

C 123; 124

R 157,5; 160

PdV 815-822

GC23 244; - Ratio 247

Situation

3.1. Looking at the current practice and what is indicated in Ratio 247 about the provincial formation commission and in GC23 244 about the provincial youth ministry team, is what is provided in R 160 about the "offices, secretariats and commissions for advice and pastoral activity at the provincial level" sufficient?

3.2. If not, why?

Proposal

3.3. Are there proposals in this regard? If yes, please indicate them briefly.

**4. Exclusion of the purchase and preservation of real estate for the sole purpose of income, and any other form of interest-bearing capitalisation.**

CIC can. 634; can. 635; can. 640; can. 1254; can. 1284

C 77; 187; 188,4

R 59; 187; 188

PdV 909-914

Economy in service Nos. 14-15; 79; 84-85

Situation

4.1. Looking at the current practice, have any problems arisen regarding what is required by the second paragraph of C 187? If so, which are they?

4.2. Even in the absence of specific problems, are there doubts about the interpretation in the second paragraph of C 187? If so, which are they?

4.3. Are there issues concerning the economic and financial sustainability of individual houses? If so, which are they?

4.4. And if so, what has been done to tackle them?

4.5. Are there problems concerning the economic and financial self-sufficiency of the Province as a whole? If so, which are they?

4.6. And if so, what has been done to tackle them?

Proposal

4.7. Are there proposals in this regard? If yes, please indicate them briefly.

The questions distinguished the economic from the financial sphere. There may be houses or provinces that have a sustainable economic balance, but an unsustainable financial situation, for example due to delays in the collection of receivables or excessive debts.

A distinction was made between the economic and financial viability of individual houses and the economic and financial self-sufficiency of the province. The latter has different and distinct commitments: maintenance of the provincial headquarters and of provincial services, support for the houses of formation, fees for confreres in formation, extraordinary expenses, etc.

**LOCAL COMMUNITY**

**5. Consistency in number and quality of the community**

CIC can. 115,2; can. 602; can. 607 §2; cann. 608-611; can. 665 §1

C 49; 51;182

R 20; 150; 181

PdV 408-411; 420-424 - GC 173-174

Fraternal life in community 3; 55; 57; 64; 66

AGC 422, 25-36

Situation

5.1. Have any particular problems emerged to ensure the consistency of communities in terms of number and quality? If so, which are they?

5.2. And if so, what has been done to tackle them?

5.3. Are there still aspects of this question that require clarification? If so, which are they?

Proposal

5.4. Are there proposals in this regard? If yes, please indicate them briefly.

**6. Economer in the local community**

CIC can. 636; can. 638 §2

C 179; 184

R 183; 186; 194,3; 198-202

PdV 901-902

GC26, n. 121.

Situation

6.1. Have there been any difficulties in implementing what is required in C 179.1 and 184, which stipulate that in each local community there should be a religious economer/bursar who is a member of the local council? If so, which are they?

6.2. If yes, what has been done to tackle these problems?

6.3. Has the Provincial so far exercised the power provided for in GC26 121 to appoint a lay person to act as local administrator of the work? If so, for what percentage of the total number of houses in the Province?

6.4. If so, have any positives emerged? Indicate which ones.

6.5. And in this case have any problems emerged? Indicate which ones.

6.6. Are there still aspects of this question that require clarification? Indicate which ones.

Proposal

6.7. Are there any proposals in this regard? If yes, please indicate them briefly.

**7. Legitimacy of the Rector/Director - local Economer**

CIC can. 636 §1

C 55; 176

R 172; 198-202

GC26, n. 121.

Situation

7.1. Are there Rectors/Directors in the province who also act as economers/bursars?

7.2. If so, for what percentage of the total number of Rectors/Directors?

7.3. If so, did the assignment of the local economer/ bursar’s tasks to the Rector/Director give rise to any problems? Indicate which ones.

7.4. Have any solutions been adopted? If so, briefly describe them.

7.5. Are there still aspects of this question that require clarification? If so, which are they?

Proposal

7.6. Are there any proposals in this regard? If yes, please indicate them briefly.

**8. Council of the Religious Community and Council of the Educative and Pastoral Community**

C 47; 178-181

R 5; 148; 180

GC24 156-161; 167-172

Situation

8.1. Is the Eductive and Pastoral Community Council, formally established as indicated by GC24, to be found in the Province’s houses?

8.2. If so, for what percentage of the total number of houses?

8.3. Where the Educative and Pastoral Community Council is established and operates, has there been any interference with the tasks assigned to the Council of the religious community by the Constitutions?

8.4. If so, which are they?

8.5. Are there still aspects of this question that require clarification? Indicate which ones.

8.6. Have any solutions been adopted? If so, briefly describe them.

Proposal

8.7. Are there some proposals in this regard? If yes, please indicate them briefly.

**9. Council of the Work run by the laity under the responsibility of the Province**

GC24 180-182

Situation

9.1. Are there lay-run works in the province under provincial responsibility?

9.2. If so, for what percentage of the total number of works in the Province?

9.3. And if so, have any problems arisen in implementing the provisions of GC24 180-181?

9.4. Are there still aspects of this question that require clarification? Indicate which ones.

Proposal

9.5. Are there some proposals in this regard? If yes, please indicate them briefly.