

The Present Position of Secular Institutes

ON THE XIITH ANNIVERSARY OF *PROVIDA
MATER ECCLESIA*

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ON the 2nd February, 1947, His Holiness Pope Pius XII promulgated the Apostolic Constitution *Provida Mater Ecclesia*. In this document he granted official recognition to Secular Institutes, and laid down the fundamental laws to govern them in the *lex peculiaris*, which is the legislative part of the Constitution. This *lex peculiaris* clearly establishes the following points : (a) the juridical position of these Institutes ; (b) the laws by which they are governed ; (c) their essential and differentiating elements ; (d) the norms for their erection and approval ; (e) the internal organization of their government ; (f) their relationship with the ecclesiastical authority.

General juridical solution

Those canonists who have followed closely the development of canon law in its provisions concerning states of perfection, have rightly compared the general juridical solution given to the question of Secular Institutes by the Apostolic Constitution *Provida Mater Ecclesia*, with that furnished by the Apostolic Constitution *Conditae a Christo*, of Leo XIII, to the question of religious Congregations with simple vows. Indeed the statute of the Secular Institutes, i.e. their *lex peculiaris*, has avoided, in a masterly way, the necessity of making any changes in the Code of Canon Law, for which these Institutes are and remain lay associations. It has achieved something similar to what was effected, without disturbing the general lines of the law then in force, by the statute of the religious Congregations, contained in their Magna Carta, namely the Apostolic Constitution *Conditae a Christo*.

But under that wise and prudent general juridical solution which does not disturb or change the general lines of the law in

force, lies a profound and courageous juridical innovation: the full life of perfection and apostolate lived in the world. For the first time such a life is recognized by the Church as a new juridical state of perfection, in order that it be professed in institutions approved for that purpose by the Church itself. It is perhaps for this reason that the learned writer, commenting on the Apostolic Constitution *Provida Mater Ecclesia* in *L'Osservatore Romano* of the 14th March, 1947, defined it as an 'historical document in the internal life of the Church.' Had this far-reaching development not been effected with such juridical tact and wisdom, it would have had to be defined as a great revolution.

The new juridical state

Members of Secular Institutes will never be able to thank sufficiently our Holy Mother the Church for the Apostolic Constitution *Provida Mater Ecclesia*. This document is both an act of teaching and jurisdiction; it is a document of the *Magisterium* and an act of legislation. The state proper to Secular Institutes stands out, clearly and definitely, from this, their charter, indeed from its very title.¹ Side by side with the religious or canonical state a new state of perfection has taken its stand, whose technical name is *juridical state of perfection*, which is a state recognized by the Church.

This new juridical state, as recognized by the Church, has characteristics of its own, which comprise a new way of sanctity proposed to Christians. This way of voluntary sanctification entails for the faithful who wish to accept it:

(a) Membership of certain Societies approved by the Church, called Secular Institutes. This membership does not imply a flight from the world, but, on the contrary, remaining in it for apostolic reasons.

(b) Voluntarily taking up certain bonds (poverty, chastity and obedience), which bind to God and to the Institute. These may be either vows, oaths, pledges, or a consecration, which are never public, but private and recognized (the so-called *social vows*).

(c) The Common life of living under the same roof is not imposed on the members, nor is a habit worn, nor any badge

¹ *Constitutio Apostolica de statibus canonicis Institutisque Saecularibus Christianae perfectionis adquirendae.*

or emblem indicating consecration to God. This is not done out of secrecy or in order to avoid possible penal laws or persecutions, but for the very simple reason that this consecration is not public but private, although recognized and approved by the Church. It is *quoad substantiam, vere religiosa*, but those who consecrate themselves in this way and remain secular in the eyes of the Church and in the eyes of the world, with all the legal and practical consequences.

Indeed canon law does not attribute any new status to the persons who enter this new juridical state of perfection. Their juridico-canonical position does not change at all, as far as their personal status is concerned. They do not become, therefore, religious, but remain as stated above, lay or clerical, just as they were before.

The difference between canonical and juridical state may seem a mere question of words or a purely doctrinal or theoretical distinction. Nevertheless, it is a profound distinction, expressly carved into the law proper to the states of perfection, and involving an immense practical implication.

It reflects the reality of the new juridical phenomenon of Secular Institutes. I say 'juridical phenomenon' because the ascetic phenomenon of wishing to sanctify oneself in the world, individually, using the means which the Church offers to everyone for the pursuit of sanctity, has existed ever since Christ founded His Church. But now it is a social and, as we shall see, universal phenomenon, in which there is a thoroughly new theological and ascetic substratum. I wish to add in this respect that the founder of *Opus Dei*, with whom, by God's grace, I have been living for so many years, often says that he would never recognize for his son, for a son of his spirit, a member of *Opus Dei* who did not greatly love the religious, who have held and will always hold a high place in the efficacy and dignity of the Church. He would not recognize him as his son for he would not have his spirit. I am certain that this attitude of love and veneration for the religious state is shared by all the members of the different Secular Institutes so far approved. In the light of the foregoing, the statement which any member of a Secular Institute makes, when speaking about his vocation, that he is not a religious can be perfectly understood. This affirmation is the very opposite to that made by members of

the religious Congregations which were born during periods of religious persecution and, therefore, had to be devoid of religious external appearances, but were always aspiring to become real Congregations with religious public vows, as in fact they all did. The plain and spontaneous claim of not being a religious is, as it were, the manifestation of a spirituality and of a juridico-theological conception which marks out a new social—no longer merely personal and sporadic—movement of Secular Institutes.

For lack of space I omit all mention of the other legal and administrative questions posed and resolved by the Apostolic Constitution *Provida Mater Ecclesia*. In dealing with the first and most solemn of the documents concerning Secular Institutes, I have had to confine myself to giving a synthesis of the place of these Institutes within the framework of the internal life of the Church and of the law proper to states of perfection.

The Special Commission for Secular Institutes and the Approval of the first Institute

Soon after the promulgation of the Apostolic Constitution *Provida Mater Ecclesia* (I follow the course of the Church records concerning these Institutes), on the 25th March, 1947, a special Commission for Secular Institutes was set up within the Sacred Congregation of Religious with the approval of the Roman Pontiff. This Commission consisted of the following: the Rev. Father Suarez, Master General of the Dominican Fathers; the Rev. Father Grendel, Superior General of the Congregation of the Divine Word; the Very Rev. Father Agatangelo da Langasco; the Very Rev. Father Creusen, S.J.; the Very Rev. Father Goueneche, C.M.F., and the present writer, who was asked to perform the office of Secretary to the Commission.

Meanwhile, on the 24th February, 1947, the Sacred Congregation of Religious, using its new prerogatives for the first time, and applying the procedural norms laid down in the newly-issued Apostolic Constitution, granted the Decree of Praise to the Sacerdotal Society of the Holy Cross and *Opus Dei*, the Institute to which, by the grace of God, I belong. This first act of the Sacred Congregation in relation to Secular Institutes was soon to be followed by many others, such as

answering doubts, or approving or permitting the approval of numerous Institutes which have now spread throughout the world, as we shall see.

The MOTU PROPRIO 'Primo Feliciter'

A year later, on the 12th March, 1948, Pope Pius XII gave fresh proof of his gracious benevolence towards the Secular Institutes by issuing the MOTU PROPRIO *Primo Feliciter*, in praise and confirmation of these Institutes.

In this new document the Roman Pontiff rejoiced and thanked God for the consoling growth achieved by Secular Institutes, following the Apostolic Constitution *Provida Mater Ecclesia*. He called them 'truly providential,' and enriched with new norms the regulations previously laid down.

Of this second pontifical document, I wish to recall briefly three points emphasized by the Holy Father, which have had, in these twelve years, deep and wide repercussions on the concept and life of the Secular Institutes.

The three points of the MOTU PROPRIO

The first point markedly stressed by the Holy Father in this MOTU PROPRIO concerns the theological substratum (or rather I should say ascetical and theological substratum) of these Institutes. They are, from this point of view, a real state of perfection, and as such are *quoad substantiam* equal to Religious Orders and Congregations and to Societies of Common Life without Vows. They are, on the other hand, to be clearly distinguished from Catholic Action and from the other Associations of the faithful (Confraternities, Third Orders, Pious Unions and Sodalties), of which the Code of Canon Law speaks in the third part of the second book. These Associations do not constitute their members in the state of perfection. Let us hear the enlightening words of the Holy Father in this respect:

Secular Institutes, even though their members live in the world, by reason of the full consecration to God and to souls which they profess, with the Church's approval, and by reason of their internal hierarchical, inter-diocesan and universal structure distributed among them in varying degrees, are justly and deservedly included by the Apostolic Constitution *Provida Mater Ecclesia* among the states of perfection officially ordained and recognized by the Church.

And elsewhere in the document the Roman Pontiff states the following :

There is nothing lacking for the full profession of Christian perfection, solidly based on the evangelical counsels and truly religious as to its substance.

It is necessary to insist on this quality of total consecration, which is essential to Secular Institutes. The Sacred Congregation of Religious—which looks after, and preserves the juridical purity and theological integrity of the life of perfection—never approves an Institute which does not offer satisfactory guarantees on this point. A similar right and duty falls upon the bishops within the sphere of their own jurisdiction. They should not allow the foundation of Institutes not having, from the very beginning, that complete integrity of theological content.

The second point emphasized by the Holy Father is the secular nature of these Institutes, the *MOTU PROPRIO* points out that particular stress should be laid upon that quality proper to these Institutes, namely 'their secular nature, in which their whole *raison-d'être* is rooted.' And it goes on to state that the activity of Secular Institutes is carried out '*non tantum in saeculo, sed veluti ex saeculo*': not only in the world, but so to speak, through the means of the world. The members of Secular Institutes not only live in the world, but behave according to secular forms, circumstances, methods and professions.

The third point high-lighted by the Holy Father is the eminently apostolic nature of the Secular Institutes. In the *MOTU PROPRIO Primo Feliciter* the Roman Pontiff states in this connection that in these Institutes the apostolate has not merely supplied the occasion for consecrating one's life, but that the specific end, i.e. the apostolate, has, as it were, created the general end, i.e. the search for Christian perfection. Moreover the apostolate carried out by Secular Institutes demands that the members dedicate themselves to it in all places and at all times, imposing on them a specific style and way of achieving perfection, a turning of their whole lives into apostolate : and apostolate not only of example, but of intensely active, militant, often daring penetration into all ranks of society, by means of the most varied methods of collective and, more especially, personal action.

The Instruction 'Cum Sanctissimus'

On the 19th March, a week after the promulgation of the *MOTU PROPRIO*, the Sacred Congregation of Religious published the Instruction *Cum Sanctissimus*. With this most opportune document the Sacred Congregation, through power conferred by the pontifical documents, began directing the promising new sector of the life of perfection.

This important Instruction reasserted some points regarding the competence of the Sacred Congregation in relation to Secular Institutes and clarified several aspects of the procedure to be followed in the erection of Secular Institutes of diocesan right and in the approval of Institutes of pontifical right.

I shall mention two points of this document, the first refers to the right to use the name of Secular Institute : the second is concerned with the *lato sensu* members of these Institutes.

The 'Ius ad nomen' of 'Secular Institutes'

As to the first point, the name 'Secular Institute' has, after the promulgation of the Apostolic Constitution *Provida Mater Ecclesia*, become a legal technical name. This name ascribes certain and definite juridical effects to the moral persons that bear it and, accordingly, cannot be adopted privately or arbitrarily, but must be granted by the ecclesiastical authority. In order to meet the difficulties which could easily arise from the abuse of the name of 'Secular Institute,' the Instruction sanctioned this wise disposition :

In order that any Association, however much it may be dedicated to the profession of Christian perfection and the apostolate in the world, may justly and rightly assume the name and title of 'Secular Institute,' it is not only necessary that it should have each and all of those elements that are laid down by the Apostolic Constitution *Provida Mater Ecclesia* as being held and defined necessary for, and integral to, Secular Institutes (arts. I and III); it is also necessary that it should be approved and erected by a bishop after consultation with this Congregation (art. V, 2 ; art. VI).

It is, therefore, not enough to have all the elements required by the Apostolic Constitution *Provida Mater Ecclesia* in order to have a kind of *ius ad nomen* of 'Secular Institute' ; the Holy See's official recognition of such elements is also required.

Whenever all the circumstances foreseen and required by the Instruction do not appear, we are confronted with an unlawful and unwarranted use of the name 'Secular Institute.'

All the elements required for the legal pattern of Secular Institutes must not only exist in the mind of the person who wishes to start an Institute, neither is it sufficient for them to be on paper—they must be put into living practice, and winnowed and controlled by the ecclesiastical authority. It is for this purpose that the Instruction *Cum Sanctissimus* further provides that before the application for erection of a Secular Institute is forwarded to the Holy See, a suitable period of probation must expire under the paternal care and jurisdiction of the diocesan authority: at first, as simple Associations which exist *de facto* rather than *de iure*; then, slowly and gradually they should develop and be tested under some of the different forms of Associations of the faithful, namely, Pious Unions, Sodalities, Confraternities or Third Orders, as the case may be.

The 'lato sensu' members of Secular Institutes

As regards the members of Secular Institutes, it is to be noted that the *lex peculiaris* expressly speaks of the members strictly so called, although it assumes that there are other members. Only to the former are the prescriptions of the Statute applied.

This implicit allusion of the Apostolic Constitution *Provida Mater Ecclesia* to the *lato sensu* members of Secular Institutes was, from the beginning, interpreted by the Sacred Congregation of Religious as a possibility, offered by the Holy Father, of approving, in the future Secular Institutes, members whose consecration to God would not be so complete as to constitute a full state of perfection. In point of fact, the first time in which the norms of the Apostolic Constitution *Provida Mater Ecclesia* were applied for the approval of a Secular Institute, i.e. in the case of *Opus Dei*, the Sacred Congregation approved the existence of *lato sensu* members, both among priests and lay members of that Institute. Afterwards, in the Instruction *Cum Sanctissimus*, members 'in a broad sense' are expressly mentioned. This document has been rightly considered as their charter, for in it is established the degree of union they are to have with the Institute and the manner in which they are to pursue evangelical perfection. These members should not be confused with

co-operators or those who merely help in some way towards the work of the Institute. The former are, as their name implies, true members, whereas the latter are not joined to the Institute by any internal bond of a legal nature.

At this point I think it my duty to voice the gratitude of so many souls to the Roman Pontiff and to Holy Mother Church for having created this new class of members. They are souls for whom a juridical path has been opened up whereby they can satisfy their desire for sanctity and follow a special divine vocation. This vocation encourages them to achieve a state of perfection which, even if not complete, is the only one compatible with their special condition or natural obligations.

As so often, in a natural way, Our Lord makes use of parents to prepare in their children's souls fertile and ready ground wherefrom the divine grace of a vocation will bud forth. It happens as well and not infrequently—now I refer to what I see in the *Opus Dei*—that the parents, on seeing the happiness their children derive from a generously followed vocation, come closer and closer to Our Lord; they heartily thank Him for the divine privilege of their child's choice, and they end up consecrating themselves to the divine service as *lato sensu* members of the Institute, thus achieving the juridical state of perfection so maternally offered them by the Church.

The Holy Father's Allocution to the First Roman Congress of the States of Perfection

(*'Acta Apostolicae Sedis,'* 10th January, 1951, pp. 26–36)

The latest official document closely concerned with the present state of Secular Institutes is the Allocution pronounced by the Holy Father on the 8th December, 1950, at the closing of the First General Congress of the States of Perfection.

This great and historic document is of relevance here, for all that it teaches and sanctions with regard to Sacerdotal Secular Institutes. It is true that the Apostolic Constitution *Provida Mater Ecclesia* and the *MOTU PROPRIO Primo Feliciter* had already sanctioned and drawn up the juridical pattern of Secular Institutes; but in this Allocution the Holy Father recalls and illustrates all that he had laid down in the above documents.

Indeed the Holy Father states in this Allocution that

nothing can prevent clerics from grouping together in Secular Institutes and choosing this way of life in order to aspire to the state of evangelical perfection.

Furthermore, he clarifies the following points :

A Secular Institute, as the reason for its very existence, embraces to the full the practice of the evangelical counsels proper to the religious state, yet professes them in such a way that it does not constitute a *regular* state (i.e. in the pattern of a religious rule), but continues in that external way of life, which would not necessarily include the above perfection.

And that union (the union between the diocesan priesthood and the state of perfection) will be effected [says the Holy Father] changing neither the divine law by which a priest must obey his Bishop, nor any canonical prescriptions governing the juridical life of the diocesan priest.

I shall not go into a detailed examination of the various legal forms in which these premisses are realized. Instead, I shall just underline the fact that, in this fashion, the juridical state *perfectionis acquirendae* has been made available to a priest of the diocesan clergy. It is hardly necessary to point out the advantage which this possibility offers bishops for a greater effectiveness in apostolic activities ; nor the weapons which for his own sanctification every diocesan priest can wield, being, as he is, so often constrained to carry out his ministry in truly heroic conditions ; nor, finally, the greater understanding and apostolic harmony resulting between the two clergies—because these priests, as they belong to a Secular Institute and are, therefore, in a state of perfection, love with particular affection the other members of states of perfection, namely the religious. Likewise they love, with all their heart, the diocesan clergy of which they are part. Thus they form a sort of link both ascetic and apostolic between the religious priest and the secular priests.

Up to this point, following the documents of the Roman Pontiff and the Holy See's records, I have been speaking of the general, juridical and doctrinal, framework of the Secular Institutes or, in other words, of the present position *de iure* of these Institutes.

The present position 'de facto' of the Secular Institutes

In this short outline of the doctrine and law regarding Secular Institutes I shall now say something about their present *de facto*

position. What follows is a brief factual survey of the matter.

First of all, following what has been discussed above, I hasten to say that by Secular Institutes I mean those which have a right to bear the name in accordance with the Instruction *Cum Sanctissimus*. I am referring to (a) those Institutes which have obtained from the Holy See the Decree of Praise of the definite approbation, thus becoming of pontifical right, and (b) those others which have been erected as Institutes of diocesan right by a bishop having obtained the *nihil obstat* from the Sacred Congregation of Religious.

With this criterion in mind, I can now say that the Secular Institutes in existence at present in the Church reach the figure of 49. Of these, 12 are of pontifical right and 37 of diocesan right. The Institutes for men number 13 (7 sacerdotal and 6 lay), while the remaining 36 are for women.

Applications from Associations (Pious Unions, Sodalties, Confraternities, Third Orders) received by the Sacred Congregation of Religious to date, asking to become Secular Institutes, amount to 197.

The figures of 197 applications and 49 approved Institutes refer to the period of eleven years from the 2nd February, 1947, the date of the promulgation of the Apostolic Constitution *Provida Mater Ecclesia*, to end of 1957.

The 49 Institutes so far approved have been founded in the following countries : Austria, 2 ; Belgium, 1 ; Canada, 1 ; Columbia, 2 ; England, 1 ; France, 7 ; Germany, 2 ; Italy, 21 ; Mexico, 1 ; Spain, 7 ; Switzerland, 2 ; Uruguay, 1 ; Yugoslavia, 1.

Conclusion

In the figure of 49 Secular Institutes approved, all the juridical categories resulting from the present state *de iure* of these Institutes are represented. There are Institutes of pontifical right and of diocesan right ; sacerdotal and lay Institutes, Institutes for men and women.

It is, moreover, to be noted that in the approved Institutes there is a varied range of spiritualities, of specific aims, of apostolic ways and of organizations. All, nonetheless, have in common the essential characteristics of Secular Institutes as

described above. The juridical form of Secular Institutes admits, therefore, of many different variations, although they have a common theological and juridical basis, and the Sacred Congregation of Religious, when granting its approval to Institutes and their Constitutions, treats with great regard what is proper and specific to each Institute as long as these characteristics are not in conflict with the general juridical pattern as moulded in the pontifical documents.

The seriousness and depth of the general movement of Secular Institutes can be realized in the number (197) of applications reaching the Holy See in eleven years. That number, compared to the 49 Institutes actually approved, while confirming the solidity and maturity of the latter, gives eloquent testimony to the prudence and conscientiousness with which the Sacred Congregation of Religious proceeds to their approval.

The wide range of countries where Institutes have been approved shows the universality of the movement. In this respect it should be noted that the nations mentioned are only the birth-places of those Institutes. In fact, many of them, especially those of pontifical right, are universal, not only *de iure*, but also *de facto*, and are, therefore, spread throughout the world. That means that in nations not listed above, different Secular Institutes exist and carry out their own apostolate.

It should be remarked also that the apostolate of Secular Institutes reaches places and environments where religious and priests cannot penetrate with their apostolic work. The spiritual activity of members of Secular Institutes permeates those distant environments, from which vocations are obtained for these Institutes. The apostolate of these souls produces, furthermore, vocations for seminaries and for the religious state, and just from those environments from which they would least have been expected. That is another proof of how the apostolate of Secular Institutes does not in any way hinder vocations for the priesthood or for the religious state, but, on the contrary, fosters them.

Coming to the end of this article, my thoughts turn again with profound gratitude to the late Holy Father, His Holiness Pius XII, the Pope of the Secular Institutes, who, by his provident legislation has opened up in the world a new path for souls who are desirous of perfection and apostolate.