

**THE GOVERNMENT OF RELIGIOUS  
COMMUNITIES: A COMMENTARY ON  
THREE CHAPTERS OF THE CODE OF CANON  
LAW, PRECEDED BY A COMMENTARY ON  
THE ESTABLISHMENT AND SUPPRESION OF  
RELIGIOUS COMMUNITIES**

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The government of religious communities: a commentary on three chapters of the Code of canon law, preceded by a commentary on the establishment and suppression of religious communities by Hector Papi

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**HECTOR PAPI**

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# *The Government of Religious Communities*

A COMMENTARY ON  
THREE CHAPTERS OF THE  
CODE OF CANON LAW

*Preceded by a Commentary on the Establishment  
and Suppression of Religious Communities*

BY

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## PREFACE

**I**N our work on "Religious Profession" we mentioned our intention of publishing a treatise on "Religious Vows." Since then we have thought that at the present time, instead of the doctrine of the vows, it would be preferable to select a section of the Code dealing with religious, as we did in our preceding work. We have done so moreover to comply with many requests, which, since the publication of our first book, have reached us from various sources.

The main subject of this publication is "*The Government of Religious Communities*" taken from the Tenth Title<sup>1</sup> of the Second Book of the Code.

<sup>1</sup> In Canon Law the term *title* designates one of the main divisions of a book. Chapters and articles are subdivisions of a title. Taken in this sense a title comprises both the *heading* under which certain laws have been grouped together and the *laws* which follow the heading. Thus *The Tenth Title* referred to in this preface designates both the heading, *The Government of Religious Communities*, and the canons which have been grouped under that heading.

## PREFACE

The Title on "*The Establishment and Suppression of Religious Communities*" (Institutes, Provinces, Houses), which in the Code precedes that on their government, is so intimately connected with the latter, and is so important that we thought it should not be omitted.

These two titles will be preceded by a Preliminary on "*Religious Communities and Their Members*" by which the Code opens this part on religious.

In all, this work will directly cover fifty-one canons, distributed as follows: five in the Preliminary on "*Religious Communities and Their Members*," seven in the First Title on "*The Establishment and Suppression of Religious Institutes, Provinces and Houses*," and thirty-nine in the Second Title on "*The Government of Religious Communities*." Besides these, it will cover also those canons which are not embodied in this section of the Code, but to which reference is made in the canons directly bearing on this matter as is the case of the canons on "Elections and Christian Burial."

As it was remarked in the preface to the  
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## PREFACE

publication on "Religious Profession," the canons on religious affect also diocesan congregations in which the three religious vows are taken, unless the contrary appears from the context or the nature of the case. This assertion is sufficiently borne out by the fact that these congregations come under the definition, given in the Code, of religious institutes. Moreover in several canons the Code mentions them explicitly, and it does so not as if the other canons would not affect them, but because their status of diocesan congregations called for special provisions.



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