

Pope amends canon law on religious who abandon their community

VATICAN CITY (CNS) – Pope Francis has made it easier for a religious order to dismiss a member who leaves the community without permission, stays away and does not communicate with his or her superior.

In a document titled “Communis Vita” (Community Life), the pope amended the Code of Canon Law to include an almost automatic dismissal of religious who are absent without authorization from their community for at least 12 months.

The change was to go into effect April 10 and is not retroactive, said Archbishop Jose Rodriguez Carballo, secretary of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life. The archbishop’s explanatory article was published March 26 along with the text of Pope Francis’ document.

Canon 694 of the Code of Canon Law currently states that “a member must be held as ipso facto dismissed from an institute” if they have “defected notoriously from the Catholic faith” or have married or attempted to marry.

Pope Francis added a new clause adding the dismissal of a member of an order who is “illegitimately absent” from the community for 12 uninterrupted months and is unreachable.

In such cases, the superior and the council of the order draw up a declaration of the facts and submit it to the Holy See for institutes of pontifical rite or to the local bishop for institutes of diocesan rite.

“Community life is an essential element of religious life and

'religious are to live in their own religious house and are not to be absent from it except with the permission of their superior,'" the pope wrote, quoting canon 665.

Unfortunately, he said, "experience in the last few years has demonstrated that there are situations" where members of orders leave the community they are assigned to, withdrawing from obedience to their superior and making it impossible for the order to contact him or her.

After six months of such an absence, the Code of Canon Law instructed and continues to instruct superiors to do everything they can to find the person to help them "return to and persevere in his or her vocation."

Archbishop Rodriguez said most cases of such prolonged absence involve religious men or women who were given temporary permission to leave, but they never returned.

Unless they have requested a dispensation from their vows or have been dismissed, they legally are still part of the order, he said. "In such a condition, not being legitimately separated, they can find themselves in situations incompatible with religious life or can demonstrate behavior in contrast with it."

Their life outside the community, he added, also could have implications of "an economic nature that could harm the institute," which is why the church needed a process for the order to initiate the dismissal.