

# THE SELECTION OF CANDIDATES FOR THE EPISCOPACY IN THE LATIN CHURCH

## ARTICLE I

1. Bishops have the faculty and the duty of making known to the Apostolic See the names of priests whom they consider worthy of the episcopal office and suited for it, whether these priests belong to the diocesan clergy, or are religious performing their sacred ministry in the diocese, or are priests of another jurisdiction who are well known to them.

2. Every diocesan bishop and other local ordinaries, with the exception of the vicars general, shall take care to obtain all the information needed to carry out this important and difficult duty. They shall do so either by personal investigation, or by appropriately consulting, within the limits of their jurisdiction, although not collectively, priests of the cathedral chap-

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ter or diocesan consultors, or members of the council of priests, or other members of the clergy, diocesan or regular, or members of the laity.

3. With regard to ecclesiastical territories entrusted to missionary institutes, it is recognized that the superiors general concerned have the faculty, in accordance with the present practice of the Sacred Congregation for the Evangelization of Peoples, to propose candidates from their institutes, while the Apostolic See always retains the right to make other provisions, if it considers it appertune to do so.

## ARTICLE II

1. The names of candidates for the office of bishop shall as a general rule be examined and proposed by the bishops during their meetings. But every bishop and every other ordinary as above (article I. 2) can propose candidates directly to the Apostolic See.

2. The meetings or conferences in question shall usually be on the provincial level; in other words they shall be composed of the bishops and other ordinaries as above belonging to the same ecclesiastical province, unless special circumstances suggest interprovincial, regional or even national meetings. In these last cases prior notice shall be given to the Apostolic See.

## ARTICLE III

1. All the bishops of the province or of the region or nation who according to the respective statutes belong to the same Episcopal Conference and have a deliberative vote take part in the meeting with equal rights.

2. In the case of a provincial meeting, the metropolitan is to prepare the agenda and preside over the meeting; in his absence this is to be done by the senior suffragan. In the case of a regional or national meeting the task is to be carried out by the President of the respective Conference.

## ARTICLE IV

1. The meetings are to be held at fixed intervals, in accordance with the rule laid down in the *Motu Proprio Ecclesiae Sanctae* 10. It is fitting that they should be held during the usual assemblies of the bishops.

2. The periodical meetings are to be convened in order that the bishops may propose candidates, or, if appropriate, supply further information concerning candidates previously proposed. It may also happen that some candidates previously put forward should no longer be kept on the list, because of age, ill health or some other reason making him unfit for the episcopal office.

## ARTICLE V

At a suitable time before the meeting, the names of the candidates to be proposed shall be sent to the President by those

who have the right and duty to be present at the assembly. The President, with proper precautions, shall take care to communicate to them the complete list of names.

They shall examine the names of the candidates and consider what they know about each one.

### ARTICLE VI

1. At the meeting, the bishops shall share their information and observations on each candidate, indicating whether they are speaking from first-hand knowledge or expressing what they have heard from others.

2. The candidates are to be examined in such a way that it may be seen whether they are endowed with the qualities necessary for a good pastor of souls and teacher of the Faith: whether they enjoy a good reputation; whether they are of irreproachable morality, whether they are endowed with right judgement and prudence; whether they are even-tempered and of stable character; whether they firmly hold the orthodox Faith; whether they are devoted to the Apostolic See and faithful to the magisterium of the Church; whether they have a thorough knowledge of dogmatic and moral theology and canon law; whether they are outstanding for their piety, their spirit of sacrifice and their pastoral zeal; whether they have an aptitude for governing. Consideration must also be given to intellectual qualities, studies completed, social sense, spirit of dialogue and cooperation, openness to the signs of the times, praiseworthy impartiality, family background, age and inherited characteristics.

### ARTICLE VII

1. When the discussion has been completed, votes, or abstentions, concerning each candidate are to be expressed in writing or in some other suitable manner.

2. Votes are to be cast in secret, to preserve the complete freedom of each one in voting. It is fitting that, apart from the vote itself, a clear indication should be given of the nature of the diocese or office for which each candidate appears more suitable.

3. After the votes have been cast for each candidate, they are to be exactly counted.

4. If it seems advantageous, the President may invite the bishops to hold a further discussion on one or more candidates, and have another vote taken, so that the particular characteristics of each candidate may be clarified.

### ARTICLE VIII

1. Before the close of the meeting, a list is to be drawn up of those who, being worthy and suitable for the episcopal office, are to be proposed to the Apostolic See.

2. Likewise, before the meeting closes everything from which it might be possible to discover how each has voted is to be destroyed. However, the minutes of the meeting are to be drawn up according to the norms of the law.

3. It is very desirable that the bishops should not depart before they have read, approved and signed the minutes.

### ARTICLE IX

The President of the meeting will send to the Apostolic See through the Pontifical Representative a complete copy of the minutes and of the list of candidates.

### ARTICLE X

1. In the case of nations where there is more than one ecclesiastical province, if at least two-thirds of those with a deliberative vote in the National Episcopal Conference judge it opportune, the list drawn up by a provincial or regional meeting shall be sent for information to the President of the National Episcopal Conference. He can add comments and information, keeping in mind the needs and circumstances of the Church in the whole country.

2. Likewise, if the majority, specified in the preceding paragraph, of the members of the National Episcopal Conference consider it opportune, it may be arranged that either the permanent committee of the Conference, or a special commission of restricted size, may add comments and information as in paragraph 1 above. The members of this special commission will be elected for a fixed term by the plenary meeting of the Conference; the President of the National Conference will preside over the commission.

### ARTICLE XI

1. When candidates for a particular episcopal office are to be proposed to the Apostolic See, the lists drawn up by the provincial meetings, or by regional or national meetings in the cases described in article II, 2, are to be taken into account.

2. These lists however do not detract from the liberty of the Roman Pontiff, who in virtue of his office is always free to choose and appoint men who do not appear on the lists.

### ARTICLE XII

1. Before any candidate is appointed bishop, the Apostolic See conducts a careful and wide-ranging enquiry about him. It consults individually people who know him very well and who are able to provide the fullest possible information and to make before God a prudent and considered judgement about him.

2. This enquiry is entrusted to the Pontifical Representative. He submits the question drawn up for his purpose to ecclesiastics: bishops, priests and religious. Prudent and genuinely reliable lay people who possess useful information about the candidate can also be consulted in the same way.

### ARTICLE XIII

1. When there is a question of appointing someone to a diocese or of naming a coadjutor with right of succession, the Pontifical representative will ask the vicar capitular or apostolic administrator or the ordinary himself for a full and careful report on the condition and needs of the diocese. The clergy and laity, especially through their canonically established representative bodies, may also be consulted, as well as religious.

2. Apart from cases legitimately exempted by a particular law or custom or for some other reason, before proposing the "ternae" to the Apostolic See, the Pontifical Representative has the task of requesting, individually, the suggestions of the metropolitan and suffragans of the province to which the vacant diocese belongs, or whose meeting it attends, as well as those of the President of the National Episcopal Conference. These suggestions, together with his own recommendation, he will then transmit to the Apostolic See. The Pontifical Representative moreover will, as may be opportune, hear the opinions of some of the members of the cathedral chapter, or of the diocesan

consultors, and of other members of the clergy, both secular and religious, especially members of the priests' council in existence while the diocese is still filled.

3. With the necessary adjustment, a similar method of procedure is to be followed by those who have the task of proposing candidates for nomination as auxiliary bishops.

#### ARTICLE XIV

In all these matters, the prescribed "papal secret" is to be strictly observed by the bishops, the Pontifical Representative, the priests and the laity in any way involved. This is demanded by the very nature of the matter and by the respect due to the persons being considered.

#### ARTICLE XV

Maintaining unaltered the desire expressed by the Second Vatican Ecumenical Council in the Decree *Christus Dominus*, 20, concerning the free election of bishops, the preceding norms neither abrogate nor replace privileges or rights that have been lawfully acquired, or special procedures approved by the Apostolic See by agreement or in some other way.

"Since the apostolic office of bishops was instituted by Christ the Lord and serves a spiritual and supernatural purpose, this most sacred Ecumenical Synod declares that the right of nominating and appointing bishops belongs properly, peculiarly, and of itself exclusively to the competent ecclesiastical authority.

Therefore, for the purpose of duly protecting the freedom of the Church and of promoting more suitably and efficiently the welfare of the faithful, this most holy Council desires that in the future no rights or privileges of election, nomination, presentation, or designation for the office of bishop be any longer granted to civil authorities. Such civil authorities, whose favorable attitude toward the Church this most Sacred Synod gratefully acknowledges and very warmly appreciates, are most kindly requested to make a voluntary renunciation of the above-mentioned rights and privileges which they presently enjoy by reason of a treaty or custom. The matter, however, should first be discussed with the Apostolic See."