

A Practical Guide for the Visitor (Rome 2005)

Province Members with Difficulty:¹
Legitimate and Illegitimate Absences (n. 123-134);
Departure from the Congregation with Dispensation from Vows
(n. 135-136)

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"We should strive with brotherly and timely concern to help confreres who are struggling with problems," as mandated in article 14 § 2 of the Statutes. What they ask of everyone goes especially for the Visitor because generally he has at his disposal the greatest means to help the confrere who is in difficulty.

Approaching the confrere, speaking with him, and reflecting upon his situation will indicate just what kind of help is needed. This might be spiritual, psychological, medical assistance, or rest, or a leave of absence. What is most important is that the good of the confrere be of foremost concern because that will accrue to the good of the Congregation and the province.

The first words of this article are extremely important. They summon all the confreres to take care of each other, to be interested in one another's lives, to undertake activities together when free, just to ask questions about work or about problems, if any. Brotherly interest in each other is sought. After all, we are confreres.

It is very important that we entertain a right relationship, not intrusive, not inquisitive, but simply because my confrere, our confreres are very near our hearts. There are confreres who are excellent at this. There are also confreres, maybe a majority, maybe

¹ Note 140: For the situations dealt with here, cf. MODESTO LÓPEZ QUINTAS, "Difficult Cases, Dispensations, A.O.O., Dismissals, etc.," in *Vincentiana* (1996) 353-362.

we too as we are here together, who still have a lot to learn in this field.

Among the confreres, a superior has a special task. The atmosphere in a house can be determined by him. He is the principal standard-bearer of the sense of being colleagues and confreres. However, a superior is only human and has his own limitations. It is marvelous for confreres, it is even a special God-given grace, if the superior is really for every single confrere and for the community as a whole a sympathizing, cordial and inspiring person.

Moreover, let us not forget that all of us, because we are getting older, tend to develop into specimens: persons with very peculiar and specific characteristics and with sometimes even very strange tricks. In such a situation keeping the community together is easier said than done. Furthermore, it may happen that we, getting older, have not completely in hand our own psychological development.

In the last place — or, if you want, in the first place — comes the Visitor. About him the introduction says:

Approaching the confrere, speaking with him, and reflecting upon his situation will indicate just what kind of help is needed. This might be spiritual, psychological, medical assistance, or rest, or a leave of absence. What is most important is that the good of the confrere be of foremost concern because that will accrue to the good of the Congregation and the province.

Everything that is said there is true. And it becomes a reality when the Visitor is someone who knows how to listen, who has a way of asking for advice and who has the courage to make decisions in difficult situations.

Asking for advice

I do not think here only of asking for advice from the members in his council, but also from fellow-Visitors, from diocesan vicars who are responsible for personnel management, and, if at all possible, even from priests, religious people and laypeople, from all those who professionally deal with people who have got into problems.

Please do remember here that a Visitor is tied both to the rules of canon law and to the regulations of the Constitutions and Statutes of our Congregation. These rules exist to help people to make good decisions. These rules exist too in order to protect both the confrere and the Visitor.

Courage to make decisions

I myself was permitted, during my term of office as a Visitor, to learn that in difficult situations you not only can ask for advice from the members of your council, but also that they can make you aware of a sometimes difficult task at hand, and that, if need be, they send you with words like, "That is what you have to do and know that we stand by you all the way."

1^o Legitimate and Illegitimate Absences

An Introduction

The Constitutions teach us that, according to Saint Vincent's intent, we are a society of confreres who live as a community in order to carry out, in this community, our common task.²

That is the rule. It means that, if you take our *Catalogue* and make a study of the houses, you ought to conclude that they all live in a community. It is good to tend towards this goal. It is good that every confrere longs for it but....

You all know that life is stronger than theory. You also know that every rule has its exceptions that might be either felicitous or less fortunate, but nevertheless necessary.

I think of the many confreres who live outside a house of the Congregation, but stay connected to the Congregation with every fibre of their being. I think of all those confreres who, because of exceptional qualities, have been called in the Church to a task that entails living outside daily life in a community.³

Without any doubt, to this group belong by far most of the confreres who in the *Catalogue* have their own address. I share Cecil Parres' and other canonists' opinion that these confreres do not come under the heading "absentes a domo."⁴ Many of them realize, as you

² *Sanctus Vincentius sodales in Ecclesia adunavit, qui, novam communitaria vivendi forma, evangelizandi pauperibus incumberent. Communitas enim vincetiana ordinatur ad activitatem apostolicam praeparandam, eamque constanter fovendam atque adiuvandam. Itaque omnes et singuli sodales, in communitate fraterna constituti, assidua renovatione ad missionem communem implendam contendunt.* Cf. CIC canon 665.

³ Stat. 14 § 1: Confratres qui soli vivere coguntur, in muneribus a Congregatione sibi concreditus....

⁴ Cecil L. Parres, C.M.: "Living apart from a house or community to which a member belongs, for reasons determined by proper law, while exceptional, should not be seen as living outside the society. The latter involves a temporary separation from a society, which is provided for in C. 745" in *A Handbook on Canons 573-746*, p. 300.

can see, what the Statutes say in article 14: “... *curabunt aliquas partes temporis in communi impendere, ut bonum communitatis experiantur.*” For the confreres who live in a house, the same article adds: “*Nos vero eis propinqui erimus ad eorum solitudinem sublevandam eosque sollicitè invitabimus ut aliquoties vitam fraternam et apostolicam simul dividamus.*”

Therefore “absence” means positioning oneself further away: living a life that in the Congregation is rather an exception.

Let us follow now the outline of *A Practical Guide for the Visitor*. We can find there first of all the legal absence that may last three years. The permission for it can be granted by the Superior General.

a) Legitimate absence from the Congregation

123. The Superior General can give permission for a lawful leave of absence from the Congregation. The conditions for the leave are: that there be a grave cause, that the obligations which are compatible with his new way of life remain, and that the leave not exceed three years. In order for the Superior to study this petition, and, if possible, grant permission to the one who requested it, he must receive:

- 1° A letter from the confrere making the petition, giving the reasons for it.*
- 2° A letter from the Visitor expressing his point of view and that of his council.*
- 3° If it concerns a cleric, the consent of the Ordinary of the place in which he is to live is also required.⁵*

Very clearly it is stated that the Superior General can give this permission, this favor. In other words, he is not obliged and may refuse this favor that has been requested. Now, of course, a Superior General and his council must also remain reasonable. He must have good reasons to say: “I am not going to grant this request.”

In order to arrive at a fair, balanced judgment, he must be able to evaluate the gravity of the reason and the possibility of bringing the new, requested lifestyle into agreement with the obligations he has as a member of the community — and, if such is the case, — as a priest.

⁵ Note 141: Cf. C 70. CIC canon 745: *The supreme moderator with the consent of the council can grant to a definitively incorporated member an indult of living outside the society...*

How does the Superior General reach his judgment?

He does so on the basis of the three letters that he receives from the confrere involved, from the Visitor and, if necessary, from the Ordinary of the place.

Examples:

1. A confrere — without any assignment of the Congregation — wants to devote himself to studies about trade-union activities and serve on the executive committee of a trade union. To do so he has to live in a town where the Congregation has no house. The trade-union activities may bring him in conflict with other societal groupings.

2. A confrere wants to go back to his parents' house to look after his sick parents and his younger brothers and sisters. He is going to take up the management of his parents' business.

3. An old confrere, who has had problems with community life all his life, has been admitted to the medical center of the Congregation. He grumbles and growls the whole day at everything: the food, the bed, the sun and the moon, the rain and the snow, the caretakers and the confreres. It makes him depressive. He wants to go to a home for the elderly in his hometown "where everything is much better" and to die there quietly. Everybody knows that after some time the same problems will begin again there because he never found peace anywhere in his whole life.

4. A confrere is highly displeased with the line of action his superiors in the Mission take. He is in favor of another option. His Visitor, however, does not allow him to follow his idea. A bishop agrees to take him up on it; the confrere wants to work for this bishop.

124. The effect of a legitimate leave from the Congregation is: loss of active and passive voice; the confrere remains under the jurisdiction of the superiors of the Congregation. If the confrere is a cleric, he remains also under the care of the Ordinary of the diocese where he lives and depends upon him.⁶

With the Superior General's permission, this confrere will be on the margin of the Congregation. He does not live in a community anymore and does not participate in common apostolic activities.

⁶ Note 142: Cf. C 70. CIC, canon 745: The supreme moderator with the consent of the council can grant to a definitively incorporated member an indult of living outside the society, not however beyond three years, with the rights and obligations which are not suitable for the new condition being suspended; the member remains however under the care of the moderator. If it is a question of a cleric there is required in addition the permission of the ordinary of the place in which he must dwell, under whose care and dependency he also remains.

He goes “his own way,” maybe with very sound reasons, which nevertheless do not fit in with the policy of the Congregation.

He remains under the jurisdiction of the superiors of the Congregation. In the decree to live outside the Congregation will be noted the rights and the obligations of the confrere. It is, however, evident that “*rights and obligations not compatible with the new condition, i.e., living outside the society, are suspended.*”⁷

Contrary to the provisions of canons 665 and 745, active and passive right to vote will be taken away in our Congregation. We may wonder if a mistake was made when the Statutes were drawn up.

The ecclesiastical lawmaker himself obviously sees a clear difference between:

- on one hand, those religious and members of Societies of Apostolic Life who, living at a distance from the Congregation for three years, remain in contact with the Congregation and under the supervision and control of the superiors of the Congregation;
- and, on the other hand, the confreres who apply for exclaustation.⁸

The first still remain under the full jurisdiction of their superiors.

For a cleric, priest or deacon, permission of the Ordinary of the place where he must live and under whose care and dependence he remains, is also required.⁹

125. The role of the Visitor in these cases is to help the Superior General in fulfilling the conditions of Canon Law and the Constitutions.

This means that the Visitor must try to outline the situation of the confrere as honestly and objectively as possible. It may have, as a consequence, that the Visitor must criticize sometimes his own actions or actions of his predecessors/confreres: “If at that time this confrere had been treated in a different way, this situation might not

⁷ CECIL L. PARRES, C.M., in *op. cit.*, p. 304.

⁸ JORDAN HITE, T.O.R., in *A Handbook on Canons 573-746*, p. 176: “Permission to be absent in no way places the religious in a special category or implies an absence from the institute, as does an exclaustation. Absence does not take away active or passive voice, but exclaustation does. See CIC canon 686. CECIL L. PARRES, C.M., *op. cit.*, p. 304: “What obligations and rights are suspended should be delineated in the proper law of a society and incorporated into the text of the indult. Further terms of the permission to live outside the society could be specified in a written agreement signed by the major superior and the member.”

⁹ CECIL L. PARRES, C.M., *op. cit.*, p. 304.

have cropped up.” He will outline too what the repercussions will be in and outside the province.

126. It also pertains to the Visitor, either personally or through another confrere of the province, to accompany a confrere on a leave of absence, to show him personal closeness, to assure his union with the Congregation, to support his faithfulness to his commitments, to work to resolve the causes of his petition for a leave of absence, and to welcome him warmly as a brother.

A Visitor cannot do everything. The physical distance between him and the absent confrere alone can already make it difficult to have personal contact. He can ask one of the members of the council or another confrere to support him. It certainly is important that one regularly evaluates how all this develops “in order that the confrere does not go on swimming.”

Finally, I wondered whether this way has ever been followed in the CM. In the Dutch province I know of no example.

b) *Legitimate absence from the house or the local community*

127. The Visitor can grant permission to live outside the house or the community to which the confrere is assigned. The reason for this permission must be just and the leave cannot last more than a year unless it is because of illness, studies or an apostolate exercised in the name of the Congregation. The permission must be in writing and should establish the rights and obligations of both the absent confrere and the community or province during the length of his absence.¹⁰

Actually this is in keeping with what as been said before, on pages 3 and 4; only here it is formalized and times are fixed. Permission to be absent need not always be explicit. It may be implied in the very nature of the assignment given to a confrere. For example, in many provinces the C.M. staffs small mission churches where there can be no community of confreres and this work requires extended periods of time living apart from a house of the community; this is of the nature of the ministry and apostolate of the Congregation.

There is some contradiction in these 5 articles.

Art. 127 concerns two groups of confreres:

1. those who, with a good reason, ask to live outside the Congregation for a period of time;

¹⁰ Note 143: Cf. C 67 § 2; CIC canon 665.

2. those who are sent by the Visitor:

2.1* because of an illness that cannot be treated satisfactorily in a house of the Congregation (mental and physical illnesses);

2.2* in order to get further education — formation in an institution where no house of the Congregation is nearby, e.g., study at the Catholic University of Nairobi, Kenya;

2.3* to apply oneself in the name of the Congregation to some apostolate for which one needs to live outside the community, e.g., rector in a house of the DC.

If the request is made by the confrere, the permission may be given only for one year. If he wants to stay away for a longer time, one has to think about the possibility that exlaustration might be better, according to canon 686.

In the three situations where the Visitor sends somebody, the time limit may be exceeded. There is even no time limit. How would you go about setting a time limit if a confrere has to be treated somewhere because of psychiatric reasons?

In both these cases — the confrere asks and the Visitor sends — canon law does not say “leave of absence” but “permission to live outside the house.” This implies that the confrere remains absolutely a full member of the Congregation!¹¹

In art. 128 attention is paid only to the confrere who himself asked to live outside a house. That article, contrary to canon 665, mentions “absence.” I do not think this is correct. *The confrere who receives permission of absence should be attached to a house or a community so that he enjoys the rights and is held to the obligations in it according to the norm of the permission granted to him.*¹²

The confrere indeed does what he got permission for: to live outside a house but still as a member of the Congregation.

That such a situation can happen only by dialoguing among the Visitor, the confrere and the members of the community, is what art. 129 says: *The best method for carrying out all these arrangements is for the Visitor to dialogue with the person and with the members of the community house to which he will be assigned. These conversations will always be guided by the spirit of these arrangements....*

The words that follow then raise questions: *and by the greater good of the one who seeks a leave from the community and province.* Whether these words always hold good for the confrere who for “a

¹¹ Cf., DAVID F. O’CONNOR, S.T., in *A Handbook on Canons 573-746*, p. 176; “Moreover, it should be noted that the expression ‘leave of absence’ is not used in the canon because it may imply something that is not intended.”

¹² Note 144: Cf., C 67 § 1.

just reason” asks for a form of apostolate which has as a consequence “to live outside the house or the community” is disputable.¹³

Art. 130 treats the three groups of confreres who are sent by the Visitor.

The length of the absence is easy to determine in the case of study and the apostolate. It is not as easy in the case of illness. Therefore it is necessary in these cases to determine the length of the absence, always weighing what is best for the person and the community. As much as possible one should avoid tension between the members of the community and the province, especially if the tension will be ongoing.

These tensions can happen when a confrere, who has been requested to do some special apostolate, begins, because of this request, to lead a life that is quite different from the sober, and even poor, community life.¹⁴

The last article in the row, art. 131, treats again of “temporary leave of absence.”

Courtesy demands that the Ordinary of the place in which the confrere will live be advised of the temporary leave of absence, and informed about the pastoral ministries which the confrere may exercise.

It remains a question whether the article here is about “a temporary leave of absence” or “a permission to live outside the house.”

If a confrere is going to accomplish a pastoral task outside the Congregation, contact with the Ordinary of the place is always necessary. The article wants to make the Visitor aware that he has to get in touch with the Ordinary:

- when a confrere will be admitted to a nursing-home and there may still be a little priestly work he can do (celebrate the Eucharist);
- when a confrere is going to study in a place where, besides his studies, he also can fulfill priestly tasks;
- when a confrere takes a sabbatical year without doing any pastoral work.

He will depend on the Ordinary of the place for the exercise of orders and the manner of life of his new condition.

¹³ E.g., Think of the confreres who — upon the request of the Superior General — are teachers now in Mainland China.

¹⁴ I think here of the Dutch naval chaplains both before and after WW II. They were high-ranking officers.

In the preceding situations, there is still deliberation going on between the confrere and his Visitor. They are “on speaking terms.”

Now we will have a look at situations where the Visitor has actually been kept out of everything. All kinds of things have already been decided or are happening before he gets to know about them.

c) *Illegitimate absence*

*132. It is possible that an incorporated confrere may leave the Congregation and walk away from its jurisdiction. In this case, the Visitor or a delegated confrere must seek out the confrere in order to help him for his own sake and to preserve his vocation.*¹⁵

The first reaction of the superior should not be a punitive one, but a pastoral act of attempting reconciliation. There are as many reasons as there are confreres unlawfully leaving the Community. Therefore, the immediate response of superiors is to help the confrere resolve whatever problem may be present.

If there is a vocation crisis involved, the superior possibly might grant permission for a temporary absence for an extended spiritual retreat.

If there is a psychological crisis, the superior might look for help from persons who regularly assist priests and religious in crisis situations.

If there was a personality clash within the house, which he has left, he can help the confrere in a different way.

The first thing needed is to get in contact with the confrere. The Visitor can ask the help of the Ordinary or the parish priest of the place where the confrere now is living; he can ask the help of confreres and good friends; he can appoint a delegate confrere.

He can try himself to make contact or — very wisely — let others do it, who are not vested with power and authority.

There is no way we can say beforehand how long this may last. As long as there is contact and that there is the conviction that people are looking honestly for a good solution, the Visitor waits calmly to take further measures. The points at issue are, in the first place, the confrere's happiness and salvation; if there are deep wounds, healing may take a very long time.

However, if there is no response or the absent confrere has rejected all such solicitude, if it is clear that the confrere has the

¹⁵ Note 145: Cf. C 72; see CIC canon 665 § 2.

intention of removing himself effectively from obedience to his superiors, then the Visitor can move toward formal dismissal of the confrere after he is absent for six months.

Article 133. *If six months pass and the confrere does not return, he loses active and passive voice and can be dismissed. The process for the dismissal of a confrere unlawfully absent from the community after six months is found in numbers 175 and 176 of this document.*¹⁶

Very often these cases are really painful because they start at an unexpected moment. Nearly always it is the end of a long history. Sometimes it is an explosion, an outburst with a very tragic psychological background.¹⁷

Article 134 says much in a few words and we have to be very cautious in adapting these words.

It is important that there be a definitive closure to these cases; but wisely has been added: and that they not be forgotten.

No one can say how long you have to wait before you may close the case. If there is no fear that the confrere will act against the obligations of celibacy, if there is no fear of scandal, if he is in contact with a parish priest, if he wants to follow all happenings in the Congregation and stays in contact with a confrere, and if there is hope that all will finish in the best way for the confrere himself and for the community, let us take time and be as patient as our Father who is waiting day and night.

Of course the following rules are of great interest: *It is also important to notify the bishop of the place where the person is residing, if it is known.*

The bishop can ask the help of a parish priest to stay in contact.

It should be determined whether or not his name be kept in the Catalogue of the Congregation.

¹⁶ Note 146: Cf., nn. 175 and 176.

¹⁷ I still remember a religious priest who left his parish house in the middle of the night because he was obliged to preach. He was not a preacher, not at all. For 25 years he helped gypsies and many persons of a very low social standard. He did well and was esteemed. However, he could not preach and was nearly crazed as he had to give a sermon in the parish church. One of the chaplains got a new appointment. There were only three priests in that big parish and the superior told him that he now had to preach too. The day before his first sermon he flew out of the parish house and was gone. He had a nervous breakdown and a fear to go to any house of his Congregation. It took three or four years before he was able to do some work in the office of a parish. Only after 30 more years was he able to say Mass in a church and then, as a man of 85 years, he had the courage to give a sermon out of his wounded heart. He remained a member of his institute throughout the whole ordeal.

Of course, with the same patience as was needed some lines ahead, do not act too quickly and do not act too lazily. That is all that has to be said. May the virtue of prudence be our guide.

2º Departure from the Congregation with Dispensation from Vows

135. For serious reasons, the Superior General with the consent of his council may give permission to leave the Community and to be dispensed from vows. In order for the Superior General to study the case and, possibly, grant the dispensation from vows, the following letters must be sent to him:

- 1º A letter from the confrere requesting the dispensation and giving the reason for his petition.*
- 2º A letter from the Visitor manifesting his point of view and that of his council.*
- 3º If the one who desires to leave the Congregation is a cleric, the dispensation of vows, according to what is established in canons 743 and 693, will not be granted unless the bishop writes to the Superior General indicating the bishop's intention to incardinate the confrere definitively and immediately.¹⁸*

One must rely on the Ordinary of the place where the departing confrere wishes to exercise his ministry, as explicitly stated in canons 743 and 693.¹⁹

It is a voluntary departure²⁰

Permission to permanently depart from the Congregation is granted through an indult (to which, strictly speaking, one does not have a right) by the competent authority, the Superior General with

¹⁸ Note 147: To transfer to another Institute, cf., nn. 137-144 and to transfer to a diocese, cf. nn. 145-154.

¹⁹ Note 148: Cf., C 71. Canon 693: *If the member is a cleric, the indult is not granted before he finds a bishop who will incardinate him into a diocese or at least receive him experimentally. If he is received experimentally, he is incardinated into the diocese by the law itself after five years have passed, unless the bishop has refused him. Canon 743: A member definitively incorporated can obtain an indult of departure from the society from the supreme moderator with the consent of the council...; the rights and obligations flowing from incorporation cease, with due regard for the prescription of can. 693.*

²⁰ ELIZABETH McDONOUGH, O.P., in *A Handbook on Canons 573-746*, pp. 245-252; CECIL L. PARRIS, C.M., *op. cit.*, p. 303.

the consent of his council, who responds to the petition in the form of a written reply or rescript. Rescripts constitute administrative acts granting some favor to one who has requested it and is not impeded by law from making the request (CIC, canons 59-60).

This indult of departure takes effect upon notification which means that its content is inoperative prior to communication of the rescript to the confrere who has made the request. The confrere must refuse the indult in the act of notification in order to render the indult subsequently inoperative. Notification and rejection, if the indult is rejected, should be in writing.

Canon 691 § 1 starts with the words: *One who is professed in perpetual vows is not to seek an indult to leave the institute without very grave reasons weighed before the Lord.*

The wording is phrased in the negative and uses superlatives in order to communicate the seriousness of the matter at hand.²¹

The confrere requesting the indult must relate in brief and concrete detail the specific, not merely generic or vague, reasons motivating the request. Mere declarations of fact about the intent to depart are not acceptable and explanations of motives are required.

The request should indicate what spiritual, psychological, and medical means have been used to resolve his present difficulties. It should also contain a curriculum vitae of the confrere's employments, occupations, and community experiences, as well as an evaluation of these.

The Visitor and council should add an objective evaluation of the circumstances of the request as well as their approval or disapproval *to help the Superior General carry out his obligations as easily as possible* (art. 136).

If the Visitor and his council wish that the option of rejection not be available to the confrere seeking the indult, they make the reasons for this known in the opinion required when the request is submitted to the Superior General in accord with canon 691 § 1. Then, according to the judgement of the competent granting authority, specifications concerning the non-possibility of rejection could be included in the rescript containing the indult of departure.²²

The indult carries with it cessation of all rights and obligations he had from incorporation.

²¹ ACTA COMMISSIONIS, *Comm* 13 (1981) 334.

²² ELIZABETH McDONOUGH, O.P., *op. cit.*, note 18, p. 271. Rescripts in response to requests for indults of departure may refuse the request, suggest other possibilities (such as exlaustration) to alleviate the situation, grant the request as submitted, or grant it with imposition of certain qualifications (such as the non-possibility of rejection).

The application of canon 693, mentioned in canon 743, means that a cleric incardinated into our Congregation cannot be granted an indult of departure until he finds a bishop to incardinate him into a diocese or at least who will receive him into a diocese on an experimental basis. In the latter case, incardination into the diocese becomes effective by law after five years, unless the bishop has refused him.

Article 135 3° declares: *the dispensation of vows, according to what is established in canons 743 and 693, will not be granted unless the bishop writes to the Superior General indicating the bishop's intention to incardinate the confrere definitively and immediately.*

Most probably, a bishop will admit the confrere into his diocese, but on probation (article 151). In this case, the Superior General may grant the confrere permission to work in the diocese where he wishes to be incardinated until obtaining the definitive incardination (article 152). The dispensation from vows granted by the Superior General will not be effective until the incardination has taken place (article 153).

Upon receipt of the indult it should be communicated to the member without delay with any qualifications contained therein, as well as the member's right of rejection, being clearly indicated to him at the time of the notification.

Some special questions²³

What if a member rejects the indult in the process of notification and then changes his mind?

Rejection of the indult upon notification renders it inoperative. Such rejection should be noted to the Superior General as soon as possible and the rescript should be revoked by him. Once the rescript has been rejected, the confrere should resubmit a request if he has a change of mind or heart.

What if the member does not reject the indult in the act of notification and subsequently changes his mind wishing to remain in the Congregation?

If the rescript is not rejected in the act of notification, subsequently changing one's mind does not alter the legal consequences of the completed juridic act. Such legal consequences and the significance of rejection and non-rejection of the indult should be clearly and carefully explained to the member in the early stages of the process of requesting the indult of departure.

²³ ELIZABETH McDONOUGH, O.P., *op. cit.*, p. 251.