

## **The Administration of Temporal Goods of Institutes of Consecrated Life: A Juridical-Canonical Perspective**

**Yohanes Wilson B. Lena Meo**  
STFT Widya Sasana, Malang  
Email: elwinbei@gmail.com

**Charles Virgenius Setiawan**  
The Catholic University of America, USA

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### **Abstract**

This study critically examines the canonical discipline governing the administration of temporal goods in Institutes of Consecrated Life. Shifting the focus from a purely administrative-economic perspective, the research posits that the administration of such goods constitutes a profound ecclesial act, intrinsically rooted in the institute's proper charism. Employing library research and a juridical approach based on the 1983 Code of Canon Law - with particular emphasis on canons 634 -640 and the general provisions of Book V - the study explores how fidelity to the proper charism of the institute serve as the foundational principles for the administration of temporal goods. The findings demonstrate that, given the ecclesiastical nature of these temporal goods, their administration must be strictly ordered toward the specific ends delineated in can. 1254 §2. Furthermore, the analysis highlights that the charism of the institute functions as an indispensable criterion of discernment, ensuring that ensuring that the administration of temporal goods remains inherently coherent with the institute's identity and its mission in the world.

**Keywords:** Canon Law; temporal goods; Institutes of Consecrated Life; charism

### **Abstrak**

Studi ini mengkaji secara kritis disiplin kanonik yang mengatur pengelolaan harta benda dalam Tarekat Hidup Bakti. Dengan mengalihkan fokus dari perspektif administratif-ekonomis murni, artikel ini menegaskan bahwa pengelolaan harta benda merupakan tindakan gerejawi yang mendalam, yang secara intrinsik berakar pada karisma khas tarekat. Melalui penelitian kepustakaan dan pendekatan yuridis berdasarkan Kitab Hukum Kanonik 1983 - dengan penekanan khusus pada kanon 634-640 serta ketentuan umum Buku V - studi ini mengeksplorasi bagaimana kesetiaan karisma khas tarekat menjadi prinsip dasar dalam pengelolaan harta benda. Hasil penelitian menunjukkan bahwa, mengingat sifat gerejawi dari

harta benda tersebut, pengelolaannya harus secara ketat diarahkan pada tujuan-tujuan khusus sebagaimana ditetapkan dalam kan. 1254 §2. Lebih lanjut, analisis ini menyoroti bahwa karisma tarekat berfungsi sebagai kriteria diskresi yang sangat diperlukan, guna memastikan bahwa tata kelola harta benda tetap koheren secara inheren dengan identitas tarekat dan misinya di tengah dunia.

**Kata kunci:** Hukum Kanonik; harta benda; Tarekat Hidup Bakti; karisma

## 1. Introduction

Temporal goods are an essential aspect of human existence. While their importance is undeniable, their administration requires great caution and discernment. This is due to their inherent nature: while they are necessary to meet basic human needs, they can also lead individuals to idolize material wealth, causing them to lose sight of more meaningful life goals. Furthermore, conflicts often arise from the desire to dominate or monopolize resources, particularly those of significant economic value. Historically, ideologies that interpret human existence solely through an economic lens have fostered profound alienation and destructive conflict, resulting in significant harm. Temporal goods and their responsible administration are likewise essential for those who embrace the consecrated life within their respective institutes. Institutes of consecrated life often encounter inherent ambiguities when managing temporal goods. They are acutely cognizant of the associated risks, particularly when compelled to navigate the complexities of modern economic systems - a process that necessitates institutional adaptation while simultaneously demanding an unwavering fidelity to their specific identity and charism. Nevertheless, members of consecrated life must recognize their vocation to serve as a witness to foundational values, such as sobriety and solidarity, especially in a contemporary society marked by hedonism and a preoccupation with material goods.

The administration of temporal goods in institutes of consecrated life and societies of apostolic life has been the subject of profound analysis through two international symposia of Superiors General. The first symposium, held in March 2014, explored the theme, “Management of Ecclesiastical Assets of Institutes of Consecrated life and Societies of Apostolic Life in Service of Humanity and the Mission of the Church”. Following this, the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life issued the “*Guidelines for the Management of the Assets in Institutes of Consecrated Life and Societies of Apostolic Life*” (2014), designed to assist these institutes in addressing modern challenges with renewed courage and prophetic commitment. The second symposia, held in November 2016, addressed the theme, “Rethinking economic matters in a manner faithful to the charism.” This theme was inspired by Pope Francis, who invited institutes of consecrated life and societies of apostolic life to expand their horizons regarding the use of temporal goods and to deeply reflect on the direction, purpose, meaning, and the social and ecclesial implications of their economic decisions. In response to the outcomes of this symposia, the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life issued the guidelines, “*Economy at the Service of the Charism and Mission*” (2018), which serves as an essential instrument for the administration of temporal goods.<sup>1</sup> This 2018 document is divided into four major sections covering the remembrance of the poor Christ, the relationship between charism and mission, the intersection of the economic dimension and mission, and various operational recommendations.<sup>2</sup> Within these guidelines, several key

<sup>1</sup> Filippo Iannone, “Recenti Documenti Della Congregazione per Gli Istituti Di Vita Consacrata e Società Di Vita Apostolica: Conferme e Novità Giuridiche,” *Ius Ecclesiae* XXXI, no. 2 (2019): 661–80.

<sup>2</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, “Economy at the Service of the Charism and Mission” (2018), nn. 3–4.

criteria are identified as essential for institutes when administering temporal goods. These include: faithfulness to God and the Gospel, fidelity to the institute's specific charism, respect for the ecclesiastical nature of the assets, the preservation and sustainability of apostolic works, and a steadfast commitment to accountability in administration.<sup>3</sup>

Building upon the reflections promulgated by the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life - specifically regarding the administration of temporal goods - this research provides a canonical and juridical framework for their proper management. It serves as a juridical reflection intended to support institutes of consecrated life and their members in the responsible stewardship of their assets. This research does not intend to offer a spiritual reflection for institutes of consecrated life and their members on how to administer temporal goods. Rather, it aims to clarify the juridical-canonical framework governing such administration. Every institute must recognize that the administration of temporal goods is strictly regulated in Canon Law. The canonical norms governing this are situated in relation to the governance of the institute of consecrated life, specifically in canons 634-640. However, these canons are intimately linked to the general norms regarding Ecclesiastical Goods found in Book V of the 1983 Code of Canon Law (canons 1254-1310). These norms establish the legal parameters to acquire (*acquirere*), retain (*retinere*), administer (*administrare*), and alienate (*alienare*) temporal goods. Further details regarding these matters must be appropriately regulated in institute's constitutions or other particular norms (such as statutes or directories).

## 2. Research Method

This study employs a juridical-normative research methodology, conducted through a library research approach. The primary focus of this study is a critical examination of the norms of the 1983 Code of Canon Law, with specific emphasis on the provisions of Book V concerning ecclesiastical goods and canons 634-640, which govern the administration of temporal goods in Institutes of Consecrated Life. This approach is applied to systematically analyze and interpret these legal norms in order to explore the relevance between administrative obligations and the principle of fidelity to the proper charism of the institute. Through this method, the research goes beyond a mere textual analysis of the legal canons; it seeks to explore the theological-juridical spirit underlying the assertion that every act of administering temporal goods constitutes an integral instrument in realizing the institute's charism and evangelical mission in the world.

## 3. Findings and Discussion

### 3.1. Definition and Classification of Temporal Goods within Institutes of Consecrated Life

Why is the administration of temporal goods within institutes of consecrated life subject to Canon Law? Answering this requires a precise definition and categorization of these assets, as well as an understanding of the scope of their regulation by ecclesiastical law. Canon 1257 § 1 states that "all temporal goods belonging to the universal Church, the Apostolic See, or other public juridic persons in the Church are ecclesiastical goods and are governed by the following canons as well as by their own statutes." Although the Code of Canon Law provides a set of norms regarding ecclesiastical goods, it does not offer an exhaustive definition. Nevertheless, it is understood that ecclesiastical goods refer to all non-spiritual assets - whether tangible or intangible, movable or immovable - that serve as instruments to realize the Church's mission, such as land, buildings, furniture or equipment,

<sup>3</sup> S. J. Miguel Campo Ibáñez, "Economy in the Service of Charism and Mission. Guidelines. Introduction and Comment," *Estudios Eclesiásticos* 93, no. 367 (2018): 819-74.

liturgical vestments, artworks, vehicles, securities, cash, and so forth.<sup>4</sup> The category of temporal goods governed by canonical norms includes those defined as ecclesiastical goods insofar as they are owned by the universal Church, the Apostolic See, or by public juridic persons within the Church.

Regarding public juridic persons, Can. 114 § 1 asserts that “aggregates of persons or of things which are directed to a purpose befitting the Church’s mission, which transcends the purpose of the individuals, are constituted juridical persons either by a provision of the law itself or by a special concession given in the form of a decree by the competent authority.” The purpose suitable to the Church’s mission mentioned here is one that relates to works of piety, the apostolate, or charity, whether spiritual or temporal (Can. 114 § 2). The status of a “public juridic person” in the Church entails a specific legal standing under Canon Law. These entities are legal subjects created either by the juridical system of Canon Law itself or through the intervention of a competent ecclesiastical authority. As public juridic persons, they serve as subjects capable of holding rights and obligations in accordance with their juridical and ecclesial nature.<sup>5</sup> Legally, an ecclesiastical public juridic person may act in the name of the Church for the common good, in accordance with the provisions of the law (can. 116 § 1). Goods owned by a public juridic person are termed “ecclesiastical goods,” distinguishing them from goods held by private juridic persons. Goods owned by a private juridic person remain subject to the private laws and oversight of their founders, as determined by their own statutes. Institutes of Consecrated Life and their component parts (such as provinces and religious houses) are juridic persons by virtue of Canon Law. Consequently, they possess the capacity to acquire, retain, administer, and alienate temporal goods, unless this capacity is excluded or restricted by their constitutions (can. 634 § 1). Thus, goods held by an Institute of Consecrated Life are categorized as ecclesiastical goods.<sup>6</sup> Insofar as they are categorized as ecclesiastical goods, their administration is subject to the corresponding canonical norms.

Canon 635 § 1 stipulates that the temporal goods of religious institutes are ecclesiastical goods, governed by the provisions of Book V of the Code of Canon Law, unless otherwise explicitly stated. The ecclesiastical status attributed to goods owned by a public juridic person - including institutes of consecrated life and their component parts - is determined by their ownership status, which is subsequently directed toward specific canonical ends: namely, organizing divine worship, providing decent sustenance for the clergy and other ministers, and carrying out works of the sacred apostolate and charity, especially for the needy (can. 1254 § 2). This emphasis on the purpose of ecclesiastical goods is vital to avoid a perspective limited to mere commercial interests. Consequently, profound discernment is required in the administration of these assets. It is imperative for institutes of consecrated life to consistently evaluate whether the goods they possess and administer are truly congruent with their specific charism and mission. Through such proper means and ends in administration, institutes of consecrated life actively participate in realizing the mission of the Church in the world.<sup>7</sup>

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<sup>4</sup> Jane Power, “Corporate and Canonical Governance: Understanding Church Property,” *Review Australia Law Review*, vol. 21, 2019, 20–32.

<sup>5</sup> Alberto Perlasca, “Personalità Giuridica e Aspetti Patrimoniali,” *Ius Ecclesiae* 22 (2010): 51–67.

<sup>6</sup> Velasio de Paolis, *La Vita Consacrata Nella Chiesa* (Venezia: Marcianum Press, 2015), 399.

<sup>7</sup> Yuji Sugawara, “L’importanza Della Finalità Nelle Nome Canoniche Sui Beni Temporalis Della Chiesa,” *Periodica de Re Canonica* 100, no. 2 (2011): 261–83.

### 3.2. Administrators of Temporal Goods in Institutes of Consecrated Life

The administration of temporal goods fundamentally manifests the relationship between the juridic person that owns these assets and the specific individuals authorized by law to manage them.<sup>8</sup> In principle, as stipulated in can. 1279 § 1, the administration of temporal goods rests with the person who directly governs the juridic person that owns the assets, unless otherwise provided by particular law, statutes, or legitimate custom. Consequently, the administration of these goods is essentially an act of ecclesiastical governance that involves specific policy choices aligned with the distinct objectives of each juridic person.<sup>9</sup> As administrators, they are responsible for at least three types of activities: ensuring that the administration of temporal goods is consistent with the mission of the juridic person, overseeing institutional governance (management), and executing various contracts with external parties.<sup>10</sup>

Those entrusted with the administration of ecclesiastical goods execute their duties by virtue of the power and mandate they have received from the Church. Can. 1282 reaffirms the obligation of administrators to act in the name of the Church, specifically in accordance with the law. In a broader sense, “acting in the name of the Church” also implies acting in accordance with the nature, spirit, and mission of the Church.<sup>11</sup> Furthermore, any administrator of ecclesiastical goods is bound by a fundamental criterion: to discharge their duties with the diligence of a prudent householder (*bonus pater familias*). This serves as an objective criterion to be considered in relation to the administrator’s ministry and the intended outcomes of the administration of temporal goods. Upon closer inspection, the administration of ecclesiastical goods is structured across three distinct levels: supreme, intermediate, and immediate-represented, respectively, by the Pope, the Ordinary or Superior, and the direct administrator. The subjects responsible at these three levels operate in cooperation within the administration of ecclesiastical goods, each in accordance with their respective roles.<sup>12</sup> Canon Law grants authority to several authorities responsible for the administration of ecclesiastical goods, beginning with the Pope, who, by virtue of his primacy, is the supreme administrator and steward (dispensator) of all ecclesiastical goods (can. 1273). Episcopal Conferences also possess the authority to issue appropriate norms for regulating the administration of ecclesiastical goods. In local Churches, such as dioceses, the administrator of temporal goods is the bishop or the local ordinary, in accordance with the provisions of the law.

Within the context of institutes of consecrated life and societies of apostolic life, The Congregation (Dicastery) for Institutes of Consecrated Life and Societies of Apostolic Life exercises authority within the limits granted by law, particularly regarding the granting of permission for administrative acts and alienations that might cause serious impact to the institute, or regarding matters exceeding the amounts determined by the Holy See for each territory. This authority also applies to goods donated to the Church or objects of precious

<sup>8</sup> Jesús Miñambres, “La Responsabilità Canonica Degli Amministratori Dei Beni Della Chiesa,” *Ius Ecclesiae* XXVII (2015): 577–94.

<sup>9</sup> Yuji Sugawara, “Compiti Specifici Degli Amministratori Dei Beni Temporalì Nella Chiesa,” *Periodica de Re Canonica* 104 (2015): 1–22.

<sup>10</sup> Jesús Miñambres, “Autonomia e Responsabilità Nella Amministrazione Delle Risorse Della Chiesa,” *Prawo Kanoniczne* 59, no. 4 (May 7, 2017): 97–124, <https://doi.org/10.21697/pk.2015.59.4.05>.

<sup>11</sup> Velasio de Paolis, “Ricerca Di Nuovi Modelli per Gli Istituti Di Vita Consacrata Nella Amministrazione Dei Loro Beni e Nella Gestione Delle Opere Nella Realtà Attuale: Proposte Di Soluzione e Valutazione,” *DIDASKALIA* (2011) 31–65 XLI, no. 1 (2011): 31–65.

<sup>12</sup> Alessandro Perego, “Diligenza e Doveri Dell’amministratore Di Beni Temporalì Ecclesiastici (Commento Al Canone 1284 C.I.C.) \*,” *Stato, Chiese e Pluralismo Confessionale*, October 1, 2010, <https://doi.org/10.54103/1971-8543/23763>.

artistic or historical value (can. 638 § 3). The General Chapter holds the highest authority by law (can. 631 § 1). Research 58 of the document *Economy at the Service of the Charism and Mission* (2018) specifies that the General Chapter may establish fundamental approaches to economic and administrative issues and develop a “charismatic plan” for the institute, which, in practice, may take the form of a procedural manual or other structures. Similarly, the Provincial Chapter may determine more concrete methods for implementing the decisions of the General Chapter or for granting permissions. The Chapter serves as a concrete expression of collegiality and a reliable consultative body through which the participation of all members contributes to advancing the institute in fidelity to its foundational charism.<sup>13</sup>

Every religious institute is a group of persons seeking a common goal through a shared way of life and action, based on a common charism. This essential social and communal nature necessitates the need for leadership namely Superior.<sup>14</sup> The Superiors are obliged to fulfill their duties and exercise their power according to the norms of universal law and the law of the institute itself (can. 617). The term “Superior” is a generic term referring to those who lead the institute universally or its parts, such as provinces and communities. Each institute of consecrated life may possess specific terminology to designate its leaders. In the context of the administration of temporal goods, the Superior functions fully as the primary administrator or person responsible. This aligns with the principle stated in can. 1279 § 1, which outlines that the administration of ecclesiastical goods rests with the person who directly leads the juridic person that owns the goods. While a Superior may be assisted by others in carrying out this duty, the administration must always remain under their direction to ensure that the administration of goods is consistent with the purpose of the Church and aligned with its mission. In the canonical scope, the Superior, as the primary administrator of temporal goods, typically represents the juridic person in administrative matters, including before civil law.<sup>15</sup> In many instances, the ownership of these temporal goods must also be recognized under the civil law of the respective state. Canon Law explicitly requires administrators to fulfill their duties with the diligence of a good householder, which entails ensuring that the ownership of ecclesiastical goods is secured through legally valid civil means (can. 1284). However, compliance with civil requirements does not in any way alter the ecclesiastical status of these goods; they remain subject to the jurisdiction of Canon Law. Therefore, while civil formalities (cf. can. 1299 § 2) are essential and must be observed with utmost care, they cannot supersede the procedural legality of administration required by canonical norms. The one must be attended to, without the other being neglected. The constitutions of each institute may provide more specific norms regarding the authority of the Superior in property management. The document “*Economy at the Service of the Charism and Mission* (2018)” recommends (where appropriate) that the Superior, together with their council - especially in institutes managing large and numerous works - establish and implement a manual for administrative or property management procedures that regulates, among other things, content, means, and reporting schedules. Such manuals must be communicated to all those responsible for overseeing the institute’s works to ensure their effectiveness, and must be periodically reviewed to adapt to new demands (cf. art. 62).<sup>16</sup>

<sup>13</sup> Rose McDermott, “Governance in Religious Institutes: Structures of Participation and Representation Canons 631–633,” *The Jurist: Studies in Church Law and Ministry* 69, no. 2 (2009): 442–71, <https://doi.org/10.1353/jur.2009.0010>.

<sup>14</sup> Rosmin Cheruvilparambil, “Spiritual and Pastoral Nature of the Authority of the Superiors in Religious Institutes (CCEO C. 421: CIC CC. 618, 619),” *Asian Horizons* 15, no. 1 (2021): 128–43.

<sup>15</sup> Velasio de Paolis, *I Beni Temporalis Della Chiesa* (Bologna: Centro Editoriale Dehoniano, 2011), 236.

<sup>16</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, *Economy at the Service of the Charism and Mission*, n. 62.

According to the logic of can. 118, those who represent a juridic person and act in its name are defined by universal law, particular law, or the institute's own statutes. While the Superior inherently possesses this authority, an institute may also appoint a designated Legal Representative. This individual is authorized and mandated by law to interact with third parties - particularly concerning civil or legal matters - on behalf of the Superior. The guidelines "Economy at the Service of the Charism and Mission (2018)", an institute may appoint persons other than the Superior to handle these specific administration tasks. However, these representatives must act strictly within the boundaries of the authority established by the Superior's mandate. To ensure legal clarity and accountability, any authority delegated to such a representative must be clearly articulated in a written statement.<sup>17</sup>

According to the provisions of can. 1280, every juridic person is to have a Financial Council or at least two advisors who assist the administrator in the execution of their duties in accordance with the statutes. This council carries the responsibility of providing input on various aspects related to the administration of temporal goods. While members of this council are called to collaborate in the management of these assets, they are not the administrators themselves.<sup>18</sup> This collaborative role acts as an expression of collegiality, rooted in the definition of a juridic person as a *universitas personarum aut rerum*, as stipulated in can. 115 § 1. In the context of institutes of consecrated life, the Superior typically possesses an established council (can. 627). While this council may function concurrently as the Financial Council, it is strongly recommended that institutes managing significant assets maintain separate, specialized structures as dictated by their proper law. Furthermore, the institute's proper law regulates the specific matters for which the Superior must obtain the consent or counsel of the council (can. 627 § 1; can. 127 § 2, 2°). In addition to the financial council, institutes may establish specific commissions dedicated to the management of temporal goods, with their purpose, functions, and appointment processes defined by the institute's own internal regulations.

Canon 636 § 1 mandates that every institute appoint a Financial Administrator at both the universal and local levels (including provinces, commissariats, and communities). The office of the Superior and the office of the Financial Administrator are fundamentally incompatible; a Superior may not simultaneously hold the role of Financial Administrator. Instead, the Financial Administrator functions under the direct authority and direction of the Superior. While the Financial Administrator acts as the direct administrator of the institute's temporal goods, the Superior bears ultimate responsibility for ensuring proper execution through diligent oversight, particularly regarding compliance with the law.<sup>19</sup> This collaborative dynamic between the Superior and the Financial Administrator constitutes the foundation for effective internal control - a system of mechanisms, regulations, and procedures designed to ensure the integrity of financial reporting, promote institutional accountability, and prevent the misuse of assets. At established intervals, the Financial Administrator and other administrators are obliged to render an account of their management to the competent authority in accordance with established procedures (can. 636 § 2; 1284 § 3). The Financial Administrator may participate in the meetings of the Superior's council when economic matters are discussed and serves as an *ex officio* member of the Financial Council. The appointment of the Financial Administrator is governed by the institute's proper law, which must account for the requisite professional skills (cf. can. 587 § 1) and an appropriate term of

<sup>17</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, n. 65.

<sup>18</sup> Miñambres, "La Responsabilità Canonica Degli Amministratori Dei Beni Della Chiesa."

<sup>19</sup> de Paolis, "Ricerca Di Nuovi Modelli per Gli Istituti Di Vita Consacrata Nella Amministrazione Dei Loro Beni e Nella Gestione Delle Opere Nella Realtà Attuale: Proposte Di Soluzione e Valutazione."

office (cf. can. 624 §§ 1 and 2). Given the increasing demand for professional competence in administrative tasks, the document *Economy at the Service of the Charism and Mission* (2018) urges Superiors to prioritize the formation of Financial Administrators in this specific dimension.<sup>20</sup>

### 3.3. Acts of Administration of Temporal Goods

Canon 638 provides an essential framework for understanding the various acts of administration regarding temporal goods within institutes of consecrated life. Several actions require particular attention due to their significant impact on the stability of the institute and the necessity for precise legal legitimacy, including the distinction between ordinary and extraordinary administration, the management of stable patrimony, and the alienation of goods.

*Ordinary and extraordinary administration:* The distinction between ordinary and extraordinary administration is established in can. 638 § 1. Ordinary administration encompasses all transactions falling below the maximum threshold established by the competent authority or the institute's constitutions. These are generally routine, day-to-day operations, such as standard receipts and payments, the management of bank deposits and interest, the investment of liquid capital, the acceptance of donations and gifts, and expenditures consistent with the approved annual budget. In addition to the Superior, and based on the institute's proper law, ordinary administration may be carried out by authorized personnel, such as the Financial Administrator or other members mandated by law. Extraordinary administration concerns acts that exceed the established maximum thresholds or involve significant structural changes. Generally, these include the acceptance of inheritances, the purchase of immovable property, the construction of new apostolic works, major building renovations, and transactions arising from legal proceedings. The constitutions or other particular norms of the institute must specify the nature, purpose, and necessity of these extraordinary transactions. Furthermore, the proper law must define the specific requirements for the validity of such acts, such as the necessity of obtaining permissions from competent authorities, compliance with specific administrative procedures, and the required consent of the council or the chapter.<sup>21</sup>

*Administration of Stable Patrimony:* All public ecclesiastical juridic persons, including institutes of consecrated life, are required to include a portion of their assets within an inventory of stable patrimony, in accordance with the provisions of Canon 1291. The purpose of this stable patrimony is to guarantee the economic livelihood of the institute. The guidelines *Economy at the Service of the Charism and Mission* define stable patrimony as all property, whether movable or immovable, which, by legitimate designation or determination, is intended to ensure the economic security of the institute.<sup>22</sup> Every institute must maintain an inventory list of assets classified as stable patrimony, and the proper law (constitutions) of the institute should provide specific regulations regarding the management of these assets. The guidelines further detail the types of property that may be included as stable patrimony, which generally include: 1) Permanent land and buildings, such as community houses (monasteries), facilities for the elderly, provincial houses, motherhouses, or houses of historical and artistic value to the institute or province; 2) Land and buildings that provide permanent income for the institute, province, or community; 3) Movable assets that generate

<sup>20</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, *Economy at the Service of the Charism and Mission*, n. 97.

<sup>21</sup> de Paolis, *I Beni Temporalis Della Chiesa*, 192.

<sup>22</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, *Economy at the Service of the Charism and Mission*, n. 38.

permanent income for the institute, province, or community through specific investment systems; 4) Assets possessing historical and artistic value that constitute the cultural heritage and historical memory of the institute; and 5) Protection or emergency funds established to safeguard the institute, province, or community against specific economic risks.<sup>23</sup>

*Alienation and Similar Acts:* Alienation represents one of the most significant administrative acts within a religious institute due to its profound impact on the state of the stable patrimony. Consequently, alienation and similar transactions are classified as acts of extraordinary administration.<sup>24</sup> Canon 638 § 3 establishes specific regulations for these actions. Generally, a transaction is classified as an alienation if it meets one of four criteria: 1) any transaction that risks worsening or diminishing the economic condition of the juridic person; 2) any transaction exceeding the maximum amount established by the Holy See for a given territory; 3) any transaction involving goods donated to the Church through a vow (votive offerings); or 4) any transaction concerning objects of precious artistic or historical value. For an act of alienation -or any transaction that may worsen the financial standing of a juridic person- to be valid, can. 638 § 3 requires written permission from the competent Superior, granted with the consent of their council. Before offering advice or consent, the council must be provided with accurate information regarding both the financial state of the juridic person and the nature of the proposed alienation (can. 1292 § 4). For independent monasteries (as defined in can. 615) and diocesan-level institutes, written consent from the local Ordinary is also required. Furthermore, when a transaction exceeds the financial limits set by the Holy See for a particular territory, or involves votive offerings or items of significant artistic or historical value, permission from the Holy See is mandatory for the validity of the action.<sup>25</sup>

The broader norms in Book V of the Code of Canon Law (cc. 1291-1298) establish further prerequisites for alienation. Canon 1293 mandates that decisions must be based on a reasonable cause - such as urgent necessity, clear utility, piety, charity, or other grave pastoral reasons - and must be supported by a professional appraisal of the property to be alienated. While an institute's constitutions and statutes may impose additional requirements, the guidelines Economy at the Service of the Charism and Mission n. 83, in accordance with can. 1377, underscore that those who undertake acts of alienation without adhering to the proper procedures of authorization face appropriate canonical penalties. Ultimately, these norms reflect a spirit of prudent stewardship, designed to prevent the loss of essential resources that could impede the execution of the Church's mission.<sup>26</sup>

### **3.4. Fidelity to the Proper Charism as a Foundational Principle for the Administration of Temporal Goods**

The Economy at the Service of the Charism and Mission (2018) begins with a brief introduction outlining the background of the document, followed by a profound reflection on the poverty of Jesus. Building upon this foundation, the guidelines invite all members of consecrated life to imitate the poverty of Jesus Christ, bearing witness to the world that God is the only true wealth, while temporal goods are merely human instruments - useful, yet non-absolute. In alignment with this, those in consecrated life - by choosing to live in poverty as expressed through vows or other sacred bonds - are called, alongside a poor Church, to

<sup>23</sup> de Paolis, *I Beni Temporalis Della Chiesa*, 256.

<sup>24</sup> Eithne D'auria, "Alienation of Temporal Goods in Roman Catholic Canon Law: A Potential for Conflict," *Ecclesiastical Law Journal* 12, no. 1 (2010): 33–52, <https://doi.org/10.1017/S0956618X09990378>.

<sup>25</sup> Andrés Domingo, *Le Forme Di Vita Consacrata. Commentario Teologico-Giuridico Al Codice Di Diritto Canonico* (Roma: Edizioni, 2014), 266–78.

<sup>26</sup> Varghese Koluthara, "Religious and the Administration of Temporal Goods," *Iustitia* 9, no. 1 (2018): 95–108.

encounter the face of God in the poor and marginalized, for poverty is a path that leads to love. Living the Gospel means adopting a way of life that reflects the poverty of Christ, whose entire existence was focused on fulfilling the Father's will and serving others, especially the poor. The evangelical credibility of those in consecrated life is directly linked to the administration of temporal goods within their respective institutes; they must not succumb to the temptation of seeking technical efficiency while neglecting actions rooted in the light of the Gospel. It must be recognized that not every administrative practice is compatible with Gospel principles or aligned with the social teaching of the Church.

The relationship between the administration of temporal goods and consecrated life is primarily understood in relation to the evangelical counsel of poverty.<sup>27</sup> Canon 600 affirms that through this counsel, individuals follow in the footsteps of Christ, who, though rich, became poor for our sake. The evangelical counsel of poverty signifies living in poverty - both in reality and in spirit - characterized by a life of labor in simplicity, removed from worldly opulence, while simultaneously embracing dependence and limitations regarding the use and disposal of goods, as prescribed by the proper law of each institute. This canon holds deep theological and spiritual significance, encapsulating the doctrine regarding the evangelical counsel of poverty. The decision to embrace poverty is rooted in the "imitation of Christ," who, despite His riches, chose to become poor. Every institute must adhere to the exhortation in can. 634 § 2, which mandates that in the administration of temporal goods, any semblance of luxury, greed, or hoarding of wealth must be avoided as much as possible. Consequently, institutes of consecrated life and their members can fulfill their irreplaceable calling to be communities committed to witnessing to love and poverty (can. 640) for the Church and the world.

The relationship between the administration of temporal goods and consecrated life must also be interpreted in light of the mandate to faithfully preserve the institute's charism (can. 578). The obligation of faithfulness to the charism encompasses all aspects of the lives of members of consecrated life, including their apostolates and the administration of their temporal goods. Recognizing the importance of this principle, Church law mandates that every institute of consecrated life establish norms defining a method of administration for temporal goods that is consistent with the institute's charism (can. 635 § 2). In this way, canon law intends to encourage institutes to ensure that the administration of temporal goods always remains within the framework of the spirit of poverty and faithfulness to the charism.<sup>28</sup> The character of the charism itself is inherently ecclesiastical, as it is a gift of the Spirit integrated into the body of the Church. A sure sign of the authenticity of a charism lies in its ability to be integrated harmoniously into the life of the Church as the People of God. A charism, as a gift of the Holy Spirit to the Church, is intended to renew and build up the Church and the world. These gifts of the Holy Spirit are not a closed inheritance entrusted only to a small group; rather, they are gifts of the Holy Spirit integrated into the body of the Church, drawn toward its center - Jesus Christ - and subsequently channeled into the impulse to proclaim the Gospel.<sup>29</sup> Every institute of consecrated life formed throughout history is a concrete manifestation of the sequela Christi. Through their respective charisms, these

<sup>27</sup> Agostino Montan, "La Gestione Dei Beni Negli Istituti Di Vita Consacrata e Nelle Società Di Vita Apostolica Dopo l'anno Della Vita Consacrata (2015-2016)," *Ius Ecclesiae* XXIX, no. 2 (2017): 393-412, <https://doi.org/10.19272/201708602005>.

<sup>28</sup> Koluthara, "Religious and the Administration of Temporal Goods."

<sup>29</sup> cf. Francis, *Apostolic Exhortation Evangelii Gaudium*, 2013, n. 130, [https://www.vatican.va/content/francesco/en/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium.html](https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html) (accessed April 15, 2026).

institutes contribute to the full revelation of Christ and the Mystical Body of Christ, which is the Church.<sup>30</sup>

Consecrated life and its institutes are an integral part of the Church and cannot be separated from the life and holiness of the Church. Its status within the Church is characterized by a stable state of life through the profession of the evangelical counsels, in the form of vows or other sacred bonds according to the regulations of each institute, by which the faithful seek to follow Jesus Christ more closely (cf. can. 573). This way of life is lived out in institutes (orders, congregations, institutions) that are officially accepted by the Church (can. 579). Members of institutes of consecrated life live their lives based on the institute's charism - the mind (*mens*) and designs (*proposita*) of the founders regarding the nature, purpose, spirit, and character of an institute, which have been sanctioned by competent ecclesiastical authority (can. 578). These elements descriptively define what consecrated life truly is. There is no consecrated life that lacks these dimensions to determine its existence within the Church.

An institute's temporal goods are means that assist in achieving the institute's goals for the common good in the name of the Church. Faithfulness to the charism and Gospel demands must remain the fundamental criteria for executing and evaluating every choice, decision, and intervention related to the institute's works and the administration of its temporal goods. Financial profit cannot be the sole consideration in decision-making of an economic nature. By its very nature, the charism must direct the energy and ministry of all members of the institute toward a single, shared mission. All members of institutes of consecrated life must recognize their responsibility to pay the utmost attention to ensuring that the administration of economic resources is fundamentally directed toward serving the stated purpose of the charism to which they belong.

*Respecting the Ecclesiastical Nature and Purpose of Institute Temporal Goods:* The temporal goods of an institute are considered ecclesiastical goods insofar as they are owned by the institute as a public juridic person within the Church. The purpose of these temporal goods is directed toward the goals and mission of the Church, such as works of piety, the apostolate, or charity, whether spiritual or temporal (cf. can. 114). In reality, the temporal goods of an institute of consecrated life hold significance not only for the institute itself but primarily for the realization of the Church's universal mission. The fact that these temporal goods are utilized to serve the Church and its objectives implies that they must be administered in accordance with the nature of the Church and the spirit that animates it. An institute realizes this by directing the administration of its temporal goods to be in alignment with its specific charism. Consequently, maintaining the administration of temporal goods in harmony with faithfulness to the institute's charism is a fundamental way of respecting the ecclesiastical nature and purpose of those temporal goods.

*Sustainability:* An essential aspect emphasized in this context is the capability and skill to ensure that an institute's works does not result in failure or loss. Institutes of consecrated life need to define which works and services should be continued, which should be discontinued or modified, and which should be initiated to respond to current needs in full fidelity to their own charism. For this purpose, institutes must be able to implement sound planning procedures. Many institutes fail to reach clarity in decision-making because they lack detailed proposals or adequate planning for a project, leading to an inability to identify the necessary means and assess the financial budget required to complete the project. Planning and design constitute a diffuse process - a communication of ideas that requires an

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<sup>30</sup> Danielle Peters, "Charism and the Consecrated Life in the Twentieth and Twenty- First Centuries," *Marian Library Studies Volume* 31, no. 19 (2013): 47–72.

attitude of openness, but above all, an attitude of conversion to overcome “disordered” mental patterns and to foster a progressive capacity for learning and adaptation. In this planning and design phase, members of the institute act as “learning actors,” where the information, experience, and findings of each member are mapped into a shared plan.<sup>31</sup> In this way, works will be administered in a spirit of openness, community, and shared responsibility, even if their execution is entrusted to only a few individuals. Planning or design, which flows from mutual listening, enables a coherent vision for the work and for responding to existing needs. Institutes of consecrated life need to cultivate practices that ensure the sustainability of their works through balanced administration, such as utilizing budget instruments and budgeting processes. The document encourages the preparation of multi-year budgets. Although this cannot be the only criterion to be considered, administering works and temporal goods according to sound economic principles will provide greater opportunities to realize the common goals of the institute based on its charism. A lack of earnest attention to administrative matters will cause the mission itself to falter.<sup>32</sup> Institutes can accustom themselves to sound administrative systems starting from their smallest units, such as local communities, thereby serving as an opportunity for learning and training in the economic dimension while fostering a shared awareness.<sup>33</sup>

*Accountability:* Accountability is a fundamental principle in the administration of temporal goods, applicable across nearly all sectors of financial and administrative structures. Institutes of consecrated life typically possess stable patrimony - both movable and immovable - intended to guarantee the sustainability of the institute. These assets include land and buildings (community houses/monasteries), revenue-generating facilities that support the institute, province, or community, movable property invested in financial systems, assets of historical or artistic value, and endowment funds established to protect the institute against economic risks. The administration of this stable patrimony requires serious attention; accurate inventories and periodic evaluations must be conducted, while respecting the necessary canonical and civil requirements.<sup>34</sup> This is where the importance of accountability lies. Accountability also serves as a foundational principle of organizational governance, involving the transparent reporting of performance. Furthermore, it encompasses the correction of an administrator’s actions when duties and commitments are not adequately fulfilled.<sup>35</sup> Consequently, accountability acts as part of a broader monitoring system. Such a system assists in building new economic structures that are straightforward and easily administered, particularly during times of hardship or loss. Monitoring systems uphold transparency on the part of those entrusted with administering stable assets. Transparency can be understood as a set of conditions and working methods that offer clarity in both structure and action, ensuring that nothing is concealed for personal or group interest, while fostering good performance and guaranteed legality.<sup>36</sup> Such transparency should not be viewed as a

<sup>31</sup> José Rodríguez Carballo, “Economia a Servizio Del Carisma e Della Missione: Progettazione e Progetto Negli «Orientamenti»,” *Vita Consacrata* 55, no. 2 (2019): 138–65.

<sup>32</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, *Economy at the Service of the Charism and Mission*, nn. 35–37.

<sup>33</sup> Francisco Junior de Oliveira Marques, Naiara Alexandra Lessa Meneses Belato, and José Cândido da Silva Nóbrega, “Legal and Management Perspective on Church Economic Patrimony: A Case Study of the Congregation of Blessed Sacrament Generalate in Roma,” *Journal of Agroindustry Systems* 3, no. 1 (2020): 63–72.

<sup>34</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, *Economy at the Service of the Charism and Mission*, nn. 39–40.

<sup>35</sup> Sunny Kalapuraackal, “An Ethical Analysis of Transparency and Accountability in Church Administration,” *Asian Horizon* 14, no. 2 (2020): 347–60.

<sup>36</sup> Alberto Perlasca, “Trasparenza e Riservatezza Nella Gestione Dei Beni Ecclesiastici,” *Periodica de Re Canonica* 107 (2018): 493–512.

restriction or a sign of distrust, but as a form of responsibility exercised by the administrator in performing complex administrative and legal tasks. Periodic reports must be carefully planned.<sup>37</sup>

Canon 636 § 2 states that “at the time and in the manner determined by their own law, the bursar and other administrators are to render an account of their administration to the competent authority.” Therefore, every religious institute must comprehend this serious responsibility by establishing specific details regarding the timing and manner of financial reporting within its constitutions or statutes. Likewise, the constitutions must govern the limits of an administrator's authority, such as the legal procedures for ordinary or extraordinary administration, expenditures, and alienation (cf. can. 638). At this level, it is clear that every administrator of ecclesiastical goods bears a canonical responsibility. Institutes must, therefore, seriously organize how this responsibility is effectively realized.<sup>38</sup> Accountability is closely linked to responsibility, transparency, and trust; it is the means by which transparency is built. Furthermore, regular administrative accountability fosters prudence in the administration of assets, as it allows risks to be identified and new directions to be clearly mapped. Ultimately, accountability enhances the credibility of those entrusted with the administration of temporal goods.<sup>39</sup>

Research 44 of Economy at the Service of the Charism and Mission (2018), in accordance with canons 1283 and 1284, urges institutes of consecrated life to document and archive the administration of temporal goods effectively, including the utilization of modern data management systems to create efficient administrative procedures. Attention must be given to asset inventories and accounting records. Documentation and archiving are invaluable when formulating plans and making decisions. Moreover, these records serve as an essential historical legacy, allowing the institute to study how its charism has been realized over time in relation to the administration of temporal goods and apostolic works. Canon 1283 stipulates that before administrators begin their duties, a detailed and signed inventory must be prepared (1°), and this inventory should be kept in the administrative archives, with all changes duly noted (2°). Meanwhile, canon 1284 emphasizes that every administrator is obliged to fulfill their duties with the diligence of a good householder (§ 1), which includes organizing and maintaining - in a neat and orderly archive - documents and proofs that establish the rights of the Church or the institute over its property; if easily done, authentic documents are to be stored in the curial archives (§ 2, 9°).

The complexity of the current economic and financial landscape requires institutes of consecrated life to remain open to collaborating with external experts and professionals in this field. The guideline “Economy at the Service of the Charism and Mission (2018)” recommends that this be realized not only by selecting external professionals who are experts in their field but also by choosing those who understand the institute's specific character and charism, while avoiding hasty decisions. As a professional relationship, this requires a clear written contract regarding objectives, budgets, and appropriate timelines, which must be evaluated periodically. The professionals involved must also be held accountable and report regularly on the progress of their work.<sup>40</sup>

<sup>37</sup> Jesús Miñambres, “Rilevanza Canonica Dell’accountability Degli Amministratori Di Beni Ecclesiastici,” *Ius Ecclesiae* XXXI, no. 1 (2019): 135–50.

<sup>38</sup> Koluthara, “Religious and the Administration of Temporal Goods.”

<sup>39</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, *Economy at the Service of the Charism and Mission*, nn. 41–43.

<sup>40</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, n. 66.

*The Importance of Formation in the Economic Dimension:* The Economy at the Service of the Charism and Mission guidelines, recognizing the vital significance of the criteria previously discussed, emphasize that formation in the economic dimension is of paramount importance. This formation begins with the rediscovery of the evangelical dimension inherent in economic structures. By internalizing human, ethical, moral, and service-oriented goals, members of the institute can ensure that the administration of assets is consistently aligned with the principles of generosity, fraternity, and justice. Through such formation, members of the institute are empowered to make tangible contributions to the economic, social, and political development of both society and the Church at large. Ultimately, formation in the economic dimension - when it remains consistently aligned with the institute's charism - is fundamental. It serves as the necessary foundation that enables the institute to make concrete, innovative, and prophetic choices that authentically advance its mission.<sup>41</sup>

#### 4. Conclusion

In conclusion, the administration of temporal goods within institutes of consecrated life and societies of apostolic life is far more than a technical or purely administrative task; it is a profound expression of faithfulness to the institute's charism and a vital component of the Church's mission. As we have explored throughout this study, the intersection of canonical requirements - such as those found in the Code of Canon Law 1983 regarding the distinction between ordinary and extraordinary administration, the protection of stable patrimony, and the rigorous procedures for alienation - and the spiritual call to evangelical poverty creates a unique framework for stewardship. The guidelines provided by the Church, particularly in Economy at the Service of the Charism and Mission, serve as a roadmap for institutes to navigate the complexities of modern economic landscapes while remaining deeply rooted in the Gospel. By ensuring that all administrative decisions are aligned with the institute's specific mission, religious institutes transform the management of resources into an act of prophetic witness. This requires a balanced approach: one that embraces professional competence, transparent accountability, and careful planning, while simultaneously rejecting the temptations of greed, hoarding, and secular efficiency that ignore the needs of the poor and the marginalized. Ultimately, the goal of sound administration is to ensure the sustainability of the institute's apostolic works. This sustainability is not an end in itself, but a means to guarantee that the charism, as a gift of the Holy Spirit, can continue to flourish and serve the Church and the world. By investing in ongoing formation, fostering a culture of responsibility and transparency, and collaborating with competent professionals, institutes can ensure that their economic life remains a credible testimony to Christ. In doing so, they safeguard the legacy of their founders and ensure that their temporal goods remain true instruments of grace, fully dedicated to the service of the Kingdom of God.

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<sup>41</sup> Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, nn. 18–19.

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