



SOVRANO MILITARE ORDINE OSPEDALIERO
DI SAN GIOVANNI DI GERUSALEMME DI RODI E DI MALTA

**Events leading to the resignation of Fra' Matthew Festing
from the office of Grand Master
December 2016 - January 2017**

In order to better understand the unfolding of recent events in the government of the Sovereign Order of Malta, the Lieutenant *ad interim*, Fra' Ludwig Hoffmann von Rumerstein, has requested the publication of the following 1) Factsheet and 2) Timeline.

1) Factsheet

The government of the Sovereign Order of Malta has a similar structure to State governments. However, it also includes specific features associated with its nature as a lay religious order, as well as particular terminology evolved from nine centuries of history. The Constitutional Charter and Code promulgated in 1961 and revised by Extraordinary Chapter general in 1997 defines the principles of government of the Order.

The Sovereign Order of Malta's system of governance is divided into three powers: legislative power rests with the Chapter General – a representative body of members – as far as constitutional rules are concerned and with the Grand Master and Sovereign Council for non-constitutional matters. Executive power, resides with the Grand Master and Sovereign Council. Judicial power, is in the hands of the Courts of the Order.

The head of the Order is the Grand Master who governs both as sovereign and as religious superior, assisted by the Sovereign Council, which he convenes and chairs.

The Sovereign Council is elected by the Chapter General for a term of five years and consists of the:

- Grand Commander (the religious superior of the Order's religious members);
- Grand Chancellor (Minister for Foreign Affairs and Minister of the Interior);
- Grand Hospitaller (Minister for Humanitarian Affairs & Int. Cooperation);
- Receiver of the Common Treasure (Minister of Finance),

as well as six councillors.

In case of resignation or death of the Grand Master, the Grand Commander assumes the additional role of Lieutenant *ad interim* until the election of a successor of the Grand Master.

Article 4 of the Constitution outlines the relations of the Order of Malta with the Apostolic See. It specifies that the Supreme Pontiff appoints as his representative to the Order a Cardinal whose task it is to promote the spiritual interests of the Order and its members and the relations between the Holy See and the Order.

In November 2014, Pope Francis nominates Cardinal Raymond Leo Burke as Cardinalis Patronus of the Sovereign Order of Malta.

In February 2017, Pope Francis nominates Archbishop Giovanni Angelo Becciu as his special Delegate to the Order. The Archbishop is entrusted with a temporary limited mandate for the spiritual renewal of the Order, especially of its professed members, contributing to the development of a proposal for the amendment of the Order's Constitution and Code. For the duration of his mandate, the Special Delegate will be the sole interlocutor in all relations between the Holy See and the Sovereign Order of Malta.

2) Timeline

10.11.	Cardinal Raymond Leo Burke meets Pope Francis and briefs him about the Order of Malta.
1.12.	Based on the briefing, Pope Francis sends a letter to Cardinal Burke.
06.12.	<p>The Grand Master in the presence of Cardinal Burke asks the Grand Chancellor to resign¹ referring to his promise of obedience² stating that this request responds to an explicit “wish” of the Holy See.</p> <p>The Grand Master does not disclose any formal reason other than a “wish” of the Holy See.</p> <p>The Grand Chancellor sees the request as a breach of the Order’s Constitution, thus invalid, and does not resign.</p>
07.12.	The Grand Chancellor is informed that the alleged “wish” of the Holy See does not exist. This is later confirmed in two letters dated 12 and 21 December 2016 by the Holy See to the Grand Master. In the letter of 21 December 2016, the Vatican Secretary of State, Cardinal Pietro Parolin writes “As I expressed to you in my letter of 12 December 2016: ‘as far as the use and diffusion of methods and means contrary to the moral law, His Holiness has asked for dialogue as the way to deal with, and resolve, eventual problems. But he has never spoken of sending someone away!’”
08.12.	<p>The Grand Master convenes a meeting of the members of the Sovereign Council present in Rome (not a formal Sovereign Council session). The Grand Chancellor also participates. The Grand Master repeats his “order” for the Grand Chancellor to resign. Otherwise a disciplinary procedure against the Grand Chancellor would be immediately initiated, with the aim to expel him from the Order and consequently he would with immediate effect be suspended, as a precautionary measure, from his office as Grand Chancellor, until the end of the disciplinary procedure.</p> <p>The Grand Chancellor does not resign, mentioning that the alleged “wish” of the Holy See does not exist and challenging the validity of the request by the Grand Master.</p>

¹ Members of the Government are elected by the General Chapter. They serve functionally but also in a „checks and balances system“, limiting the power of the Grand Master and all other institutions of the Order. The Sovereign Order of Malta is a constitutional, elective institution, not an absolute monarchy. Members of the Government can only be removed in an elaborate procedure which was never chosen during the whole period during which the Grand Master tried to remove the Grand Chancellor (Art 169 Constitution).

² The Promise of Obedience given by the Grand Chancellor as a member of the second class reads “I,, calling on the name of God, promise faithfully to observe the laws of the Sovereign Military Hospitaller Order of St. John of Jerusalem, of Rhodes and of Malta, to carry out the duties proper to Knights and Dames in Obedience and to render due obedience to whichever Superior shall be given to me“. This does not constitute an obligation to follow an order by a superior which is in breach of the Constitution or Codex. In addition, the order of the Grand Master was based on the false assertion of a wish of the Holy See.

	<p>The Grand Master hands out to the Grand Chancellor two letters. The first one is signed by the Grand Commander and informs about the opening of a disciplinary procedure. A reason is not given. The second one is signed by the Grand Master and informs the Grand Chancellor about his immediate precautionary suspension from the Order, including a suspension from all offices. The reason given is the disciplinary procedure initiate by the first letter.</p> <p>Both letters are in breach of Constitution and Codex and as such null and void.³</p>
12.12.	<p>After consulting with the Advocate of State, the Grand Commander revokes the letter dated 8 December 2016 about a disciplinary procedure, the letter being in breach of articles 123 and 124 of the Codex.</p> <p>The Grand Master writes to 200+ high ranking officials of the Order with a message to all members of the Order that if they disagree with his effort to suspend the Grand Chancellor they should resign.</p> <p>9 Presidents of National Associations of the Order and one Procurator of a Grand Priory write to Cardinal Parolin and ask for an audience. They are particularly concerned about the alleged wish of the Holy Father for the resignation of the Grand Chancellor.</p>
From 13.12. onwards	<p>A number of meetings between the Holy See and all sides involved in the crisis take place. A solution is discussed whereby the Grand Chancellor accepts to leave his office dormant until a mixed commission of the Vatican and the Order has investigated the case.</p> <p>The Grand Master refuses a mixed commission.</p>
13.12.	<p>The Grand Master signs a Decree for the immediate precautionary suspension from the Order of the Grand Chancellor. The Decree is dated 8 December.</p> <p>At request of the Grand Master the Order publishes a Memo alleging “severe problems” with Mr von Boeselager’s tenure as Grand Hospitaller, his “concealment” of those from the Government of the Order, his “disgraceful” refusal to submit in obedience to the Grand Master.</p>
14.12.	<p>The Sovereign Council convened by the Grand Master without having given an agenda as required in Article 165 par. 4 of the Code, appoints by co-optation Fra’ John E. Critien as Grand Chancellor <i>ad interim</i>.</p>
22.12.	<p>The Holy See appoints a Group⁴ of five individuals (the “Group of 5”) its members being Archbishop Silvano Tomasi as co-ordinator, Father Gianfranco Ghir-</p>

³ According to Article 124 par. 1 a **disciplinary procedure** can only be started by the Superior of a member, there must be a reason (Article 125), and a certain procedure needs to be followed (Article 126). None of this was the case here. As a result the Grand Commander revoked within four days his letter dated 8 December 2016 about a disciplinary procedure now considering it to be in breach of articles 123 and 124 of the Codex.

A **suspension** from the Order requires a disciplinary procedure (Article 125), and a Decree, not a letter, needs to be issued (Article 124, par. 3).

	<p>landa SJ, and three longstanding and highly reputed members of the Order of Malta: Jacques de Liedekerke, Marc Odendall and Marwan Sehnaoui.</p> <p>The Group of 5 is instructed to investigate the crisis from all angles, hear all parties concerned, report the facts to the Holy See and make a suggestion for reconciliation between the parties and eventual other measures.</p>
23.12.	The Grand Master publishes a statement on the website of the Order that the creation the “Group of 5” is based on a misunderstanding by the Secretary of State and the removal of the Grand Chancellor is an internal act of the Order, which does not concern the Holy See.
03.01.	The Grand Chancellor <i>ad interim</i> writes to 200+ high ranking officers with the decision of the Grand Master not to co-operate with the “Group of 5” and protesting against its existence. This position will be repeated by the Grand Master and the Grand Chancellor <i>ad interim</i> on several occasions including publication on the website of the Order until the resignation of the Grand Master at the end of January.
04.01.	<p>The Grand Chancellor files a recourse with the Tribunal of the Order, asking that all procedures of the Grand Magistry against him from 8 December onwards are recognized as null and void.</p> <p>Archbishop Silvano Tomasi announces in a letter to the Grand Chancellor <i>ad interim</i> that the “Group of 5” has started its work.</p>
9.01.	The Grand Master issues a new Decree confirming the previous Decree of precautionary suspension dated 8 December.
16.- 23.01	<p>The Group of 5 conducts interviews with members of the Sovereign Council of the Order, several dozen further members of the Order and legal specialists. It receives close to one hundred written testimonies and collects four binders of written evidence to join to its final report.</p> <p>It submits its report to the Holy See on 23 January 2017 and on the same date is received by the Holy Father.</p>
24.01.	The Grand Master is received by Pope Francis. He generously agrees to the request of the Holy Father to resign from his position as Grand Master for the good of the Order of Malta.
25.01	<p>In compliance with Article 16. of the Constitution, the Grand Master Fra’ Matthew Festing convenes a meeting of the Sovereign Council for January 28 to present his resignation.</p> <p>The Holy See informs the members of the Sovereign Council in a letter that:</p> <ul style="list-style-type: none"> • Fra’ Matthew Festing had agreed to resign from his position as Grand Master;

⁴ Occasionally, this „Group of 5“ is also called a „Commission“. The name given to it by the Holy See in its original letter of creation on 22 December 2016 and in its press release dated 17 January 2017 is „Gruppo“.

	<ul style="list-style-type: none"> • The Holy Father will nominate a Delegate to the Order; • The Holy See considers all acts of the Grand Master and the Sovereign Council (including the nomination of a Grand Chancellor <i>ad interim</i>) after 6 December 2016 to be null and void.
28.01.	<p>The Sovereign Council accepts the resignation presented by the Grand Master.</p> <p>The Grand Commander replaces him as Lieutenant <i>ad interim</i>.</p> <p>The Lieutenant <i>ad interim</i>, having heard the Sovereign Council, decrees that all acts by the Grand Magistry against Albrecht Boeselager are revoked with immediate effect and that he is reinstated as Grand Chancellor.</p>
02.02.	<p>The Holy Father appoints Archbishop Giovanni Angelo Becciu, Substitute Secretary of State of the Holy See, as his Special Delegate to the Order. His mandate is foreseen to last ‘until the conclusion of the extraordinary chapter which will elect the next Grand Master’. The brief for the Special Delegate is fourfold:</p> <ul style="list-style-type: none"> • He will serve as exclusive spokesperson of the Holy See in all matters relating to relations between the Holy See and the Order; • He will work closely with Fra’ Ludwig Hoffmann von Rumerstein to carry out the appropriate renewal of the Order's Constitution; • He will take care of all matters relating to the spiritual and moral renewal of the Order, particularly its professed members; • He will work closely with Fra’ Ludwig Hoffmann von Rumerstein for the greater good of the Order and reconciliation between all its members, religious and lay.