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Q&A on Elections

Q: If someone has been a councilor for one term and is now president of the community, can that person serve another term as president?

A: Sec. XVI.2.d of the 2016 Provincial Statutes says: “All council members (President, Councilors, and Director of Formation) shall serve no more than two consecutive terms of three years in any capacity (e.g. one term as Councilor and one as President constitutes two terms). A partial term of 18 months or more shall be considered a full term for purposes of eligibility. To be elected to a third consecutive term requires a postulation from the Provincial.”

This means that the person in question could not serve as president, as formation director, nor as a councilor during the next triennium unless the community is granted a postulation from the Provincial. The term limit applies regardless of which specific role a person has served on the Council.

Q: What is postulation and how do we get it?

A: Postulation is a request for an exemption from the legislation of the Order. If a community is considering seeking postulation for a council member, the members must first vote on it (only those who have made First or Definitive Promise may vote). If the community votes "yes", the President contacts the Provincial Delegate requesting the postulation. All this must be done well in ADVANCE of the regular council elections.

The request to the Provincial Delegate should include an explanation of why the community is seeking an exemption for this person. The Provincial Delegate will also want to know:

- Are there enough candidates on the ballot to elect a Council without this person? If not, why not?
- How is your community actively forming members to assume leadership roles?
- The tradition in Carmelite leadership is that sometimes one is a leader and sometimes, one is not. How does your community prepare everyone for the application of that principle?

The Provincial Delegate will discuss with the Provincial whether to approve the postulation. If the postulation is approved, then the community holds regular elections for the remaining council positions. For example, if the postulation was for “Jane Doe” to serve an additional term as President, then the community election would only be for the open councilor positions. No election for President would be held.

Q: How do we choose a Formation Director?

A: According to Art. 53, the Formation Director is ELECTED by the Council. This really must be done by secret ballot. Often, council members think it would be simpler to settle the matter by consensus agreement, but the problem is that a consensus is usually declared to be achieved by the strongest person in the group, and there is pressure on anyone who opposes that consensus to go along. The same principle applies to any major decision a council needs to make – discuss openly, vote secretly, and the entire council accepts and supports the decision.

Naturally, the Council will want to choose someone with the gifts of a good Formation Director (refer to the Ratio Institutionis). Because the FULL Council is responsible for “the formation and Christian and Carmelite maturing of the members of the community” (Art. 46), the Formation Director needs to have the capacity to work with the whole Council as equal partners. Also, given that in most communities the Formation Director is assisted by a formation team, the person needs to know how to delegate.

Q: But we already know who the Formation Director will be. We’ve already decided.

A: Sec. XVI.5 states: “The office of Formation Director is vacated when the newly elected Council assumes its duties.” This is to preserve the freedom of the newly elected council.

Sec. XVI.6 states: “The new Council shall elect the Formation Director after prayerful discussion and discernment. Councils are encouraged to spend adequate time discerning this important position.” Only the newly elected local Council may determine who the Formation Director should be. The previous Council does not choose. Even the larger, full community does not choose. The Formation Director from the prior triennium does not automatically continue in that position.

We know that sometimes there is discussion prior to election among members about who should be the Formation Director. Sometimes a person is kept off the council ballot because everyone thinks that person should be the Formation Director. This is the wrong way to go about it. Sec. XVI.7 covers what to do if the newly elected local Council wishes to elect one of their own to serve as Formation Director.

Q: What happens if we only have one candidate for President?

A: First, this is a serious problem. If you are unable to find more than one person willing to be on the ballot as president, it calls into question the ability of the community to continue functioning as a canonical community. See Statutes sec XII.3 “A canonical community that is unable to function may be put under the supervision of the Provincial Delegate and the Provincial Council until such time as it is again able to function with autonomy or until it is decided that the community is no longer viable...”

“Able to function” includes that there are enough members willing and able to serve in leadership to give the community a genuine choice. If this makes two elections in a row in which this has happened, the current president should contact the Provincial Delegate for advice regarding the situation.

Assuming this is the first time this has happened, the answer to the original question of how to proceed if there is only one candidate standing for election to a particular position – a ballot vote must still be taken for that one person. Each member may vote for the unopposed candidate, write in someone else’s name, or cast a blank ballot.

Q: Who gets to vote?

A: Voting is a privilege granted upon membership in the Order. According to Art. 12, a person becomes a full member of the Order upon making the First Promise. The Provincial Statutes require a member to be physically present at the time of the vote. So – members in First or Definitive Promise, who are present at the election, are allowed to vote. If the community has a GID, the professed members have the right to vote if they are present.

Inquirers, aspirants, persons in Formation I (clothed), and Spiritual Assistants (unless they are also professed in the OCDS) are not eligible to vote. Members on Leave of Absence do not vote.

Q: Do those who do not have a right to vote stay in the room or do they have to leave during the voting?

A: That is up to the local Council. There is no legislative requirement that non-voting members leave the room at the time of elections. If they remain in the room, care should be taken that ballots are only given to those with voting rights.

Q: The statutes do not say who counts the ballots. Who should that be?

A: It is up to the local Council. It may be the nominating committee, the current Council, or a team of professed members appointed by the Council. It is best practice to have persons not on the ballot do the counting.