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What does it mean that the Pope is the legislator?

Questions and answers about
the Motu Proprio “Ad charisma
tuendum” and the
Extraordinary General
Congress of Opus Dei.

03/13/2023

It means that the Holy See has the
competence to establish personal
prelatures (through an apostolic
constitution) and, at the same time,
establish and promulgate the statutes

of the prelature erected (canon 295, Code of Canon Law).

Unlike in other entities, the statutes of personal prelatures are established and promulgated by virtue of legislative power (the Church's power to give norms of the highest level), as indicated by the Code of Canon Law of the Latin Church (canon 94 § 3). In this case, the statutes are properly considered laws and their drafting necessarily involves the authority that promulgates them (the Holy See).

The drafting, modification, and introduction of new precepts are reserved to the Holy See, though they may be proposed by the Prelature of Opus Dei.

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