



**Constitution**  
**of**  
**The Sovereign Order**  
**of**  
**St. John of Jerusalem**  
**Knights Hospitaller**

# **Constitution of the Order of St John of Jerusalem, given by King Peter II of Yugoslavia on the 19th March 1964.**

Source: Original Copy in French kept at the National Notary Archives in Valletta, Malta

## **§ I. DENOMINATION, TRADITION.**

1) THE SOVEREIGN ORDER OF ST JOHN OF JERUSALEM, KNIGHTS HOSPITALLER, abridged in all languages O.S.J. – equally called in order to avoid any possibility of being mixed up with other Orders having the same origin:

(in French)

ORDRE DES CHEVALIERS HOSPITALIERS;

in German;

HOSPITALITER RITTERORDEN;

in English:

ORDER OF THE HOSPITALLER KNIGHTS;

is one of the independent branches resulting from the division of the Order of St John of Jerusalem, equally called along the centuries Order of Rhodes, Order of Malta deriving from the Crusades after the loss of its territories (Island of Rhodes, with its annexed islands, the Island of Malta with its annexed islands, St Christopher, St Kitts and St Martin)

2) The O.S.J. bases its traditions since 1798 on:

– The two Russian Grand Priories (Orthodox and Catholic)

– The Grand Priory of Poland,

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– The Commanderies of the Eastern and Oriental Christian Countries, from which date until 1917, it was placed under the Hereditary Protection of the Head of the Imperial House of the Romanoff's and since the Russian revolution when the precious relics of the Order particularly the arm of St John and according to the wish of the last Czar Nicholas II, were transferred to the protection of the Royal House of Yugoslavia (Karageorgevitch).

3) The present Constitution replaces the Constitutions, Customs and Codes of the past and is based on the Royal Charter, given to the Order on the first of October, one thousand nine hundred and sixty three in Paris, by its Protector, His Majesty King Peter II of Yugoslavia, Hereditary Bailiff Grand Cross of Justice.

## **§ II PURPOSE, SEAT**

1) The Order is a Christian knightly, ecumenical international community. Faithful to the different precepts taught by our Lord Jesus Christ, the principal objectives of the O.S.J. are charity and the defense of Christian Religion against atheism. Also faithful to its tradition the Order defends the ideals of the free world and the rights of men as stated in the Universal Declaration of the United Nations. It aspires to contribute to the formation of a human and spiritual elite strictly Christian. The Community is made up of people distinguished by their origin, their education, their instruction, their skill and their meritorious deeds. Keeping in mind the established and indispensable hierarchy, the O.S.J. adopts the principle of social equality of all its Knights.

2) The Sovereign Council of the O.S.J. selects the means to reach these aims. It designates the seat of the Order and the seat of the Central Administration.

### **§ III JUDICIAL STATUTE, COAT OF ARMS.**

1) The Order is Sovereign and subject to International Law with regard to the States since the XII Century. The Judicial position has not changed “de jure” but “de facto” since 1798. This is why the Order has endowed itself temporarily with the judicial Statute of an international non-governmental organization (ONG-NGO) upheld by the Knights of the Order and their Organizations throughout the world.

2) The coat-of-arms of the Order is a red escutcheon with an ordinary silver cross laid on a silver Maltese cross (eight pointed cross) over which is the closed crown of the Order. The whole placed on a black two-headed eagle.

3) The flag of the Order carries the Maltese white cross on a red background. The colors of the Order are red and white. Its motto, faithful to tradition, is: “Pro Fide, Pro Utilitate Hominum”. Commemorative day is the 24th of June, feast of St John.

### **§ IV FINANCE.**

1) The resources of the Order are made up of the fees of the Knights and of the members as well as of subsidies, donations, legacies with or without special allotment and of the income derived from its wealth and property.

2) The financial responsibility of the O.S.J. is limited to its own wealth.

3) The Sovereign Council appoints two professional auditors who must not be Knights or Members of the Order.

4) The financial year coincides with the civil year.

### **§ V. THE HEREDITARY PROTECTOR.**

1) The Head of the Royal House of Karageorgevitch is the Hereditary Protector of the O.S.J. His role is fixed by the venerable traditions and customs of the Order.

2) Only the Protector has the privilege to appoint Hereditary Knights of the Order.

3) The Grand Conservator of the Order (see & 7/1-B) is the permanent representative of the Protector within the Order and the chairman of the Council of His Majesty the Protector.

4) The Protector’s Council (Intimate Council of the Crown) is made up of the Grand Conservator, two other Bailiffs of the Order chosen by His Majesty, a dignitary representing the Grand Priory of America and of three Commanders, appointed by the Protector on suggestion of the Grand Prior of America and the Commanders on that of the Petit Conseil.

### **§ VI THE GRAND PRIORY OF AMERICA.**

1) The Grand Priory of America has made its own constitution on May 17th 1912. It has been affiliated to the Order since its foundation in 1908 in New York.

2) The Grand Priory is governed in an autonomous way but in concert with the Grand Master and in harmony with the directives of His Majesty the Protector.

3) The zone of jurisdiction of the Grand Priory of America has in its fold:  
– The United States of America and Canada. – The States of Central America.  
– The States of Southern America.

4) The Sovereign Council and the Petit Conseil are represented in the Grand Priory by the Grand Chancellor, a dignitary residing in America and auxiliary member of the Sovereign Council.

5) The membership of the Grand Priory a persons not having permanent abode in the zone of jurisdiction of the latter or who are not citizens of a state of that zone, is only be possible by an exceptional decision of the Petit Conseil.

## **§ VII THE SOVEREIGN COUNCIL.**

1) The Sovereign Council is the holder of the Sovereignty of the Order. It is the legislative organism of the O.S.J. It is made up of:

A) the Grand Master, its President.

B) The five Conventual Bailiffs (by order of tradition): the Grand Commander (Interior, Finance), the Grand Marshal (Herald, Ceremonies), the Grand Hospitaller (social and charitable work), the Grand Conservator (delegate of the Protector), the Grand Councillor (information and external affairs).

The most senior of the 5 Conventual Bailiffs is officially first Vice-President of the Sovereign Council and first to replace the Grand Master. The Conventual Bailiffs are chosen from among the 20 Bailiffs of the Order having a seat in the Sovereign Council, by the Council itself which decides with a simple majority; the Grand Conservator only is appointed by the Protector;

C) of the remaining Bailiffs (except those of the Grand Priory of America) and functioning Priors who are not Bailiffs. The most senior of the Bailiffs is officially second Vice-President of the Council and second to replace the Grand Master; – all of whom are regular members of the Sovereign Council and:

D) of the Grand Prior of the Grand Priory of America and of the Grand Chancellor (see & 6 – 4) – auxiliary members who only participate in voting and deliberations concerning the Grand Priory of America.

2) The Council makes its own rules. Decisions are taken by simple majority (except & 7–1A, & 10–1 and 5). In case of equality of votes, the President decides. Council sittings are lawful if at least one-third of the effective members are present and if at least two-thirds are represented.

3) The Council has the power to delegate a part of its powers to the Petit Conseil.

4) The Council is convened either by the Grand Master or by the Petit Conseil, or by a third of the Bailiffs.

## **§ VIII THE “PETIT CONSEIL”.**

1) The Petit Conseil is the executive organ of the O.S.J. It is made up of 5 Conventual Bailiffs. Its role is that of Central Administration (Government) of the Order and directs current affairs.

2) The Order is lawfully responsible towards third parties by the signatures of two Conventual Bailiffs.

3) The Petit Conseil establishes its own rules.

4) The Petit Conseil has the power to appoint Lieutenants for each of its members.

5) The Petit Conseil is presided by one of its members in turn.

6) The affairs of the Grand Priory of America do not fall within the competence of the Petit Conseil.

## **§ IX THE SUPREME COURT.**

1) The Supreme Council appoints for a period of three years, three Judges and two Auxiliary Judges, chosen from among the Knights of Justice or of Grace of the Order and who form the Court. Judges and Auxiliary Judges are re-eligible. The Judges and Auxiliary Judges must belong to no other Council of the Order nor have other functions.

2) The Court establishes its own rules.

3) The following fall under the Jurisdiction of the Court:

a) the observance of the prescriptions of the present Constitution, of the laws and regulations of the Order;

b) judgement of eventual differences between dignitaries of the Order, except Bailiffs who will form, if need be their own court.

c) judicial questions or questions of honour which will be submitted to its judgement by the Sovereign Council, the Protector, the Grand Master, the Petit Conseil or the Grand Prior of America;

d) the verdict of the Final Court of Justice of the decisions taken by the Courts of the Grand-Priories or Pories.

4) The Grand Master or his substitute is empowered with the right of grace on the final Court.

## **§ X THE GRAND MASTER.**

1) The Grand Master is elected for life by the Supreme Council with a majority of two-thirds of the effective members and has the right of special prerogatives as a result of historical and traditional facts. It especially behoves the Grand Master:

a) to appoint Bailiffs – with the approval and on the proposal of the Petit Conseil (except appointments in the zone of jurisdiction of the Grand Priory of America). The number of Bailiffs is strictly limited to twenty. – on proposal and with the consent of the Council of the Grand Priory of America for the zone of jurisdiction of this Grand Priory. Their number is strictly limited to 15.

b) to appoint Commanders on proposals of the competent Body and with the approval of the Petit Conseil, respectively of the Grand Priory of America, on its Council.

c) to appoint the members of the High Courts of the Grand Priorities on the proposal of the “Petit Conseil” respectively from the Council of the Grand Priory of America.

d) to appoint the members of the Ecclesiastical Council of the Order with the approval of the “Petit Conseil.”

e) to appoint Knights of Justice once a year on the 24th of June, on the proposal of the Petit Conseil, respectively from the Council of the Grand Priory of America.

f) to appoint Knights of Grace “motu proprio”.

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2) The Grand Master has the right: a) to withhold for a period not exceeding fifteen days a decision of the Petit Conseil having a character of a command and to ask that it be immediately presented to the Sovereign Council, if he does not approve it. b) to withhold a law or an order of the Sovereign Council for eight days if this law or this order has been voted in spite of his opposition and to submit it for a second and final deliberation.

3) The General Secretariat of the Grand Master is directed by the Secretary General of the Grand Master who is a Bailiff or Commander and appointed by the latter with the approval of the “Petit Conseil”.

4) The substitutes of the Grand Master hold office, the first Vice-President and in the absence of whom the second Vice-President of the Sovereign Council (see & 7 B, C).

5) According to circumstances the Grand Magistracy can also be filled, by a Lieut. Grand Master elected with full powers by the Sovereign Council with a majority of two-thirds of the effective members but for a limited period, or by a Council of Regents. The latter is formed automatically after the death or renunciation, incapacity or indisposition from any cause of a Grand Master. The two Vice-Presidents of the Sovereign Council and a third Bailiff, appointed by the Protector, form the Council of Regents.

## **§ XI THE PROVINCES OF THE ORDER.**

1) The Provinces of the Order not corresponding any longer to the “Langues” of old, are the Priorities created by decision of the “Petit Conseil” with the approval of the Grand Master.

2) The Priorities are directed by a Prior, chosen from among the Knights of Justice and elected to the post by the Chapter of the Priory. He is confirmed by the “Petit Conseil” and by the General Staff of the Priory made up of the Vice-Chancellor, the Superintendent, the Hospitaller and the Herald equally elected by the Chapter with the approval of the Prior.

3) The Prior and the members of his general staff remain in office as long as they enjoy the trust of the majority of the Chapter.

4) The Chapter of the Priory is the General Assembly of the Body. It is made up of all the Knights of the Order living in the zone of jurisdiction of the Priory. The Chapter is presided by the Prior. Vice-President and substitute of the Prior is the most senior Commander of the Body. The Chapter meets at least once a year, take cognizance of the report on the activities of the Priory and approves the accounts and the budget. It deliberates on all problems of fundamental importance which are brought up either by the administration of the Priory or by a service in charge. The Chapter appoints the Court of Honour of the Priory and decides on the formation of subordinate Commanderies. The Chapter has the right – even by eluding the protocol – to put up recommendations or requests directly to the Petit Conseil or to the Sovereign Council.

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5) The Petit Conseil has the power to create Grand Priorities and to subordinate to them several Priorities and to create independent Commanderies.

## **§ XII THE KNIGHTS**

The Knights of the Order are divided into:

- 1) Knights of Justice: They must have belonged to the Order at least five years and have gained very important merits towards the Community (see &10, 1-a). They dispose of 10 votes, during voting. – Grades: Bailiff (- Grand Cross of Justice) Commander, Knight.
- 2) Knights of Grace. They must have been in the Order for at least 3 years and have acquired important merits (see & 10, 1-f). They dispose of 5 votes during voting -Grades: Commander and Knight.
- 3) Knights of Honour. They must belong to a distinguished family, as well as to one of the Christian Confessions and have an excellent reputation. They are presented to the competent Body by two Knight guarantors and admitted the earliest possible after having participated as “aspirants” during a period of two months working for the Order. They are appointed by the competent Prior; the Grand Cross, or by the Petit Conseil. – Grades: Grand Cross, who dispose of three votes during voting, and Knights who dispose of one vote during voting.

## **§ XIII THE CLERGY OF THE ORDER**

- 1) Given the supraconfessional character of the Order members of the clergy serve the O.S.J. in the framework of its body. Members of the clergy are admitted into the Order as Knights of Justice, Grace and Honour, but cannot form part of the Supreme Council, or of the Petit Conseil, nor be appointed Bailiffs or Commanders. Members of the Clergy promoted to Knights of Justice or Grace or Grand Cross of Honour are known as Prelates of the Order.
- 2) On the other hand the Grand Master has the power of forming an ecclesiastical Council of the Order with the approval of the Petit Conseil (see & 10,1 -d). Such a Council will be made up of representatives of the different great Christian Confessions represented in the Knighthood of the Order. It will draw its own regulations.

## **§ XIV DAMES OF THE ORDER.**

The Dames of the Order are divided into:

- 1) Dames of Honour - Appointed by the competent Prior with the approval of his general staff;
  - 2) Grand Dames - Appointed by the Petit Conseil on proposal of the competent Prior.
- The Dames of the Order do not participate in reunion sessions and vote with Knights. Their statute will be established by the competent Prior.

## **§ XV SQUIRES, DONATS, SERVING BROTHERS & SERVING SISTERS OF THE ORDER.**

- 1) Young people between the ages of 18 and 23 can be admitted in the Order as Squires. They form part of the Chapter but cannot vote. They may be appointed Knights of Honour after having attained the age of 23 without any other formality.
- 2) All persons working for the Order as an official Or as a superior officer in a mobile Unit may be admitted in the Order as a Donat by a competent Priory.
- 3) Serving Brothers of the Order are appointed by the competent Prior or Commander.
- 4) Serving Sisters of the Order may be appointed by the competent Prior or Commander if the Body enjoys the services directed by Dames of the Order.

## **§ XVI FINAL POINT.**

What is not mentioned in the text of this Constitution is settled by ruling of the Sovereign Council.

Given in Paris on March 19th, 1964  
signed PETER II R

Royal seal

For and on behalf by  
Proxy attached herewith  
Alfred Phillips  
Crolian William Edelen  
Adrien de Choibert

signed PETER II R

*Peter II R*



*For and on behalf of  
by Proxy attached herewith  
1. Alfred Phillips  
2. Crolian William Edelen  
3. Adrien de Choibert*

*Peter II R*

Each page of the original carries the initials of the King and the emblem of the House of Yugoslavia embossed. The original is in French and is housed at the Notarial Archives, Valletta in the name of the (Sovereign) Order of St John.

**NOTARIAL ACT No 271**

**IDIMUS**

I, Notary Pierre Stöckli, of Sainte-Croix, for the district of Grandson, the undersigned certify that the nine pages of the photocopies attached are a true copy of the original sheets which have been presented to me by Count Herbert de Caboga, domiciled in Villars-Burquin, to whom they have been returned.

The undersigned Notary certifies as well that the nine pages are struck in relief at the foot of each page with the Royal coat-of-arms but that the seal does not show on the photocopies.

This act was issued as a certificate at Sainte-Croix on May 14 nine hundred and seventy four.

.(Signed) P. Stöckli Not

*P. Stöckli  
not.*



## ORDONNANCE A-JERUSALEM 1994

WHEREAS: This Council, as repository of the sovereignty of the Order, acknowledges the purpose and objectives of our Order as set out in Article 11 of the 1964 K.P. 11 Constitution which, in particular, embraces the Rights of Mankind as defined in the Universal Declaration of the United Nations (i.e. U.O.H.R.)

AND WHEREAS: This Council welcomes its new formalized status within the auspices of the United Nations, and pledges to continue and further the international role and identity of the Order within the United Nations.

AND WHEREAS: This Council notes the conflict between U.D.H.R. Articles 2 and 7 (i.e. the anti-discrimination provisions) on the one hand, and K.P. 11 Articles XIII and XIV (i.e. discrimination against clerics and dames).

AND WHEREAS: This Council acknowledges that this inconsistency *gives* rise to an internal inconsistency within the K.P. 11 Constitution, namely between those discriminatory provisions and Article 11 which embraces the anti-discriminatory U.D.H.R.

AND WHEREAS: No specific provision exists within the K.P. 11 Constitution *to* resolve this inconsistency. This Council acknowledges its obligation under Article XVI and DECLARES that the provision in Article 11, embracing the U.D.H.R. shall prevail AND DECLARES those discriminatory provisions in Articles XIII and XIV to be inoperative to the extent of their inconsistency with Article 11.

AND WHEREAS: Finality and certainty in constitutional matters are essential to the stability and serious reputation of our Order, this Council acknowledges and DECLARES that hereafter, Declarations (and amendments thereof) resolving and concerning constitutional inconsistencies under Article XVI shall require a two third majority *vote*.



## **ORDONNANCE B • JERUSALEM 1994**

WHEREAS: The Grand Council of the Grand Priory of the Americas on March 6, 1994 resolved to "work diligently towards world unification of the Order" by, amongst other things, agreeing to give up its autonomy as granted in the Constitution and by H.M. King Peter's Constitution.

AND WHEREAS: Neither the Grand Council nor the Sovereign Council wish to amend King Peter's Constitution

**BE IT THEREFORE RESOLVED** that:

1. The Sovereign Council accept the resolution of the Grand Council of the Grand Priory of the Americas on November 6, 1993 that the Grand Council of the Grand Priory of the Americas, from the date of acceptance by the Sovereign Council, shall carry out its functions and duties and act as Section I and Section V (E) of its Constitution had been deleted by amendments of its Constitution.

2. The Sovereign Council hereby resolves to accept the Grand Priory of the Americas as a Grand Priory pursuant to King Peter's Constitution and the Sovereign Council from the date of this resolution onwards hereby agrees to carry out its functions and duties and act as if Articles VI(1), (2), (4), (5); Article-VII(1) (C) (reference to GPA), (D) (reference to GPA), Article-VIII(6), Article X(1) (a) (reference to GPA) and (b) had been deleted by amendments of King Peter's Constitution.