



**STATE OF KNIGHTS
FEDERATION OF AUTONOMOUS PRIORIES
OF THE SOVEREIGN ORDER OF SAINT JOHN OF JERUSALEM
KNIGHTS OF MALTA
(KMFAP)**

Government of the State

OFFICE OF THE GRAND MASTER AND HEAD OF THE STATE

**CLARIFICATION ABOUT THE IDENTITY AND SOVEREIGNTY OF THE
FEDERATION OF AUTONOMOUS PRIORIES OF THE SOVEREIGN
ORDER OF ST. JOHN OF JERUSALEM, KNIGHTS OF MALTA (KMFAP)**

On the 3rd of September of 2022 His Holiness Pope Francis, wisely, took the decision of dissolving the leadership of the Sovereign Military Order of Malta (SMOM) and of appointing a provisional government, besides imposing a new Constitutional Charter on them.

[Francis Motu Proprio](#)

POPE FRANCIS

**DECREE FOR THE SOVEREIGN MILITARY HOSPITALLER ORDER
OF SAINT JOHN OF JERUSALEM, OF RHODES AND OF MALTA (S.M.O.M.)**

The Sovereign Military Hospitaller Order of Saint John of Jerusalem, of Rhodes and of Malta has always enjoyed special protection from the Apostolic See.

The Roman Pontiffs on numerous occasions – starting with Pope Paschal II, who approved the Order with the Bull *Pie postulatio voluntatis*, assuring it of protection and granting it rights and privileges - have intervened to affirm its identity, to maintain its operations, to help overcome crises, and to guarantee the existence and development of the Hospitaller Order, including its sovereign prerogatives in the international sphere.

According to the Judgement of 24 January 1953, issued by the Court of Cardinals instituted on 10 December 1951 with the chirograph of my predecessor Pope Pius XII, of venerable memory, the “prerogatives inherent to the Order [...] as a subject of international law [...], which are proper to sovereignty, [...] do not constitute in the Order that complex of powers and prerogatives, which is proper to sovereign entities in the full sense of the word”. Indeed, the Order is “a religious Order, approved by the Holy See [...]. It pursues not only the sanctification of its members, but also religious, charitable and welfare purposes”. Moreover, “The two qualities of sovereign Order and religious Order [...] are

intimately connected. The quality of the Institution as a sovereign Order is functional, that is, directed to ensuring the achievement of the Order's ends and its development in the world" (*Acta Apostolicae Sedis* 45 [1953], 765-767).

Therefore, being a religious Order, it depends, in its various articulations, on the Holy See.

With paternal solicitude and concern, I have followed the progress of the Order over these years, appreciating the works carried out in various parts of the world, also thanks to the generous contribution of Members and Volunteers, and also noting the need to initiate a profound spiritual, moral and institutional renewal of the entire Order, especially and not only of the Members of the First Class, but also of those of the Second Class.

To this end, I entrusted my Special Delegate, Cardinal Silvano Maria Tomasi, C.S., with this important work of reform, as well as the revision of the Constitutional Charter and the Melitense Code, and the preparation of the Extraordinary General Chapter. Many steps have been taken, but likewise many impediments and difficulties have been encountered along the way.

After having listened to and engaged in dialogue with various representatives of the Order, the time has come to complete the renewal process initiated, in fidelity to the original charism. To safeguard the unity and greater good of the Sovereign Military Hospitaller Order of Saint John of Jerusalem, of Rhodes and of Malta:

I PROMULGATE

The new Constitutional Charter and the relative Melitense Code, approved by myself, ordering their immediate entry into force, and

I DECREE

1. The revocation of the High Offices;
2. the dissolution of the present Sovereign Council;
3. the constitution of a provisional Sovereign Council, consisting of the following members

- H.E. Fra' Emmanuel Rousseau - *Grand Commander*
- H.E. Riccardo Paternò di Montecupo - *Grand Chancellor*
- H.E. Fra' Alessandro de Franciscis - *Grand Hospitaller*
- H.E. Fabrizio Colonna - *Receiver of the Common Treasure*;

and by:

- H.E. Fra' Roberto Viazzo
- H.E. Fra' Richard Wolff
- H.E. Fra' John Eidinow
- H.E. Fra' João Augusto Esquivel Freire de Andrade
- H.E. Fra' Mathieu Dupont
- H.E. Antonio Zanardi Landi
- H.E. Michael Grace

- H.E. Francis Joseph McCarthy
- H.E. Mariano Hugo Windisch-Graetz;

4. the convocation of the Extraordinary General Chapter for 25 January 2023, the Feast of the Conversion of Saint Paul, which will be held in accordance with the new Regulations approved by myself. The Extraordinary General Chapter will be prepared by my Special Delegate and the Lieutenant Grand Master, assisted by the Provisional Sovereign Council;

I confirm all the faculties attributed in the past to my Special Delegate until the conclusion of the Extraordinary General Chapter, which will be presided over jointly by him and by the Lieutenant of the Grand Master.

This, notwithstanding any rule or provision of law to the contrary, as well as any privilege or custom, even worthy of note, that may be contrary to this decision of mine.

Finally, I decree that this Decree shall enter into force on today's date and be notified to the entire Order.

From the Vatican, 3 September 2022

FRANCIS

Bulletin of the Holy See Press Office, 3 September 2022

By this Decree, as well as by the previous Cardinal's Court Sentence is very clear that the said Sovereign Military Order of Malta (SMOM) does **NOT** have the Sovereignty that it claims to have, when in His Decree His Holiness The Pope recalls how ***"the prerogatives of the Order do not constitute the set of powers and prerogatives proper to Sovereign entities"*** ***"in the full sense of the word,"*** as stipulated in the 24 January 1953 sentence issued by the Tribunal of Cardinals. This sentence of the Cardinal's Court also states clearly that the SMOM is ***a religious Order***, therefore, it ***"depends in its various forms, on the Holy See."***

In the sequence of that sentence given in 1953 by the highest court of the Catholic Church at the time, and in view of it, one of the Knights of the Autonomous Priorities (KMFAP) requested the Italian Courts to pronounce on the legitimacy of the rights of His Eminent Highness Prince Nicola Ligny-Luxembourg di Lascaris-Ventimiglia, the then Grand Master of the Autonomous Priorities - Priorati Autonomi Reuniti as it was called at the time in Italian - (KMFAP) **as legal and direct successor** of the old Order of Saint John of Jerusalem, and **also on the right of H.E.H. Prince Ligny-Luxembourg to invest new knights of St. John also said Knights of Malta.**

In a very long, well-reasoned and well-argued Final Sentence the Italian Court was very clear by stating the following in the said sentence :

" ... Evidently the Cardinal's Court had the intention of dealing only with the matter of the new papal institution (1) and not of the old Order represented by its several Priorities, (2) ... "

and further on, at the end of this same page, that Italian Court states that the Cardinal's court was: ***" ...always mistaking between the papal religious branch (1) and the old and authentic Order (2) ... "***

By this sentence the Italian Court also recognizes to His Highness Prince Ligny-Luxembroug his rights de **Jure Sanguinis, de Jus Magestatis e de Jus Honorum**.

NOTES :

- The Order above referred in (1) is the Sovereign Military Order of Malta also known among other names as the Sovereign and Military Order of St. John of Jerusalem, Rhodes and Malta, or by the acronym of SMOM.

- The designation marked above as (2) corresponds to the Federation of Autonomous Pories of the Sovereign Order of St. John of Jerusalem, - Priorati Auonomi Reuniti as it was called then in Italian – also known as Knights of Malta or by the acronym of KMFAP

This sentence was later on followed by several other sentences given by European Union Courts all recognizing to KMFAP it's rights to Sovereignty.

KMFAP is also recognised as a Sovereign State in the light of the International Law by the multiple States with whom maintains for almost 30 years full Diplomatic Relations at Ambassadorial and Consular levels in accordance with the Vienna Conventions.

As a Sovereign State, the Federation of Pories (KMFAP) **is inclusive and non discriminatory, abiding and observing the United Nations Universal Declaration of Human Rights**, namely its:

Article 1 “All human beings are born free and equal in dignity and rights. (...)”

Article 2 “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (...)”

Article 18 “ Everyone has the right to freedom of thought, conscience and religion; (...) “.

In political theory, **Sovereignty** is a substantive term designating supreme legitimate authority over some polity, therefore **Sovereignty** is the full right and power of a governing body over itself without any interference from outside sources or bodies, and is not compatible with the interference in one State's affairs of another State or of a religious institution.

The Federation of Autonomous Pories of the Sovereign Order of St. John of Jerusalem, Knights of Malta (KMFAP) **as direct, legal and Sovereign descendant** of the old order of St John, has it's own Government, appointed by the Grand Master as the Head of the State of Knights, freely elected by the Knights and Dames, has it's own Constitutional Charter and **is totally free** from all sorts of dependences, either economic, political or religious. For these reasons KMFAP **does not accept and does not want to be confused** with **any** other institution or Order which may be – or pretends to be – a legitimate descendant of the Old Order of Saint John of Jerusalem, or other entities claiming the same rights, **because such confusion - having in consideration the very active and valuable self-supported Humanitarian work of KMFAP in many countries, not to mention the REAL Sovereignty that ONLY KMFAP has - only results in a demerit for the Federation and a merit for others** , which, of course, KMFAP totally refuses.