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**THE COMMON LIFE:
AN ELEMENT OF APOSTOLIC RELIGIOUS INSTITUTES OF WOMEN**

by
Marjory D. GALLAGHER, S.C.

A dissertation submitted to the Faculty of Canon Law,
Saint Paul University, Ottawa, Canada, in partial
fulfillment of the requirements for the degree of
Doctor of Canon Law



Ottawa, Canada
Saint Paul University
1995



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DISSERTATION ABSTRACT: THE COMMON LIFE: AN ELEMENT OF
APOSTOLIC RELIGIOUS INSTITUTES OF
WOMEN

AUTHOR'S NAME: Marjory Gallagher

In this work, the author explores the origins, development, understanding and praxis of the common life in apostolic religious institutes of women, and the evolution of related legislation. The dissertation attempts to bring together an understanding of the evolution of the common life, its place and meaning for apostolic religious institutes of women, the legislation regarding the common life, and the cultural and societal influences on the legislation and the life of the institutes.

The first chapter presents an historical overview of the legislation regarding the common life, from the early days of the Church until and including the 1917 Code of Canon Law.

The teachings of the Second Vatican Council constitute the heart of chapter two which analyzes the current legislation relevant to the common life, as well as its formulation, especially as it pertains to apostolic institutes of women. Particular attention is paid to Perfectae caritatis, section 15 (common life) and no. 8 (nature of apostolic institutes), and to selected canons addressing both these issues.

Chapter three analyzes and interprets the response of North American apostolic women religious to the conciliar invitation to return to the sources. It traces the most salient efforts at both adaptation and renewal in the areas of the apostolate and the common life. It also points out certain trends which have affected both the understanding and the praxis of the common life.

The fourth and last chapter analyzes and interprets implications for the future, in relation to balancing the requirement of the common life, the apostolic thrust of the institute, and the situations regarding membership which are affecting many institutes at present, and no doubt will continue to do so in the future. It recognizes the impact of societal and cultural attitudes, past and present, on both religious life and on ecclesiastical legislation. This chapter focuses on an interpretation of the common life more appropriate to the times and to the nature of apostolic institutes. Finally, some tentative revisions of certain canons are suggested.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	vi
ABBREVIATIONS	viii
INTRODUCTION	x
CHAPTER ONE: THE EVOLUTION OF THE LEGISLATION REGARDING THE COMMON LIFE	1
I. FROM NEW TESTAMENT TIMES TO THE END OF THE AGE OF THE DESERT (ca. 500)	1
A. The Early Church	1
B. Egypt and Syria	3
1. Pachomius	4
2. Basil	5
3. Augustine	6
C. Implications for Women	7
D. Conciliar Legislation	8
II. THE RISE OF MONASTICISM AND ITS EXPANSION IN THE WEST (ca. 500-1200)	9
A. Widespread Adoption of the Rule of Benedict	10
B. Caesarius of Arles (470-542)	11
C. Conciliar Legislation	12
D. Papal Interventions	15
E. Implications for the Common Life and for Women Religious	15
III. THE MENDICANTS AND THE ESTABLISHMENT OF THE THIRD ORDERS (ca. 1200-1500)	16
A. Various Foundations and Groupings	17
1. Francis and the Friars	17
2. Dominic and the Preachers	18
3. The Beguines	19
B. Conciliar Legislation	21
C. Papal Interventions	22
D. Implications for the Common Life and for Women Religious	24

TABLE OF CONTENTS

IV.	THE AGE OF THE APOSTOLIC INSTITUTES (ca. 1500-1800)	27
A.	Various Foundations and Corresponding Legislation	27
1.	Angela Merici and the Ursulines	27
2.	Ignatius of Loyola and the Society of Jesus	29
3.	Mary Ward and the English Ladies	32
4.	Louise de Marillac, Vincent de Paul and the Daughters of Charity	34
B.	Conciliar Legislation - Trent (1545-1563)	36
C.	Papal Interventions	38
1.	Pius V	38
2.	Benedict XIV	40
D.	Implications for the Common Life and for Women Religious	41
V.	INSTITUTES OF SIMPLE VOWS: "CONGREGATIONS" (1800-)	42
A.	The Rise of the "Congregations"	43
B.	Vatican Council I (1870)	44
C.	Papal Interventions	45
D.	Congregation for Bishops and Regulars	45
E.	The 1917 Code of Canon Law	46
F.	Implications for the Common Life and for Women Religious	48
	CONCLUSION	49
	CHAPTER TWO: CURRENT LEGISLATION AND RELATED DOCUMENTS	50
I.	VATICAN COUNCIL II (1962-1965)	50
A.	<i>Lumen gentium</i> - 1964: Chapter VI - Religious	52
1.	Chapter VI and Its Main Themes	52
2.	The Common Life and Community	54
3.	Tensions and Criticisms	55
B.	<i>Perfectae caritatis</i> - October 28, 1965	56
1.	Principles Governing the Renewal of Religious Life	57
2.	The Common Life and Community	58
a.	First <i>Schema</i> - 1962	59
b.	Second <i>Schema</i> - 1963	60
c.	Third <i>Schema</i> - April 1964	61
d.	Fourth <i>Schema</i> - October 1964	62
e.	The Fifth <i>Schema</i> - September 1965	62
3.	The Nature of Apostolic Institutes	63
C.	Implications for the Common Life and for Women Religious	64

TABLE OF CONTENTS

iii

II.	FROM THE COUNCIL TO THE 1983 CODE OF CANON LAW	65
	A. Papal Documents	66
	B. Documents from the Congregation for Religious	67
	C. Implications for the Common Life and for Women Religious	69
III.	THE 1983 CODE OF CANON LAW	69
	A. Consecration - c. 573	71
	B. Basic Canons: 602, 607, 665 - §1, 668 - §3, 670	73
	1. Canon 602 - <i>Vita fraterna</i>	73
	2. Canon 607 - Description of Religious Life	75
	3. Canon 665 - §1 - Residence and Absence	83
	4. Canons 668 - §3 - Common Goods and 670 - Provision for Needs	88
	C. Related Canons: 578 - Patrimony of the Institute and 586 - Internal Autonomy	91
	D. Canons 673, 675, 676, and 677 - §1 - Apostolic Institutes	93
	E. Implications for the Common Life and Women Religious	95
IV.	DOCUMENTS PROMULGATED IMMEDIATELY AFTER THE 1983 Code	96
	A. Essential Elements - 1983	96
	B. <i>Redemptionis donum</i> - 1984	98
	C. CICLSAL	99
	1. <i>Potissimum institutioni</i> , 1990	99
	2. Fraternal Life in Community - 1994	100
	D. Synod: The Consecrated Life and Its Role in the Church and in the World	101
	1. <i>Lineamenta</i> , 1992	101
	2. <i>Instrumentum laboris</i>	102
	CONCLUSION	104
	CHAPTER THREE: IMPLICATIONS FOR CURRENT PRACTICE	106
I.	ADAPTATION - RESPONSE OF APOSTOLIC INSTITUTES OF WO- MEN	108
	A. Chapters of Renewal	109
	1. A Return to the Sources	110
	2. The Patrimony of the Institute	111
	3. Levels of Change	113

TABLE OF CONTENTS

iv

B.	A Re-evaluation of the Whole of Life	114
1.	The Apostolate	115
a.	Assignment or Missioning Process	115
b.	Corporate Apostolate - Institutions	116
2.	Common Life	117
C.	Decline in Membership	118
1.	Departures	119
2.	Few Candidates	120
3.	Aging Members	121
II.	RENEWAL - IMPLICATIONS FOR APOSTOLIC INSTITUTES	122
A.	Understanding of the Nature of Integrally Apostolic Institutes	123
B.	Efforts to Respond to New Needs	125
C.	Diversity and Corporateness	130
III.	RENEWAL - IMPLICATIONS FOR THE COMMON LIFE OR LIFE IN COMMUNITY	132
A.	Shift from Uniformity and Externalism	133
B.	From the Common Life to Community and Unity	136
1.	Influences	136
a.	Theological Insights	137
b.	Focus on Mission	139
c.	Ignatian Sources	141
2.	Practice and Underlying Values	143
a.	From Large Institutions to Small Houses	144
b.	Quality of Life	145
c.	Relationship - Communication	148
C.	New Developments	149
1.	Therapeutic Model of Community	150
2.	Inter-Congregational Communities	151
3.	Living singly	153
	CONCLUSION	156
	CHAPTER FOUR: IMPLICATIONS FOR THE FUTURE	158
I.	INFLUENCE OF VARIOUS CULTURAL AND SOCIETAL ATTITUDES TOWARDS WOMEN	160
A.	The Past	160
1.	Church Legislation	161
2.	Religious Institutes of Women	164

TABLE OF CONTENTS

B.	The Present	167
1.	Reactions to Church Legislation	168
2.	Apostolic Religious Institutes of Women	170
II.	MEANING AND PRACTICE OF COMMUNITY IN FLUX	171
A.	Search for Community in Society at Large	172
B.	Search for Community in Apostolic Religious Institutes of Women ..	174
1.	A Community of Adults	175
2.	Community for Mission	180
3.	Commitment of Community Members to Each Other	184
C.	Structural Change and Support Systems	186
1.	Means of Preserving Unity	187
2.	New Types of Communities	188
3.	Communications	191
4.	Challenges for Leadership	192
D.	Canonical Issues	196
1.	The Proper Law of Institutes	197
2.	The Universal Law	199
a.	Difficulties	199
b.	Possible Revisions of Certain Canons	202
	CONCLUSION	207
	GENERAL CONCLUSION	209
	APPENDICES	215
A.	Evolution of the Congregation for Religious	215
B.	Vatican II Documents and Religious Life	216
C.	Text and Translations of <i>PC 15a</i>	217
D.	Roman Documents from the Council to the Code	220
E.	Development of Canons from Schemas to <i>CIC/83</i>	221
F.	Common Life: Type of Element	229
G.	Canadian Statistics - Sisters: General	231
H.	Canadian Statistics - Sisters: Age and Ministry	233
I.	Ten Institutes: Comparative Populations	235
	BIBLIOGRAPHY	236
	BIOGRAPHICAL NOTE	257

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vii

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ABBREVIATIONS

AAS	Acta Apostolicae Sedis
art.	Article
ASS	Acta Sanctae Sedis
C., cc.	Canon, canons
CCEO	Code of Canons of the Eastern Churches
CIC/17	Code of Canon Law, 1917
CIC/83	Code of Canon Law, 1983
CIC/93/GBI	Translation prepared by the Canon Law Society of Great Britain and Ireland (Revised)
CIC/83/CLSA	Translation prepared by the Canon Law Society of America
CIC/83/UN-SPU	Translation prepared by the University of Navarre and Saint Paul University (French)
CICLSAL	Congregation for Institutes of Consecrated Life and Societies of Apostolic Life
CLD	Canon Law Digest
Comm.	Communicationes
CRC	Canadian Religious Conference
CRIS	Congregation for Religious and Secular Institutes
DC	Documentation catholique
DIP	Dizionario degli istituti di perfezioni
EE	Essential Elements
ES	Ecclesiae sanctae
ET	Evangelica testificatio

LG	Lumen gentium
n.	Footnote
No., nos.,	Number, numbers
OED	Oxford English Dictionary
PC	Perfectae caritatis
PL	Patrologiae cursus completus, Series latina
RD	Redemptionis donum
RL	Religionum laicalium
SCB	Sacred Congregation of Bishops (Episcoporum)
SCEP	Sacred Congregation for Evangelization of Peoples (Propaganda Fide)
SCRIS	Sacred Congregation for Religious and Secular Institutes
TPS	The Pope Speaks
UISG	International Union of Superiors General (women)
USG	Union of Superiors General (men)

INTRODUCTION

In *Lumen gentium*,¹ Chapter VI, entitled "Religious", we read:

The teaching and example of Christ provide the foundation for the evangelical counsels of chaste self-dedication to God, of poverty and of obedience. The Apostles and Fathers of the Church commend them as an ideal of life, and so do her doctors and pastors. They therefore constitute a gift of God which the Church has received from her Lord and which by his grace she always safeguards (no. 43).

The state of life which is constituted by the profession of the evangelical counsels, while not entering into the hierarchical structure of the Church, belongs undeniably to her life and holiness (no. 44).

Similar thoughts are expressed in the opening paragraphs of *Perfectae caritatis*.²

Indeed, since the early days of the Church, women and men have dedicated themselves to God by withdrawing from society to pray and fast or by devoting themselves to the service of others. This movement which we know as religious life has taken a variety of forms: the virgins and widows of the early Church, the desert ascetics, the contemplatives, the sister, brother, or priest engaged in the corporal and spiritual works of mercy in their own country or abroad. Generally each of those modes has experienced a similar pattern — foundation, expansion, a certain culmination point, and a decline.³ This same evolution has

¹ VATICAN II, Dogmatic Constitution, *Lumen gentium*, 21 November 1964, in *AAS*, 57 (1965), pp. 5-67, Chapter 6, *De religiosis*, pp. 49-53, translated in A. FLANNERY, ed., *Vatican Collection: vol. I: Vatican Council II, The Conciliar and Post Conciliar Documents*, revised ed., Northport, Costello, 1988, pp. 350-423, Chapter 6, "Religious", pp. 402-407. [Unless otherwise indicated, all translations of conciliar and post conciliar documents are taken from FLANNERY, vol I and from *Vatican Collection: vol. II: Vatican Council II, More Post Conciliar Documents*, Northport, Costello, [1982], xix, 920p.]

² VATICAN II, Decree, *Perfectae caritatis*, 28 October 1965, in *AAS*, 58 (1966), pp. 702-712, FLANNERY I, pp. 611-623.

³ L. CADA, et al., *Shaping the Coming Age of Religious Life*, [= *Shaping the Coming Age*], New York, Seabury, [1979], pp. 11-50.

been mirrored in most institutes, in that they too have known a similar growth and decline. In the case of the individual institute, however, the decline usually leads to one of three outcomes — death, resurrection (refounding or revitalization), or a minimal existence.⁴

In the different models of religious life, in all of the institutes, it is possible to underline certain elements which have remained stable throughout the centuries. The most obvious is some expression of private or public commitment. In the beginning, the focus was not so much on the three vows as on the actual profession of the person's commitment.⁵ With time, this expression of commitment assumed various forms: a single private vow, several simple vows, the three solemn vows of poverty, chastity and obedience. Regardless of the number of vows or their nature, virginity or chastity has usually been the heart of this promise forming the stable core of the commitment.

During the long history of religious life, other elements were adopted and came to be considered an integral part of it;⁶ one of these is the common life. The purpose of this dissertation is to explore the origins, development, understanding and praxis of the common life in apostolic religious institutes of women, and the evolution of the legislation on this point. It attempts to bring together an understanding of the requirement of common life as it has evolved, its place and its meaning for apostolic religious institutes of women, the

⁴ CADA, *Shaping the Coming Age*, pp. 51-61.

⁵ S. SCHNEIDERS, in *New Wineskins: Re-imagining Religious Life Today*, Ramsey, Paulist Press, 1986, pp. 46-60, traces the evolution of "profession" and its eventual identification with the taking of vows.

⁶ E. JOMBART, "L'essence de l'état religieux", in *Revue des communautés religieuses*, 1 (1925), pp. 172-181, and more specifically on the element of the common life, "Vie de communauté et vie commune", in *Revue des communautés religieuses*, 14 (1938), pp. 6-10, 38-43.

legislation regarding the common life, and the cultural and societal influences on the legislation and the life of the institutes. Although the beginnings of the common life may have been based on the need for sharing similar values and ideals, or a concern for safety, as this movement spread, as the Church grew, problems arose and legislation was formulated.

That the Church has had, through the centuries, a concern for religious life is evident from the numerous decrees of local, provincial, and ecumenical councils, the constitutions and *motu proprios* of popes, the directives of curial congregations as well as the 1917 and 1983 Codes of Canon Law. From the Council of Chalcedon (451) to the Second Vatican Council (1962-65), from Boniface VIII to John Paul II, one can trace the path of the Church's activity on behalf of religious life. Much of this legislation affected both the common life and women religious.

The first chapter of the dissertation outlines the history of the legislation regarding the common life, from the early days of the Church until and including the 1917 Code of Canon Law. The legislation of this period is expressed in the documents and canons of general and provincial councils, in papal and episcopal interventions, and in the directives and rules of the founders. The implication of the various legislative norms for women and for the common life will also be noted.

The teachings of the Second Vatican Council, announced by Pope John XXIII on January 25, 1959, constitutes the heart of chapter two.⁷ Particular attention will be given to certain elements of Chapter VI in *Lumen gentium*, as well as to section 15 in *Perfectae caritatis* regarding the common life. Women religious, on the whole, were greatly influenced

⁷ *AAS*, 51 (1959), p. 68.

by the conciliar documents, particularly *Perfectae caritatis*. For those who were members of institutes dedicated to the apostolate, PC no. 8, regarding the apostolic nature of those institutes, was especially significant. The 1983 Code of Canon Law expressed in a juridic fashion the teachings of the Council; therefore this chapter includes certain pertinent canons that have been selected for study. They address aspects of the common life and the apostolic nature of particular institutes. Because of the Council, one can detect an evolution of the perception of the common life and the emergence of a new image of that reality.

These first two chapters focus on the common life in a general or universal manner. The following two chapters address the implementation of various norms by institutes of women. Therefore they are more particular in tone and target the North American situation, specifically the Canadian one.

Perfectae caritatis urged religious to renew. This was to be "a constant return to the sources of the whole of the Christian life and to the primitive inspiration of the institutes, and their adaptation to the changed conditions of our time."⁸ Therefore, it would seem that the Council clearly intended that the uniformity so evident in religious life, both within and across the various institutes, be replaced by practices consistent with the charism and spiritual patrimony of each institute. Chapter three looks at the response of apostolic women religious to this conciliar invitation. It traces the most salient efforts at both adaptation and renewal particularly in the areas of the apostolate and the common life. It also points out certain external influences as well as some internal trends which have affected both the understanding and the praxis of the common life.

⁸ PC, no. 2a.

The fourth and last chapter considers implications for the future, particularly in relation to balancing the requirement of the common life, the apostolic thrust of the institute, and the situations regarding membership which are affecting many institutes at present, and no doubt will continue to do so in the future. It recognizes the impact of societal and cultural attitudes, past and present, on both religious life and on ecclesiastical legislation. This chapter focuses on an interpretation of the common life more appropriate to the times and to the nature of apostolic institutes. It also presents certain means of preserving the unity of an institute and living in fidelity to the charism. Finally, some tentative revisions of certain canons are suggested.

Throughout this study, an effort is made to distinguish among some terms that are frequently used interchangeably, even by experts: common life, life in common, community. Generally, "common life" is used where that sense of "togetherness" has been the focus of either the law or the practice. The phrase "life in common" is mentioned sparingly to refer again to the "togetherness" aspect of religious life, or to emphasize resources shared among the members. Generally the word "community" is reserved to designate the aspect of unity, the union of minds and hearts among members which expresses a sharing of life — a deeper reality and more enduring reality than a sharing of goods or resources. For this reason, the expression "local unit" replaces "local community" in referring to the grouping of religious at the local level, unless it is evident that this aspect of "unity" or "union" exists or is to be emphasized.

No doubt it is rather evident that the plan of the thesis dictates the use of a mixed methodology. The first chapter involves a historical overview of the evolution of the common

life and of the relevant legislation. Chapter two analyses some of the current legislation and its formulation relevant to the common life particularly in apostolic institutes of women. This analysis is done in the light of the conciliar teachings. Chapters three and four combines an analytic and interpretative approach in order to draw forth conclusions and possible applications.

"... n'ayant pour monastère que les maisons des malades et celle où réside la supérieure, pour cellule une chambre de louage, pour chapelle l'église paroissiale, pour cloître les rues de la ville, pour clôture l'obéissance, ... pour grille la crainte de Dieu, pour voile la sainte modestie ..."

(Vincent de Paul, *Entretiens*, X, p. 661)

"... having only for a Convent the houses of the sick and that in which the Superioress resides, for a cell a hired room, for a chapel their parish church, for a cloister the streets of the city, for enclosure, obedience, ... for a grille, the fear of God, for a veil, holy modesty ..."

(Translated by J. Leonard)

CHAPTER ONE

THE EVOLUTION OF THE LEGISLATION REGARDING THE COMMON LIFE

Historians are generally unanimous at situating the origins of religious life in the early days of the Church, when the virgins and widows of the first centuries began to live a special form of life. Legislation regarding this movement,¹ particularly concerning the common life, followed later. This chapter traces that legislation, especially as it affects women's institutes, from the beginnings until the 1917 Code of Canon Law. "Legislation" is used here in both a broad and a narrow sense: internal rules or norms of founders or spiritual leaders; decrees of general or ecumenical councils, of selected local and provincial ones; papal interventions for a particular group or for religious life as a whole.

I. FROM NEW TESTAMENT TIMES TO THE END OF THE AGE OF THE DESERT (ca. 500)²

A. *The Early Church*

The organized movement later known as "religious life" did not exist as such in the early Church; therefore legislation was nonexistent as well. Consecrated virgins and widows lived in the midst of the christian communities without any separation or formal organization.

¹ S. SCHNEIDERS, in *New Wineskins: Re-imagining Religious Life Today*, [= *New Wineskins*], Ramsey, Paulist Press, 1986, pp. 28-33, describes a movement and how it applies to religious life. See also S. FAGAN, who distinguishes between movement and institution in "Identity of Religious", in A. FLANNERY, ed., *Towards the 1994 Synod: The Views of Religious*, [Dublin], Dominican Publications, [1993], pp. 18-19.

² For the divisions of the history of religious life, see L. CADA, et al., *Shaping the Coming Age of Religious Life*, [= *Shaping the Coming Age*], New York, Seabury, [1979], p. 13.

Indeed the ideal of the entire emerging Church, small though it was, was that expressed in Acts.³

As time went on those women, especially the virgins who tended to lead lives of prayer and penance, came together in small groups.⁴ This was not surprising. Christianity had not arisen in a vacuum and the prior existence of communities was well known, as they had been found among the Essenes and the prophets.⁵ When communities did appear, they usually formed around a charismatic figure acting as a teacher or spiritual tutor rather than as a superior as we now understand the term. Although some leaders did establish norms for their followers, those regulations were not of the nature of a juridical code.⁶

³ Acts 4:32. See also Acts 2:44-45 and 5:12. D. J. ANDRÉS GUTIÉRREZ establishes the basis of the common life in the Jerusalem community and describes some of its characteristics in "La vida común religiosa: Momentos culminantes de su evolución histórica", [= "Vida común"], in *Apollinaris*, 50 (1977), pp. 121-123.

⁴ J. W. PADBERG, "Understanding a Tradition of Religious Life", [= "Understanding a Tradition"], in G. A. ARBUCKLE and D. L. FLEMING, ed., *Religious Life: Rebirth Through Conversion*, [= *Rebirth*], New York, Alba House, [1990], p. 4.

⁵ Several authors trace various influences on the nascent communities: A. VEILLEUX, "The Evolution of the Religious Life in its Historical and Spiritual Context", [= "Evolution"], in *Cistercian Studies*, 6 (1971), pp. 9-11; P. F. ANSON, *The Call of the Desert: The Solitary Life in the Christian Church*, [= *The Call*], London, SPCK, 1964, pp. 8-10; F. PETIT, "La vie religieuse: son histoire", [= "Vie religieuse"], in *Au seuil de la théologie: initiation en trois années*, t. III, Paris, Cerf, 1966, pp. 323-326.

⁶ A. VEILLEUX, "The Interpretation of a Monastic Rule", [= "Interpretation"], in B. PENNINGTON, ed., *The Cistercian Spirit: A Symposium*, Spencer, Cistercian Publications, 1970, pp. 55-57.

B. *Egypt and Syria*

The organized form of religious life began in the desert where christians fled to escape persecution and economic burdens, among other reasons.⁷ P. F. Anson points out that various circumstances converged to create "a sort of eremitical mentality, a natural as well as supernatural urge to be hidden and unknown."⁸

Egypt was a favourite destination in the flight from the world and soon became the cradle of monasticism, not initially in the medieval sense but rather etymologically: *monos* — alone, solitary.⁹ It was not the only haven.¹⁰ Life in the desert was not restricted to solitaries; frequently the "monks" (*monos*) lived in colonies, *lauras*,¹¹ which could include upwards of one thousand members.¹²

⁷ ANSON, *The Call*, pp. 8-10; the author points out that this withdrawal from the world was in keeping with the tradition of the Essenes and the prophets, and with the example of John the Baptist.

⁸ ANSON, *The Call*, p. 10. The Edict of Milan (313) allowed christians freedom of worship; this was perceived by some as a cause of laxity; see R. LOPEZ, *La vida comunitaria: elemento principal en la renovación de la vida religiosa*, [= *Vida comunitaria*], Bilbao, Mensajera, [1976], p. 30.

⁹ D. KNOWLES, *From Pachomius to Ignatius: A Study in the Constitutional History of the Religious Orders*, [= *From Pachomius*], Oxford, Clarendon, 1966, p. 2; PETIT, "Vie religieuse", p. 326, describes the different types of *monos*: the hermit living alone in the desert, the recluse confined to a room attached to a church, the anchorite living with a few disciples in a very small community, the coenobite living in community in a monastery.

¹⁰ Hermits were found in Palestine and other areas of the near East, notably in Syria, Mesopotamia, and Persia. See J. GRIBOMONT, "Le monachisme au sein de l'Église en Syrie et en Cap-podoce", in *Studia monastica*, 7 (1965), pp. 7-24; G. NEDUNGATT, "The Covenanters of the Early Syriac-speaking Church", in *Orientalia christiana periodica*, 39 (1973), pp. 191-215, 419-444.

¹¹ Ascetics and hermits lived in the same district and came together for certain meetings or events.

¹² ANSON, *The Call*, pp. 31-39; D. CHITTY, *The Desert, A City: An Introduction to the Study for Egyptian and Palestinian Monasticism under the Christian Empire*, [= *Desert, City*], Oxford, Blackwell, 1966, xvi, 222p., provides a detailed description of monastic life in the desert.

1. *Pachomius*

Around the beginning of the fourth century, organized common life began to develop in Egypt, particularly under Pachomius. A community seemed to him "as the obvious expression of a central element of Christian religion: charity. The result was a spirituality focusing on brotherly communion."¹³ M. van Molle points out that what Pachomius established was not so much a community of monks but one of brothers.¹⁴ His community demanded that monks live together under one roof within a monastery divided into different houses each holding thirty or forty persons, with its own leadership, chapel and refectory. Life was lived entirely in common and every aspect of life was governed by meticulous rules.¹⁵ Nevertheless, Pachomius' rule was not without influence.¹⁶ G. Lesage maintains that

¹³ J. LOZANO, "The Pachomian Experience: Spirit and Institution", [= "Pachomian Experience"], in *Review for Religious*, 35 (1976), p. 561; see also his *Discipleship: Toward an Understanding of Religious Life*, [= *Discipleship*], Chicago, Claret Center for Resources in Spirituality, 1980, pp. 204-206. The author relates how Pachomius came to see the value of "fraternal communion": he had had a disageement with another monk over the size of a wall and realized that although he had lived seven years as a solitary, he was unable to accept a contrary opinion.

¹⁴ M. van MOLLE, "Aux origines de la vie communautaire chrétienne, quelques équivoques déterminantes pour l'avenir", [= "Aux origines"], in *La vie spirituelle, Supplément*, 22 (1969), p. 104, "[Pachôme et Basile] ne réunissaient pas des communautés de moines, mais des communautés de frères. C'est bien autre chose qu'une question de vocabulaire. Les premières Règles pachômiennes ne font pas la moindre allusion aux pratiques caractéristiques des moines: jeûnes, veilles, silence, prière pro-longée. Il n'y s'agit uniquement de vie commune, fraternelle, chrétienne."

¹⁵ G. LESAGE, *L'accession des congrégations à l'état religieux canonique*, [= *L'accession*], Ottawa, Université d'Ottawa, 1952, pp. 24-25: "[La vie commune] ne suppose plus seulement, comme chez les ascètes et les ermites, des assemblées particulières ou l'habitation dans un même district; elle exige la cohabitation dans un *monastère* divisé en différentes maisons où habitent trente à quarante moines, chacune ayant son supérieur, son cellérier ou économe, chapelle et son réfectoire. Tout le régime de vie est commun; des règles méticuleuses ordonnent le sommeil, le travail, la nourriture." See also LOZANO, *Life as a Parable: Reinterpreting the Religious Life*, [= *Parable*], New York, Paulist Press, [1986], p. 142.

¹⁶ For a study of Pachomius' achievements, see KNOWLES, *From Pachomius*, pp. [1]-9; ANDRÉS GUTIÉRREZ, "Vida común," pp. 124-127; ANSON, *The Call*, pp. 27-28. See VEILLEUX, "Interpretation", p. 56, and van MOLLE, "Aux origines", pp. 101-121 regarding some distortions of

it introduced a more complete method of perfection because of communal support in the practice of virtue, obedience and poverty. In the law of the Church, the common life was eventually seen as an element of order, security and stability.¹⁷

2. *Basil*

What Pachomius accomplished for Egypt, Basil was to do at a slightly later date for Cappadocia and neighbouring areas by organizing the ascetics into similar coenobitic systems, but in the midst of the cities rather than in the deserts. It is that model that later spread throughout the Eastern world,¹⁸ warranting for Basil the title of "father and patriarch of Orthodox monachism." It also anticipated the later medieval orders in the West.¹⁹

For Basil, the Gospel provided the focus and the basis of his communities, the motivation for coming together in "fraternal communion",²⁰ as well as the source for his directives. These were gathered into "collections", later called "Rules"; however, in no way

Pachomius' original vision.

¹⁷ LESAGE, *L'accession*, p. 26, "la règle pacômienne introduisait en spiritualité une formule plus complète de perfection: l'entr'aide commune pour la pratique d'une vertu, d'une obéissance et d'une pauvreté plus parfaites; dans le droit de l'Église, la vie commune devenait, pour l'état religieux, un élément d'ordre, de sécurité et de stabilité."

¹⁸ VEILLEUX, "Evolution" pp. 12-13; ANSON, *The Call*, pp. 39-40, describes Basil's background and his motives for establishing a coenobitic model of monasticism: he had travelled extensively and had seen the eccentricities and abuses in the lives of many solitaries. For him, community life provided a better climate in which to foster perfection and to carry out works of mercy; see also ANDRÉS GUTIÉRREZ, "Vida común", pp. 128-131.

¹⁹ KNOWLES, *From Pachomius*, p. 4-5.

²⁰ LOZANO, *Parable*, p. 143; see also his *Discipleship*, pp. 206-208.

could they be considered a systematic juridic code.²¹ Some view Basil as responsible for replacing the eremitical style by the coenobitic model of monasticism.²²

3. *Augustine*

One more name must be added to those early organizers of community living, Augustine. His rule, written around 397, is "the oldest Rule in the West",²³ and its basis was the ideal of the Jerusalem community described in *Acts*, with love as the underlying motivation.²⁴ The union of minds and hearts was essential but integrally linked to it was the sharing of material goods.²⁵ Augustine's rule along with Basil's were two of the four later recognized by the Church at the Fourth Lateran Council.

It is evident that within a relatively short time, the face of ancient monasticism was transformed from life as a solitary, a hermit, or an anchorite to that of a coenobite. Little by little monastic communities were more and more organized until "community life became

²¹ VEILLEUX, "Interpretation", pp. 55-56; for a summary of Basil's "Rule", see ANSON, *The Call*, p. 40.

²² ANSON, *The Call*, p. 39.

²³ *The Rule of St. Augustine: Masculine and Feminine Versions*, [= *Rule of Augustine*], R. Canning, trans., introduction and commentary by T. Van Banel, London, Darton, [1984], pp. 3-4. For further commentaries on Augustine's *Rule*, see LOZANO, *Discipleship*, pp. 209-210; M. A. DONOVAN, *Sisterhood as Power: The Past and Passion of Ecclesial Women*, [= *Sisterhood*], New York, Crossroad, [1989], pp. 85-91; ANDRÉS GUTIÉRREZ, "Vida común", pp. 133-134.

²⁴ *Rule of Augustine*, p. 7: "[A] good community life is nothing other than the practice of love."

²⁵ LOZANO, *Parable*, pp. 142-143. However, the needs of each were to be respected; the result was pluralism rather than uniformity.

the most common form of religious life, and the only one recognized in the West up to our day."²⁶

C. *Implications for Women*

For women the practice was similar. Pachomius and Basil each had their feminine counterparts, their sisters, in fact: Mary and Macrina. Both established communities with norms parallel to those observed in the male monasteries;²⁷ Augustine had also given a rule to the virgins of Hippo.²⁸ There were differences, however, between the women's and men's groups. Firstly, it would appear that the women gathered in communities earlier than the men.²⁹ Secondly, from writings of that time, we see that monks moved in and out of the desert and of their communities; women were to remain in their monasteries for life. Thirdly, to survive economically, women's institutes were obliged to depend on men's monasteries,³⁰ or to be self-supporting through dowries. Thus entrance to women's monasteries soon became possible only for the wealthy.

²⁶ LOZANO, *Discipleship*, p. 202.

²⁷ Unfortunately there are no records of their writings or directives. J. A. McNAMARA, in "Muffled Voices: The Lives of Consecrated Women in the Fourth Century", [= "Muffled Voices"], in J.A. NICHOLS and L. T. SHANK, ed., *Distant Echoes: Medieval Religious Women I*, [= *Distant Echoes*], [Kalamazoo], Cistercian Publications, 1984, p. 12, attempts to uncover the voices of early women religious within the writings of their brothers and other church men; she provides a detailed picture of the life of the virgins and widows of that era.

²⁸ LOZANO, *Parable*, p. 145.

²⁹ PADBERG, "Understanding a Tradition", p. 6. Many factors contributed to this move; these sociological, cultural and historical factors will be considered in Chapter four.

³⁰ McNAMARA, "Muffled Voices", p. 22.

D. *Conciliar Legislation*

It is important to note that the most common norms or forms of legislation during those early centuries were established by founders and spiritual leaders. The first major legislation by a General Council was that of Chalcedon in 451. Although it did not concern the common life per se, some of its decrees referred, at least implicitly, to a life lived in common. Canon 4 brought the monks under the jurisdiction of the local bishop, particularly regarding foundations and stability: monks were not to leave their monastery without the permission of their bishop.³¹ Chalcedon targeted abuses as would many later councils. Although the focus was on "monks", the same norms applied to nuns.³²

This Council was significant from two points of view: monasticism was recognized by the Church and became part of its life;³³ groups of "religious" were no longer free to establish communities at will, nor to remain in their own homes.³⁴ Its decrees can also be seen

³¹ J. D. MANSI, *Sacrorum conciliorum nova et amplissima collectio*, Paris, Welter, 1901-1927, t. 6, col. 1226: "... placuit neminem ullo modo aedificare, nec instituere monasterium ... aedem sine voluntate civitatis Episcopi. Monachos vel, qui sunt per singulos civitates & provincias, subjectos esse Episcopo, & quietem deligere, & operam dare jejunio & orationi, in quibus locis abnunciaverunt observantes; ... nec communionem habere relinquentes sua monasteria ... nisi forte praeceptum eis fuerit propter necessariam utilitatem ab Episcopo civitatis"; English translation in N. P. TANNER, ed., *Decrees of the Ecumenical Councils*, original text established by G. Alberigo et al., London, Sheed and Ward; Washington, Georgetown University Press, 1990, p. 89. [All translations of conciliar legislation used in this chapter are taken from TANNER, unless otherwise indicated.]

³² L. JARRELL, *The Development of Legal Structures for Women Religious Between 1500 and 1900: A Study of Selected Institutes of Religious Life for Women*, [= *Legal Structures*], Washington, Catholic University of America, 1984, p. 6.

³³ ANSON, *The Call*, p. 66.

³⁴ The Third Council of Carthage (397), canon 33, had already decreed that virgins were to live in a monastery, or under the guidance of prudent women if they could no longer be with their parents, MANSI, t. 3, col. 885: "Ut virgines sacrae, cum parentibus, a quibus custodiebantur, privatae fuerint, episcopi providentia, vel presbyteri ubi episcopus absens est, in monasterio virginum, vel gravioribus foeminis commendentur, ut simul habitantes invicem se custodiant, ne passim vagantes ecclesiae

as favouring the coenobitic life over the ancient eremitical and solitary traditions.³⁵ Indeed, they paved the way for a consistent legislation which more and more would tend to identify religious life with monasticism.³⁶

II. THE RISE OF MONASTICISM AND ITS EXPANSION IN THE WEST (ca. 500-1200)³⁷

The face of monasticism which began to reveal itself almost simultaneously in various parts of the western world is familiar to most christians: religious living in a monastery under the leadership of the abbot/abbess, the spiritual father/mother. This was the coenobitic form of monasticism and it has prevailed in the West, although the eremetical life continued in the East. Among its characteristics, the one most relevant to the common life, was that of stability.³⁸

laedant existimationem."

³⁵ M. LEROY LADURIE, *Femmes au désert: témoignages sur la vie érémitique*, Paris, Saint-Paul, [1971], p. 14, speaks of the cause of the disappearance of the eremetical life in the West, both for women and men. She also refers in some detail to the loss of a unified *ordo monasticus* lived according to different models at different times in a person's life.

³⁶ VEILLEUX, "Evolution", p. 15.

³⁷ For a summary of the emergence of monasticism, see CADA, *Shaping the Coming Age*, pp. 20-27; VEILLEUX, "Evolution", pp. 13-15; W. HINNEBUSCH, "Origins and Development of Religious Orders", [= "Origins and Development"], in *Review for Religious*, 28 (1969), pp.918-922 and also 29 (1970), pp. 59-78 for later developments.

³⁸ The introduction of the element of stability put an end to the phenomenon of the missionary monks, a characteristic of Celtic monasticism. See CADA, *Shaping the Coming Age*, pp. 21-23; HINNEBUSCH, "Origins and Development", pp. 28/920-921. Other characteristics were ascetism, fidelity to the rule, and a balance of work and prayer; see ANDRÉS GUTIÉRREZ, "Vida común", for a synthesis of the elements of monasticism, p. 136-137, and KNOWLES, *From Pachomius*, p. 6.

A. Widespread Adoption of the Rule of Benedict

The dominant figure during this era was Benedict, and a new monastic image is usually attributed to his foundation at Monte Cassino in 529.³⁹ Benedict drew up a rule for his own community as other leaders had done for theirs. It must be noted that those early rules were not systematic juridical codes but spiritual documents providing inspiration and ideals.⁴⁰ Benedict too relied on earlier rules but adapted them, particularly in the area of ascetism. His rule was, and still is, noted for its wisdom and moderation.⁴¹

Two major factors influenced the spread of Benedict's rule: the support of Pope Gregory the Great (590-604) and the Carolingian reforms. Prior to becoming pope, Gregory had been both a monk and a founder. As pontiff, he encouraged monastic life through his writings, by establishing monasteries, and it was Benedict's rule that he fostered.⁴² The second major influence sprang from Charlemagne's desire to impose law and order on his empire, including the Church. He loved uniformity and valued what he saw in Benedict's Rule.⁴³ The reforms carried out under Charlemagne and his successor, Louis the Pious, had

³⁹ CADA, *Shaping the Coming Age*, p. 20; see also HINNEBUSCH, "Origins and Development", pp. 28/922-923; ANDRÉS GUTIÉRREZ, "Vida común", pp. 135-138;

⁴⁰ Most monasteries had access to norms written by various founders, and the common practice was to adopt what was applicable and useful from each. See VEILLEUX, "Evolution", p. 17, and "Interpretation", pp. 56-57; see also ANSON, *The Call*, pp. 59-61.

⁴¹ HINNEBUSCH, "Origins and Development", p. 28/922; LOZANO, *Discipleship*, pp. 208-209.

⁴² DONOVAN, *Sisterhood*, p. 9; see also R. HOSTIE, *Vie et mort des ordres religieux: approches psychologiques*, [= *Vie et mort*], Paris, Desclée de Brouwer, 1972, pp. 64-65, 278; see also HINNEBUSCH, "Origins and Development", p. 28/922.

⁴³ KNOWLES, *From Pachomius*, pp. 7-8; see also VEILLEUX, "Evolution", p. 16: Charlemagne decreed that the clergy adopt either Benedict's or Chrodegang's rule. Chrodegang, in attempting to renew the clergy, had established a common life for them without the practice of the counsels. His

a significant effect on the interpretation of Benedict's Rule. With those reforms, rigidity and uniformity crept in. A. Veilleux states:

But from now on the monastic Rule, viz. that of St Benedict, is no longer considered simply as a spiritual document providing the fundamental inspiration of the life, but as a juridical code delineating *the* monastic life even in its details. With this development, the Western religious tradition was tainted by a legalism that it has never succeeded in ridding itself of completely.⁴⁴

B. *Caesarius of Arles (470-542)*

An important figure in the history of women religious was Caesarius of Arles who founded a community of consecrated virgins and gave them a rule of his own. As Pachomius, Basil, and Augustine had done, he too focused on the communion of hearts and minds in view of one goal: "the full flowering of the contemplative life."⁴⁵ Basically, Caesarius adapted the coenobitic life to the needs of women according to his vision of both monasticism and women. He drew up an all-encompassing and binding rule which included strict enclosure and complete common life.⁴⁶ His rule has been considered by some as a

rule relied on Benedict's.

⁴⁴ VEILLEUX, "Evolution", p. 17; see also his "Interpretation", pp. 55-57.

⁴⁵ *The Rule for Nuns of St. Caesarius of Arles*, [= *Rule of Caesarius*], M. McCarthy, trans., Washington, Catholic University of America, 1960, pp. 64-65.

⁴⁶ *Rule of Caesarius*, pp. 60-61.

prototype for women religious, particularly regarding the cloister.⁴⁷ It was an innovation in that era and was admired by many of his contemporaries.⁴⁸

C. *Conciliar Legislation*

Four General Councils held during this period seriously affected religious life. The Second Council of Nicaea (787) did not focus on the common life per se, but it prohibited any further establishing of double monasteries and obliged those already in existence to adopt Basil's rule. Henceforth, men were to belong to male institutes and women to female ones.⁴⁹

In 1139, Pope Innocent II convened the Second Lateran Council. Its canon 26 legislated against women living as nuns in the world. They were to live according to the rule of Basil, Benedict or Augustine, and within a monastery. They were not to own private dwellings where they could receive guests at will.⁵⁰

⁴⁷ J. TIBBETTS SCHULENBURG, "Strict Active Enclosure and Its Effects on the Female Monastic Experience (ca. 500-1100)", [= "Strict Active Enclosure"], in NICHOLS and SHANK, *Distant Echoes*, p. 54-56.

⁴⁸ *Rule of Caesarius*, p. 65.

⁴⁹ MANSI, t. 13, col. 755: "A praesenti statuimus, non fieri duplex monasterium, quoniam hoc sit multis scandalum & offensio. Si qui autem volunt cum cognatis mundo renunciare, & vitam sequi monasticam, viros quidem oportet in virorum monasteria discedere; faeminas autem ingredi in mulierum monasteria: hoc enim est Deo acceptum. Quae autem huc usque duplicia fuerunt, serventur secundum canonem sancti patris nostri Basilii, & secundum ejus constitutionem ita regantur" (Canon 20); TANNER, pp. 153-154; regarding the development of double monasteries, see HOSTIE, *Vie et mort*, pp. 18-20.

⁵⁰ MANSI, t. 21, cols. 532-533: "Ad haec perniciosam & detestabilem consuetudinem quarumdam mulierum, quae licet neque secundum regulam B. Benedicti, neque Basilii, aut Augustini vivant, sanctimoniales tamen vulgo censi desiderant, aboleri decernimus. Cum enim juxta regulam degentes in cenobiis, tam in ecclesia quam in refectorio atque dormitorio communiter esse debeant: propria sibi aedificant receptacula, & privata domicilia, in quibus sub hospitalitatis velamine passim hospites & minus religiosos, contra sacros canones & bonos mores suscipere nullatenus erubescunt"; TANNER,

Within forty years, the Third Lateran Council was held (1179). Its canon 10 is concerned particularly with monks and other religious having personal money at their disposal; in this canon there are several items affecting the common life.

Monks are not to be received in a monastery for money nor are they allowed money of their own. They are not to be stationed individually in towns or cities or parish churches, but they are to remain in larger communities or with some of their brethren... If he has money in his possession, unless it has been granted him by the abbot for a specific purpose, let him be removed from the communion of the altar, and any one who is found at his death with money in his possession is not to receive burial among his brethren and mass is not to be offered for him. We order that this is also to be observed with regard to other religious.⁵¹

Two points are clear; religious are not to live alone nor are they to have independent monies at their disposal; the important term here is "independent". The custom of the *peculium* was seen as detrimental to the common life, to the ideal of holding all in common, and contrary to the "essential dependence of the individual monk in his relationship to the Abbot."⁵² It was an issue that was to surface again and again in the writings of popes and the deliberations of councils.⁵³

p. 203.

⁵¹ MANSI, t. 22 col. 224: "Monachi non pretio recepiantur in monasterio, non peculium permittantur habere, non singuli per villas & oppida, seu ad quascumque parochiales ponantur ecclesias: sed in majori conventu, aut cum aliquibus fratribus maneant ... Si vero peculium habuerit, nisi ei ab abbate pro injuncta fuerit administratione permissum a communione removeatur altaris: & qui in extremis cum peculio inventus fuerit, nec oblatio pro eo fiat, nec inter fratres recipiat sepulturam. Quod etiam de diversis religiosis praecipimus observare"; TANNER, p. 217.

⁵² ANDRÉS GUTIÉRREZ, "Vida común", pp. 140-141.

⁵³ ANDRÉS GUTIÉRREZ, in "Vida común", p. 141, n. 112, lists MANSI's references to discussions of particular councils on this matter.

Although these three Councils affected religious life to some degree, it was the Fourth Lateran Council in 1215 that exercised the most profound influence. Canon 13 decrees the following:

Lest too great a variety of religious orders leads to grave confusion in God's church, we strictly forbid anyone henceforth to found a new religious order. Whoever wants to become a religious should enter one of the already approved orders. Likewise, whoever wishes to found a new religious house should take the rule and institutes from already approved religious orders.⁵⁴

In the two centuries prior to this council, numerous groups had arisen with a purpose and a lifestyle different from those of the monks and canons.⁵⁵ Some of those founders had sought the approval of their bishops; others had had recourse to the pope.⁵⁶ No doubt there were individuals who simply founded a group without any approval whatsoever.

The council fathers, facing numerous abuses, acted to suppress them. Their legislation had two long-term effects: 1) removing the foundation of orders from the local bishop's authority and placing it under the pope's; 2) requiring new foundations, regardless of the founder's intent or vision, to adopt the rule of Basil, Benedict, Augustine, or Francis. A significant outcome of this latter decree was the requirement of public profession on the part of all religious since public profession belonged to the structure of each of those rules.⁵⁷

⁵⁴ MANSI, t. 22, col. 1002: "Ne nimia religionum diversitas gravem in ecclesia Dei confusionem inducat, firmiter prohibemus, ne quis de cetero novam religionem inveniat, sed quicumque voluerit ad religionem converti, unam de approbatis assumat. Similiter qui voluerit religiosam domum fundare de novo, regulam & institutionem accipiat de religionibus approbatis"; TANNER, p. 242.

⁵⁵ VEILLEUX, "Evolution", pp. 18-19.

⁵⁶ HOSTIE, *Vie et mort*, pp. 37, 163, 229.

⁵⁷ JARRELL, *Legal Structures*, pp. 8-10.

D. *Papal Interventions*

The pontificate of Gregory VII (1073-1085) was marked by a movement of reform within the entire Church, not only in religious life. However, in relation to the common life, it was Innocent III (1198-1216) who exercised the most influence. He opposed the custom of allowing monks to own private property. In approving the Trinitarians' rule which included living in obedience under a superior, practicing chastity, and renouncing personal property, he affirmed those traits as integral to monasticism.⁵⁸ Three points are to be noted: firstly, it was not a question of a triple vow but of three elements of the life; secondly, the commitment to a "communion of goods" became a renunciation of property; thirdly, these elements were strongly suggested to new groups by Roman authorities.⁵⁹

E. *Implications for the Common Life and for Women Religious*

During this era, life in common was not only reinforced but made mandatory. The need to combat the practice of the *peculium* and the owning of private property brought about a change in the living out of the common life. Earlier founders, as has been noted, had emphasized a communion of minds and hearts with the holding of goods in common as a corollary of that communion. During this period, the focus shifted from communion of goods to a renunciation of private property. For centuries to come, this shift was to have a profound influence on the understanding of both poverty and the common life .

⁵⁸ MIGNE, *PL*, 214, col. 445 and col. 1066.

⁵⁹ LOZANO, *Parable*, pp. 95-96.

As had been the case for Pachomius and Basil, Benedict also had a feminine counterpart — Scholastica, his sister, who established her community nearby, adopting and adapting Benedict's Rule for the women of her monastery. Gradually, that Rule became the norm for monasteries of women as well as for men.⁶⁰ Despite the adoption of the same Rule, the discrepancies between religious life for men and that for women quickly took root. The most overt manifestation was the law of enclosure and its implementation.

For women, the Rule of Caesarius of Arles and canon 13 of the Fourth Lateran Council were particularly significant. The first contained explicit norms regarding the cloister, detailing everything necessary for the implementation of the law of full enclosure that would occur later.⁶¹ The Council by its decree took yet another major step in that same vein; its promotion of public profession and eventually solemn vows would, in the near future, mean strict enclosure.

III. THE MENDICANTS AND THE ESTABLISHMENT OF THE THIRD ORDERS (ca. 1200-1500)

It is impossible when speaking of movements to establish a particular date as a definite beginning or end; generally, declines and births overlap. Religious life is no exception. The last part of the twelfth century and the early part of the thirteenth saw the

⁶⁰ PADBERG, "Understanding a Tradition", p. 8. In the eighth century, its language was adapted for women, DIP, Roma, Edizione Paoline, 1974-, v. 1, col. 1223.

⁶¹ *Rule of Caesarius*, p. 65; see also SCHULENBURG, "Strict Active Enclosure", pp. 51-86, regarding the effects of enclosure on the life and development of religious life for women. The author summarizes conciliar legislation on the enclosure for women during the carolingian reform, pp. 56-59.

emergence of a number of new groups⁶² and several attempts at reform. Among the latter, the Cluniac and Cistercian reforms are the most notable;⁶³ among the numerous foundations, the Dominicans and Franciscans were to exercise the greatest influence on the Church and on the evolution of religious life.⁶⁴

A. *Various Foundations and Groupings*

1. Francis and the Friars

Francis Bernadone was a lay man,⁶⁵ when his preaching and life attracted others.⁶⁶ He envisioned a life faithful to the Gospel lived by laymen in the midst of society, a life not bound by stability to a particular place, but by a union of minds and hearts: a brotherhood

⁶² For a study of some of those new groups see, E. S. DAVIDSON, *Forerunners of Saint Francis and Other Studies*, G. Richards, ed., London, Jonathan Cape, [1928], xvi, 425p.

⁶³ For details regarding these and other reforms, see ANDRÉS GUTIÉRREZ, "Vida común", pp. 137-138; D. O'MURCHU, *Religious Life: A Prophetic Vision*, [= *Religious Life*], Notre Dame, Ave Maria Press, 1985, pp. 69-70; CADA, *Shaping the Coming Age*, pp. 24-25; HINNEBUSCH, "Origins and Development", pp. 28/923-928.

⁶⁴ See HINNEBUSCH, "Origins and Development", pp. 29/61-67; VEILLEUX, "Evolution", pp. 21-25; O'MURCHU, *Religious Life*, pp. 70-72; CADA, *Shaping the Coming Age*, pp. 29-33; HOSTIE, *Vie et mort*, pp. 130-147; ANDRÉS GUTIÉRREZ, "Vida común", pp. 141-148: while tracing the development of these new communities, the author addresses specifically the question of the *peculium* and the renunciation of personal property. J. W. O'MALLEY, in "Priesthood, Ministry, and Religious Life: Some Historical and Historiographical Considerations", [= "Priesthood, Ministry, and Religious Life"], in *Theological Studies*, 49 (1988), analyzes the implications of the "exemption for ministry" enjoyed by both these groups, pp. 231-237.

⁶⁵ Francis eventually became a deacon; for a brief description of his call, see HINNEBUSCH, "Origins and Development", pp. 29/63-64; VEILLEUX, "Evolution", pp. 21-22.

⁶⁶ Like many of their predecessors, Francis and his companions looked to the Gospel finding there the basis for the "poverty, penance, and preaching" which became their focus; HINNEBUSCH, "Origins and Development", p. 29/63. In 1209, he and his companions went to Rome and received oral approval from Innocent III, *DIP*, v. 4, col. 467.

rather than a community.⁶⁷ As a reaction against the vast wealth and possessions of many monasteries, not only were the Friars to renounce personal property but they were to practice corporate poverty as well: no ownership of lands nor houses. Poverty and mobility would be characteristic of this new group.⁶⁸

2. Dominic and the Preachers

Dominic Guzman, a canon regular, after a few years as an itinerant preacher, was inspired to found an order that would provide a "witness of brotherhood and of a poor and penitential life with a total consecration to teaching and preaching on every latitude of the globe."⁶⁹ However, unlike Francis⁷⁰ Dominic was obliged to submit to the decrees of the Fourth Lateran Council. Thus he adopted and adapted⁷¹ the rule of Augustine for his new community.⁷²

⁶⁷ LOZANO, *Discipleship*, p. 208.

⁶⁸ The Fourth Lateran Council (1215) confirmed the oral approval, *DIP*, v. 4, col. 467. LOZANO, *Parable*, p. 144; HOSTIE, *Vie et mort*, pp. 131-133, provides a summary of the expansion of the Friars and subsequent deviations from Francis's original vision as well as the struggles over regulations and structures.

⁶⁹ VEILLEUX, "Evolution", p. 22. This foundation was first approved by his bishop in 1215. In 1216, Honorius III issued the bull: *Religiosam vitam*, recognizing the new group; another bull in 1217 established its name: *Frati predicatori: praedicatoribus*, *DIP*, v. 4, col. 923.

⁷⁰ Francis's rule had been recognized by the Fourth Lateran Council along with those of Benedict, Basil, and Augustine.

⁷¹ O'MURCHU, *Religious Life*, p. 71, states that Dominic's adaptation of the Rule of Augustine made it "practically a new one." See also, HINNEBUSCH, "Origins and Development", pp. 29/65-66, for a summary of other adjustments including a focus on study and a form of government characterized by collegiality.

⁷² VEILLEUX, "Evolution", pp. 22-23; See also HINNEBUSCH, "Origins and Development", pp. 29/64-67; HOSTIE, *Vie et mort*, pp. 135-136.

With Francis and the Friars, Dominic and the Preachers, religious life was no longer the prerogative of the monasteries — at least for men. Although other groups sprang up during this period, these two have been considered the prototype of a new form of religious life.⁷³ If the men were successful in breaking out of the monastic model, the women were not, as is evident in the experience, at that time, of women religious and of the Beguines.

3. The Beguines

The Beguines originated in the latter part of the twelfth century in Northern Europe, particularly in the urban areas of the Low Countries, Northern France, and the Rhine valley.⁷⁴ They were part of a growing movement, the *vita apostolica*,⁷⁵ seeking reform in the Church and an alternative to the monastic tradition. Not a great deal is known about their origins; they had "no single founder, no original rule of life."⁷⁶ They vowed poverty and chastity as long as they lived as Beguines; there was no question of perpetuity nor of uniformity. P. Sheldrake states:

The flexible life-style, including the very relative value given to common life, reflects the desire of the Beguines for the freedom to undertake active and charitable work. Indeed the Beguines have been represented as an attempt to harmonize the individual and the communal: united but freely so; living in common with a degree of autonomy; with a balance of personal

⁷³ HINNEBUSCH, "Origins and Development", p. 29/62, describes this newness, as does PADBERG, "Understanding a Tradition", pp. 8-10.

⁷⁴ D. DEVLIN, "Feminine Lay Piety in the High Middle Ages: The Beguines", [= "Feminine Lay Piety"], in NICHOLS and SHANK, *Distant Echoes*, p. 183.

⁷⁵ H. HOLSTEIN, "The History of the Development of the Word 'Apostolic'", R. Holstead, trans., in *Apostolic Life*, London, Blackfriars, 1958, pp. 42-44. See also, O'MALLEY, "Priesthood, Ministry, and Religious Life", pp. 230-237.

⁷⁶ P. SHELDRAKE, *Spirituality and History: Questions of Interpretation and Method*, [= *Spirituality and History*], London, SPCK, 1991, p. 134.

and collective work; with independent budgets but strong collective authority.⁷⁷

This type of life could not survive.⁷⁸ The prevailing mentality that wanted women married or confined within a monastery, the suspicion of heresy and subsequent persecutions, the pressure by Church authorities towards institutionalization in the monastic manner, all those factors contributed to the decline of the Beguines.⁷⁹ This attempt at establishing a non-monastic form of religious life for women failed for many reasons and, during several centuries, the Beguines seemed to have been forgotten. However, a recent revival of interest in the women mystics, has brought them to light again and perhaps to their rightful place in the evolution of religious life for women.

⁷⁷ SHELDRAKE, *Spirituality and History*, p. 147.

⁷⁸ P. Sheldrake sees the four phases in the development of the Beguines as reflecting their relationship with the institutional Church and its effect: 1) in the beginning, they lived alone or with their families but not removed from everyday lay life; 2) in the early thirteenth century, many came together in a type of common life for mutual and possibly economic support; 3) after recognition by Gregory IX (1233), self-contained beguinages sprang up, imitative of the monasteries; 4) by the fourteenth century, when beguinages were constituted as autonomous parishes, *Spirituality and History*, pp. 149-150.

⁷⁹ For a synopsis of this movement, see F. BOWIE, ed., *Beguine Spirituality; Mystical Writings of Mechthild of Magdeburg, Beatrice of Nazareth, and Hadewijch of Brabant*, [= *Beguine Spirituality*], translated by O. Davies, New York, Crossroad, [1990], 130p. See SHELDRAKE, *Spirituality and History*, pp. 133-159, for a critique of this movement within the broader historical context and in relation to the institutional Church. D. DEVLIN, "Feminine Lay Picty", pp. 183-196, situates the Beguines within the spiritual atmosphere of that age and shows their link with the Cistercian nuns. They were condemned by the Council of Vienne (1311-12) although some groups survived until the reformation. See *DIP*, v. 2, col. 1178.

B. *Conciliar Legislation*

The Fourth Lateran Council (1215) had a profound effect on religious life, generally a restrictive and levelling one, because of the requirement of papal approval for new foundations and the adoption of one of the four major Rules.

In 1274, the Second Council of Lyons confirmed that legislation. By the wording of the decree, one can deduce that the earlier prescriptions had not been fully implemented.⁸⁰ Canon 23 of Lyons II begins by referring to the prohibition of Lateran IV and to the birth of a multiplicity of new foundations, many without approval. It then states:

We therefore renew the constitution, and severely prohibit that anyone found henceforth a new order or form of religious life or assume its habit. We perpetually forbid absolutely all the forms of religious life and the mendicant orders founded after the said council which have not merited confirmation of the apostolic see, and we suppress them in so far as they have spread.⁸¹

Although the decree seems to target the mendicants, it is important to note that the prohibition extends to all forms of religious life. With this Council, a yet further step was taken on the road toward uniformity and greater control and centralization by the Holy See.

⁸⁰ The Provincial Council of Mainz, (1261), had stated that its canon 23 obliged both "moniales" and "mulierculae, quae votum continentiae emisissent, mutantes habitum saecularem nec tamen aliter certae regulae se adstringentes", MANSI, t. 23, col. 1089. Thus it would appear that, despite various forms of legislation, there were groups of women living religious life outside of the monasteries and not subject to one of the defined Rules.

⁸¹ MANSI, t. 24, col. 96: "... repitita constitutione districtius inhibentes, ne aliquis de cetero novum ordinem aut religionem inveniat, vel habitum novae religionis assumat. Cunctas affatim religiones, & ordines mendicantes, post dictum concilium adinventos, qui nullam confirmationem sedis apostolicae meruerunt, perpetuae prohibitioni subjicimus, & quatenus processerant, revocamus"; TANNER, p. 326.

C. *Papal Interventions*

During this period two Popes in particular issued directives of significance for religious life; in chronological order they are: Nicholas IV (1289), Boniface VIII (1298).

The new orders, because of their mobility and immersion in the atmosphere of the *vita apostolica* of the times, came in frequent contact with their contemporaries in the towns and cities. People were inspired by the ideals that these groups lived and preached; however, not everyone could or wanted to join them. The new foundations, by establishing branches, made it possible for lay people to share in the spirituality and spiritual benefits of the institute, but without the obligation of vows and common life: the Third Orders were born.⁸²

This movement spread rapidly with a variety of faces; some members lived in their homes with no vows; others took only the vow of chastity; some lived a common life. Generally, however, it was a way of life in the world for the laity, not religious.⁸³ The best known was the Franciscan Third Order whose rule was approved by Nicholas IV in 1289.⁸⁴ This rule included neither the vows nor the common life, although some groups adopted

⁸² SHELDRAKE, *Spirituality and History*, p. 117; see also J. CAIN, "Cloister and the Apostolate of Religious Women", [= "Cloister"], in *Review for Religious*, 27 (1968), pp. 273-278, regarding the evolution of these groups. J. de LONGNY, *A l'ombre des grands ordres, histoire, spiritualité: constitutions des huit principaux Tiers-ordres*, Paris, Desclée de Brouwer, 1936, 376p., outlines the principal obligations and constitutional elements of the main Third Orders.

⁸³ CAIN, "Cloister", pp. 274-275; some took all three vows and lived in common, they became the Third Orders Regular.

⁸⁴ *Bullarium diplomatum et privilegiorum sanctorum Romanorum pontificum, Taurinensis editio (cure Tomasseti)*, [= *Bullarium*], Augustae Taurinorum, S. Francó et H. Dalmazzo editoribus, 1857-1872, t. 4, pp. 90-95.

both. Here was an opportunity for women to live a life of dedication without the cloister, and with the blessing of Church authorities.

However, the papal legislation having the most profound and long-ranging effect on women's institutes was the constitution, *Periculoso*, issued by Boniface VIII in 1298.⁸⁵ It imposed the cloister on all women religious of every institute everywhere, without exception.⁸⁶ In a certain sense, *Periculoso* was not innovative; many groups were already bound by the law of enclosure because of their own rules,⁸⁷ or the interventions of bishops, popes, and local councils. However, this was the first universal legislation issued by the Holy See.⁸⁸

Yet despite all, abuses had existed and persisted.⁸⁹ However, instead of attacking the causes of the laxity which had crept into religious life, Pope Boniface VIII chose to regulate

⁸⁵ A. FRIEDBERG, *Corpus Iuris Canonici*, Graz, Akademische Druck-u, Verlagsanstalt, 1959, v. 2, cols. 1053-1054. The terms "cloister" and "enclosure" or "enclosed" will be used interchangeably. See *DIP*, v. 2, col. 1166, for the derivation and evolution of this term.

⁸⁶ JARRELL, *Legal Structures*, p. 14, indicates that another aspect of religious life legislated by *Periculoso* was the number of members that a monastery could accept: only as many as it could support. In other words, it had to be self-supporting, generally through dowries.

⁸⁷ An example of this is the *Rule of Caesarius*.

⁸⁸ The legislation on enclosure had a double focus. Religious were to remain in their monasteries under perpetual enclosure: only the abbess or the prioress could go out under certain conditions. The reverse side was that no one was to enter or visit the monastery without sufficient reason, and the authorization of the legitimate superior, CAIN, "Cloister", pp. 267-268; see also J. HOULIER, *L'Âge classique 1140-1378: les religieux*, [= *L'âge classique*], [Paris], Cujas, [1971], pp., 219-221. The articles by J. Cain in *Review for Religious*, 27 (1968), pp. 243-280, 427-448, 652-671, 916-937; 28 (1969), pp. 101-121, are an adaptation of his doctoral dissertation: *The Influence of the Cloister on the Apostolate of Congregations of Religious Women*, Rome, Pontificia Universitas lateranensis, 1965. It is one of the most complete works published in English on this subject.

⁸⁹ E. POWER, *Medieval English Nunneries, c. 1275 to 1535*, [= *English Nunneries*], Cambridge, University Press, 1922, pp. 285-340, in describing life in English monasteries at the time of *Periculoso* relates many abuses and deviations from the Rule. One cannot think that life was much different on the continent.

rather than reform,⁹⁰ and the enforcement of this regulation was entrusted to bishops and patriarchs. Once again, the enforcement was to be uneven; *Periculoso* did not provide any sanction for the violation of the law of enclosure; therefore in many areas the legislation was simply ignored.⁹¹

The novelty in this new legislation was that all those who wished to be religious were to abide by the law of enclosure; if one were outside the cloister, she was not a religious.⁹² Traditionally only those with solemn vows were bound by the cloister. Hence the corollary: all those bound by the cloister — those claiming to be religious — were to take solemn vows. Thus, solemn vows and enclosure became two essential requirements for the papal approbation of women's institutes.⁹³

D. *Implications for the Common Life and for Women Religious*

The legislation of councils and popes during this era had a profound effect on the common life and on the lives of women religious, although it did not target the former per se. Despite the emergence of new groups and the success of the mendicants at replacing the

⁹⁰ J. SUTERA, *True Daughters: Monastic Identity and American Benedictine Women's History*, [= *True Daughters*], Atchison, Mount St. Scholastica, 1987, pp. 7-8.

⁹¹ CAIN, "Cloister", p. 27/269. For a synopsis of the origins, evolution, legislation, and psychological implications regarding the phenomenon of the *clausura*, see, *DIP*, v. 2, cols. 1166-1183.

⁹² There were a number of such groups, particularly tertiaries, see CAIN, "Cloister", pp. 273-278.

⁹³ JARRELL, *Legal Structures*, pp.14-15. It must be remembered that the Second Council of Lyons, c. 23, had decreed that new religious institutes could only be established if papal approval were granted.

principle of stability in a monastery by stability in the order,⁹⁴ the conventual life⁹⁵ remained the norm, that is the common life within the walls of a monastery or convent. Theoretically, the holding of goods in common continued to be a value; however, as future legislation would indicate, problems in this area still arose from time to time.

For women religious, the legislation regarding the cloister had an even greater influence and its effects prevailed until this century.⁹⁶ Originally, Benedict's precept of enclosure was designed to curb the wanderings of monks, to curtail unnecessary absences; it does not seem that he intended total separation from society.⁹⁷ It is impossible to discern with any degree of clarity or certitude his intent for women religious; however, one might question whether he had envisioned the kind of restriction imposed by the constitution *Periculoso*.⁹⁸ Nonetheless, *Periculoso* did not appear in isolation; previous legislation had led up to it. However, in the prior decrees, the regulations for monks focused more on stability; for women, the norms moved progressively and unerringly toward total cloister.⁹⁹

⁹⁴ R. LEMOINE, *L'époque moderne 1563-1789: le monde des religieux*, [= *L'époque moderne*], Paris, Cujas, [1976], p. 1.

⁹⁵ LOZANO, *Parable*, p. 174: "... in the thirteenth century, there arose what we may call the conventual life: a type of existence which, while maintaining open relationships with civil society, combined a community life (somewhat less structured than that of monasticism) with ministries."

⁹⁶ M. BRENNAN, "Enclosure: Institutionalizing the Invisibility of Women in Ecclesiastical Communities", [= "Enclosure"], in *Concilium*, 182 (1985), pp. 38-48, traces some of the effects of the legislation throughout the ages.

⁹⁷ SUTERA, *True Daughters*, p.6.

⁹⁸ SCHULENBURG, "Strict Active Enclosure", p. 57.

⁹⁹ SCHULENBURG, "Strict Active Enclosure", pp. 56-59, reviews Conciliar legislation regarding enclosure during the Carolingian period indicating the progression in the legislation and the discrepancies between the norms for men and those for women.

Although the Friars and Preachers, and other groups of men, had been able to break out of the monastic model, the women, on the contrary, had been subjected to an even more restrictive lifestyle. We have highlighted the experience of the Beguines, and some may argue that they had not really intended to be religious. There were others, however, who had had that desire; one was Clare of Assisi, (Chiara di Favarone). She chose a *monastico-contemplativa* form of life, rather than one similar to that of the Beguines.¹⁰⁰ Although inspired and directed by Francis, she was obliged to adopt the Benedictine Rule on founding her institute, the Poor Clares or the Second Order Franciscans, ca. 1212. It was only in 1247 that Clare was allowed to use the Rule of Francis as a basis for her own. That did not include, however, the permission to preach or to minister outside the monastery. Any flexibility that Clare might have envisioned or enjoyed in the early days of her foundation, was soon restricted with the obligation of enclosure.¹⁰¹

Thus the new form of religious life that emerged during this era, the mendicant model, was only to be enjoyed and lived by male religious. It would take almost another three centuries before women succeeded in circumventing the law of enclosure — a law which permeated all of life and not simply the understanding and living out of the “common life”.

¹⁰⁰ *DIP*, v. 2, col. 1116.

¹⁰¹ M. A. DONOVAN, “The Spectrum of Church Teaching on Religious Life”, [= “Spectrum”], in R. J. DALY, et al., ed., *Religious Life in the U.S. Church: The New Dialogue*, [= *New Dialogue*], 1984, p. 219. In the face of the inevitable, it would seem that Clare focused her efforts on obtaining for her community the “privilege of poverty” which was only accorded to certain monasteries, *DIP*, v. 2, cols. 1116-1118. There was also a Second Order of Dominicans, but they too were cloistered.

IV. THE AGE OF THE APOSTOLIC INSTITUTES¹⁰² (ca. 1500-1800)

If the thirteenth century saw a rebirth in the reforms and foundations of several institutes, that renewal was followed by a decline in both religious and Church life. The times were ripe for reform, for a new image of religious life.¹⁰³

A. *Various Foundations and Corresponding Legislation*

Several institutes were established in this three-hundred year period with the intention of engaging in works of mercy. The following stand out because of their originality, influence, and longevity: the Ursulines founded by Angela Merici, the Society of Jesus by Ignatius of Loyola, the English Ladies¹⁰⁴ by Mary Ward, and the Daughters of Charity by Louise de Marillac and Vincent de Paul. This section will highlight some of the apostolic facets of each foundation as well as the ecclesiastical approval of each.

1. *Angela Merici and the Ursulines*

Angela Merici, born in Italy in 1474, was almost in her sixties when, in 1530, she gathered a group of women to respond to some of the needs of their milieu, particularly through the care of the ill and elderly and the education of young girls and women. They were to be characterized by prayer, holiness of life, and works of mercy. Unlike the religious

¹⁰² HOLSTEIN, "Development of the Word 'Apostolic'", pp. 44-47.

¹⁰³ DONOVAN, "Spectrum", p. 220. For a synopsis of this era, see PADBERG, "Understanding a Tradition", pp. 10-11; CADA, *Shaping the Coming Age*, pp. 32-34; DONOVAN, *Sisterhood*, p. 15.

¹⁰⁴ They are known today as the Institute of the Blessed Virgin Mary or the Sisters of Loreto or Loretto.

of the time enclosed within their monasteries. Angela's "Company"¹⁰⁵ lived in their homes as the virgins of the early Church had done. Therefore, there could be no question of cloister nor common life as in the monasteries.¹⁰⁶ These were new ideas at that time.

In 1536, Angela's rule was approved by the Vicar General of the diocese of Brescia.¹⁰⁷ Pope Paul III issued the bull of approbation of the new institute, *Regimini universalis ecclesiae*, in 1544, four years after Angela's death. Far from being a tight legislative document, her rule contained an in-built flexibility to allow for adjustments to future circumstances and times. It was perhaps this very feature that provided the opening for the changes that occurred within a relatively short time.¹⁰⁸

Ecclesiastical authorities, although impressed by the life and work of the Company, found it impossible to approve unreservedly a group such as this. In Brescia, a modification of dress was imposed; then Charles Borromeo, bishop of Milan, introduced community living

¹⁰⁵ M. CHALENDARD, *La promotion de la femme à l'apostolat, 1540-1650*, [= *Promotion de la femme*], Paris, Alsatia, [1950], pp. 27-30. This new group was placed under the patronage of Saint Ursula, a saint who held particular significance for the people of that time. The term "company" will be taken up again by Ignatius. H. ALPHONSO, "The Origin and Meaning of Jesuit Apostolic Community", [= "Origin and Meaning"], in *Gregorianum*, 72 (1991), p. 359, clarifies the meaning of that term and its application to pious groups of the time both in Spain and in Italy.

¹⁰⁶ The members of her Company were to wear a simple secular dress and take a private vow of chastity. Regarding poverty and obedience, the focus was on attitudes: discernment and dialogue, inner freedom and detachment. Some personal possessions were allowed since each member provided for her own needs; see JARRELL, *Legal Structures*, pp. 83-86. See also, R. LEMOINE, *Le droit des religieux du Concile de Trente aux instituts séculiers*, [= *Le droit*], Bruges, Desclée de Brouwer, [1956], pp. 167-168; CAIN, "Cloister", pp. 27/430-432.

¹⁰⁷ The original rule written in 1537 is no longer in existence; the oldest one that is recognized dates from 1569, JARRELL, *Legal Structures*, p. 68; see pp. 63-89 for the development of Angela's intent and an analysis of her rule. See also A. MERICI, *Règle, avis, testament, texte italien ancien et traduction*, [texte de l'édition de 1569], Rome, Ursulines de l'Union romaine, [1985], pp. 5-49.

¹⁰⁸ See CAIN, "Cloister", pp. 27/432-438, for an analysis of Angela's Rule and subsequent modifications.

for the Ursulines who desired it;¹⁰⁹ finally with the expansion of the institute into France, full enclosure, solemn vows, and autonomous monasteries became the norm.¹¹⁰ However, the seed of a new type of religious life for women had been sown: non-cloistered, apostolic in thrust, with a bond beyond the living together which was basic to the current understanding of the common life. It was the mindset of ecclesiastical authorities, other influential people of the time, and even the members themselves that prevented this seed from taking root.

2. *Ignatius of Loyola and the Society of Jesus*

Angela and Ignatius were contemporaries in establishing their companies: Angela in 1535 and Ignatius in 1540.¹¹¹ Although this work focuses primarily on women's institutes, Ignatius must be included for two reasons. Firstly, he succeeded in setting aside elements until then considered integral to religious life and in introducing new ones;¹¹² secondly, the Society profoundly influenced numerous institutes of women.

¹⁰⁹ It is important to note that Charles Borromeo introduced the practice of community living only for those who desired it. (There were many reasons for this desire; they will be considered in Chapter four). It was the common life with Angela's spirit, but without the cloister or solemn vows; meanwhile the "Secular Ursulines" continued to exist along with this new "Congregation of Ursulines", LEMOINE, *Le droit*, p. 174.

¹¹⁰ See JARRELL, *Legal Structures*, pp. 89-97; LEMOINE, *Le droit*, pp. 170-181; CHALENDARD, *Promotion de la femme*, pp. 31-33. Paul V (1612), in approving the Paris group as "religious", gave them the Rule of Augustine with the title of Saint Ursula; Angela seemed to have been forgotten, LEMOINE, *Le droit*, p. 179. Lost as well was the government model she had foreseen: a three-level structure which, in modern terms, could be described as animation, authority per se, and an advisory body; JARRELL, *Legal Structures*, pp. 88-89.

¹¹¹ A cursory study of the two foundations and their original intentions reveals many parallels particularly in their apostolic spirit.

¹¹² O'MALLEY, "Priesthood, Ministry, and Religious Life", pp. 237-243.

One of the significant aspects of Ignatius' vision was the end of the Society: the glory of God and the salvation of souls — a "double term seen as one end."¹¹³ This end seen by Ignatius as proper to apostolic religious life was a distinct shift from the monastic vision. Since "the service of Christ through the aid of souls in companionship"¹¹⁴ was to be at the heart of the new institute, aspects of religious life that thwarted that aim were to be excluded or modified.¹¹⁵

It is his concept of community that attracts attention. If the members were to be dispersed throughout the world at the request of the Pope, then community had to be other than the physical presence of people living together and more than holding goods in common.¹¹⁶ Practices contingent on this physical union had to be discarded, for example, the chanting of the Office. Ignatius emphasized personal holiness, and "a community of

¹¹³ C. McCARTHY, "Apostolic Congregations of Women and the Ignatian Charism", [= "Ignatian Charism"], in *The Way Supplement*, 20 (1973), p. 17. F. COUREL, "La fin unique de la Compagnie de Jésus", [= "Fin unique"], in *Archivum historicum Societatis Jesu*, 35 (1966), pp. 186-211, studies this concept at length. This work has been translated into English and abridged as "The Single Aim of the Apostolic Institute", in *The Way Supplement*, 14 (1971), pp. 46-61.

¹¹⁴ J. C. FUTRELL, *Making an Apostolic Community of Love: The Role of the Superior According to St. Ignatius of Loyola*, [= *Making an Apostolic Community*], St. Louis, The Institute of Jesuit Sources, 1970, p. 14.

¹¹⁵ Among the innovations and modifications: the provision for both simple and solemn vows, for a prolonged formation period; a highly centralized form of government connecting members scattered throughout the world; the spirituality of the *Exercises* which saw God in all things. See PADBERG, "Understanding a Tradition", pp. 11-12.

¹¹⁶ FUTRELL, *Making an Apostolic Community*, p. 41.

brotherly love ... founded on a common apostolic life-ideal."¹¹⁷ For Ignatius, the common life became "community", based on a union of minds and hearts.¹¹⁸

Three papal interventions are important in the Jesuits' journey towards approval: the decree of Pius V, *Lubricum vitae genus* (1568),¹¹⁹ the bulls of Gregory XIII, *Quanto fructuosius* (1583) and *Ascendente Domino* (1584).¹²⁰ The first one reaffirmed past practice especially concerning solemn vows. The latter two are particularly significant in that they set precedents: scholastics and members with simple vows were recognized as religious and a new Rule was accepted.¹²¹ The door was now ajar.

Few men's institutes have exercised as much influence on those of women as the Society of Jesus or the Jesuits. M. Milligan describes four "routes" which that influence has taken:

1) through reliance on Ignatian texts in the formulation of their own constitutions; 2) through influence by individual Jesuits; 3) by modelling certain works or structures based on those of the Society of Jesus; 4) by inspiration drawn from Ignatian christological and apostolic vision.¹²²

¹¹⁷ ALPHONSO, "The Origin and Meaning", p. 358.

¹¹⁸ For a clarification of the sense of community in the Society of Jesus, see ALPHONSO, "The Origin and Meaning", pp. 357-364.

¹¹⁹ *Bullarium*, t. 7, pp. 725-726.

¹²⁰ *Bullarium*, t. 8, pp. 406-409, 457-465.

¹²¹ For an analysis of these documents, see JARRELL, *Legal Structures*, pp. 20-21, 24; CAIN, "Cloister", p. 27/428.

¹²² M. MILLIGAN, "What Is an Ignatian Congregation?", [= "Ignatian Congregation"], in *The Way Supplement*, 70 (1991), p. 41.

Perhaps the second and fourth routes have been the most pervasive and effective. Despite the numerous attempts at modelling new institutes on that of Ignatius,¹²³ and Mary Ward's is but one of these, women would not be allowed, for several more centuries, the same mobility or freedom of structure in view of the apostolate.

3. *Mary Ward and the English Ladies*

Mary Ward was one of the earliest foundresses to base her "plan" on the Ignatian Constitutions.¹²⁴ An examination of her three plans for the institute reveals her growing conviction and the evolution of her vision and intent.¹²⁵ Already in her first schema, *Schola Beatae Mariae* (ca. 1612),¹²⁶ her premise is clear: women can share in the work of the apostolate, that is the spiritual education so needed in England at the time. She foresaw a "mixed life" allowing the members to engage in the education of girls and women. Many of the traditional monastic practices were retained, but there were innovations as well.¹²⁷

¹²³ See "Des congrégations, instituts et communautés de spiritualité ignatienne", in *Cahiers de spiritualité ignatienne*, 15 (1991), pp. 223-550 (24 articles).

¹²⁴ In relating Mary Ward's intent as to the structure and thrust of her new institute, D. ROFF, "Journey into Freedom", [= "Journey"] in *The Way Supplement*, 53 (1985), p. 9, speaks, as do most authors, of her inspiration to "take the same of the Society."

¹²⁵ M. WRIGHT, *The Canonical Development of the Institute of the Blessed Virgin Mary*, [= *Canonical Development IBVM*], J.C.D. diss., Ottawa, Saint Paul University, 1991, pp. 21-29. See also the definitive and most recent biography of Mary Ward: H. PETERS, *Mary Ward: A World in Contemplation*, Belfast, Fowler Wright Books, 1994, 642p.

¹²⁶ It would seem that this plan was prepared for Bishop Blaes of St. Omer in order to obtain approval for the new group, WRIGHT, *Canonical Development IBVM*, p. 21.

¹²⁷ WRIGHT, *Canonical Development IBVM*, pp. 21-22. Among the monastic features retained were: a modified cloister, subjection to the local bishop; among the innovations: a longer formation period, central authority with dependent houses, and Jesuit confessors. See also, M. E. ORCHARD, ed., *Till God Will: Mary Ward Through Her Writing*, London, Darton, Longman and Todd, [1985], pp. 34-38.

Her second plan, *Ratio Instituti*, presented to the Holy See in 1616 with a recommendation from Bishop Jacques Blaes, relied much more closely on the structures, practices, and intent of the Society of Jesus. A response from Cardinal Orazio Lancellotti to Bishop Blaes raised hopes that the institute would be approved.¹²⁸

In 1621, Mary herself presented the third plan, *Institutum I*, to Gregory XV. It was taken almost entirely from the Jesuit *Formula Instituti*.¹²⁹ The adoption of the Jesuit vision and practice implied mobility, therefore no cloister, and a type of common life or community suited to the apostolate.¹³⁰ This was a major problem for the times and the mentalities of the authorities with whom she was dealing. It was also a problem for certain Jesuits and some of the people whom she wished to serve.

Various charges were brought against Mary to the highest levels in the Church.¹³¹ Finally in 1631, Urban VIII issued the bull *Pastoralis Romani Pontificis* suppressing the institute and condemning Mary of heresy; this charge was subsequently dropped. Although Clement XI approved the *Ratio Instituti* in 1703, Mary was not recognized as foundress until

¹²⁸ WRIGHT, *Canonical Development IBVM*, p. 24-25. Monastic elements such as enclosure, habit, and the subjection to local bishops or religious orders of men were omitted.

¹²⁹ WRIGHT, *Canonical Development IBVM*, pp. 26-28, compares two texts pointing out similarities and differences; the latter mainly concern the apostolate. L. BYRNE, "Mary Ward's Vision of the Apostolic Religious Life", in *The Way Supplement*, 53 (1985), p. 79, indicates that only 18% of the document was Mary Ward's own; the rest was identical to the Jesuit text.

¹³⁰ It also implied no habit, an involvement in external public teaching, and an institute with a centralized government directly under the Pope, rather than the local bishops.

¹³¹ WRIGHT, *Canonical Development IBVM*, pp. 29-35, outlines both the accusations and the responses.

1906.¹³² What had been acceptable for men — a non-cloistered apostolic life, with a more flexible lifestyle stressing a “union of minds and hearts” rather than the common life — was still impossible for women.

4. *Louise de Marillac, Vincent de Paul and the Daughters of Charity*

Vincent de Paul’s and Louise de Marillac’s foundation of the Daughters of Charity did not appear in a vacuum. Several groups without enclosure, solemn vows, and the title “religious” had been established during the preceding decades; one of two fates awaited them. Either they survived in a very localized area under the auspices of the bishop because he valued their works, usually charitable ones; or they were forced to become “religious”, adopting full enclosure and solemn vows.¹³³

Vincent, an astute man,¹³⁴ having seen the misery of the people, enlisted the assistance of Louise de Marillac who was also drawn to the plight of the poor. Together they established a group of young peasant women to care for the needy. However, Vincent was

¹³² JARRELL, *Legal Structures*, p. 139. See also “Mary Ward: Journey into Freedom”, in *The Way Supplement*, 53 (1985), pp. 4-132. (12 articles).

¹³³ E. RAPLEY, *The Dévotes: Women and Church in Seventeenth Century France*, [= *The Dévotes*], Montreal & Kingston, McGill-Queen’s University Press, [1990], xv, 283p. In this historical study, the author illustrates how groups of women dedicated to good works and holiness of life continued to emerge despite ecclesiastical legislation.

¹³⁴ LEMOINE, *L’époque moderne*, p. 309, uses the phrase “esprit pratique et canoniste avisé.” CAIN, “Cloister”, p. 27/652, speaks of his having a “wise and prudent mind”; p. 659 he states the following: “To be unreasonably reasonable, patiently impatient, modestly ambitious, implacably genial, realistically ideal, and to know how to wait actively are the qualities which aptly synthesize a person of Vincent’s stature.”

a canonist, and he knew that religious meant enclosure; therefore, if the needs of the poor and the ill were to be met, this group could not be called religious.¹³⁵

Therefore, Louise and Vincent avoided the terms usually applied to religious. This new group would be a *confrérie*, a company; the members, daughters. They would take private vows, live in small groups,¹³⁶ in rented rooms. They were to be free to come and go at the service of the poor and the sick.¹³⁷ Because they were, for the most part, simple uneducated peasant girls, and because of their apostolic life, Vincent and Louise emphasized prayer, spiritual practice and formation.¹³⁸

Louise had drawn up regulations for the fledgling company but, as time went on, she pressed Vincent for a rule.¹³⁹ Rules were drawn up, tried, and modified as circumstances warranted.¹⁴⁰ These were approved by the Archbishop of Paris in 1646. In 1655, Cardinal

¹³⁵ See P. COSTE, ed., *Saint Vincent de Paul: correspondance, entretiens, documents*, [= *Vincent de Paul: correspondance*], Paris, Librairie Lecoffre, 1923, v. 10, p. 658, "... qui dit religieuse dit une cloîtrée, et les Filles de la Charité doivent aller partout." He also knew Francis de Sales and Jeanne de Chantal and had witnessed what had become of the Visitation foundation; see CAIN, "Cloister", pp. 27/438-448; RAPLEY, *The Dévotes*, pp. 34-41.

¹³⁶ The number would be determined by the need; frequently they lived in groups of two or three; on occasion, someone might be alone for a period of time.

¹³⁷ They would wear a simple dress and frequent the parish church. Although they were not religious, Vincent stated that they had to be more virtuous than religious as they did not have the same safeguards. See COSTE, *Vincent de Paul: correspondance*, v. 10, pp. 568, 661.

¹³⁸ The fourteen volumes of correspondance, talks, and documents edited by P. Coste attest to this fact, since a significant section comprises conferences to the Daughters.

¹³⁹ See J. CALVET, *Louise de Marillac par elle-même*, [= *Louise de Marillac*], Paris, Téqui, [1958], pp. 157-159, regarding her understanding of a rule: "La mystique de la règle".

¹⁴⁰ CAIN, "Cloister", p. 27/656-666. The importance of flexibility is evident even in the final one: the *Règles communes* applicable to all members and the *Règles particulières* for specific situations, i.e., those in the villages, in parishes, in schools, see *Règles des Filles de la Charité, Servantes des pauvres malades*, ms, [Paris], 1672, 123p.

Jean François Paul de Retz granted apostolic approval of that rule, and placed the company under the direction of the Congregation of the Mission, with Vincent as the first superior.¹⁴¹ This rule was substantially the same as the one which had been accepted and signed by all the Daughters in 1647.¹⁴²

Thus Louise and Vincent succeeded but only by insisting that their "confrérie" was not a religious institute. It was not the only group of this type to emerge,¹⁴³ but it was the largest and the earliest.¹⁴⁴ However, these other institutes were not considered "religious" in the eyes of ecclesiastical authorities, that achievement would require another two hundred and fifty years.

B. Conciliar Legislation — Trent (1545-1563)

The Council of Trent took place in the aftermath of the Reformation. In many ways, it reacted to what was perceived as heresy and abuse. Its twenty-fifth session, in 1563, addressed the topic of religious life: "*de regularibus et monialibus*". The title is important because *monialibus* refers to religious: those with solemn vows living within the cloister. There were however numerous groups of women leading lives dedicated to works of charity,

¹⁴¹ See JARRELL, *Legal Structures*, pp. 155-157; CAIN, "Cloister", pp. 656-657; CALVET, *Louise de Marillac*, pp. 168-169. This was important if the institute were to expand; it would safeguard both the spirit and unity of the company.

¹⁴² Although the Rule had been approved in 1646, it was presented to the members only in May, 1647, see CALVET, *Louise de Marillac*, p. 162.

¹⁴³ It is interesting to note that just sixteen years later, in 1671, Marguerite Bourgeoys obtained the letters patent for her "Soeurs Séculières de la Congrégation Notre-Dame", and in 1676, this group was canonically established by Bishop François de Laval. See M. JEAN, *Évolution des communautés religieuses de femmes au Canada de 1639 à nos jours*, Montréal, Fides, 1977, pp. 33-34.

¹⁴⁴ RAPLEY, *The Dévotes*, p. 95.

some with private vows and sharing the common life.¹⁴⁵ The conciliar decrees did not apply to them; indeed, they are mentioned only once and rather indirectly.¹⁴⁶

The Council deemed it imperative that "the ancient and regular discipline be restored where it has collapsed, and to be pursued with greater constancy where it has been preserved."¹⁴⁷ First of all, the Fathers directed religious to follow their rule, to observe the vows, and to preserve the "common life, food and clothing."¹⁴⁸ In chapter 5, the Council renewed the constitution *Periculoso* of Boniface VIII by imposing the cloister once again. Women religious could leave their monasteries only "for a legitimate reason approved by the bishop." The bishops were to "coerce any who are disobedient and refractory by ecclesiastical

¹⁴⁵ These groups were known by different names: tertiaries, or Third Orders, Penitents, Humiliati, Oblates.

¹⁴⁶ Chapter 18, regarding procedures to be followed prior to entering a monastery, stated that penitents and converts were excepted and that they were to observe their own constitutions; MANSI, t. 33, col. 179: "Ab his tamen excipiuntur mulieres, quae poenitentes aut convertitae appellantur ..."

¹⁴⁷ MANSI, t. 33, col. 172-173: "... necessarium esse censuit, quo facilius ac maturius, ubi collapsa est, vetus & regularis disciplina instauretur, & constantius ubi conservata est perseveret..."; TANNER, p. 776.

¹⁴⁸ MANSI, t. 33, col. 172-173: "... hoc decreto praecipit, ut omnes regulares ... ad regulae, quam professi sunt, praescriptum, vitam instituant & componant; atque in primis quae ad suae professionis perfectionem, ut obedientiae, paupertatis & castitatis, ac, si quae alia sunt alicujus regulae & ordinis peculiaris vota & praecepta; ad eorum respective essentiam, nec non ad communem vitam, victum, & vestitum conservanda, pertinentia, fideliter observent"; TANNER, p. 776.

censures."¹⁴⁹ Once again, the implementation was weak for several reasons:¹⁵⁰ this opened the door to subsequent papal interventions.¹⁵¹

C. *Papal Interventions*

1. *Pius V*

Pius V issued three constitutions which attempted to clarify the legislation of Trent and enforce its application: *Circa pastoralis* (1566),¹⁵² *Lubicum vitae genus* (1568),¹⁵³ and *Decori* (1570).¹⁵⁴ It is the first one that is particularly significant.

Circa pastoralis had far-ranging effects. In his concern for reform, Pius V targeted three groups: 1) *moniales* or religious already cloistered;¹⁵⁵ 2) tertiaries living together and

¹⁴⁹ MANSI, t. 33, col. 174: "... ut in omnibus monasteriis sibi subjectis ordinaria, in aliis vero sedis apostolicae auctoritate clausuram sanctimonialium, ubi violata fuerit diligenter restitui, & ubi inviolata est conservari maxime procurent, in obediens atque contradictores per censuras ecclesiasticas, aliasque poenas ... Nemini autem sanctimonialium liceat post professionem exire a monasterio, etiam ad breve tempus, quocumque praetextu, nisi aliqua ex legitima causa, ab episcopo approbata ..."; TANNER, p. 778. *Periculoso* had not been uniformly implemented despite various attempts by certain local councils, bishops, and heads of monasteries. See CAIN, "Cloister", pp. 27/268-270.

¹⁵⁰ CAIN, "Cloister", pp. 27/271-272; among these reasons, he includes the growing awareness of the needs of the poor, the sick, the uneducated and of the impossibility of responding to them because of the cloister.

¹⁵¹ Another legacy of the Council of Trent was the reform of the "Roman Curia". Pope Sixtus V, by his Apostolic Constitution, *Immensa*, 22 January 1588, was chiefly responsible for this reform and reorganization. See E. L. HESTON, *The Holy See at Work*, Milwaukee, Bruce, [1950], p. 16. See also Appendix A for a synopsis of the evolution of the Congregation known today as the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.

¹⁵² *Bullarium*, t. 7, pp. 447-448.

¹⁵³ *Bullarium*, t. 7, pp. 725-726.

¹⁵⁴ *Bullarium*, t. 7, pp. 808-810.

¹⁵⁵ The law of enclosure was reinforced for this group.

making solemn vows: 3) tertiaries sharing a common life but with private or simple vows. The third paragraph spoke of Tertiaries, Penitents, or others affiliated to an Order, who lived together and took solemn vows; they were to observe the enclosure under pain of severe punishment. The fourth paragraph targeted all the others who shared a common life but without solemn vows — some took private or simple vows — and without the cloister. If they persisted in that fashion, they would not be allowed to admit new members and could face suppression.¹⁵⁶ Therefore if they wished to survive, they were to adopt the enclosure. It would seem that any group appearing to be religious, by the wearing of a habit, by life in common, or by any way usually considered the prerogative of religious, came under this legislation.¹⁵⁷ However, the text itself referred only to Tertiaries, Penitents, or groups affiliated to an Order.

¹⁵⁶ §3. "Mulieres quoque, quae Tertiariae seu de Poenitentia dicuntur, cujusque fuerint Ordinis, in congregatione viventes, si et ipsae professae fuerint, ita ut solemne votum emisserint, ad clausuram praecise ut praemittitur, et ipsae teneantur; quod si votum solemne non emisserint, ordinarii, una cum superioribus earum, hortentur et persuadere studeant ut illud emittant et profiteantur, ac, post emissionem et professionem, eidem clausurae se subjiciant; quod si recusaverint, et aliquae ex eis inventae fuerint scandole vivere, severissime puniantur.

§4. Certis autem omnibus, sic absque emissione professionis et clausura vivere omnino volentibus, interdicimus et perpetuo prohibemus ne in futurum ullam aliam prorsus is suum Ordinem, Religionem congregationemque recipiant. Quod si contra hujusmodi hanc nostram prohibitionem et decretum aliquas receperint, eas ad sic vivendum omnino inhabiles reddimus, ac illarum quaslibet professiones et receptiones irritas facimus et annullamus."

¹⁵⁷ The constitution provoked much discussion and again was unevenly implemented. See N. ONSTENK, "De constitutione S. Pii V, *Circa pastoralis*, 29/5/1566, supra clausura monialium et tertiariorum", in *Periodica*, 39 (1950), pp. 213-230, 317-363; 40 (1951), pp. 210-255, for an extensive study of the questions and doubts surrounding this document as well as its applications.

Once again the need for clarification arose as the law met with various interpretations. In 1570, Pius V issued another constitution, *Decori*, to clarify the exigencies of the cloister.¹⁵⁸

2. *Benedict XIV*

In the intervening years a number of documents had appeared indicating a shift in thought regarding the groups attempting to live a form of religious life that did not fit the established pattern.¹⁵⁹

The breakthrough came with the constitution *Quamvis iusto*, by Benedict XIV (1749).¹⁶⁰ Written to settle a dispute regarding the jurisdiction of the Ordinaries over two groups of the English Ladies, the document in effect set a precedent for the future approval of non-cloistered groups of women engaged in the apostolate. It is a cautious text hedged with many qualifications, conditions and reservations. It indicated a tolerance for the group although not an approval of the institute.¹⁶¹ To approve such an institute would have been

¹⁵⁸ Illness and care of family members were no longer valid reasons for leaving the monastery; not even the bishop could authorize such exceptions. Henceforth only fire, leprosy, and an epidemic could qualify. The latter two required a written verification by both the superior and the bishop. See JARRELL, *Legal Structures*, pp. 21-22.

¹⁵⁹ *Ascendente Domino*, by Gregory XIII (1584), recognizing the Society of Jesus as religious even though the members took simple vows; *Alias propositas*, by Clement IX (1667), granting certain "religious" privileges to a group of women living in common, with a habit, and without solemn vows; *Pretiosus*, by Benedict XIII (1727), tacitly allowing simple vows for religious; *Romanus Pontifex*, by Clement XII (1732) revoked the concessions of *Pretiosus*. See JARRELL, *Legal Structures*, pp. 23-28, for a summary of these documents and the consequent legislation.

¹⁶⁰ *Magnum bullarium Romanum, bullarum, privilegiorum ac diplomatum Romanorum Pontificum amplissima collectio: Benedicti Papae XIV bullarium*, Akademische Druck-u. Verlagsanstalt, 1966, t. 3, pp. 54-68.

¹⁶¹ The constitution recognized their promises as simple vows and established several norms, including those regarding the role of the chief superior and the authority of the bishop over the houses. See CAIN, "Cloister", p. 27/669; JARRELL, *Legal Structures*, pp. 28-30. See LESAGE,

contrary to earlier legislation, particularly *Circa pastoralis*. Therefore, whenever those institutes requested papal approval, the clause "ceterum non intendimus per praesentes ipsum conservatorium in aliquo approbare" continued to be included for some time.¹⁶² However, *Quamvis iusto* had made its mark and its "tolerance" was soon interpreted as a tacit approval of institutes of simple vows.

D. *Implications for the Common Life and for Women Religious*

With the foundation of apostolic institutes, in particular the Society of Jesus, the understanding of the common life expanded. The flexibility and mobility required to respond adequately to the various needs demanded a different type of lifestyle. It had become very clear that the monastic demands of cloister, stability within a house, and of the Divine Office in choir were not suited to these new apostolic groups. New ways had to be found to maintain a sense of identity and of belonging to the institute despite distances and, in some cases, isolation. Once again we hear of the "union of minds and hearts" that had been the focus of Augustine's Rule. Most men's institutes were allowed to move in that direction.

For women, the situation was quite different, almost the opposite. Despite efforts by Angela Merici and Mary Ward, regardless of the needs of the people, women religious could not respond with the same freedom as the men. In fact the legislation tended to be even more stringent imposing the cloister on *moniales*, tertiaries and similar groups. Because

L'accession, pp. 162-163, for a summary of its main juridical principles which were to govern institutes of simple vows in the future.

¹⁶² F. J. CALLAHAN, *The Centralization of Government in Pontifical Institutes of Women: From Their Beginnings till the Legislation of Leo XIII*, [= *Centralization*], Rome, Pontificia Universitas Gregoriana, 1948, p. 13.

of the law of enclosure, the common life for women religious continued to mean stability within a monastery. One might say that Augustine's "union of minds and hearts" was lost in the insistence on the common life as a living together.¹⁶³ The only solution was to choose to be other than religious as did the Daughters of Charity .

J. W. Padberg speaks of "imagination" and acknowledges the innovative efforts of Angela, Jeanne de Chantal, Mary, Louise and Vincent.

In one area, however, imagination, especially the male imagination, failed grievously. It was the area of women's religious congregations. In the sixteenth and seventeenth centuries, extraordinarily imaginative women and men tried to fashion specifically apostolic congregations of women, dedicated to work outside the cloister. Up to that time the cloister had been the only place in which women could undertake even a very limited activity. ... The problem of impoverished or nonexistent imaginations lay not with these founders but with those who had to approve and make use of the orders. Every one of these religious congregations of women was forced back into the cloister, with very few exceptions, such as the Daughters of Charity and the Sisters of St. Joseph. ... In all the other cases, the Church could not summon up the imagination to see women other than in protected cloisters.¹⁶⁴

V. INSTITUTES OF SIMPLE VOWS: "CONGREGATIONS" (1800-)

At the dawn of the nineteenth century, France and much of Europe were being devastated by revolutions. The entire social, economic and political systems had collapsed as had most of the old orders. In some countries, particularly in France, civil laws rendered traditional religious life impossible. Once again, circumstances were propitious for the birth

¹⁶³ The French use "cohabitation".

¹⁶⁴ PADBERG, "Understanding a Tradition", pp. 12-13. He indicates that the Sisters of St. Joseph survived because they were mostly in rural France, decentralized, and "unknown to major Church officials".

of a new model of religious life; this time the women's institutes led the way, at least numerically.

A. *The Rise of the "Congregations"*

For several centuries, particularly since *Quamvis iusto* in 1749, more and more groups of women with private or simple vows had sprung up. They were not religious in the canonical sense,¹⁶⁵ although many had received papal approval of their statutes or constitutions; others had the approval of their bishop. In the wake of the revolution, the need for institutes dedicated to the apostolate was obvious and it was those institutes that could respond, whether that required two or three members in a village or a large group in a city.

France was fertile territory for these foundations whose members cared for the sick and the indigent or taught in the schools.¹⁶⁶ The congregations multiplied at a rapid pace and reached their peak between 1855 and 1859, when together they were receiving five thousand novices a year and keeping eighty percent of them.¹⁶⁷ However, these institutes were not confined to France; they also existed in other parts of Europe. Many eventually emigrated to the "new world", some of them within a few years of their foundation. Faced with this growing movement, ecclesiastical legislation had to change.

¹⁶⁵ The names they chose reflected that fact; "congregation" was the most common. See C. LANGLOIS, *Le catholicisme au féminin: les congrégations françaises à supérieure générale au XIXe siècle*, [= *Catholicisme au féminin*], Paris, Cerf, 1984, 776p., for an extensive study of this movement.

¹⁶⁶ Many institutes of women had set up schools within their monasteries where frequently the students led a semi-cloistered life, particularly if they lived there. For the "congréganistes" it is a case of teaching outside in state or parish establishments.

¹⁶⁷ LANGLOIS, *Catholicisme au féminin*, p. 630.

B. *Vatican Council I (1870)*

Two major concerns regarding religious life figured prominently in the minds of those preparing for the council: 1) the rapid growth of institutes of simple vows, their juridical status, and their relationship with the bishops; 2) the common life and the abuses occasioned by the independent use of monies within religious life, that is within the monasteries.

The commission charged with preparing the working documents spent Session V and part of Session VI looking at the current state of the common life.¹⁶⁸ The discussion would indicate that the independent use of private property was widespread. Solutions were sought and ideas shared.¹⁶⁹ The situation among the *moniales* seemed, in the eyes of the commission, to be even worse.¹⁷⁰ It is obvious from both the records of the preparatory sessions and the Schema itself that the common life was seen exclusively in terms of renunciation of private property and in a reliance on the institute to supply all one's needs.¹⁷¹ However, the Council was interrupted before the topic of religious life could be addressed.

¹⁶⁸ See MANSI, t. 49, cols. 950-984, for the report of these sessions; cols. 950-954, in men's orders; cols. 954-955, in women's. For a succinct presentation on the work of the commission regarding the common life and some of the background to this work, see E. BERGH, "La vie commune", in *Revue des communautés religieuses*, 16 (1945), pp. 133-141.

¹⁶⁹ Some of the suggestions were: a loss of passive voice, or of both active and passive voice; the implementation of perfect common life in houses of formation and among the young professed; the segregation of those who would not observe the common life.

¹⁷⁰ Cardinal J. A. Bizzarri was of the opinion that the *vita privata* (as opposed to the *vita communis*) was almost universal in women's monasteries and that the introduction of the common life among the *moniales* would be extremely difficult, MANSI, t. 49, col. 954-955.

¹⁷¹ *Acta et decreta sacrosancti oecumenici Concilii Vaticani accedunt permulta alia documenta ad Concilium ejusque historiam spectantia*, in *Acta et decreta sacrorum conciliorum recentiorum: collectio Lacensis, Friburgi Brisgoviae, Herder, 1870, t. 7, col. 675-678; the section on women religious, col. 677-678.*

C. *Papal Interventions*

The most frequent papal interventions during this period took the form of approval of particular institutes or of their constitutions.¹⁷² Other more general interventions have a bearing on the common life; among these, the apostolic constitution, *Conditae a Christo*, by Leo XIII (1900), was the most important.¹⁷³

Conditae a Christo was indeed of supreme importance for the institutes with simple vows, because it finally recognized them as religious. It also clarified their status as pontifical or diocesan, and in both instances, their relationship with the bishops.¹⁷⁴ It had been a long journey — six hundred years since Nicholas IV approved the Franciscan Tertiaries.

D. *Congregation for Bishops and Regulars*¹⁷⁵

For several centuries, documents and decrees had been issued by the Roman Congregation responsible at the time for religious. During this period of time, particularly

¹⁷² The first of these was the Sisters of Charity of Jesus and Mary in 1816, see CALLAHAN, *Centralization*, p. 44.

¹⁷³ ASS, 33 (1900-01), pp. 341-347, excerpts translated into English in G. COURTOIS, *The States of Perfection According to the Teaching of the Church*, [= *States of Perfection*], by J. O'Flynn, Dublin, Gill, 1961, pp. 5-13. Six years later Pius X issued the motu proprio, *Dei providentis*, in ASS, 39 (1906), pp. 344-346, excerpts in COURTOIS, *States of Perfection*, pp. 27-28. This document required papal approval before a bishop could establish or allow the foundation of a new institute within his diocese.

¹⁷⁴ For a commentary on *Conditae a Christo*, see M. PIAT, "Commentaire de la bulle *Conditae*, de Léon XIII, sur les instituts à vœux simples", in *Nouvelle revue théologique*, 33 (1901), pp. 453-470, 565-573.

¹⁷⁵ In 1908, Pius X reorganized the Roman Congregations and gave the new Congregation for Religious jurisdiction over all institutes: orders and congregations, see P. BASTIEN, *Directoire canonique à l'usage des congrégations à vœux simples*, [= *Directoire canonique*], 4e éd., Bruges, C. Beyaert, 1933, p. 73, no. 123.

around the turn of the century, it had been quite active. Its most significant contribution was the *Normae* (1901) which completed *Conditae*.¹⁷⁶ These *Normae* were directives and did not have the force of law.¹⁷⁷ However, they were a step in the organization of the law and the jurisprudence concerning religious life and towards the eventual codification of canon law.

E. *The 1917 Code of Canon Law*¹⁷⁸

The Code of Canon Law was promulgated on May 27, 1917, Pentecost Sunday and went into force the following Pentecost. Religious found their place in Book II — *De personis*, Part II — *De religiosis*. Almost every facet of life was addressed.

The Code defined the nature of the religious state in the very first canon and included community life as a part of that nature.¹⁷⁹ Questions were still raised as to whether community life was to be considered as an essential element of religious life, and if it meant living under the same roof. Later some pointed to the apostolic constitution, *Provida*

¹⁷⁶ This document contained the norms which the Sacred Congregation usually followed in approving the constitutions of institutes of simple vows. They were revised and updated in 1920 and 1950. See LEMOINE, *Le droit*, pp. 296-298; CALLAHAN, *Centralization*, pp. 69-70. He describes the previous procedures known as the *Methodus* of Bizzarri, pp.44-47.

¹⁷⁷ There was a prohibition regarding their translation; therefore, a number of handbooks and guides appeared in various languages in order to assist institutes in preparing their request for approval, of both the institute and the constitutions. See I. LANSLOTS, *Handbook of Canon Law for Congregations of Women Under Simple Vows*, 9th ed., New York, Pustet, 1920, 303p., BASTIEN, *Directoire canonique*, 591p., A. BATTANDIER, *Guide canonique des soeurs à voeux simples*, Paris, Lecoffre, 1898, 266p., and his *Guide canonique pour les constitutions des instituts à voeux simples*, 5e éd., Paris, Lecoffre, 1911, xxvii, 558p.

¹⁷⁸ *Codex iuris canonici Pii X Pontificis Maximi iussu digestus, Benedicti Papae XV auctoritate promulgatus, praefatione, fontium annotatione et indice analytico-alphabetico ab Emmo. P. Gasparri auctus*, Romae, Typis polyglottis Vaticanis, 1933, xlvii, 786p.

¹⁷⁹ C. 487: "Status religiosus seu stabilis in communi vivendi modus ..."

mater,¹⁸⁰ on Secular Institutes as a response. Pius XII, referring to them as "secular", points out that they cannot be called "religious" as they are not bound to live the common life.¹⁸¹ There are various commentaries on this canon: some see this precept principally as expressing incorporation into an institute;¹⁸² others state that it is essential only by ecclesiastical law.¹⁸³

Canon 594 obliges religious to the common life in terms of food, clothing, and furnishings; any money received is to be placed in the common fund.¹⁸⁴ One still finds

¹⁸⁰ Pius XII issued two constitutions: *Provida mater* (1947) and *Sponsa Christi* (1950). The first, along with his *motu proprio*, *Primo feliciter*, dealt with secular institutes; the second concerned primarily contemplative religious life. It establishes two types of papal enclosure: one for contemplatives and the other for apostolic congregations.

¹⁸¹ *AAS*, 39 (1947), p. 120, art. II, § 1; translated in *CLD*, v. 3, p. 142.

¹⁸² T. BOUSCAREN, A. ELLIS, and F. NORTH, *Canon Law: A Text and Commentary*, [= *Canon Law*], 4th. rev. ed., Milwaukee, Bruce, [1966], p. 232, state that besides public vows, religious have "common life in its secondary sense of sharing the same roof and board"; they further point out that "common life is essential to the religious state only in the first sense", that is: "membership in a society which enjoys moral personality under a determined superior and a definite rule", p. 233.

¹⁸³ See S. WOYWOD, *A Practical Commentary on the Code of Canon Law*, [= *Practical Commentary*], rev. by C. Smith, New York, Wagner, 1948, v. 1, p. 204; J. ABBO, and J. D. HANNAN, *The Sacred Canons, A Concise Presentation of the Current Disciplinary Norms of the Church*, [= *The Sacred Canons*], St. Louis, Herder, 1957, v. 1, p. 487: "... the Holy See is not prevented from approving institutes which do not require that their members live under one roof and wear a common garb." For other opinions on this norm, see ANDRÉS GUTIÉRREZ, "Vida común", pp. 385-390; J. B. FUERTES, "La 'vida fraterna' in común de los religiosos y su trayectoria histórico-jurídica", in *Apollinaris*, 55 (1982), pp. 560-564; V. DAMMERTZ, "Vita comune - comunità fraterna - vita in comunità", in *SCRIS Informationes*, 11 (1985), pp. 129-131.

¹⁸⁴ "C. 594 - §1. In quavis religione vita communis accurate ab omnibus servetur etiam in iis quae ad victum, ad vestitum et ad suppellectilem pertinent.

§2. Quidquid a religiosis, etiam a Superioribus, acquiritur ad normam can. 580, § 2, et can. 582, n. 1, bonis domus, provinciae vel religionis admisceatur, et pecunia quaelibet omnesque *tituli* in capsam communi deponantur."

echoes, in this canon, of the problem of the independent use of property and the *vita privata* that had been the focus of discussion in preparation for the first Vatican Council.

F. *Implications for the Common Life and for Women Religious*

The Code had a levelling effect on all institutes regardless of the intent or vision of the founder. It affirmed the understanding of the common life as living together and the *Normae* issued in 1901 legislated its practice in minute detail;¹⁸⁵ therefore uniformity and the strict observance of these details became what could be considered a virtue. These two attitudes were reinforced by the fact that the aspect of the common life receiving the most prominence was the sharing of goods and the renouncing of personal property. In the end, uniformity was frequently seen as a sign that both community and the common life were intact and flourishing.

This was perhaps especially true for women religious of apostolic institutes.¹⁸⁶ They were still bound by the cloister, albeit a minor one (cc. 598, 600, 604-607). The directives which governed the approval of institutes and constitutions touched on most facets of life in detail, as did the quinquennial report which general superiors were to send to Rome.¹⁸⁷ Regardless of the fact that women religious could be engaged in the apostolate outside of

¹⁸⁵ In perusing constitutions and secondary books of institutes approved by the Holy See after the promulgation of the Code, one might conclude that detail was considered very important.

¹⁸⁶ See J. ABBO, "Women in Canon Law", in *The Priest*, 20 (1964), pp. 248-253, and "Women Religious in Canon Law", in *The Priest*, 20 (1964), pp. 1079-1080; A. BONHOME, "Religieuses et autorité masculine", in *Vie consacrée*, 44 (1972), pp. 257-277, points out inequalities and situations where the Code is more restrictive for women, even for those with simple vows, as does L. VASQUEZ, "The Position of Women According to the Code", in *The Jurist*, 34 (1974), pp. 131-136.

¹⁸⁷ See BASTIEN, *Directoire canonique*, pp. 541-548.

their houses, they still found themselves limited. In most institutes of men, there was the provision for living alone for the sake of the mission. Generally this was not the case for women. Perhaps one can argue that the difficulty resided in the institutes' own proper law; however, that law was subject to approval from the Holy See.

CONCLUSION

This chapter has traced the journey taken by the common life: from small informal groups in the early Church, through the loose affiliations of the *lauras*, the highly organized monasteries, and the equally regulated life of institutes of simple vows. Besides its organizational inventory, we have seen the different emphases that the common life has been given from that of Augustine's "union of minds and hearts" to an almost exclusive focus on the renunciation of private property and the reliance on the institute. We have also seen how the Church's legislation frequently dictated the meaning of the common life.

For women religious, the journey was more difficult. Attempts to break out of the monastic tradition were constantly thwarted. The law of enclosure restricted many of the apostolic institutes regardless of the vision or intent of the founder. Even with the recognition of apostolic institutes of simple vows, strong monastic practices remained; it would take another Council to recognize the apostolic nature of such institutes and to open wide the door left ajar since the era of Angela, Ignatius, Mary, Vincent and Louise.

CHAPTER TWO

CURRENT LEGISLATION AND RELATED DOCUMENTS

On January 25, 1959, at the end of the week for Christian Unity, Pope John XXIII announced a Synod for the diocese of Rome, an Ecumenical Council, and a revision of the Code of Canon Law.¹ Of the three events, the latter two are the most pertinent to this chapter which will consider certain conciliar documents, the relevant canons of the 1983 Code of Canon Law, as well as other selected legislative documents: some published between the end of the Council and the promulgation of the Code, and others which appeared immediately after the Code. The canons, as well as the conciliar and post-conciliar documents under examination are those containing legislation regarding the common life, particularly as it applies to apostolic institutes of women religious.

I. VATICAN COUNCIL II (1962-1965)

At the convocation of the council, the reality of religious life throughout the world varied considerably, and later the concerns of the bishops gathered in Rome reflected that diversity.² In Europe, for example, religious life was on the decline; however in North

¹ AAS, 51 (1959), p. 68.

² M. J. SCHOENMAECKERS, *Genèse du chapitre VI "De religiosis" de la constitution dogmatique sur l'Église "Lumen gentium"*, [= *Genèse*], Rome, Gregorian University Press, 1983, pp. 8-19; P. MOLINARI and P. GUMPEL, *Il capitolo VI "De religiosis" della costituzione dogmatica sulla Chiesa, [= Capitolo VI]*, Milano, Ancora, [1985], pp. 10-17. For a synopsis and a brief commentary on "Chapter VI", see E. McDONOUGH, "Lumen gentium's Chapter 6: Religious", in *Review for Religious*, 52 (1993), pp. 927-932.

America, more specifically in Canada, it was still flourishing.³ Each year, large numbers of young candidates were entering religious institutes that owned and operated educational centres, social agencies, health care facilities, and other institutions devoted to the spiritual and corporal works of mercy. However, little had changed within those institutes since their foundation or since their rebirth in the nineteenth century; the garb, customs, horarium, and spiritual expressions of another era prevailed. In most cases, women religious were attempting to carry out an active, intensive apostolate while living a monastic or semi-monastic lifestyle. The world in which they ministered had evolved but their life had not. The windows that Pope John XXIII wanted wide open to the action of the Spirit included those of religious institutes.

While several conciliar documents underline some aspect of religious life, two are particularly significant for the legislation regarding the common life and for its implementation:⁴ *Lumen gentium*, chapter VI, and *Perfectae caritatis*.

³ According to the statistics published by the Canadian Religious Conference, in 1962 in Canada, there were approximately: 7,100 religious priests with 800 postulants and novices and 1,550 scholastics; 7,940 brothers with 750 postulants and novices; 59,700 sisters with 1,280 postulants and novices. CRC, *Statistics of Religious Congregations of Canada*, 1991, Ottawa, Canadian Religious Conference, 1991, pp. 11, 20, 28.

⁴ VATICAN II, Dogmatic Constitution, *Lumen gentium*, 21 November 1964, in *AAS*, 57 (1965), pp. 5-67, Chapter 6, *De religiosis*, pp. 49-53, translated in A. FLANNERY, ed., *Vatican Collection: vol I: Vatican Council II, The Conciliar and Post Conciliar Documents*, rev. ed., Northport, Costello, 1988, pp. 350-423, Chapter 6, "Religious", pp. 402-407. [Unless otherwise indicated, all translations of conciliar and post conciliar documents are taken from FLANNERY, vol. I and from *Vatican Collection*, vol. II: *Vatican Council II, More Post Conciliar Documents*, Northport, Costello, [1982], xix, 920p.]. VATICAN II, Decree, *Perfectae caritatis*, 28 October 1965, in *AAS*, 58 (1966), pp. 702-712, FLANNERY I, pp. 611-623. See Appendix B for a listing of other conciliar documents and their particular focus regarding religious life.

A. *Lumen gentium* — 1964: Chapter VI - Religious⁵

Much has been written on *Lumen gentium* in general and on the chapter on religious in particular. This section will touch briefly on three points: certain specific themes, references to the common life and to apostolic institutes, and finally some allusion to tensions and criticisms surrounding this chapter.

1. *Chapter VI and Its Main Themes*

It has been said that Vatican II was the first ecumenical council to look at religious life from a doctrinal point of view, rather than from a disciplinary one as did Lateran IV, or an apologetic bias as did Trent. In seeking to establish a doctrinal basis, the council fathers attempted to situate religious life within the mystery of the Church.⁶ That this was not an easy task can be deduced from the reports of the debates and from various commentaries.⁷ Flowing from the last part of chapter 5 which speaks of the faithful's invitation and obligation

⁵ The evolution of the chapter title encapsulates perhaps the variety of opinions and outlooks of the Council members. It evolved from: *De statibus evangelicae acquirendae perfectionis*, at the first session; to *De vocatione ad sanctitatem in Ecclesia*, at the second; and finally adopted as *De religiosis*, at the 1964 session. See CONCILIUM VATICANUM II, *Acta synodalia sacrosancti Concilii oecumenici Vaticani secundi, cura et studio archivi Concilii oecumenici Vaticani II*, [= *Acta syn.*], in Civitate Vaticana, Typis polyglottis Vaticanis, 1971, I, 4, pp. 34-37; II, 1, pp. 37-39, III, 1, pp. 293-301; III, 8, pp. 821-824.

⁶ N. HAUSMAN, "La vie religieuse apostolique selon Ignace de Loyola et d'après Vatican II", in *Vie consacrée*, 57 (1985), p. 255.

⁷ For an analysis of the evolution of the title of the chapter, see SCHOENMAECKERS, *Genèse*, pp. 92-105, [107]-204, 205-222; J. GALOT, *Les religieux dans l'Église*, [= *Les religieux*], Paris, Lethielleux; Duculot, Gembloux, [1966], 155p; MOLINARI and GUMPEL, *Capitolo VI*, 223p; F. SEBASTIAN, "Historia capitis VI Constitutionis *Lumen Gentium*", in *Commentarium pro religiosis*, 45 (1966), pp. 349-363; A. GUTIÉRREZ, "De nomine quo apte designentur instituta quae consilia evangelica amplectuntur", [= "De nomine"], in *Commentarium pro religiosis*, 56 (1975), pp. 225-232.

to holiness according to their state of life, the first section of chapter VI, no. 43a⁸, establishes the foundation of religious life. It is God's gift to the Church, rooted in the teaching and example of Christ.

Section 44 enlarges on that theme and presents "consecration" as the heart of the issue, a consecration rooted in baptism. The understanding of this concept evolved during the debates and discussions, but perhaps the consistent note throughout is love — love of God and love of neighbour.⁹ M. J. Schoenmaeckers underlines the difference between the concept of *consecratio* evoking a reciprocal or mutual love, and *religio*, referring to the virtue of religion which focuses on one aspect of love or charity.¹⁰ Consecration is expressed by profession of the evangelical counsels (44a, b) in the Church and this profession constitutes the religious state (44d).¹¹

Another debated point was the relation of religious life to the hierarchy and its place in the structure of the Church.¹² Sections 43a and 45a affirm the role of the Church in

⁸ The division into paragraphs is that used in FLANNERY, letters are added here for greater clarity.

⁹ There has been much discussion around this point. See J. BEYER, "La vie consacrée dans l'Église", [= "Vie consacrée"], in *Gregorianum*, 44 (1963), pp. 32-61, and "Vie consacrée et vie religieuse de Vatican II au Code de Droit canonique", [= "De Vatican II au Code"], in *Nouvelle revue théologique*, 110 (1988), pp. 77-87. See also F. SEBASTIAN, "Doctrina concilii Vaticani II de vita religiosa", in *Commentarium pro religiosis*, 46 (1967), pp. 6-9.

¹⁰ SCHOENMAECKERS, *Genèse*, p. 228.

¹¹ "Status ergo, qui professione consiliorum evangelicorum: constituitur ...", AAS, p. 51; FLANNERY I, p. 405.

¹² This question of the place of religious life in the Church was a contentious one. Several times within *LG*, we find reference to it, or its absence is noticeable: nos. 13c, 31a, 32c, 42c,d, 44d, 45c. See V. FAGIOLO, "Appartenenze 'iure divino' della vita consacrata alla costituzione della Chiesa", [= "Appartenenze"], in *Vita consacrata*, 21 (1985), pp. 424-430; D. J. ANDRÉS GUTIÉRREZ, *El*

interpreting the counsels and approving the rules; no. 45c points out that the Church by "giving legal sanction to the religious form of life ...[raises] it to the dignity of a canonical state."¹³ The reflection on consecration ends by stating that religious life "while not entering into the hierarchical structure of the Church, belongs undeniably to her life and holiness"(44d).¹⁴

2. *The Common Life and Community*

Lumen gentium makes little reference to the topic of the common life or community life. Paragraph 43b, almost as an aside, distinguishes between "religious life lived in solitude or in community."¹⁵ This is the first mention of another form of religious life besides that lived in "community".¹⁶ In enumerating some of the aids to holiness, no. 43c includes sisterly

derecho de los religiosos: comentario al Código, [= *El derecho*], 2a ed., Madrid, Publicaciones claretianas y Commentarium pro religiosis, 1984, pp. 15-16; GALOT, *Les religieux*, pp. 98-101; A. BANDERA, *La vida religiosa en el misterio de la Iglesia: Concilio Vaticano II y Santo Tomás de Aquino*, [= *Vida religiosa en el misterio*], Madrid, Biblioteca de autores cristianos, 1984, p. 411. In "Eclesiología de la vida religiosa? Hacia un retroceso?" in *Angelicum*, 66 (1989), pp. 577-602, A. BANDERA focuses primarily on no. 13c.

¹³ "Ecclesia autem professionem religiosam non tantum sua sanctione ad status canonici dignitatem erigit ...", *AAS*, p. 52; FLANNERY I, p. 406.

¹⁴ *AAS*, p. 51: "Status ergo ... licet ad Ecclesiae structuram hierarchicam non spectet, ad eius tamen vitam et sanctitatem inconcusse pertinet"; FLANNERY I, p. 405.

¹⁵ *AAS*, 57 (1965), p. 49: "... variae formae vitae solitariae vel communis."

¹⁶ This distinction is not developed further and some authors note a lack of clarity as to whether the text refers to individuals living in solitude or institutes of solitaries, such as the Carthusians. See BEYER, "De Vatican II au Code", p. 77.

or "brotherly communion".¹⁷ Neither of these points is developed, and both were introduced only at the time of the third and final schema.¹⁸

3. *Tensions and Criticisms*

A gathering of people of such diverse backgrounds and experience could not fail to elicit disagreements and divergent points of view.¹⁹ One, the place of religious life within the structure of the Church, has already been mentioned. Certainly the discussions surrounding the title of the chapter evidence divided opinions, confusion of doctrinal, theological and canonical language,²⁰ as well as different understandings of the nature and role of religious life. The question of who are "religious" proved equally contentious: where did secular institutes belong? The stress on the centrality of consecration seemed to broaden the scope; yet, the title in the final draft remained — *De religiosis*.²¹

Some have deplored the fact that *Lumen gentium* did not say more or was silent on a particular point;²² however, it is one of the early conciliar documents. The records in the

¹⁷ "... communionis in militia Christi fraternae", *AAS*, p. 49.

¹⁸ *Acta syn.* III, 1, p. 310.

¹⁹ SCHOENMAECKERS, in *Genèse*, pp. 258-260, summarizes some of these.

²⁰ See BANDERA, *Vida religiosa en el misterio*, p. 410, for a brief exposé regarding the theological concept of "counsels" and the canonical sense of "state of perfection".

²¹ See M.-A. TRAPET, "Les dangers d'une réduction de la vie consacrée à la vie religieuse", in *L'Année canonique*, 30 (1987), pp. 83-87; SCHOENMAECKERS, *Genèse*, p. 261; GUTIÉRREZ, "De nomine", pp. 37-59.

²² D. L. FLEMING, "Understanding a Theology of Religious Life", [= "Understanding"], in G. A. ARBUCKLE and D. L. FLEMING, ed., *Religious Life: Rebirth Through Conversion*, [= *Rebirth*], New York, Alba House, [1990], pp. 34-38; SCHOENMAECKERS, *Genèse*, p. 267; P. MOLINARI, "The Apostolic Religious Woman and Her Spirituality", in *The Way Supplement*, 19 (1973), pp. 33-34.

Acta synodalia clearly demonstrate a struggle and a development in thought, theology, and understanding which laid the foundation for other documents, especially *Perfectae caritatis*, and ultimately for the new Code.²³

B. *Perfectae caritatis* — October 28, 1965

Eleven months after the promulgation of *Lumen gentium*, the council Fathers approved the decree, *Perfectae caritas*. E. McDonough writes:

In many ways *PC* is the fruit of great expectations and creative compromise which, in the final analysis, gained the overwhelming affirmation of council participants. With the theological stage set, so to speak, by the previously promulgated dogmatic constitution *Lumen gentium*, *PC* could and did concentrate on general principles and fundamental issues.²⁴

If the affirmation of the council fathers was overwhelming, that of women religious was no less so; generally, their response was enthusiastic and whole-hearted. This document is rich in content, but three points are of relevance here: the principles governing "the appropriate renewal of religious life", references to the common life or community, and the statement on the nature of apostolic institutes.

²³ BEYER, "De Vatican II au Code", pp. 74-75, 96.

²⁴ E. McDONOUGH, "The Conciliar Decree *Perfectae Caritatis*", in *Review for Religious*, 53 (1994), p. 146.

1. *Principles Governing the Renewal of Religious Life*

The decree underwent four drafts before reaching its present form.²⁵ Obviously, the task before the council was a difficult one. From the beginning, the need for a few principles governing renewal was recognized. These did appear in the first schema, but again there was to be a development of thought and of spirit before the succinct list in the promulgated document could be reached.²⁶ They give the broad strokes: the Gospel as the supreme rule, the importance of the particular character of each institute, the institutes' sharing in the life of the Church, the necessity for each member to understand the people and conditions of the times, and a renewed spirituality. Although these principles were directed toward a complete renewal of religious life, thirty years on, they are still relevant, particularly the introductory paragraph urging a "constant return to the sources of the whole of the Christian life and to the primitive inspiration of the institutes, and their adaptation to the changed conditions of our time."²⁷

²⁵ For the first schema, see CONCILIUM VATICANUM II, *Schemata constitutionum et decretorum ex quibus argumenta in Concilio disceptanda seligentur, Series tertia*, [= *Schemata*], [in Civitate Vaticana], Typis polyglottis Vaticanis, 1962, vol. 3, pp. 183-278. For the remainder, see *Acta syn*, III, 7, pp. 751-780 (2d); III, 7, pp. 85-89 (3d); III, 7, pp. 143-151 (4th); IV, 3, pp. 512-528 (5th). For a summary of the evolution of the decree, see A. Le BOURGEOIS, "Historique du décret", [= "Historique"], in J.-M.-R. TILLARD and Y. CONGAR, ed., *L'Adaptation et la rénovation de la vie religieuse*, [= *Adaptation et rénovation*], 3e éd., Paris, Cerf, 1968, pp. 51-72. For other commentaries, see V. FAGIOLO, *Decreto sul rinnovamento della vita religiosa Perfectae caritatis: introduzione e commento*, 2a ed., Casale Monferrato, Piemme, 1988, 147p; J. GALOT, *Renouveau de la vie religieuse*, Paris, Lethielleux; Duculot, Gembloux, [1966], 179p.

²⁶ PC, no. 2.

²⁷ PC, no. 2, in AAS, p. 703: "... continuum reditum ad omnis vitae christianae fontes primigeniamque institutorum inspirationem et aptationem ipsorum ad mutatas temporum condiciones"; FLANNERY I, p. 612.

2. *The Common Life and Community*

Section 15 establishes a basis and a rationale for the common life by stating:

Common life, in prayer and the sharing of the same spirit (Acts 2:42), should be constant, after the example of the early Church, in which the company of believers were of one heart and soul.²⁸

Further on in this same section we read that religious "should live together as brothers" or sisters. Certain attitudes are underlined: bearing each other's burdens, giving way to others in esteem, and a spirit of unity which not only signifies the "coming of Christ" but is a "source of apostolic power". Echoing no. 6a as well as *Lumen gentium*, it emphasizes love, the love that makes of a community "a true family in the Lord's name."²⁹

Section 15 focuses exclusively on the common life. However, no. 12b had already stated that "chastity is preserved more securely when the members live a common life in true brotherly [sisterly] love."³⁰ It is interesting to note that in earlier conciliar and papal documents the common life was usually more closely linked with the vow of poverty, but here there is a direct connection with chastity.³¹

²⁸ *PC*, no. 15a, in *AAS*, p. 709: "Vita in communi agenda, ad exemplum primaevae Ecclesiae in qua multitudo credentium erat cor unum et anima una (cfr. *Act.* 4, 32), ... in oratione et communione eiusdem spiritus perseveret (cfr. *Act.* 2, 42)"; *FLANNERY I*, p. 620.

²⁹ *PC*, no. 15a, in *AAS*, p. 709: "Religiosi, ut membra Christi, in fraterna conversatione honore se invicem praeveniant (cfr. *Rom.* 12, 10), alter alterius onera portantes (cfr. *Gal.* 6, 2). Caritate enim Dei in cordibus per Spiritum Sanctum diffusa (cfr. *Rom.* 5, 5), communitas ut vera familia, in nomine Domini congregata, Eius praesentia gaudet (cfr. *Matth.* 18, 20). ... Immo fratrum unitas Christi adventum manifestat (cfr. *Io.* 13, 35; 17, 21) magnaue virtus apostolica ex ea manat"; *FLANNERY I*, p. 620.

³⁰ *PC*, no. 12b, in *AAS*, p. 708: "... castitatem securius servari cum inter sodales vera dilecto fraterna in vita communi viget"; *FLANNERY I*, p. 617.

³¹ This is not to say that there is no connection in *PC* between the common life and poverty, see no. 13a-f. However, in the section on poverty, the primary emphasis is neither on the sharing of goods

a. *First Schema -- 1962*

In examining the schemas, one can see an evolution in the interpretation of the common life and community. The first schema, in no. 7, entitled *Elementa constitutiva status perfectionis: pedetentim definita*, makes no mention of the common life; it simply highlights the vows. Nor is it included in chapter two, in the section, *Tres species status perfectionis adquirendae*, no. 15, which defines or describes religious. However, in no. 20 which treats of *Differentia inter tres status: quoad modum vivendi*, we are told that religious are to spend most of their time or to live (*degunt*) in their own houses and observe perfectly the common life according to both their own law and that of the Church.³²

Further on, in no. 83, there is question of those living outside of their canonically erected houses, for a just cause, with the approval of their superiors, especially for apostolic or missionary activity. In such cases there should be appropriate norms to foster and support their spiritual life, their work, and the ordering of their life.³³ The tone of the document would seem to indicate that there was nothing extraordinary in this situation.

nor on the renunciation of private property, it is on sharing in the poverty of Christ.

³² *Schemata*, p. 194, no. 20: "... Religiosi in propriis domibus degunt vitamque communem perfectam observare tenentur et, praeter Constitutiones et Regulas pro singulis Religionibus approbatas, etiam disciplina canonica pro ipsis in Iure communi sancita devinciuntur."

³³ *Schemata*, p. 226: "Illis quoque sodalibus qui iusta de causa, praesertim ob missionalem apostolatam, probantibus Superioribus, extra instituti proprii domos canonice erectas dispersim degunt, aptis normis provideri debet ad eorum vitam spiritualem, disciplinam et operam rite tuendam et fovendam."

This schema did not reach the council floor. Directives were issued stressing brevity and the principles of renewal, while relegating anything juridical or canonical to the commission for the revision of the Code.

b. *Second Schema — 1963*

Not only was the second schema considerably shorter but its outlook and structure were new and omitted much of the contents of the first.³⁴ The paragraphs mentioned above were dropped. In no. 4 of the first chapter, *Tres species status perfectionis*, where these states are defined, we read that in *religiones* or religious institutes, the members³⁵ are subject to the rule, *regimen*, of the common life.³⁶ However, in this norm, the common life and the proper law of the institute appear as the context for the vows. Is this to be interpreted more in the sense of incorporation into the institute than in the sense of living under the same roof?

The fifth chapter, *De vita in communi ducenda*, contains three sections (nos. 30-32). It is the first one that is most relevant:³⁷ *De vita in communi caritatis spiritu imbuenda*. Once again, one finds reference to the "union of minds and hearts", the love, *caritas*, of the early

³⁴ See Le BOURGEOIS, "Historique", pp. 57-60.

³⁵ The latin uses "sodales" which etymologically includes the sense of comradeship, of intimate, of associate, of friend.

³⁶ *Acta syn.*, III, 7, p. 754: "*Religiones sunt societates in quibus sodales, secundum proprias leges et sub regimine vitae communis, vota publica, perpetua vel temporaria, elapso tempore renovanda, nuncupant.*"

³⁷ Section 31 deals with the establishment of one class of members within institutes of women, and with the situation of brothers within clerical institutes. Number 32 deals with the permission to ordain a few brothers within lay institutes.

Church to which the life in common, *vita in communi*, is to bear witness.³⁸ This section exhorts moderators to conduct themselves as fathers or mothers towards the *sodales*, fostering a filial spirit towards superiors and, among the *sodales*, a brotherly or sisterly union, communion, and harmony.³⁹

c. *Third Schema — April 1964*⁴⁰

The third schema was yet another exercise in synthesizing as directives had been issued asking that only main points be retained. In this document, the content of the former no. 30 reappeared in no. 10, *De vita in communi ducenda*, recalling the spirit and example of the early Church, and the witness value of the common life to the love of Christ.⁴¹

³⁸ *Acta syn.*, III, 7, p. 774: "Vita in communi ducenda testimonium caritatis primaevae Ecclesiae, qua omnes erant 'unum et anima una' (Act. 4, 32), exprimere pergat."

³⁹ *Acta syn.*, III, 7, p. 774: "Moderatores et Antistitae tamquam patres vel matres erga sodales sese gerant; hi autem spiritu filiali erga Superiores animentur atque fraterna unione et communi conspiratione inter se devinciantur. Fraternalis caritatis sensus ne intermittantur, tunc etiam cum quis sodalis ab instituto discesserit." The term *antistita* or *antistes* has the general sense of presider or overseer; the feminine form implies an overseer "especially of a temple" or a "chief priestess", in C.T. LEWIS and C. SHORT, ed., *A Latin Dictionary founded on Andrews' Edition of Freund's Latin Dictionary*, rev., Oxford, Clarendon Press, [1961], p. 133.

⁴⁰ This schema, sent to the participants in April 1964, was not accepted.

⁴¹ *Acta syn.*, III, 7, p. 87: "Vita in communi agenda testimonium sit caritatis Christi, secundum exemplum primaevae Ecclesiae, in qua multitudo 'credentium erat cor unum et anima una' (Act. 4, 32)."

d. *Fourth Schema — October 1964*

In October 1964, the council Fathers received a document in two columns: on the left, the text of the third schema; on the right, the suggested amendments, or the fourth.⁴² The first part (no. 10) on the common life was preserved from the third schema; it became no. 11.

e. *The Fifth Schema — September 1965*

Once again the council members received a double text with the fourth schema on the left and what was to be the final and definitive document on the right.⁴³ The latter was a much expanded text because of the great number of written comments submitted by the participants. The former one-sentence section on the common life (no. 11) became the paragraph with which we are now familiar: no. 15, *De vita in communi*. It was also at this time that the reference to the *vita communis* was introduced into no. 12 on chastity.

Although these two areas of the decree deal specifically with the common life and community, in general some degree of life in common is presupposed throughout the document. At the very least, it assumes incorporation into an institute; besides, no. 1d indicates that the principles listed concern "the life and discipline of religious orders", where the common life had become both the custom and the rule. It is not the purpose of this work

⁴² *Acta syn.*, III, 7, pp. 143-151.

⁴³ *Acta syn.*, IV, 3, pp. 512-528.

to analyze the various translations of no. 15, and their implicit interpretations. However, in some cases the particular bias is both obvious and interesting.⁴⁴

3. *The Nature of Apostolic Institutes*

It was only in the final schema that the present paragraph 8b was inserted. Prior drafts certainly recognized the existence of institutes of apostolic life; however, it frequently seemed as if the apostolate was an adjunct to what was really "religious life".⁴⁵ In fact this was often the perception of the members as well: religious life consisted of prayer, and anything else related to one's spiritual life; the apostolate was over and above. Indeed, in most institutes, one's "religious" obligations had priority over one's apostolate.

However, the decree states unequivocally that

[i]n these institutes, apostolic and charitable activity is of the very nature of religious life, as their own holy ministry and work of charity, entrusted to them by the Church and to be performed in its name. For this reason, the entire religious life of the members should be imbued with an apostolic spirit, and all their apostolic activity with a religious spirit.⁴⁶

After stressing the importance of prayer, the document states that because of the nature of the apostolic institutes, their "observances and customs" are to be adjusted to meet the needs

⁴⁴ See Appendix C for three other English translations, one French, two Spanish, and two Italian ones.

⁴⁵ The third schema indicates that apostolic activity is to flow out of one's contemplation, *Acta syn.*, III, 7, p. 86, no. 6.

⁴⁶ *AAS*, 58 (1966), p. 706: "In istis institutis, ad ipsam naturam vitae religiosae pertinet actio apostolica et benefica utpote sanctum ministerium et opus caritatis proprium ab Ecclesia ipsis commissum eiusque nomine exercendum. Proinde tota vita religiosa sodalium spiritu apostolico imbuatur, tota vero actio apostolica religioso spiritu informetur"; FLANNERY I, p. 615.

of the apostolate. Henceforth, those institutes would no longer be obliged to express their aim as primary and secondary, with the apostolate as secondary.

C. *Implications for the Common Life and for Women Religious*

Perfectae caritatis not only set the framework for a general renewal of religious life, but it also allowed religious, and women religious in particular, to look at their life with new eyes. Its emphasis on the theological and scriptural basis of the common life loosened the strictures of uniformity and regimentation which had prevailed until then.⁴⁷ Not only was there provision for adapting the horarium, customs, and prayer to the nature of the institute and the needs of the apostolate, but such adaptation was possible within houses of the same institute according to their circumstances. Unity therefore was to spring from the "union of minds and hearts" rather than from "conformity to a system of rules ... an external uniformity."⁴⁸

⁴⁷ This was perhaps especially true in institutes of women. For some analyses of the status of women in the teachings of Vatican II and in the immediate post-conciliar years, see N. FOLEY, "Woman in Vatican Documents 1960 to the Present", in J. A. CORIDEN, ed., *Sexism and Church Law: Equal Rights and Affirmative Action*, New York, Paulist Press, [1977], ix, 190p; R. McDERMOTT, *The Legal Condition of Women in the Church: Shifting Policies and Norms*, Ann Arbor, UMI, 1991, xix, 433p; K. MEAGHER, *The Status of Women in the Post-Conciliar Church*, J.C.D. diss., Ottawa, Saint Paul University, 1976, xix, 297p.

⁴⁸ G. BAUM, ed., *Decretum de accommodata renovatione vitae religiosae: The Decree on the Renewal of Religious Life of Vatican Council II*, study ed., A. Flannery, trans., commentary by G. Baum, Glen Rock, Paulist Press, 1966, p. 53. In the same vein, see also J.-M.-R. TILLARD, "Les grandes lois de la rénovation de la vie religieuse", in TILLARD and CONGAR, *Adaptation et rénovation*, pp. 155-156; pp. 146-158 provide a commentary on PC, no. 15; F. S. AGUILAR, *Renovación conciliar de la vida religiosa*, 3a ed., Bilbao, Desclée de Brouwer, [1969], pp. 377-386; V. CODINA MIR, "Doctrina y práctica de la vida comunitaria", in *Confer*, 10 (1971), particularly pp. 335-337.

The conciliar decrees, *Perfectae caritatis* in particular, were but the first step. One author saw the council as "asking for a new style of religious life altogether, in which the work of reform and renewal will never end but instead be constitutive of the new life in community for the religious themselves."⁴⁹ The process had begun, paving the way for further documents both from popes and from Roman dicasteries.

II. FROM THE COUNCIL TO THE 1983 CODE OF CANON LAW

During this time, several documents were issued covering a wide range of topics⁵⁰ and varying in significance according to their nature.⁵¹ Some had as their purpose the facilitating of the renewal process. This section will concentrate on the principal papal and curial documents which are legislative in nature and which deal with the common life.⁵²

⁴⁹ J. BRACKEN, "Community and Religious Life: A Question of Interpretation", in *Review for Religious*, 31 (1972), p. 738. In this article, the author applies Josiah Royce's theory of community and especially his "community of interpretation" to communities of women and men religious.

⁵⁰ For a listing of these documents, as well as others pertaining to religious life, see, E. McDONOUGH, "Conciliar and Postconciliar Documents on Consecrated Life", in *Review for Religious*, 52 (1993), pp. 783-786. See also M. J. DINN, L. TESSIER, and E. COURNEENE, *Canonical Documentation on Consecrated Life (1963-1976)*, Ottawa, Saint Paul University, 1977, x, 451p.

⁵¹ F. G. MORRISEY, *Papal and Curial Pronouncements: Their Canonical Significance in Light of the 1983 Code of Canon Law*, Ottawa, Saint Paul University, 1992, 46p.

⁵² For an analysis of some of those documents, see G. GEEROMS, *La vie fraternelle en commun dans la vie religieuse du Concile au Code: approche théologique-canonique*, [= *Vie fraternelle*], Gijzegem, ASBL des Soeurs de S. Vincent de Paul, 1989, viii, 212p.

A. *Papal Documents*

Paul VI issued two major documents during these years: the Motu proprio, *Ecclesiae sanctae* and the apostolic exhortation, *Evangelica testificatio*.⁵³ The latter is not a legislative text; however, it does summarize the renewal process which had taken place since the Council.

The aim of *Ecclesiae sanctae*⁵⁴ was, in part, to provide norms for the implementing of *Perfectae caritatis*. Section V in Part II of the document refers to "Life in Common",⁵⁵ or to no. 15 of *PC*. No. 25 begins by stating that in apostolic institutes, "community life (*vita communis*) must be encouraged by all possible means, and in ways suitable to the vocation of each institute."⁵⁶ The same paragraph also points out the importance of the members' establishing a life of brothers or sisters in common.⁵⁷ Two points are significant: 1) the focus on apostolic institutes; 2) the proviso that "community life" be in accordance with the nature and purpose of each institute.

⁵³ PAUL VI, Motu proprio, *Ecclesiae sanctae*, 6 August 1966, Part II, "Normae ad exsequendum decretum SS. Concilii Vaticani II, *Perfectae caritatis*", in *AAS*, 58 (1966), pp. 775-782, in FLANNERY I, pp. 624-633; Apostolic Exhortation, *Evangelica testificatio*, 29 June 1971, in *AAS*, 63 (1971), pp. 497-526, in FLANNERY I, pp. 680-706.

⁵⁴ *Ecclesiae sanctae* is divided into three parts: I provides norms for the conciliar decrees *Christus Dominus* and *Presbyterorum ordinis*, II for *Perfectae caritatis*, III for *Ad gentes*.

⁵⁵ *De vita in communi agenda*.

⁵⁶ "In Institutis operibus apostolatus addictis, vita communis, quae tanti est momenti ut sodales sicuti familia in Christo unita commercium fraternum instaurent modo Instituti vocationi consentaneo omni ope promoveatur", in *AAS*, p. 779; FLANNERY I, p. 629.

⁵⁷ *Commercium fraternum instaurent: commercium* which translates as "intercourse, communication, correspondence, fellowship."

Evangelica testificatio, although not a legislative text, reviews some of the principles at the heart of the renewal of religious life. Nos. 39-41 deal with "community life". The first paragraph speaks of "cheerful simplicity", of deepening relationships in the Lord, of charity as "an active hope for what others can become". The last two paragraphs introduce the question of small and large communities with their respective advantages and disadvantages. The underlying theme in this section is communion or unity, the "union of minds and hearts".

In 1964, Paul VI, through the Secretariate of State, had issued a rescript granting authority over specific matters to the heads of clerical pontifical institutes. Among their new faculties was the possibility of allowing the members to be absent from the religious house up to one year. In the case of illness or for the apostolate, the time could be extended. Certain provisions applied: the consent of the council, a just cause in the case of apostolic works, the observance of common and particular law.⁵⁸

B. *Documents from the Congregation for Religious*

In 1966, the Congregation for Religious issued the decree *Religionum laicalium*.⁵⁹ After referring the matter to Paul VI, the dicastery granted the faculties of *Cum admotae*, where applicable, to the heads of lay institutes of pontifical right. The norm regarding absences from the religious house was repeated verbatim in this new document.⁶⁰

⁵⁸ PAUL VI, Rescript, *Cum admotae*, 6 November 1964, in *AAS* 59 (1967), pp. 374-375; translated in *CLD*, 6, p. 147-152.

⁵⁹ SCRIS, Decree, *Religionum laicalium*, 31 May 1966, in *AAS*, 59 (1967), pp. 362-364; trans. in *CLD*, 6, pp. 153-156.

⁶⁰ *RL*, no. 4, in *AAS*, p. 363; trans. in *CLD*, 6, p. 154.

This same congregation, then under its new name, the Sacred Congregation for Religious and Secular Institutes,⁶¹ was responsible for a number of documents: instructions, circular letters, guidelines, and plenaria reports. Although several do mention the common life, or life in community, they are not legislative texts.⁶² Generally, they clarified points, provided norms for the implementation of conciliar texts, and suspended existing legislation so that religious institutes, in their efforts at renewal, could be faithful to the intent of the Council.

In these interim documents, one can also perceive a development of thought, of doctrine, and of law.⁶³ In E. McDonough's words, it was a time of "bold experimentation and great expectations ... of shattering ancient myths and questioning revered values";⁶⁴ certainly, no religious institute was left untouched.⁶⁵

⁶¹ PAUL VI, Apostolic Constitution, *Regimini Ecclesiae*, 6 August 1967, in *AAS*, 59 (1967), pp. 885-928; trans. in *CLD*, 6, pp. 324-357; Chapter VII, *Sacra congregatio pro religiosis et institutis saecularibus*, pp. 912-913; trans. pp. 343-344.

⁶² Appendix D lists documents that refer in a specific way to the common life.

⁶³ For a synthesis of this development, see S. RECCHI, "Itinero post-conciliare della vita religiosa", in *Vita consacrata*, 26 (1990), pp. 736-745.

⁶⁴ E. McDONOUGH, *Religious in the 1983 Code: New Approaches to the New Law*, Chicago, Franciscan Herald Press, [1984], pp. 45-46.

⁶⁵ In many instances, this post-Council period was considered positive. This was the view of the Canadian Religious Conference expressed as "Advantages and Challenges in Relation to Vatican II", in a presentation at the 1985 Plenary Meeting of the Canadian Conference of Catholic Bishops, in preparation for the 1985 Extraordinary Synod of Bishops. Not all would take as optimistic a perspective as is evident from the intervention of Bishop J. Timlin at the Ninth Ordinary General Assembly of the Synod of Bishops. See J. TIMLIN, "Devastating Years for Religious Life", in *Origins*, 24 (1994-95), pp. 331-332.

C. *Implications for the Common Life and for Women Religious*

For the most part, the documents on religious life published after the Council retained the spirit of *Perfectae caritatis*. It is important to note the various expressions used in these texts: *communio, commune, vita in communi, vita fraterna*. The last one appears frequently and seems to express most faithfully the intent of the Council regarding the attitude and spirit which are to govern the common life or life in community. However, equally important were the statement on the nature of apostolic institutes and the exhortation to return to the sources, not only to the Gospel, but also to the original intent and charism of the founder. For women religious in particular, those two principles provided a freedom and a sense of identity which would profoundly mark the life of many of their institutes, and consequently, the drafting of their new constitutions.

III. THE 1983 CODE OF CANON LAW

On January 25, 1983, twenty-four years after John XXIII's call for a revision of the Code of Canon Law, the "new" Code was promulgated.⁶⁶ It went into effect on the first Sunday of Advent of the same year. The revision had been an arduous task spread over approximately twenty years.⁶⁷ Besides the general principles governing the entire Code,⁶⁸ the study group on consecrated life adopted the following premise as a basis for their work: each institute has the right and the obligation to be faithful to its own charism, to its sound tradi-

⁶⁶ JOHN PAUL II, Apostolic Constitution, *Sacrae disciplinae leges*, 25 January 1983, in *AAS*, 75-2 (1983), pp. [vii]-xiv.

⁶⁷ See J. FOX, "A General Synthesis of the Work of the Pontifical Commission for the Revision of the Code of Canon Law", in *The Jurist*, 48 (1988), pp. 800-840.

⁶⁸ *Communicationes*, 1 (1969), pp. 77-100.

tions, and to its mission in the Church.⁶⁹ Practically, this meant that the universal law was to contain what is common and essential to all institutes, allowing each one the freedom to articulate in its proper law what is particular to its own charism and tradition.⁷⁰

Still, despite this premise, approximately one hundred canons are concerned specifically with religious institutes, and thirty-five others contain norms common to all forms of consecrated life.⁷¹ This section will concentrate on selected canons:⁷² an introductory one, c. 573 (consecration); those focusing directly on the common life or life in community: cc. 602 (*vita fraterna*), 607 (description of religious life), 665 - §1 (residence and absence), 668 - §3 (goods in common), and 670 (obligations of the institute towards its members); these are the basic canons. Others are related: cc. 578 (the patrimony of the institute), 586 (autonomy of life); four dealing with apostolic institutes: cc. 673, 675, 676, and 677 - §1. An analysis

⁶⁹ J. BEYER, "Le nouveau droit des religieux: un projet original et ouvert", [= "Le nouveau droit"], in *Concilium*, 97 (1974), pp. 92-94.

⁷⁰ J. BEYER, in *Du concile au Code de droit canonique: la mise en application de Vatican II*, Paris, Tardy, 1985, p. 122, lists the canons that refer to the proper law of an institute and to its constitutions.

⁷¹ R. CASTILLO LARA summarizes the development of this section of the Code in "Reflections on the New Code: Institutes of Consecrated Life", [= "Reflections"], in *UISG Bulletin*, 63 (1983), pp. 5-14.

⁷² *Codex iuris canonici auctoritate Iohannis Pauli P.P. II promulgatus*, Typis polyglottis Vaticanis, 1983, xxx, 317p., revised English translation, prepared by The Canon Law Society of Great Britain and Ireland, 1993, in E. CAPPAROS, M. THÉRIAULT, and J. THORN, ed., *Code of Canon Law Annotated*, Montreal, Wilson & Lafleur, 1993, 1631p. [Unless otherwise indicated, all English translations of *CIC/83* are from *CIC/93/GBI*]. See Appendix E for the evolution of these canons from the 1977 and 1980 drafts. The order of the canons in the Appendix parallels that in the body of the text. English translations of the *Schemas* are taken from the following. For 1977: *Schema of Canons for Institutes of Consecrated Life by the Profession of the Evangelical Counsels*, ms., Rome, UISG, 1977, 29p. For 1980: *Ready Reference for the 1980 Schema of Canons on Institutes of Consecrated Life*, prep. by E. McDONOUGH, Columbus, Saint Mary of the Springs, [1981], ii, 61p.

of these canons will elicit the various understandings of the "common life" and clarify the basic intent underlying this element.

A. *Consecration — c. 573*

The 1983 Code rests solidly on the teachings of the Second Vatican Council. The wording of several canons is similar or even identical to sections of the conciliar documents, and the spirit of the Council imbues the entire Code, not only Part III of Book II.⁷³

Both *Lumen gentium* (43-44) and *Perfectae caritatis* (1b) speak of consecration as the foundational element of religious life.⁷⁴ In the Code, this concept not only occupies pride of place as c. 573, the first one in this section, but all of Part III is entitled: *Institutes of Consecrated Life and Societies of Apostolic Life*.⁷⁵ Canon 573 on consecrated life provides the context for religious life by establishing a theological and juridical basis for all forms of consecrated life.

C. 573 - §1. Life consecrated through profession of the evangelical counsels is a stable form of living, in which the faithful follow Christ more closely under the action of the Holy Spirit, and are totally dedicated to God, who is supremely loved. By a new and special title they are dedicated to seek the perfection of charity in the service of God's Kingdom, for the honour of God, the building up of the Church and the salvation of the world. They are a splendid sign in the Church, as they foretell the heavenly glory.

§2. Christ's faithful freely assume this manner of life in institutes of consecrated life which are canonically established by the competent ecclesiastical authority. By vows or by other sacred bonds, in accordance with the laws of

⁷³ See A. CODY, "The New Canons on Consecrated Life and the Mind of the Council", in *Concilium*, 147 (1981), pp. 64-68, for a discussion of the fidelity of the Code to the conciliar texts.

⁷⁴ *LG*, no. 44, and *PC*, particularly nos. 1d, 5, and 6.

⁷⁵ *De institutis vitae consecratae et de societibus vitae apostolicae*.

their own institutes, they profess the evangelical counsels of chastity, poverty and obedience. Because of the charity to which these counsels lead, they are linked in a special way to the Church and its mystery.⁷⁶

Consecrated life is characterized by the profession of the evangelical counsels and by a stable form of living, having as its purpose the following of Christ and the pursuit of perfect charity. It also provides a witness to God's love.⁷⁷ With this canon, the tone has been set for later ones which will contextualize religious life within consecrated life.

⁷⁶ "C. 573 - §1. Vita consecrata per consiliorum evangelicorum professionem est stabilis vivendi forma qua fideles, Christum sub actione Spiritus Sancti pressius sequentes, Deo summe dilecto totaliter dedicantur ut, in Eius honorem atque Ecclesiae aedificationem mundique salutem novo et peculiari titulo dediti, caritatis perfectionem in servitio Regni Dei consequantur et, praeclarum in Ecclesia signum effecti, caelestem gloriam praenuntiant.

§2. Quam vivendi formam in institutis vitae consecratae, a competenti Ecclesiae auctoritate canonice erectis, libere assumunt christifideles, qui per vota aut alia sacra ligamina iuxta proprias institutorum leges, consilia evangelica castitatis, paupertatis et oboedientiae profitentur et per caritatem, ad quam ducunt, Ecclesiae eiusque mysterio speciali modo coniunguntur."

⁷⁷ See *Comm. 5* (1973, pp. 51-52; 11 (1979), pp. 22-23. For more clarification on consecration and this canon, see E. GAMBARI, *Vita religiosa secondo il Concilio e il nuovo diritto canonico*, 2a ed., Roma, Ed. Monfortane, [1985], 696p., translated into English as *Religious Life According to Vatican II and the New Code of Canon Law*, [= *Religious Life*], by the Daughters of Saint Paul, Boston, Daughters of Saint Paul, [1986], pp. 87-98. See also E. O'HARA, "Norms Common to All Institutes", [= "Norms Common"], in J. HITE, S. HOLLAND, and D. WARD, ed., *A Handbook on Canons 573-746*, [= *Handbook*], Collegeville, Liturgical Press, [1985], pp. 32-34; S. ARDITO, "Vita consecrata e vita religiosa nel nuovo codice di diritto canonico: fondamento ecclesiologico e norme comuni", [= "Vita consecrata e vita religiosa"], in *Salesianum*, 47 (1985), pp. 537-542.

B. Basic Canons: 602, 607, 665 - §1, 668 - §3, 670

Five canons refer specifically to the common life. With the exception of c. 602, which sets the foundation for this reality and which applies to institutes and certain societies (c. 732), they also pertain to religious life. The others, besides describing the religious state, highlight various facets of the practice of life in common within religious institutes.

1. Canon 602 — *Vita fraterna*

This canon is found in Part III, Section I, entitled: *Institutes of Consecrated Life*. It appears toward the end of Title I: *Norms Common to All Institutes of Consecrated Life*, following the general precepts on the vows, and immediately preceding the description of the various forms of consecrated life. The canon (602) states:

The fraternal life proper to each institute unites all the members into, as it were, a special family in Christ. It is to be so defined that it proves of mutual assistance for all to fulfil their vocation. By their fraternal union, rooted and based in charity, the members are to be an example of universal reconciliation in Christ.⁷⁸

Echoes of the conciliar documents are obvious: a family in Christ,⁷⁹ mutual assistance,⁸⁰ a union or communion of brothers or sisters,⁸¹ a witness to reconciliation.⁸²

⁷⁸ "C. 602 - *Vita fraterna*, unicuique instituto propria, qua sodales omnes in peculiarem veluti familiam in Christo coadunantur, ita definiatur ut cunctis mutuo adiutorio evadat ad suam cuiusque vocationem adimplendam. Fraternalis autem communione, in caritate radicata et fundata, sodales exemplo sint universalis in Christo reconciliationis."

⁷⁹ *PC*, no. 15; *LG*, nos. 43b and c.

⁸⁰ *PC*, no. 12b.

⁸¹ *PC*, no. 15; *LG*, no. 43c. J. BEYER, in *La vie consacrée: normes communes*, [= *Normes communes*], Bourges, Tardy, 1988, pp. 134-135, relates the concept of "vita fraterna" to the charity that is mentioned in c. 573: love of God and love of neighbour, pp. 134-135.

One of the most important elements of c. 602 is the first part: the "vita fraterna" proper to each institute. The distinction here applies not only to religious life in relation to other forms of consecrated life, but to each institute. Each religious institute is to define the practice of the "vita fraterna", in order that the "mutual assistance for all to fulfil their vocation" be realized. The underlying assumption in this canon, applicable to all types of consecrated life, is that of "communion" or a "union of minds and hearts", not a living-together.⁸³ This union founded in Christ will allow the members, *sodales*, "to be an example of universal reconciliation".

However, rather than addressing the meaning of the common life within the generic context of the consecrated life, a significant number of commentators seem to slide automatically to the realm of religious life in discussing this canon. Frequently the interpretation of c. 602 reads more like that of c. 607.⁸⁴ In such cases, it becomes easy to substitute the "common life", or "life in common", or "life in community", or a "living-together" for the *vita fraterna* which one author interprets as "a profound relationship of Christian love", or as "the

⁸² See *Comm.*, 11 (1979), pp. 322-323.

⁸³ GEEROMS, in *Vie fraternelle*, pp. 97-120, traces the evolution of this canon. In her discussion of c. 74 of the 1977 *Schema*, she points out the difference in terminology as distinct from the 1917 Code: *sodales*, members as distinct from *religiosi*, religious; the sense of the *vita fraterna* is that of "communion" rather than "community", p. 99.

⁸⁴ See GAMBARI, *Religious Life*, pp. 120, 331, 336, 340; J. KHOURY, *Vie consacrée (essai de commentaire des canons 573-709)*, [= *Vie consacrée*], Rome, s.n., 1984, pp. 105-108, "Cette vie est considérée comme le point focal de toute vie consacrée où convergent tous les éléments constitutifs de la vie religieuse", p. 105; COMITÉ CANONIQUE DES RELIGIEUX, *Directoire canonique: vie consacrée et sociétés de vie apostolique*, [= *Directoire*], Paris, Cerf, 1986, pp. 100-101; G. LESAGE, *Renouveau de la vie religieuse*, [= *Renouveau*], Montréal, Éditions Paulines, [1985], pp. 68-71.

reality of a profound relationship easily analogous to what civil society speaks of as 'next of kin'.⁸⁵

2. Canon 607 — Description of Religious Life⁸⁶

The first canon (607) of *Title II, Religious Institutes*, is divided into three parts. Paragraph one provides a doctrinal and theological basis for religious life by stressing once again the aspect of "consecration".⁸⁷ The second paragraph describes religious life as a "society", *societas*;⁸⁸ two elements stand out: "public vows", and a "fraternal life in common".⁸⁹

⁸⁵ S. HOLLAND, "The New Code and Religious", [= "New Code"], in *The Jurist*, 44 (1984), p. 68, n. 3 and p. 72.

⁸⁶ For the development of this canon, see *Communicationes*, 16 (1984), pp. 211-239, 17 (1985), pp. 113-120. See also, J. B. FUERTES, "La 'vida fraterna' in común de los religiosos y su trayectoria histórica-jurídico", in *Apollinaris*, 55 (1982), pp. 532-568, for an historical evolution of the concept of the "vita fraterna".

⁸⁷ J. BEYER, *Le droit de la vie consacrée: commentaire des canons 607-746, instituts et sociétés*, [= *Le droit: instituts et sociétés*], Bourges, Tardy, 1988, pp. 9-11.

⁸⁸ G. BATTELLI, in *Religious Life in the Light of the New Canon Law*, [= *Religious Life*], Nairobi, Kenya, St. Paul Publications, [1990], p. 73, distinguishes among the terms society, community, communion, and fraternity. "A **society** is a stable aggregate of persons for the attainment of a common goal, characterized by a systematic organization, with norms and authorities. A **community** adds to the concept of society the idea of mutual help for the attainment of a common and personal goal with stronger social obligations (obedience). **Communion** demands the union of mind and heart among the members of the same community. **Fraternity** means communion even of life, proper to children of the same father."

⁸⁹ Another translation says: a life "as brothers or sisters" rather than "fraternal life." Generally that phrase will be used in this paper to translate *vita fraterna*. American version of English-language translation: *Code of Canon Law*, Latin-English ed., translation prepared under the auspices of THE CANON LAW SOCIETY OF AMERICA, Washington, Canon Law Society of America, 1983, xiii, 668p.

vitam fraternam in communi ducunt, both of which are to be regulated by the institute's own law. The third links the question of witness and separation from the world.⁹⁰

C. 607 - §1. Religious life, as a consecration of the whole person, manifests in the Church the marvellous marriage established by God as a sign of the world to come. Religious thus consummate a full gift of themselves as a sacrifice offered to God, so that their whole existence becomes a continuous worship of God in charity.

§2. A religious institute is a society in which, in accordance with their own law, the members pronounce public vows and live a fraternal life in common.⁹¹ The vows are either perpetual or temporary; if the latter, they are to be renewed when the time elapses.

§3. The public witness which religious are to give to Christ and the Church involves that separation from the world which is proper to the character and purpose of each institute.⁹²

The first sentence of the second paragraph is of particular interest: it complements c. 602 and places the *vita fraterna* within the context of religious life. It is this section, c. 607

⁹⁰ It is interesting to note that the question of separation from the world is linked with witness rather than with consecration as had been the case under the *CIC/17*. See S. SCHNEIDERS, *New Wineskins: Re-imagining Religious Life Today*, Ramsey, Paulist Press, 1986, pp. 99-100 for a brief discussion of the two theologies. See also W. F. HOGAN, "A Sense of Consecration", in *Review for Religious*, 42 (1983), pp. 883-885.

⁹¹ Emphasis added.

⁹² "C. 607 - §1. Vita religiosa, utpote totius personae consecratio, mirabile in Ecclesia manifestat conubium a Deo conditum, futuri saeculi signum. Ita religiosus plenam suam consummat donationem veluti sacrificium Deo oblatum, quo tota ipsius existentia fit continuus Dei cultus in caritate.

§2. Institutum religiosum est societas in qua sodales secundum ius proprium vota publica perpetua vel temporaria, elapso tamen tempore renovanda, nuncupant atque vitam fraternam in communi ducunt.

§3. Testimonium publicum a religiosis Christo et Ecclesiae reddendum illam secumfert a mundo separationem, quae indoli et fini uniuscuiusque instituti est propria."

- §2. rather than c. 602. that finds its roots in the 1917 Code: cc. 487 (religious state),⁹³ and 488 - §1 (religious institutes).⁹⁴ M. Modde points out that

the new canon combines two understandings of community life. The first one emphasizes a familial dimension as amplified in c. 602. The other, a provisional dimension, is implied in cc. 665 and 670. The provisional dimension emphasizes the common life of a house.⁹⁵

She explains that the history of legislation for religious usually accented the dimension of providing, thereby translating the concept of "community" or "communion" by the "common life." This resulted in an emphasis on each person's having the same or similar clothing, food, or housing. In M. Modde's opinion, these canons restore the familial dimension that had been lacking.⁹⁶

Not only does c. 607 appear at the very beginning of the section on religious institutes, it stands alone, providing the context for the reading of later canons. The

⁹³ Although the present work focuses on religious life in the Latin Church, and thus on the Latin Code, it is interesting to note that the Oriental Code has retained the concept of religious life as a state. Title XII: "Monks and Other Religious as well as Members of Other Institutes of Consecrated Life" (General Canons) begins with c. 410 which opens thus: "The religious state is a stable mode of common life in an institute approved by the Church..." The Oriental Code makes a distinction between "Monasteries" and "Orders and Congregations". *Codex canonum Ecclesiarum orientalium auctoritate Iohannis Pauli P.P. II promulgatus*, Typis polyglottis Vaticanis, 1990, English translation: *Code of Canons of the Eastern Churches*, Latin-English ed., prepared by the CANON LAW SOCIETY OF AMERICA, Washington, Canon Law Society of America, [1992], xlvii, 785p. [All English translations of CCEO are taken from the CLSA edition].

⁹⁴ See ANDRÉS GUTIÉRREZ, *El derecho*, p. 35. The author also discusses the use of the terms *instituto* and *sociedad* rather than *religión*, as in the former Code, pp. 50-52. In the *CIC/17*, c. 594 § 1 was very precise as to how the *vita communis* was to be observed as regards food, clothing and furnishings; this was dropped in the *CIC/83*.

⁹⁵ M. MODDE, "Religious Houses and Governance", [= "Houses and Governance"], in HITE, HOLLAND, and WARD, *Handbook*, p. 63.

⁹⁶ MODDE, "Houses and Governance", p. 63. It would seem therefore, that the life of brothers or sisters "in community" says something different from the life of brothers or sisters "in common".

members are called to live the *vita fraterna*, that is, the life of brothers or sisters.⁹⁷ that fundamental relationship referred to earlier.⁹⁸ The how of the *in communi*, or of the "in common" is left to later canons and to the institute's proper law.

Indeed for several authors, the premise is that fundamental relationship. Therefore, they speak of a broader "community", a "communion", or a "union of minds and hearts".

E. Gambari generally discusses the "common life" as that of "community" but in a broader sense than a simple uniform "living-together under one roof".⁹⁹ He describes the "common life" as

a permanent group of persons gathered together as in a true family in the name of the Lord, sharing the same charism, inspired by charity, strengthened by the presence of the Lord, linked together by the bonds sanctioned by the Church and pledged to put all things in common for mutual service and the building up of the Body of Christ.¹⁰⁰

J. Beyer's reflection on the *vita fraterna in communi* flows out of the double aspect of consecration and witness, and the fundamental notion of "call". Because of this common call, the life and work of the individual member can be seen as representing the institute and

⁹⁷ The "life of brothers or sisters" is the important phrase, and in reality, it cannot be divorced from consecration, §1, nor from witness, §3. GEEROMS, in *Vie fraternelle*, p. 124, touches on this link.

⁹⁸ HOLLAND, "New Code", p. 68, n. 3, and p. 72. See also R. SOLER, "The Community, Spiritual and Apostolic Life of Religious", in *The Way Supplement*, 50 (1984), particularly pp. 17-21.

⁹⁹ GAMBARI, *Religious Life*, pp. 331-351.

¹⁰⁰ GAMBARI, *Religious Life*, p. 332.

as sharing in the charism of the institute.¹⁰¹ He also points out, as does E. Gambari, the diversity that must characterize the actual living out of that *vita fraterna*.

There is some controversy as to whether the *vita fraterna in communi* is an essential element of religious life. Certain commentators are very definite stating, without any qualification or clarification, that the common life is an essential element.¹⁰² In many of those cases, it would seem that the authors intend to equate the "common life" or "community" or "life in common" with a "living-together under one roof". Others make distinctions.¹⁰³

E. Gambari and J. Beyer have already been mentioned. G. Geeroms's analysis of c. 607 - §2,¹⁰⁴ echoes D. J. Andrés Gutiérrez's distinctions. He speaks of an essential

¹⁰¹ BEYER, *Le droit: instituts et sociétés*, p. 12, "[cette fraternité] fait de la vie de chacun des membres une action du groupe qu'il représente et dont il réalise non seulement la vocation commune mais l'activité propre, le ministère particulier, déterminé comme travail commun et spécialisé par le don même de l'Esprit qu'est le charisme collectif de l'institut."

¹⁰² P. VALDRINI, ed., in *Droit canonique*, Paris, Dalloz, 1989, p. 99, says: "La vie en commun est essentielle à la vie religieuse", affirme avec vigueur le c. 607 § 2. Il s'agit de la cohabitation quotidienne ..." He seems to be indicating that the canon itself states that it is an essential element. M. DORTEL-CLAUDOT, in "The New Law for Religious", [= "New Law"], in *UISG Bulletin*, 63 (1983), p. 45, states: "... C. 607,2 strongly and with no possible ambiguity, reaffirms that religious 'live fraternal life in common'; and it refers here to a common life involving an actual cohabitation." Further on, he does say that this common life "should not be reduced to a simple material cohabitation." J. KALLUMKAL, in *The Patrimony of an Institute According to the Code of Canon Law*, [= *Patrimony*], Rome, Pontificia Universitas Lateranensis, 1989, p. 138, referring to public vows, separation from the world, and the life of brothers or sisters in community, says: "Without their practice, no institute may be called religious, because they are the essential elements that characterize religious institutes." J. GALLEN, in "Questions and Answers; What Does the New Code Say of Common Life?" [= "Questions and Answers"], in *Review for Religious*, 42 (1983), p. 934, states: "The new canons emphasize common life for religious as strongly as in the past. C. 607, § 2 includes common life in the definition and therefore as an essential of a religious institute."

¹⁰³ See Appendix F for a listing of commentators and their stand.

¹⁰⁴ GEEROMS, *Vie fraternelle*, pp. 121-129.

indefectible element: the public vows: an integral element which can be lacking in certain cases: the *vita fraterna in communi*; and a complementary one: separation from the world.¹⁰⁵ However, G. Geeroms's interpretation seems more restrictive, since she refers to an essential and indefectible element — vows, and to an integral and indefectible one — the life of brothers or sisters in common.¹⁰⁶ She does agree with E. Gambari in seeing that life as broader than the incorporation into the institute or the living-together under one roof, although she does not exclude the latter. For both these authors and for J. Beyer, life in common consists in each member's life being inextricably bound up with that of the others and with the life and spirit of the institute; it is a relationship "to".¹⁰⁷

Two other distinctions merit some attention. The first considers the *vita fraterna in communi* from both a strict and a broad perspective.¹⁰⁸ A strict interpretation of the common life, of c. 607 - §2, insists on a living-together under one roof, and a greater uniformity in housing, food, clothing, and other physical or material needs.¹⁰⁹ S. Euart affirms that

¹⁰⁵ ANDRÉS GUTIÉRREZ, *El derecho*, p. 51.

¹⁰⁶ GEEROMS, *Vie fraternelle*, p. 125.

¹⁰⁷ GEEROMS, *Vie fraternelle*, p. 130, "La vie en commun exige plus qu'une appartenance nominale à un institut; c'est l'incorporation de toute la vie de chaque membre qui fonde sa vie avec celle de l'institut et des autres membres dans son aspect multiforme déjà évoqué. La vie en commun comporte une 'relation à'." She also indicates that the *vita fraterna* is situated, first of all, at the level of the entire institute; it is a question of "life to be lived in common," rather than the "common life", p. 124: "Il est question, en effet, de 'vie à mener en commun' et non de 'vie commune.'" See also GAMBARI, p. 334.

¹⁰⁸ This distinction is discussed by S. EUART, "Religious Institutes and the Juridical Relationship of the Members to the Institute", [= "Religious Institutes and Relationship"], in *The Jurist*, 51 (1991), pp. 113-115, and by E. McDONOUGH, "Common Life", in *Review for Religious*, 52 (1993), p. 305. This broad/strict concept is comparable to M. Modde's familial/provisional aspects described earlier.

¹⁰⁹ That was the focus of c. 594 - §1 of the *CIC/17*.

the *CIC/17*, by stressing the structural and juridic aspects of religious life, seemed to favour the strict interpretation of the common life.¹¹⁰

A broad interpretation focuses on the relationship among members of the same institute, on a sense of unity rather than uniformity. S. Euart juxtaposes cc. 602 and 607 stating that both "would seem to view the *vita fraterna* of religious life from the perspective of unity and charity in which superiors and members of the institute strive to bring about a community of charity in Christ."¹¹¹ In this same vein, E. McDonough points out that the *CIC/83*, by using the term "community" rather than the "common life" in many instances, highlights the values behind the juridical norms. For her, the expression "community" underlines the "understanding of common life in religious houses as being constituted (formally) by people in human relationship rather than as being constituted (materially) by juridic entities in a physical location."¹¹² Both authors refer to *PC 15* as the basis for this enlarged understanding of the common life.¹¹³ Both also establish a relationship between the common life and the vow of poverty.¹¹⁴

Finally certain writers see consecration (c. 607 - §1) as the main constitutive element and either do not enter into a discussion of §2, or present §2 as subordinate to §1. In fact,

¹¹⁰ EUART, "Religious Institutes and Relationship", p. 114.

¹¹¹ EUART, "Religious Institutes and Relationship" p. 114.

¹¹² McDONOUGH, "Common Life", p. 306.

¹¹³ McDONOUGH, "Common Life", pp. 305-306; EUART, "Religious Institutes and Relationship", p. 114.

¹¹⁴ This relationship will be taken up in examining c. 668 - §3.

V. Fagiolo uses as a subtitle: "Il canone 607 § 1: norma costitutiva fondamentale." He sees c. 607 - §1 as a summary of various elements found throughout the Code which express the essence of consecrated life based on the conciliar texts.¹¹⁵ R. Castillo Lara, in one instance, restricts his discussion of this canon to the importance of witness situating it within the context of consecration.¹¹⁶ In another, he enlarges on this concept, distinguishes between consecration and structure, and speaks of the vows and the common life as "the fundamental characteristics [of religious life] from the juridical point of view."¹¹⁷

This study of c. 607, and in particular of §2, brings out three important aspects: firstly, a problem with language, secondly a question of development, and thirdly, the place of the proper law of the institute. The problem of language is rather evident; few writers make clear distinctions among the following terms: community, life in community, life as sisters or brothers, life in common, and common life. Frequently, they are used interchangeably. Even fewer speak of communion, union, or unity. Is a confusion of terms indicative of a confusion of thought?

Regarding the question of development, one must remember that c. 607, let alone §2, does not exist in a vacuum. The connection between §2 and the rest of c. 607 has been

¹¹⁵ FAGIOLO, "Appartenenze", p. 429.

¹¹⁶ R. CASTILLO LARA, "De ecclesialitate vitae religiosae in Codice iuris canonici", in *Periodica*, 74 (1985), pp. 431.

¹¹⁷ CASTILLO LARA, "Reflections", pp. 7-8. He also describes the basic elements of secular institutes and societies of apostolic life. S. ARDITO, in "Vita consacrata e vita religiosa", pp. 549-550 echoes similar distinctions.

established. However, the dependence of c. 607 on cc. 573 and 602, which provide a context and a foundation for the interpretation of c. 607, is more easily overlooked.

Finally, it is rather surprising how infrequently writers refer to the proper law of the institute in speaking of the *vita fraterna*. Generally it figures more prominently in discussions of the vows. Still the structure of the canon would seem to indicate that the *vita fraterna* is to be lived and the vows are to be pronounced within institutes "in accordance with their own law." More attention to this phrase in the reading of the universal law and a clearer description of the *vita fraterna* in an institute's proper law might eliminate language difficulties and, consequently, problems of interpretation. A greater attention to cc. 573 and 602 might also prevent an interpretation of c. 607 - §2 that belongs more suitably to other norms — both in universal and proper law — specifying the "how" of this life as sisters or brothers.

3. Canon 665 - §1 — Residence and Absence

The evolution of the concept of the common life, or the life of brothers or sisters in common in the *CIC/83*, can be traced from the "stable form of living" (c. 573), to the "*vita fraterna* proper to each institute" (c. 602), and to its definition within religious life (c. 607 - §2). Those canons focus on values and attitudes; c. 665 focuses on what was referred to earlier as the "how to" of the *vita fraterna*, the life of brothers or sisters in common.¹¹⁸ It is

¹¹⁸ C. 602 spoke of the *vita fraterna* proper to each institute; c. 607 of the *vitam fraternam in communi*, again according to the institute's proper law. C. 665 - §1 uses the phrase *vitam communem servantes*. The content of this canon is also based on what was described as the strict interpretation of the common life as it appeared in the *CIC/17*, more specifically, cc. 594 - §1 and 606. It mitigates the requirements of the former canons by adopting the norms of *Cum admotae* and *Religionum laicalium*.

one of the first canons that gives some concrete direction as to how the spirit of communion can be safeguarded in practical terms.

Canon 665 is found in chapter four: *The Obligations and Rights of Institutes and of Their Members*.¹¹⁹ It is §1 that is of interest here.

C. 665 - §1. Religious are to reside in their own religious house and observe the common life; they are not to stay elsewhere except with the permission of the Superior. For a lengthy absence from the religious house, the major Superior, for a just reason and with the consent of the council, can authorize a member to live outside a house of the institute; such an absence is not to exceed one year, unless it be for reasons of health, studies or an apostolate to be exercised in the name of the institute.¹²⁰

The first sentence of the canon establishes the main premise: the obligation of members to reside, *habitant*, in their own houses¹²¹ and to observe the common life, *vitam*

¹¹⁹ In discussing this canon, one must remember that it does deal with rights: the right of the individual to live in a house of her own institute and the right of the institute to require that members live in a house of the institute. On the other hand, the institute is obliged to provide houses for their members and also to take into account circumstances that could demand adjustments. See *Comm.*, 13 (1981), pp. 182-183, particularly regarding the discussion of §1. See also ARDITO, "Vita consacrata e vita religiosa", p. 553. See also R. McDERMOTT, "Canonical Issues of Vicars for Religious: Ecclesial Dimension, Community Life, Internal Governance", [= "Canonical Issues"], in *Proceedings of the Annual Convention of the Canon Law Society of America*, 50 (1988), pp. 150-151; BEYER, *Le droit: instituts et sociétés*, p. 156.

¹²⁰ "C. 665 - §1. Religiosi in propria domo religiosa habitent vitam communem servantes, nec ab ea discedant nisi de licentia sui Superioris. Si autem agatur de diuturna a domo absentia, Superior maior, de consensu sui consilii atque iusta de causa, sodali concedere potest ut extra domum instituti degere possit, non tamen ultra annum, nisi causa infirmitatis curandae, ratione studiorum aut apostolatus exercendi nomine instituti." The Oriental Code has a similar canon (c. 478) which applies only to monasteries: "The superior of the monastery may permit that members stay outside the monastery for a time determined in the typicon. However, for an absence which exceeds one year, unless it is for reason of study or illness, the permission is required of the authority to whom the monastery is subject." There is no parallel canon in the section dealing with Orders and Congregations. For a brief comparison of consecrated life in the two Codes, see J. BEYER, "De vita consecrata in iure utriusque codicis orientalis et occidentalis", in *Periodica*, 81 (1992), pp. 283-302.

¹²¹ The question of houses as expressed in cc. 608 and 609 is beyond the scope of this paper. However, c. 608 by its provision that "[a] religious community is to live in a lawfully constituted house,

communem servantes.¹²² The permission of the superior is required for them to stay elsewhere. "*nec ab ea discedant*."¹²³ There are several elements in this canon, but the one most relevant to our discussion of the common life, or the life of sisters or brothers in common, is the last part. For reasons of the apostolate exercised in the name of the institute, a major superior, with the consent of her council, can authorize a member to live outside a house of the institute for longer than a year. It is the implementation of that particular norm that causes some concern both among Church officials and among members of institutes where this practice occurs. It raises a question regarding the first part of the canon: *vitam communem servantes*, how is the common life understood and observed in such cases?

Many commentators see this provision in keeping with the apostolic nature of an institute. They elaborate on the understanding of "an apostolate to be exercised in the name of the institute," that is, one in harmony with [its] tradition, character, aim, and nature.¹²⁴

under the authority of a Superior designated according to the norms of law", provides the basis for the understanding of "religious house" used in c. 665 - §1. ("Communitas religiosa habitare debet in domo legitime constituta sub auctoritate Superioris ad normam iuris designati.")

¹²² C. 665 - §1 does not define what is meant by *vitam communem servantes*. One must refer to other canons and to the proper law of the institute for this clarification.

¹²³ The CIC/83/CLSA translates *nec ab ea discedant* by [they are] "not to be absent from it." CIC/83/UN-SPU uses "ils ne la quitteront pas." The important point is that the canon is referring to a prolonged absence. The use of the verb *discedere* would seem to remove from this canon absences of a few hours which in the past required specific and formal permission. In practice, these and brief absences for various just reasons are usually understood to be part of normal living and, in many houses, are simply subject to norms of common sense, courtesy, and accountability. See BEYER, *Le droit: instituts et sociétés*, pp. 136-137; GAMBARI, *Religious Life*, p. 402.

¹²⁴ BEYER, in *Le droit: instituts et sociétés*, p. 137, says that community life is not a mere "living-together"; it must be a common life where the observances prescribed by the proper law of the institute provide a framework adapted to the apostolate of the members. ("Il va de soi que la vie communautaire n'est pas une simple cohabitation; elle doit être une vie commune dans laquelle les

Those writers see the possible granting of this permission as a good thing and one which contributes to carrying out the work of the institute. Such a view does not, however, prevent them from expressing cautionary directives or reminders.

Others are more negative, or perhaps more fearful. E. McDonough states that in some institutes "the exceptions seem more to be the rule than to prove it," and the "broad interpretation of common life is now often being followed by religious almost as frequently as the strict interpretation."¹²⁵ However, those comments appear merely cautionary in comparison with the restrictions voiced by others. J. Gallen asserts that cc. 608 and 665 - §1 "exclude apartment and solitary living outside a religious house."¹²⁶ J. Khoury voices a similar opinion: one cannot live alone or in apartments which are not a religious house. He adds that those who live alone destroy an essential element of religious life, the common life.¹²⁷

Decidedly, there are conflicting opinions. Yet for reasons of the apostolate, the canon clearly does allow religious to live outside their own houses under certain conditions.

observances prévues par la Règle ou les Constitutions forment le cadre de vie qui sera adapté, surtout dans une vie apostolique, au travail des membres.") See also, D. F. O'CONNOR, "Obligations and Rights", in HITE, HOLLAND, and WARD, *Handbook*, p. 175; ANDRÉS GUTIÉRREZ, *El derecho*, pp. 425-426.

¹²⁵ McDONOUGH, "Common Life", p. 308.

¹²⁶ GALLEN, "Questions and Answers", p. 934.

¹²⁷ KHOURY, *Vie consacrée*, pp. 237-238. In this section, he defines a religious house as one where the common life can be observed in all its exigencies, p. 238. It is interesting to note that in stating that each member is to live in a community, he uses the feminine form: "Chaque religieuse est censée vivre dans une communauté ...", p. 237. His further prohibition regarding the application of c. 665 - §1 to someone's finding employment will be taken up in chapter three. R. SOLER, in "The Community Life", p. 20, takes a contrary view, indicating that "the bond of unity with the community is present, though at first sight it might not seem to be."

One should resist adding restrictions contrary to the spirit of the law. There are three comments, however, that merit attention in concluding the study of c. 665 - §1.

First of all, J. Beyer reminds superiors of their responsibility towards a member who has been "absent"¹²⁸ for some time; the longer the absence the greater the responsibility.¹²⁹

Another commentator points out that the absent person is still bound by the *vita fraterna*. Certain suggestions are given in order to maintain the bonds of unity.¹³⁰ Finally, G. Battelli links c. 665 - §1 with c. 602, which states that the *vita fraterna* is to provide the "mutual assistance for all to fulfil their vocation."¹³¹ The challenge then is the practical realization of this mutual support in the case of those who are indeed away from their religious house.

¹²⁸ Many institutes avoid the terms "absent" and "living outside" since they are frequently interpreted in a negative manner, as if the person in such a case were not in good standing or were in the process of leaving the institute. "Living alone" or "living singly" are phrases more commonly used.

¹²⁹ BEYER, *Le droit: instituts et sociétés*, p. 138.

¹³⁰ COMITÉ CANONIQUE DES RELIGIEUX, *Directoire*, pp. 102-103.

¹³¹ BATTELLI, *Religious Life*, pp. 73-74.

4. *Canons 668 - §3 — Common Goods and 670 — Provision for Needs*

E. McDonough points out that in the confusion of language — community and common life — one sometimes forgets that the common life is linked with the vow of poverty.¹³² This is more evident in c. 668, particularly §3.

C. 668 - §3. Whatever a religious acquires by personal labour, or on behalf of the institute, belongs to the institute. Whatever comes to a religious in any way through pension, grant or insurance also passes to the institute, unless the institute's own law decree otherwise.¹³³

This canon renders more explicit c. 600 which describes the vow of poverty.¹³⁴ It addresses the issues of "dependence and limitation in the use and disposition of goods", thus providing a material aspect to the common life as does c. 670 which deals with the responsibility of the institute to provide for the needs of its members.

C. 670 - The institute must supply the members with everything that, in accordance with the constitutions, is necessary to fulfil the purpose of their vocation.¹³⁵

¹³² McDONOUGH, "Common Life", p. 308-309.

¹³³ "C. 668 - §3. Quidquid religiosus propria acquirit industria vel ratione instituti, acquirit instituto. Quae ei ratione pensionis, subventionis vel assecurationis quoquo modo obveniunt, instituto acquiruntur, nisi aliud iure proprio statuatur."

¹³⁴ "C. 600 - The evangelical counsel of poverty in imitation of Christ, who for our sake was made poor when he was rich, entails a life which is poor in reality and in spirit, sober and industrious, and a stranger to earthly riches. It also involves dependence and limitation in the use and the disposition of goods, in accordance with each institute's own law."

¹³⁵ "C. 670 - Institutum debet sodalibus suppeditare omnia quae ad normam constitutionem necessaria sunt ad suae vocationis finem assequendum."

Indeed c. 670 is the corollary of c. 668.¹³⁶ Both canons are governed by the institute's own law, as is c. 600, and both reflect the "corporate nature of religious life."¹³⁷

Canon 668 - §3 recalls the ideals of the early Jerusalem community reiterated in *PC* 15, as well as the legislation of earlier councils, and the *CIC/17*.¹³⁸ Imbued with a common spirit and charisma, religious put all things in common in order to contribute not only to the upkeep of their own institute but to the service of others. The financial aspect of the *vita communis* is but one among many and would be quite empty without the underlying bonds of mutual support and communion.¹³⁹ However, neglect of this precept can occasion serious problems within an institute.¹⁴⁰

The complement to this norm is c. 670 which obliges the institute to provide the necessities so that the members may fulfil the purpose of their vocation. The constitutions are to clarify what this means in a particular institute. Both cc. 670 and 668 - §3 underline that interdependence is at the heart of the life of brothers or sisters in common. E. Gambari points out three elements "found in community life: putting in common of all that is earned;

¹³⁶ Several authors, in discussing these two canons, stress their interrelatedness. See HOLLAND, "New Code", pp. 70-71; SOLER, "The Community Life", pp. 18-19; EUART, "Religious Institutes and Relationship", pp. 114-116.

¹³⁷ HOLLAND, "New Code", p. 70.

¹³⁸ *CIC/17*, cc. 580 - §§1, 2, 594 - §2.

¹³⁹ GAMBARI, in *Religious Life*, pp. 332-335 presents these two complementary facets and their relationship one to the other. He states: "The history of religious life shows that institutes flourish when the common life is observed as regards the economic aspect", p. 335. ANDRÉS GUTIÉRREZ, in *El derecho*, discusses §3 under various aspects, pp. 457-464.

¹⁴⁰ SOLER, in "The Community Life", speaks of "the real danger that goods (even when owned legitimately) may become a wedge between members of the community", p. 18. See also BEYER, *Le droit: instituts et sociétés*, pp. 148-149.

receiving from the community all that one needs; and contenting oneself with what is provided for all alike."¹⁴¹ It is not a question of strict uniformity but of providing what is needed. Needs do vary within institutes,¹⁴² and they are to be met irrespective of the member's condition, family background, contribution, or ability to earn. In other words, one's identity and worth do not depend on one's earnings.¹⁴³

Two important aspects of the common life flow from these canons: witness and mutual responsibility. The witness of people sharing goods in common, living a life based on respect and mutuality is eloquent in a world where consumerism and materialism are rampant.¹⁴⁴ Although the wording of c. 670 indicates that the institute is to supply what is needed, that duty is not limited to superiors and institutional bodies. Within the parameters of both the universal and proper law, religious must assume responsibility for their own lives and ensure that all have the right of access to the common goods. Incorporation into an institute and life within a community require that each be responsible for the life of the institute and its fidelity to the charism.¹⁴⁵ As one commentator points out, the institute is the

¹⁴¹ GAMBARI, *Religious Life*, p. 293.

¹⁴² See EUART, "Religious Institutes and Relationship", pp. 115-116; HOLLAND, "New Code", pp. 70-72; O'CONNOR, "Obligations and Rights", pp. 188-189. See also *The Rule of St. Augustine: Masculine and Feminine Versions*, [= *Rule of Augustine*], introduction and commentary by T. Van Banel, London, Darton, [1984], pp. 25-26, art. 3 and 5; pp. 28-29, art. 3-5.

¹⁴³ See GAMBARI, p. 293, 335.

¹⁴⁴ See McDERMOTT, "Canonical Issues", p. 149; GAMBARI, *Religious Life*, p. 145.

¹⁴⁵ BEYER, *Le droit: instituts et sociétés*, pp. 151-152.

whole of its members; each one has the duty to develop the sense of communion and unity among the members of the institute.¹⁴⁶

C. Related Canons: 578 — Patrimony of the Institute and 586 — Internal Autonomy

Several references have already been made to proper law or to constitutions. In terms of the *vita fraterna*, it is the responsibility of each institute to define the actual living out of that life, to set policies regarding extended absences from religious houses, the holding of goods in common, and what constitutes "necessities" for the fulfilment of one's vocation. Two canons protect this responsibility: c. 578 which describes the patrimony of the institute and c. 586, particularly §1, which recognizes an autonomy of life for each institute.

C. 578 - The mind of the founders, and their dispositions concerning the nature, purpose, spirit and character of the institute which have been approved by the competent ecclesiastical authority, together with its sound traditions, all of which comprise the patrimony of the institute itself, are to be faithfully observed by all.¹⁴⁷

This canon¹⁴⁸ defines what makes up that patrimony. It is important then that any establishing of norms for the common life be done in the light of these elements: "the mind of the founders, their dispositions concerning the nature, purpose, spirit and character of the institute, ... together with its sound traditions." Thus c. 578 makes it possible for institutes

¹⁴⁶ COMITÉ CANONIQUE DES RELIGIEUX, *Directoire*, p. 106: "L'institut, c'est l'ensemble des religieux, et c'est à chaque religieux qu'il revient de développer le sens de la communion entre les membres de l'institut."

¹⁴⁷ "C. 578 - Fundatorum mens atque proposita a competenti auctoritate ecclesiastica sancita circa naturam, finem, spiritum et indolem instituti, necnon eius sanae traditiones, quae omnia patrimonium eiusdem instituti constituunt, ab omnibus fideliter servanda sunt."

¹⁴⁸ For a summary of the development and the background of c. 578, see BEYER, *Normes communes*, pp. 59-62, and CASTILLO LARA, "Reflections", pp. 10-11. See also P. NGUYEN DAN, *The Spiritual Patrimony of an Institute of Consecrated Life*, Rome, Pontificia Universitas Urbaniana, 1989, xvii, 207p.

to establish structures consistent with their nature, original inspiration, and charism, something most difficult to achieve under the *CIC/17*.¹⁴⁹ Thus, this canon allows, indeed encourages, basically apostolic institutes to divest themselves of certain monastic practices imposed on them by earlier legislation.¹⁵⁰

Intrinsically related to this canon is c. 586 regarding the internal autonomy of the institute. It is §1 that is of particular interest as it presents the core of the legislation.

C. 586 - §1. A true autonomy of life, especially of governance, is recognised for each institute. This autonomy means that each institute has its own discipline in the Church and can preserve whole and entire the patrimony described in can. 578.¹⁵¹

In one sense c. 586 protects c. 578 but, it is also a logical consequence of the nature of the institute.¹⁵² Although the canon speaks first of "governance", it does relate to the entire life of the institute: its spirit, its spirituality, its ways of acting and being.¹⁵³ It is not, however, an absolute autonomy, since religious life does belong to the life and holiness of the Church

¹⁴⁹ BEYER, "Le nouveau droit", p. 90.

¹⁵⁰ See M. COLRAT, "Droit universel et droit propre dans les instituts de vie consacrée", in *L'Année canonique*, 28 (1984), pp. 91-100. The author speaks of the importance of the institute's proper law: "... le droit particulier (propre) des Instituts religieux est le premier droit des religieux: telle est la leçon de l'histoire, car la vie religieuse a existé avant d'être juridiquement intégrée dans le droit universel de l'Église", p. 92. See also BEYER, *Normes communes*, pp. 80-86; ANDRÉS GUTIÉRREZ, *El derecho*, pp. 25-30.

¹⁵¹ "C. 586 - §1. Singulis institutis iusta autonomia vitae, praesertim regiminis, agnoscitur, qua gaudeant in Ecclesia propria disciplina atque integrum servare valeant suum patrimonium, de quo in can. 578."

¹⁵² See *Comm.*, 11 (1979), pp. 51-52. For a comprehensive commentary on c. 586, see ANDRÉS GUTIÉRREZ, *El derecho*, pp. 21-25.

¹⁵³ BEYER, *Normes communes*, pp. 77-78. The author also presents a synopsis of the development of c. 586. See also R. A. HILL, "Autonomy of Life", in *Review for Religious*, 46 (1987), pp. 137-141.

(LG 44). and its institutes are "canonically established by the competent ecclesiastical authority" (c. 573 - §2).

D. Canons 673, 675, 676, and 677 - §1 — Apostolic Institutes

For institutes founded for the apostolate, perhaps the most significant declaration of the Second Vatican Council was PC 8b, which stated that for such institutes, "apostolic and charitable activity is of the very nature of religious life." The section of the *CIC/83* entitled *The Apostolate of Institutes* is its juridical expression.¹⁵⁴ The content of the four canons under consideration flows from the general to the particular.

C. 673 - The apostolate of all religious consists primarily in the witness of their consecrated life, which they are bound to foster through prayer and penance.

C. 675 - §1. Apostolic action is of the very nature of institutes dedicated to apostolic works. The whole life of the members is, therefore, to be imbued with an apostolic spirit, and the whole of their apostolic action is to be animated by a religious spirit.

§2. Apostolic action is always to proceed from intimate union with God, and is to confirm and foster this union.

§3. Apostolic action exercised in the name of the Church and by its command is to be performed in communion with the Church.

C. 676 - Lay institutes of men and women participate in the pastoral mission of the Church through the spiritual and corporal works of mercy, performing very many different services for people. They are therefore to remain faithful to the grace of their vocation.

¹⁵⁴ See *Comm.*, 13 (1981), pp. 195-198, 200-201, 210-211. For a listing of the sources for these four canons, see LESAGE, *Renouveau*, pp. 200-202, 206-207, 207-208, 208-209. For a summary of the development of these canons and a commentary, see BEYER, *Le droit: instituts et sociétés*, pp. 159-164; R. A. HILL, "The Apostolate of Institutes", [= "Apostolate"], in HITE, HOLLAND, and WARD, *Handbook*, particularly pp. 197-199, 201-205. See also Appendix E.

C. 677 - §1. Superiors and members are faithfully to hold fast to the mission and works which are proper to their institute. According to the needs of time and place, however, they are prudently to adapt them, making use of new and appropriate means.

The first, c. 673, parallels the foundational canon, c. 573, since it places the canonical aspects of the apostolate within the context of "consecration".¹⁵⁵ It also speaks of witness, a witness which manifests itself through the whole of life, including the manner of living the life of sisters or brothers in community and in common.

The other three canons relate directly to c. 578, regarding the patrimony of the institute. The insistence on apostolic action as being "of the very nature" of those institutes (c. 675) should eliminate the dichotomy which tended to exist between the "spiritual" aspect of the life of religious and their ministry.¹⁵⁶ This dichotomy, reinforced by the norms regarding the primary and secondary aims of the institute, prevailed in the minds of certain religious themselves.¹⁵⁷ The importance of the works of the various institutes is highlighted in both cc. 676 and 677 - §1; however, the latter provides for adaptation within the context of the patrimony of the institute.

¹⁵⁵ HILL, "Apostolate", p. 199.

¹⁵⁶ For a brief discussion of the terms "apostolate" and "ministry", see HILL, "Apostolate", p. 198. See H. HOLSTEIN, "The History of the Development of the Word 'Apostolic'", R. Holstead, trans., in *Apostolic Life*, London, Blackfriars, 1958, pp. 31-49.

¹⁵⁷ It was not infrequent to hear members refer to prayer and various spiritual exercises as their "religious life"; the apostolate was an adjunct.

E. *Implications for the Common Life and Women Religious*

One must not underestimate the significance of cc. 675 (apostolic nature), 676 (lay institutes), and 677 - §1 (adaptation of mission and works), for both the common life and for institutes of women religious dedicated to the apostolate. If indeed the apostolate is intrinsic to these institutes, then the practice of the common life of sisters in community (c. 607) must reflect that. The apostolic nature will, of necessity, colour the understanding and interpretation of c. 665 - §1 regarding absences and members living alone, as well as the practicalities related to cc. 668 - §3 and 670. A proper law faithful to the patrimony of the institute will be invaluable in assisting the members to lead whole and integrated lives as brothers or sisters in community.

For women religious, the *CIC/83* removed most of the canons which had existed in the *CIC/17* that distinguished between women and men.¹⁵⁸ It must be noted that none of the canons under discussion makes any distinction between women or men religious.¹⁵⁹ However, it is not easy to change mentalities. The influence of several centuries of legislation, particularly the law of enclosure, and the tendency to equate religious life with monasticism has been pervasive, both in official circles and within religious institutes.

¹⁵⁸ See DORTEL-CLAUDOT, "New Law", p. 46.

¹⁵⁹ The provision of c. 676 is directed at the "lay" status of certain institutes not specifically women's institutes. The canon makes it clear that such institutes are not less religious than clerical ones. See BEYER, *Le droit: instituts et sociétés*, pp. 163-164.

IV. DOCUMENTS PROMULGATED IMMEDIATELY AFTER THE 1983 CODE

Since the promulgation of the *CIC/83*, there has been no legislation per se on the common life, or the life of sisters or brothers in community. However a number of documents do address this facet of religious life. Since they offer no new legislation, it is sufficient for the purposes of this paper to make a brief note of their comments relating to the common life or the life of sisters or brothers in community.

A. *Essential Elements — 1983*

A letter from Pope John Paul II to the bishops of the United States dated April 3 was made public on June 22, 1983. It established a commission of three bishops "to facilitate the pastoral work of their brother bishops in the United States in helping the religious of your country whose institutes are engaged in apostolic works to live their ecclesial vocation to the full."¹⁶⁰

Included with this letter, "as an aid", was an unsigned document from the Congregation for Religious and Secular Institutes dated May 31, 1983, four months after the promulgation of the Code and six months prior to its effective date.¹⁶¹ It was described as a "text of principles and fundamental norms. Its purpose is to present a clear statement of the church's teaching regarding religious life at a moment which is particularly significant and

¹⁶⁰ JOHN PAUL II, "Letter to the U.S. Bishops", 3 April 1983, in *Origins*, 13 (1983-84), pp. 132.

¹⁶¹ SCRIS, *Essential Elements in Church Teaching on Religious Life*, 31 May 1983, in *Origins*, 13 (1983-84), pp. 133-142.

opportune."¹⁶² Not only was the document published in the midst of a *vacatio legis*, but it lacked the usual signatures.¹⁶³

Essential Elements mentions the common life or community several times. In no. 4, among the elements which the Church considers essential to religious life is included "a stable form of life in community." This expression is repeated in no. 10 in the context of witness, public vows, and separation from the world. In section II, within the context of 'Consecration by Public Vows', no. 16 states: "Implicit in the commitment to the institute which the vows include, is the pledge to live a common life in communion with the brothers or sisters of the community." Subsection 2, 'Communion in Community' begins by focusing on "communion" with God and among the members of the institute. In no. 19, it states: "[f]or religious, communion in Christ is expressed in a stable and visible way through community life." The remainder of no. 19, as well as nos. 20, 21, and 22 provide details as to what community life entails. At the beginning of no. 21, we read that "[t]he style of community life will relate to the form of apostolate for which the members have responsibility and to the culture and society in which this responsibility is accepted."¹⁶⁴ In subsection 3, 'Evangelical Mission', no. 26b, the document indicates that for "some clerical or missionary

¹⁶² SCRIS, *EE*, no. 2b, in *Origins*, p. 134.

¹⁶³ S. HOLLAND, in "The Code and Essential Elements", in *The Jurist*, 44 (1984), p. 304-338, compares the main points of *EE* with the relevant canons. See also M. BUCKLEY, "Reflections on the Document *Essential Elements...*", in R. J. DALY, et al., ed., *Religious Life in the U.S. Church: The New Dialogue*, [= *The New Dialogue*], New York, Paulist Press, 1984, pp. 256-267. The entire volume, *The New Dialogue*, grew out of the meetings and discussions with religious called for by the commission of bishops.

¹⁶⁴ In subsection 3 'Evangelical Mission', there are several references to the "corporate mission".

institutes, it may sometimes involve working alone. In the case of other institutes, working alone is with the permission of superiors to meet an exceptional need for a certain time." There is an obvious discrepancy here with c. 665 - §1 which does not limit such instances to clerical or missionary institutes. A further addition occurs in Part III on 'Fundamental Norms.' Paragraphs 8-12 refer to the basic canons regarding community or the common life. However, §12, in speaking of religious living alone adds: "and [they] should not do so if there is a community of their institute reasonably near." There is no such stipulation in c. 665 - §1.

In considering this document, one must remember that it is not a canonical text. It must be seen for what it is: a synthesis of Church teachings on religious life prepared by an anonymous author with a particular perspective in mind, along with the formulation of some traditional principles. It cannot be taken in isolation but is to be read in the light of the conciliar documents and the 1983 Code.¹⁶⁵

B. *Redemptionis donum* — 1984

On March 25, 1984, Pope John Paul II issued an apostolic exhortation to "men and women religious on their consecration in the light of the mystery of the redemption."¹⁶⁶ The text focuses mainly on the topics of vocation, consecration, and the evangelical counsels.

¹⁶⁵ HOLLAND, "The Code and *Essential Elements*", p. 337. Several studies have been done on *EE*, among them: S. EUART, "A Canonical Analysis of 'Essential Elements' in the Light of the 1983 Code of Canon Law", in *The Jurist*, 45 (1985), pp. 438-501; J. M. LOZANO, "The Theology of *The Essential Elements* in the Teaching of the Church", in DALY, *The New Dialogue*, pp. 98-133.

¹⁶⁶ JOHN PAUL II, Apostolic Exhortation, *Redemptionis donum*, 25 March 1984, in *AAS*, 76 (1984), pp. 513-546, trans., Ottawa, Canadian Conference of Catholic Bishops, 1984, 50p.

Community is mentioned twice in a rather incidental fashion.¹⁶⁷ In concluding his remarks on the apostolate, the pope speaks of the importance of "the witness of mutual love, linked to the fraternal spirit of each Community." He also refers to "[t]he fundamentally community nature of your religious life" which includes an "interpersonal and social dimension."¹⁶⁸ As the title implies, this is an exhortative theological text, not a legislative one.

C. *CICLSAL*

1. *Potissimum institutioni, 1990*

The Congregation for Institutes of Consecrated Life and Societies of Apostolic Life issued directives on formation in religious institutes on February 2, 1990.¹⁶⁹ The aim of this document, addressed to major superiors and formation directors, was to provide "guidance to institutes", and to present the "position of the Holy See on the present problems of formation and the solutions which it suggests for resolving them".¹⁷⁰ It is an instruction given to "those whose duty it is to execute the law", and it "binds them in executing the law".¹⁷¹

¹⁶⁷ They are called to the work of redemption "through membership in a Community, of brothers or sisters, recognized and approved by the Church" (3c), p.8; profession means incorporation "into your religious Family" (7a), p. 15.

¹⁶⁸ *RD*, no. 15, p. 43.

¹⁶⁹ *CICLSAL*, "Potissimum institutioni", [= "Potissimum"], 2 February 1990, in *AAS*, 82 (1990), pp. 470-532, translated as "Directives on Formation in Religious Institutes", [= "Directives"], in *Origins*, 19 (1989-90), pp. 677, 679-699.

¹⁷⁰ *CICLSAL*, "Directives", no. 4.

¹⁷¹ "Canon 34 - §1. Instructiones, quae nempe legum praescripta declarant atque rationes in iisdem exsequendis servandas evolvunt et determinant, ad usum eorum dantur quorum est curare ut leges executioni mandentur, eosque in legum executione obligant; eas legitime edunt, intra fines suae competentiae, qui potestate executiva gaudent."

Paragraphs 26-28 deal with "The Community" or *Communitas*. No. 26 stresses the importance, during formation, of the quality of community life and its basis — the model of the early Church. No. 26b indicates clearly that "the community is established ... because the Lord brought them together and unites them by a common consecration and for a common mission within the church." It seems that "community" here has a broader connotation than simply a local unit. This particular section ends with some cautionary statements regarding insertion in a poor milieu.¹⁷²

2. Fraternal Life in Community — 1994

On February 2, 1994, the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life published: *Fraternal Life in Community*.¹⁷³ The document states as its purpose:

[T]o support the efforts made by many communities of religious, both men and women, to improve the quality of their fraternal life. This will be done by offering some criteria of discernment, in view of authentic evangelical renewal.

This document also intends to offer reasons for reflection to those who have distanced themselves from the community ideal, so that they may

"C. 34 -§1. Instructions, namely, which set out the provisions of a law and develop the manner in which it is to be put into effect, are given for the benefit of those whose duty it is to execute the law, and they bind them in executing the law. Those who have executive power may, within the limits of their competence, lawfully publish such instructions."

¹⁷² For a general analysis of this document, see M. LINSOTT, "The Personal Identity of the Apostolic Woman Religious", in *Informationes*, 16 (1990), pp. 101-117. For other articles on this document related to "community", see, F. IGLESIAS, "Vita fraterna in comune", in *SCRIS Informationes*, 16 (1990), pp. 207-226, translated as "Fraternal Life in Common", in *Consecrated Life*, 16 (1991), pp. 113-131; E. WOODWARD, "Images of Community", in *The Way Supplement*, 71 (1991), pp. 73-83.

¹⁷³ CICLSAL, *Fraternal Life in Community*, [= *Fraternal Life*], Rome 1994, 68p.

give serious consideration again to the need for fraternal life in common for those consecrated to the Lord in a religious institute or incorporated in a society of apostolic life.

The text is not intended to be legislative; it reiterates points already contained in various Church documents and in the Code.¹⁷⁴ It also addresses topics which have been of long-standing concern to religious, but more particularly to Church officials.¹⁷⁵

D. Synod: *The Consecrated Life and Its Role in the Church and in the World*

In preparation for the 1994 Synod on consecrated life, the general secretariat for the Synod has issued two working documents: the *lineamenta*¹⁷⁶ and the *instrumentum laboris*.¹⁷⁷

1. *Lineamenta, 1992*

In October 1994, the Ninth Ordinary General Assembly of the Synod of Bishops treated the topic: "The Consecrated Life and Its Role in the Church and in the World." Far

¹⁷⁴ For commentaries on this document, see *Vida religiosa: Boletín especial*, 77 (1994), nos. 4-5, pp. 98-115; J. GIALLIANZA, "Life in Community: New Roman Document", in *Religious Life Review*, 33 (1994), pp. 140-148.

¹⁷⁵ It refers to the emphasis on the union of minds and hearts (nos. 11-28), to communication (nos. 29-34), small communities (nos. 41, 64), relation of community and mission (no. 59), insertion into poor areas (no. 63), religious living singly (no. 65).

¹⁷⁶ COUNCIL OF THE GENERAL SECRETARIAT OF THE SYNOD, *De vita consecrata deque eius munere in Ecclesia et in mundo: lineamenta*, translated as *The Consecrated Life and Its Role in the Church and in the World: Lineamenta*, [= *Lineamenta*], Ottawa, Canadian Conference of Catholic Bishops, 1992, 71p.

¹⁷⁷ COUNCIL OF THE GENERAL SECRETARIAT OF THE SYNOD, *De vita consecrata deque eius munere in Ecclesia et in mundo: instrumentum laboris*, translated as *The Consecrated Life and Its Role in the Church and in the World: Instrumentum laboris*, [= *Instrumentum*], Ottawa, Canadian Conference of Catholic Bishops, 1994, 153p.

from being a legislative text, the stated purpose of the *lineamenta* "is to introduce the topic and to foster a preliminary study of it."¹⁷⁸

Nos. 9 and 10 of the document focus on the "communal and eschatological dimension" of consecrated life. They refer to the early Church and the Rule of Augustine (9a), to PC 15 and to the new commandment of love (9b), to "community" as a "reflection of Church communion" and to the witness value of "the charity of Christ's disciples, lived in perseverance in fraternal communion" (9b).

Certainly, the *lineamenta* evoked a variety of reactions and responses, both from bishops and from religious throughout the world,¹⁷⁹ who hoped that their reflections might contribute in some way to the preparation of the working document and the discussion during the Synod.

2. *Instrumentum laboris*

The *instrumentum laboris* was published in May 1994 and appears to represent many of the comments and reactions of bishops and religious from around the world. It is much

¹⁷⁸ *Lineamenta*, p. 3. The text continues: "[c]onsequently the document should not be seen as anticipating any possible conclusions of the Synod, much less as an exhaustive treatment of the subject of the consecrated life."

¹⁷⁹ See A. FLANNERY, ed., *Towards the 1994 Synod: The Views of Religious*, [Dublin], Dominican Publications, [1993], 173p. See also *Vita consecrata*, 29 (1993), nos. 5, 6; 30 (1994), nos. 1, 2. *Vida religiosa*, 76 (1994), no. 1; UISG, *Bulletin*, no. 94 (1994), pp. 2-27; R. McDERMOTT, "Consecrated Life and Its Role in the Church and in the World: the *Lineamenta* for the 1994 Synod of Bishops", in *The Jurist*, 53 (1993), pp. 239-262. Although not directly related to the Synod, the following presents a good analysis of the state of religious life at the present time: USG, *Consecrated Life Today: Charisms in the Church for the World*, International Congress, Rome, 22-27 November 1993 [Proceedings], [Middlegreen], St. Paul's, [1994], 284p.

different in tone and in structure from the *lineamenta*.¹⁸⁰ The document provides some theological and contextual background for both consecrated life and religious life.

In terms of the common life, the document refers to its evolution (no. 24) and addresses some of the difficulties which have arisen during this evolution. The question of community is further developed in the section entitled "Communion, Mission and Witness", nos. 56-60, where it is discussed within the context of "communion". The *instrumentum* points out that although

[t]he dimension of fraternal communion is a constitutive part of every form of consecrated life ... [t]he concrete ways in which this dimension is realized, however, differ greatly among the various forms of the consecrated life and within communities of the same type as well.¹⁸¹

Despite the positive tone and contents, occasionally there is something that surprises. One could wonder why in section IV, Part I, "Specific Questions about Some Forms of Life", apostolic women religious seem to have been forgotten. Under the sub-title "Lay Religious Institutes and Lay Brothers" (no. 32), the focus is entirely on the brother. The other sub-sections deal with contemplative institutes, secular institutes, consecrated virgins and widows, hermits, and societies of apostolic life.¹⁸²

What will be the outcome of the synod? As was the case for the most recent ones, we can expect that the final document will be of a general nature since it addresses the entire

¹⁸⁰ For a commentary on this document, see S. FAGAN, "Preparing for the Synod: The *Instrumentum laboris*", in *Religious Life Review*, 33 (1994), pp. 258-263.

¹⁸¹ *Instrumentum*, no. 57.

¹⁸² This is not to say that women religious are absent from the document, on the contrary several sections speak of women under various sub-headings: nos. 12, 20, 69, and 88.

Church. It is the input and dialogue generated within the boundaries of a conference of bishops that can be most valuable.¹⁸³

CONCLUSION

A study of the documents of Vatican II, especially *Lumen gentium* and *Perfectae caritatis*, reveals several trends or statements significant for religious on the whole and for the common life in particular. First of all, the Council situated religious life within the broader context of consecrated life. The 1983 Code remained faithful to that thought as is evidenced, for example, by the position of c. 573, as well as, at times, by an almost verbatim repetition of certain conciliar texts.¹⁸⁴ Secondly, the application of the principle of subsidiarity reserved to the universal law what pertains to all forms of consecrated life, leaving more precise definitions to the proper law of each institute. This provision regarding the proper law is particularly important as it is there that an institute's character and nature, spirituality and discipline can be established. Thus, in order to be authentic, the implementation of certain elements of religious life will need to flow out of that character and nature. This has considerable importance for the whole question of the common life, since many of the relevant canons refer to the law or constitutions of each institute.

Both conciliar texts base the discussion of the common life on the ideal of the early Church: the union of minds of hearts. This focus is also found in the 1983 Code. Thus the emphasis has shifted from uniformity and external norms to unity and community. Despite

¹⁸³ See *Origins*, 24 (1994-95), pp.305, 307-312; 321, 323-336; 346-352, for reports on certain interventions at the Ninth Ordinary General Assembly of the Synod of Bishops.

¹⁸⁴ This is apparent throughout the entire Code, e.g., cc. 834, 386, 387.

the confusion of language among some commentators, it would seem that it is the term "community" or "living as brothers or sisters in community" that best expresses the intent of cc. 602 and 607; the "common life" is more in keeping with cc. 665 - §1 and 668 - §3. Canon 670, referring to the necessities for the fulfilment of one's vocation may very well be seen from both angles. The emphasis on the apostolic nature of the institute, both in the conciliar documents and in the Code, would seem to lean more towards an understanding of union and community rather than to a uniform living-together under one roof. For women in such institutes, this has been particularly significant after centuries of living a monastic or semi-monastic life.

Although to some, certain documents and commentaries may appear fearful, restrictive, and lacking in trust, these must be read in the light of the Council texts. The challenge for apostolic women religious, as for all religious, is how to live this "common mind and heart", in fidelity to their call and to the nature of their institutes, amid the present circumstances that differ radically from those of the past, even the relatively recent past of the conciliar documents and the *CIC/83*. The depth and rapidity of change during the last three decades, engendering new pressures and trends both within society and within the Church, have had a significant impact on religious life. The response of religious institutes of women to these pressures and trends would influence many aspects of their life and, in particular, their practice of the common life or their life as sisters in community.

CHAPTER THREE

IMPLICATIONS FOR CURRENT PRACTICE

Sociologists and others who study patterns of societal trends note the rapidity and depth of change that has occurred in the last thirty to forty years,¹ coinciding with the period since the Second Vatican Council. It has touched all sectors and areas of society, including the family and the Church. One could say, perhaps, that religious have been doubly affected: as members of their social, political, and national milieu and as members of the Church — a Church existing in the midst of the world and of which they are a part, and a Church profoundly influenced by Vatican II.² In speaking of religious life, many writers compare the present era with the major societal and cultural shifts of the past which provided the context for the decline of existing forms of religious life and the emergence of new ones.³ Any change, but particularly such an in-depth and rapid shift, both in secular society and in the Church, cannot but exert considerable pressure on the people and institutions in that time frame.

¹ A. TOFFLER, *The Third Wave*, New York, Bantam Books, [1981], pp. 13-14.

² M. LINSKOTT, in "The Religious Woman in the Church", [= "The Religious Woman"], in *The Way Supplement*, 19 (1973), pp. 58-59, considers some of these changes in the light of the role of women religious.

³ L. CADA, et al., *Shaping the Coming Age of Religious Life*, [= *Shaping the Coming Age*], New York, Seabury, [1979], pp. 45-50. M. A. DONOVAN summarizes some of those shifts showing the position of ecclesial authority in relation to women religious, in *Sisterhood as Power: The Past and Passion of Ecclesial Women*, [= *Sisterhood as Power*], New York, Crossroad, [1989], pp. 5-23. B. J. LEE, relates those shifts to the charism in "A Socio-Historical Theology of Charism", in *Review for Religious*, 48 (1989), pp. 124-128.

It is outside the scope of this paper to probe the cause and effect of these pressures or to pronounce judgement on them. However, it is useful to recall those that appear most pervasive and influential, particularly within the Church, in order to understand better the situation in which religious institutes find themselves at the present time.

Solely from an experiential perspective, several societal trends can be detected. In Canada, indeed in most of North America, we have witnessed the movement from an industrial society to an electronic one. Technological and electronic advances have engendered both a global awareness and a flourishing of innovative and quasi-instantaneous means of communication. Concurrently, attitudes relative to values have also changed. For many people, values are no longer based on universal norms or laws, nor on religious or moral authority; they have become more personal and are matters for individual judgement frequently based on reward or self-interest.⁴ This has led to a growth in individualism, at times to the detriment of a concern for the common good.⁵ During this same period, the family has suffered major upheavals. An increase has been noted in the number of divorces, as well as in the number of families headed by single parents, most of whom are women.

It is also difficult, if not impossible, to distinguish between cause and effect, or to state clearly whether the various social, political, and economic movements which occurred during this time contributed to these changes or were born of them. The Church in general, and religious life in particular, have not been immune to these shifts and movements which,

⁴ R. N. BELLAH, et. al., *Habits of the Heart: Individualism and Commitment in American Life*, New York, Harper & Row, [1985], p. 7.

⁵ See J. A. MERKLE, *Committed by Choice: Religious Life Today*, [= *Committed by Choice*], Collegeville, Liturgical Press, [1992], pp. 16-23, for how individualism has affected society and religious life as well.

on the whole, became inextricably bound up with what was experienced as a result of Vatican II. An emphasis on principles of subsidiarity, dignity of the human person and co-responsibility, the image of the Church as the People of God, the universal call to holiness and the subsequent involvement of the laity, the shortage of priests — all have influenced religious life.

This chapter will focus on apostolic religious institutes of women and their response to the various pressures and movements in the Church following the Second Vatican Council, and indirectly to those in society. Two aspects of religious life are of particular interest: the apostolic nature of those institutes and the practice of the common life. The pressures and trends within those two areas will be analysed within the framework of two levels of change: the adaptation and the renewal mandated by the Council.

I. ADAPTATION — RESPONSE OF APOSTOLIC INSTITUTES OF WOMEN RELIGIOUS AND CONTEMPORARY TRENDS IN RELIGIOUS LIFE

The decree *Perfectae caritatis*, promulgated in 1965, set forth general principles to guide religious in renewing the life of their respective institutes. It also pointed out general areas which needed reform.⁶ Later documents were more explicit concerning the im

⁶ VATICAN II, Decree, *Perfectae caritatis*, 28 October 1965, in *AAS*, 58 (1966), p. 703, translated in A. FLANNERY, ed., *Vatican Collection: vol. I, Vatican Council II, The Conciliar and Post Conciliar Documents*, revised edition, Northport, Costello, 1988, pp. 612-613. [Unless otherwise indicated, all translations of conciliar and post conciliar documents are taken from FLANNERY, vol. I and from *Vatican Collection: vol. II: Vatican Council II, More Post Conciliar Documents*, Northport, Costello, [1982], xix, 920p.].

plementation of those principles. The first of these was *Ecclesiae sanctae* which provided specific norms regarding renewal.⁷

A. *Chapters of Renewal*

One of the most important directives of *ES* was to attribute to the general chapters the responsibility of carrying out the adaptation and renewal of religious institutes.⁸ However, underlying that norm was a new vision of general chapters: they were to "foster spiritual and apostolic vitality" and not simply enact legislation.⁹

The document also stipulated that a "special general chapter" be convoked within the following two or, at the most, three years in order to implement adaptation and renewal.¹⁰ Its most innovative feature, perhaps, was the recommendation that the preparation for this chapter of renewal be broad based, that is, that the entire membership be consulted by the means most appropriate to the individual institute. Provision was made for "experimentation" which frequently required the suspension or modification of the

⁷ PAUL VI, Motu proprio, *Ecclesiae sanctae*, 6 August 1966, Part II, "Normae ad exsequendum decretum SS. Concilii Vaticani II, *Perfectae caritatis*", in *AAS*, 58 (1966), pp. 775-782; FLANNERY I, pp. 624-633.

⁸ *Perfectae caritatis* had already mentioned this fact, but *ES* would provide more specific guidelines and greater clarity on this point and on other principles which had appeared in *PC*. It is also important to distinguish between adaptation and renewal. Adaptation generally refers to modifications or adjustments which make the target of these adjustments more suitable to the environment or the times. Renewal implies change of greater depth, something is revived, restored to its original state, or regenerated. *OED*, pp. 11, 880.

⁹ *ES*, II, no. 1, in *AAS*, p. 775: "Munus Capitulum non absolvitur tantummodo leges ferendo sed insuper promovendo vitalitatem spiritualem et apostolicam"; FLANNERY I, p. 625. See also c. 631 - §1.

¹⁰ This could be the regular chapter or an extraordinary one. It could be held in two sessions provided that no more than one year separated them.

constitutions. Permission to deviate from both universal and proper law was to be sought and *ES* promised that such requests would be "readily authorized by the Holy See as the need arises."¹¹ This permission was not open ended, however. The first regular chapter after the renewal one could extend the time for experimenting until the next chapter, but not beyond. Generally, this allowed institutes between eight and twelve years of "experimentation", according to their scheduling of chapters. However, the *motu proprio* did more than establish practical norms; in reference to *Perfectae caritatis*, it indicated the areas upon which the chapters of renewal were to focus.

1. *A Return to the Sources*

Perhaps the lines of *Perfectae caritatis* which had the greatest influence on the renewal of religious life were those urging "both a constant return to the sources of the whole of the Christian life and to the primitive inspiration of the institutes."¹² *Ecclesiae sanctae* reiterated that directive. Although these two documents especially targeted religious life, others supported that renewal, particularly the "return to the sources of the whole of the Christian life."¹³ In general, women religious wasted no time in embracing the updated liturgy and its use of the vernacular, in replacing time-bound meditation and prayer books by the bible and

¹¹ *ES*, II, nos. 3-6, in *AAS*, pp. 775-776; FLANNERY I, p. 625.

¹² *PC*, no. 2, in *AAS*, p. 703: "... simul complectitur et continuum reditum ad omnis vitae christianae fontes primigeniamque institutorum inspirationem..."; FLANNERY I, p. 612.

¹³ The following were particularly significant: VATICAN II, Constitution on the Sacred Liturgy, *Sacrosanctum concilium*, 4 December 1963, in *AAS*, 56 (1964), pp. 97-134, FLANNERY I, pp. 1-37; Dogmatic Constitution on Divine Revelation, *Dei verbum*, 18 November 1965, in *AAS*, 58 (1966), pp. 817-830; FLANNERY I, pp. 750-765.

the Divine Office, and in attending the newly available courses in theology, scripture, and related disciplines.

2. *The Patrimony of the Institute*

The second source that was rediscovered, and in some cases discovered for the first time, was the original inspiration and vision of the founder with his or her profound intentions for the institute, that is, its patrimony. *Perfectae caritatis*, no. 2, states:

It serves the best interests of the Church for communities to have their own special character and purpose. Therefore loyal recognition and safekeeping should be accorded to the spirit of the founders, as also to all the particular goals and wholesome traditions which constitute the heritage of each community.¹⁴

This is reiterated in *ES*, II, no. 16(3):

For the good of the Church, institutes must seek after a genuine understanding of their original spirit, so that they will preserve it faithfully when deciding on adaptation, will purify their religious life from alien elements, and will free it from what is obsolete.¹⁵

¹⁴ *PC*, no. 2b, in *AAS*, p. 703: "In ipsum Ecclesiae bonum cedit ut instituta peculiarem suam indolem ac munus habeant. Ideo fideliter agnoscantur et servantur Fundatorum spiritus propriaque proposita, necnon sanae traditiones, quae omnia cuiusque instituti patrimonium constituunt." In the interests of accuracy, the following translation has been used for this text: W. M. ABBOTT, ed., *The Documents of Vatican II: All Sixteen Official Texts Promulgated by the Ecumenical Council 1963-1965*, [Piscataway], New Century Publishers, [1966], p. 468. Canon 578 of the *CIC/83* expresses the substance of this passage.

¹⁵ *ES*, II, no. 16 §3, in *AAS*, p. 778: "Ad ipsum bonum Ecclesiae procurandum, germanam cognitionem sui primigenii spiritus Instituta prosequantur, ita ut, eodem fideliter servato in aptationibus decernendis, vita religiosa ab elementis alienis purificetur et ab obsoletis liberetur"; *FLANNERY I*, p. 627. The subsequent paragraph (no. 17) described as "obsolete" those elements "which do not pertain to the nature and purpose of the institute and which, having lost their meaning and impact, are of no further assistance to religious life." Canon 631 §1 includes the protection of the patrimony as one of the functions of the general chapter.

Generally, institutes speak of this as their "charism", and during the immediate post-Council years, much effort was expended in exploring the different facets of this reality.¹⁶ The term "charism" had not been used in relation to religious life in the conciliar documents, in *ES*, nor in the 1983 Code;¹⁷ however, in *Evangelica testificatio*, Paul VI, addressing religious, speaks of the "charisms of your founders".¹⁸

For many institutes, the exploration of their charism or patrimony was a freeing experience, as it allowed them to distinguish between the essentials and the accoutrements of a particular age and culture. Thus they were able to set aside outdated practices or those that had not really been part of the original vision and aim.¹⁹ For others, it was anxiety-producing as they had been founded around a specific ministry and had merely adopted a name, e.g., Franciscan or Dominican, with little reference to the spirituality or vision of those original founders.²⁰ For some, transplanted onto this continent from Europe, it meant

¹⁶ For greater detail on this aspect of religious life, see J. C. FUTRELL, "Discovering the Founder's Charism", in *The Way Supplement*, 14 (1971), pp. 62-70; J. M. RENFRO, "Religious Charism: Definition, Rediscovery and Implications", [= "Religious Charism"], in *Review for Religious*, 45 (1986), pp. 520-530. See also E. WILLIAMSON, "The Notion of Charism in the Religious Life", [= "Notion of Charism"], in *Studia canonica*, 19 (1985), pp. 99-114; LEE, "A Socio-Historical Theology of Charism", pp. 124-135.

¹⁷ F. G. MORRISEY, in "The Apostolate of Religious According to the New Code", [= "Apostolate of Religious"], in *Australasian Catholic Record*, 60 (1983), p. 382, states that "charism" is probably not used in the *CIC/83* as it is a theological term rather than a canonical one. It is perhaps more readily applicable to the founder than to the institute.

¹⁸ PAUL VI, Apostolic Exhortation, *Evangelica testificatio*, 29 June 1971, in *AAS*, 63 (1971), no. 11, p. 503; FLANNERY I, p. 685.

¹⁹ RENFRO, "Religious Charism", pp. 526-528.

²⁰ See E. WILLIAMSON, in "Notion of Charism", pp. 102-104, regarding certain difficulties in this area.

rediscovering monastic roots which had been set aside in order to respond to the needs of an emerging nation.²¹

However, in establishing either an authentic identity or a direction for the future, institutes must continue to look to their charism or patrimony. One writer points out that charisms are given in and for the Church, so that the Church may live and reveal the mystery of Christ in all its diversity.²² That same author also states that the charism is always a principle of unity in diversity.²³ Thus its exploration cannot be considered an exercise carried out once and for all, but it must be basic to the on-going renewal implied by *PC*; this is formally stated in the *CIC/83* to be one of the functions of general chapters.²⁴

3. *Levels of Change*

To a great extent, it was the message of *PC*, especially nos. 2-4, and the study of their particular charism that provided institutes with the incentive and rationale to pursue adaptation and renewal. For the most part, that was indeed the order in which change oc-

²¹ K. M. KENNELLY, "Historical Perspectives on the Experience of Religious Life in the American Church", in R. J. DALY, et al., ed., *Religious Life in the U.S. Church: The New Dialogue*, [= *New Dialogue*], New York, Paulist Press, 1984, pp. 87-88. See also J. SUTERA, *True Daughters: Monastic Identity and American Benedictine Women's History*, [= *True Daughters*], Atchison, Mount St. Scholastica, 1987, pp. 20-30.

²² L. RENWART, "La vie religieuse 'active' a-t-elle encore sa raison d'être?", [= "La vie religieuse active"], in *Vie consacrée*, 50 (1978), p. 16, "Car les charismes sont donnés dans et pour l'Église, afin que celle-ci vive et révèle au monde le mystère du Christ dans sa riche diversité."

²³ RENWART, "La vie religieuse active", p. 18. For a divergent view regarding the outcome of the study of an institute's charism, see E. McDONOUGH, "Beyond the Liberal Model: 'Quo vadis?'" [= "Quo vadis?"], in J. H. PROVOST and K. WALF, ed., *Studies in Canon Law*, Leuven, University Press, 1991, pp. 117-118.

²⁴ C. 631 - §1 states that two of the "principal functions" of the general chapter are "to protect the patrimony of the institute" and "to foster appropriate renewal in accord with that patrimony."

curred. Externals, such as the habit, the daily horarium, and forms of prayer were the first to be modified; this was adaptation. As time went on, a deeper understanding of the charism, of the spirit and vision of the founder led institutes to formulate statements of identity and mission. It was no longer simply a question of adaptation but of renewal.²⁵

Generally most institutes travelled a similar road: a period of external changes and adaptations, an exploration of the charism, a recognition of the patrimony of the institute, and finally a revision of constitutions, directories, and other books comprising their proper law. Although much of the work was done by assemblies and committees, it was the chapter that legislated a new way of living, and opened the doors to a more pervasive and profound renewal.

B. *A Re-evaluation of the Whole of Life*

Certainly, the special chapters brought about a change in the institute's internal workings, that is, the horarium, different forms of prayer, a greater freedom in the organization of the members' personal life. However, two other main areas were also challenged: the apostolate and the practice of the common life or life in community. In other words, the chapters of renewal re-evaluated the entire life of an institute and again, in each case, a similar pattern emerged: adaptation and external changes preceded a renewal at the level of myth or belief.²⁶

²⁵ K. WOMBACHER, describes this evolution in "American Religious Life Since Vatican II: Changes and Continuity", in DALY, *New Dialogue*, particularly pp. 229-232. See also L. GUTIÉRREZ-VEGA, *Teología sistemática de la vida religiosa*, 2a ed., Madrid, Instituto teológico de vida religiosa, 1979, pp. 363-366.

²⁶ For a brief explanation of the use of myth in this context, see CADA, *Shaping the Coming Age*, pp. 79-80. G. A. ARBUCKLE, treats this topic at greater length in *Out of Chaos: Refounding*

1. *The Apostolate*

It is impossible to distinguish clearly between causes and effects in all of the changes that took place in religious life during that time. Did the adaptation and renewal in the area of the apostolate come about because of some of the internal changes, because of the study of the patrimony of the institute or its charism, because of the urgings of *PC*, no. 8b, and other documents dealing with religious life, or were there other contributing factors, both within society and the Church? Perhaps one can answer affirmatively to all of those questions since most of those elements seem to have become intricately interwoven to affect the rhythm of life of religious institutes.

a. *Assignment or Missioning Process*

In many institutes, one of the earliest signs of change in the area of apostolate or ministry,²⁷ was around what had traditionally been known as assignments, missioning, or obediences. Prior to the Council, in most apostolic institutes, a major superior with her council reviewed the needs of the various works or institutions and assigned members accordingly. However, following the Council, modifications were introduced in this process.

For the most part, women religious had avidly followed the Council's progress and had carefully studied its various documents, not only those concerned specifically with

Religious Congregations, [= *Out of Chaos*], New York, Paulist Press, [1988], pp. 11-28, 65-71. See also, D. O'MURCHU, *Religious Life: A Prophetic Vision*, [= *Religious Life*], Notre Dame, Ave Maria Press, 1985, pp. 89-92.

²⁷ In this chapter these two terms are used synonymously.

religious life.²⁸ Thus referring to the conciliar teachings regarding the principles of human dignity, co-responsibility, and diversity, many institutes introduced the elements of dialogue and consultation into the assignment or missioning process. Religious could more readily voice their preferences and begin to move in directions more suited to their talents and gifts. A new vision of the Church and its mission allowed for an expansion of the understanding of education, health care, and social service — the traditional roles of most institutes.²⁹ Many women religious also began to see a place for themselves within their parishes and dioceses where they could assist in the implementation of the Council's directives.

b. Corporate Apostolate — Institutions

With this expansion of the apostolate and the greater freedom of choice on the part of the individual religious, the corporate apostolate in terms of institutions could not easily be sustained. Some institutes deliberately chose to relinquish schools and hospitals; others found themselves in a position of having to abandon their institutions because of civil legislation. Still others, partly through a lack of foresight or planning, found themselves unable to provide staff for various works and were forced to make choices which were not only painful but, in certain cases, were also hasty, uninformed, and divisive.

Simultaneous with this withdrawal from institutions or with their re-examination by chapters was an increase of what has been called "individualized apostolates". Until this time, needs had been made known to the major superior and council. These persons

²⁸ One cannot underestimate the effects of documents such as *Lumen gentium* (not only chapter six) and *Gaudium et spes* on the thinking of many women religious at the time.

²⁹ A chapter delegate expressed it thus: "We are dedicated to education not schools, to health care not hospitals, to social service not institutions."

responded by assigning the appropriate number of people to that particular area. Now the superior and council began to communicate these opportunities for service to the institute or to the province, and members were invited to respond. Also because of their own contacts,³⁰ more and more, individuals became aware of situations to which they felt called to respond. Thus the assignment or missioning process acquired a new face. Discernment and dialogue with superiors grew in importance, becoming the norm rather than the exception. A change of ministry could now be initiated by the individual or by the major superior and council.

However, none of these adaptations took place in a vacuum; a shift in one area had an impact on others. Thus the new missioning process, the ongoing difficulty in maintaining institutions, along with an increase of individualized ministry affected more than the apostolate of an institute; it also deeply influenced the common life within an institute.

2. *Common Life*

It is important to remember, once again, that the earliest changes brought about by the first chapters of renewal were precisely to allow greater freedom in what might be considered internal house matters: hour of rising and retiring, time and place of prayer and other spiritual exercises, scheduling and choice of recreation and relaxation, flexible meal schedules and informal meals especially on weekends and holidays. Bells no longer rang and

³⁰ In most apostolic institutes, the chapters of renewal set aside many if not all the restrictions which were vestiges of the law of enclosure. Some of these were the prohibitions against reading newspapers and other contemporary material (the permission of the superior could allow such reading for study purposes), watching television, associating freely with co-workers, parishioners, and family members. With the disappearance of those restrictions, religious became more aware of contemporary needs, needs which frequently seemed more imperative than their current involvements. For many, the opening words of *GS* became their touchstone.

members did not all gather in the same place at the same time. Thus, in many eyes, the common life had disappeared almost overnight. Certainly, if the common life, community life, or the life of sisters in community consisted merely of a uniform lifestyle in its external manifestations, it had indeed disappeared. Besides this deliberate modification of the externals of the lifestyle of the institute, the common life also felt the influence of the apostolic adaptations.

When it became possible for religious to take certain initiatives in responding to apostolic needs, it was but a small step for them to initiate changes in living situations. A growing tendency on the part of some major superiors to take on works in areas where the institute was not present, or where there were no religious, engendered different types of residence and lifestyles. As long as religious were involved in institutions, a uniform way of living was possible; however, when they withdrew, a change of lifestyle usually followed. Although perhaps no deliberate attempts had been made to change the concept or understanding of the common life, these adaptations would eventually lead to a deeper reflection on the issue in the light of both the patrimony and charism of the institutes as well as their apostolic nature.

C. *Decline in Membership*

Perhaps one of the unexpected trends observed in those years immediately after the Council is the decline in membership in religious institutes.³¹ It manifests itself in three ways: departures of professed members, few or no candidates, aging members and deaths. This phenomenon has been the subject of various sociological and psychological studies. How-

³¹ See WILLIAMSON, "Notion of Charism", pp. 108-109.

ever, it is sufficient here to note the existence of this trend with a few statistics in order to establish its relationship to the exercise of the apostolate and the practice of the common life.

1. *Departures*

Prior to the Second Vatican Council, departures of members with perpetual vows were rare and were often considered shameful, a sign of weakness, or infidelity to God's grace.³² Suddenly with the new thinking generated by the Council along with the emerging theology of religious life, those perceptions were no longer equally valid.³³ In the midst of the changes taking place in the Church, in religious life, and in society, people began to leave and they left in large numbers.³⁴

In Canada, departures from religious institutes of women reached their peak in 1972 when 823 professed members left their institutes. This number had been steadily climbing since 1968 when 361 departures were recorded;³⁵ it remained high until the mid-eighties

³² See J. H. FICHTER, "Vanishing Church Professionals", in L. FELKNOR, ed., *The 'Crisis' in Religious Vocations: An Inside View*, [= *The Crisis*], New York, Paulist Press, [1989], pp. 100-103.

³³ The conciliar teachings regarding the universal call to holiness, the role of the laity, the Church as the People of God, the highlighting of the importance of the christian community, the removal of the emphasis on religious life as a higher state, all of these were ideas that caught hold among religious. The writings of the day by J.-M.-R. Tillard and Cardinal Leo J. Suenens' *Nun in the World* were current fare in many institutes. See S. SCHNEIDERS, *New Wineskins: Re-imagining Religious Life Today*, [= *New Wineskins*], Ramsey, Paulist Press, 1986, pp. 23-28, for a brief analysis of the impact of conciliar teachings on religious life.

³⁴ E. WOODWARD, *Poets, Prophets and Pragmatists: A New Challenge to Religious Life*, [= *Poets, Prophets and Pragmatists*], Notre Dame, Ave Maria Press, [1987], p. 16; O'MURCHU, *Religious Life*, p. 136.

³⁵ CANADIAN RELIGIOUS CONFERENCE, *Statistics of Religious Congregations of Canada*, 1991, Ottawa, Canadian Religious Conference, p. 28. Since 1972, the Conference has usually published biennial statistical information on religious institutes in the country. Henceforth these will

where it hovered around 100 for a few years. However since 1989 inclusively, it has once again increased.³⁶

2. *Few Candidates*

As departures increased, the arrival of candidates decreased. In a ten-year period, from 1962 to 1972, the total number of postulants and novices in Canada fell from 1,280 to 273.³⁷ There are also a significant number of institutes in the country that have received no new members for several years.³⁸ It is a trend that shows no sign of reversal.

Although the decrease of new members was particularly noticeable in the 1970s, it had been observed earlier. In 1965, the Women's Section of the Canadian Religious Conference conducted a study to ascertain the state of religious institutes of women in the country at that time. One area under examination was that of numerical growth since 1940. Although the results of the survey indicated an increase in total numbers of women religious — from 43,994 in 1940 to 61,885 in 1965 — the rate of increase had diminished. This

be cited as: *CRC Statistics — year*. See also, *Statistics of the Institutes of Consecrated Life and of the Societies of Apostolic Life of Canada*, 1993, Ottawa, Canadian Religious Conference, 130p.

³⁶ It is important to remember that although these latter numbers are low in comparison with those of the late sixties and early seventies, the total number of women religious is significantly reduced as well. See Appendix G for tables showing the decline of membership in institutes of women religious in Canada since 1962.

³⁷ *CRC Statistics — 1991*, p. 28. Although from about 1977 to 1987, a slight increase was felt, since then the numbers have corresponded fairly closely to those of 1972-76. See Appendix G for comparative tables of departures, entrances, deaths and total numbers of women religious.

³⁸ According to a study undertaken by the CRC in 1991, 14 institutes of women religious out of a total of 146 had received no candidates since 1980; for a few (11) the time extended back to the end of the fifties. See M. GALLAGHER, *Candidates to Religious Congregations 1981-1990: Statistics*, Ottawa, Canadian Religious Conference, 1991, p. [1].

decrease was even more apparent when compared to the catholic and feminine population of the country.³⁹

The authors of the study offer the following as part of their conclusion:

We know that for Institutes of religious women the problem of the hour is that of the falling off in recruitment. ... Our studies show very clearly that this is a real problem, and one that is much more serious than it might seem at first glance, since this vocation crisis has, for immediate corollary, the accelerated aging of the present personnel.⁴⁰

3. *Aging Members*

Members of religious institutes do not need statistical proof that their members are aging; however, the numbers do underline that reality. If the sociologists who undertook the 1965 survey could state that "Canadian religious represent a fairly aged population" when the average age in the returns was 47.8 years,⁴¹ what would be their reaction to the CRC 1991 statistics which indicate that 36.3% are over 75 years of age and 26.7% are between 65 and 74. A related statistic is the increasing number of women religious no longer engaged in external ministry: approximately 50% are either completely retired or involved in internal ministries; just under 20% are semi-retired.⁴²

³⁹ M. A. LESSARD and J. P. MONTMINY, "The Census of Religious Sisters of Canada", [= "Census"], in CANADIAN RELIGIOUS CONFERENCE, *Universal Call to Holiness and Religious Vocations*, Donum Dei 11, Ottawa, Canadian Religious Conference, 1966, pp. 344-348, 358.

⁴⁰ LESSARD and MONTMINY, "Census", p. 379.

⁴¹ LESSARD and MONTMINY, "Census", p. 315.

⁴² CRC *Statistics* — 93, p. 37. See Appendix H for a breakdown of ages and principal ministry involvements.

Closely linked with the aging factor is the number of deaths each year which far surpasses the number of candidates entering annually. In institutes where a high proportion of the members are in their eighties and nineties, it is obvious that in a very few years their membership will be decimated.

However the decline of membership is analysed and regardless of the rationale proposed for its occurrence, it is indeed a firmly established trend which will not be reversed in the near future. Its effect on the fidelity of institutes to their apostolic nature and on the practice of the common life is far from negligible.

II. RENEWAL — IMPLICATIONS FOR APOSTOLIC INSTITUTES

Although some order must be adopted to describe the changes which took place in religious institutes after the Council, experience tells us that life does not unfold in neat and tidy patterns. Therefore, it is difficult to chart the process of adaptation and renewal by referring to specific dates, or by stating categorically when one phase ended and another began. Generally there was an intertwining of events and endeavours which blurred distinctions between beginnings and endings, between causes and effects. For institutes of women, however, it is perhaps possible to identify the study and appropriation of their charism or patrimony as one of the most significant efforts at renewal during the immediate post-conciliar period. In relationship to the apostolic nature of these institutes, that work was paramount.

A. *Understanding of the Nature of Integrally Apostolic Institutes*

Certainly, apostolic institutes were not an invention of the Second Vatican Council. Many trace their roots back several hundred years,⁴³ yet their particular apostolic focus had frequently remained secondary to that of personal holiness and was so expressed in their proper law.⁴⁴ *Perfectae caritatis*, no. 8b, had challenged that dichotomy by stating that in those institutes "apostolic and charitable activity is of the very nature of religious life" and that "the entire religious life of the members should be imbued with an apostolic spirit, and all their apostolic activity with a religious spirit."⁴⁵ Section 8 laid the foundation for the adaptation of existing practices incongruent with that nature,⁴⁶ but that paragraph had not appeared in a vacuum. Other conciliar teachings and discussions around Church, the mission of the Church, and the mission of Jesus were also important. Indeed, it has been stated that "the environmental change that had the greatest impact on the promotion of the

⁴³ Angela Merici and Ignatius Loyola in the sixteenth century, Mary Ward, Louise de Marillac and Vincent de Paul in the seventeenth.

⁴⁴ See A. BATTANDIER, *Guide canonique pour les constitutions des instituts à vœux simples*, 5e éd., Paris, Lecoffre, 1911, pp. 4-8, where the aim of the institute is said to be the full possession of charity and the pursuit of perfection. I. LANSLOTS also uses similar language and distinguishes between the primary aim — the pursuit of charity and perfection, and the secondary aim, the works proper to the institute, in *Handbook of Canon Law for Congregations of Women Under Simple Vows*, 9th ed., New York, Pustet, 1920, pp. 33-34. For a commentary on the effects of this dichotomy, see J.-M.-R. TILLARD, *Devant Dieu et pour le monde: le projet des religieux*, Paris, Cerf, 1974, pp. 84-88.

⁴⁵ *PC*, No. 8b, in *AAS*, p. 706: "In istis institutis, ad ipsam naturam vitae religiosae pertinet actio apostolica et benefica utpote sanctum ministerium et opus caritatis proprium ... Proinde tota vita religiosa sodalium spiritu apostolico imbuatur, tota vero actio apostolica religioso spiritu informetur"; FLANNERY I, pp. 615-616.

⁴⁶ This section led religious to examine not only external practices but also the deeper aspects of their lives such as the common life.

transformation process [in religious life] was the new understandings of the church proclaimed during Vatican II ..."⁴⁷

The theology of religious life which has emerged since the Council supports this thinking.⁴⁸ One author, referring specifically to *PC* 8, points out that

[m]ission is an essential constitutive element of apostolic religious life. Given the fact of religious consecration by God, mission expressed through apostolic ministry is the most specific integrating and unifying element among the essential elements of apostolic religious life.⁴⁹

It soon became obvious that if the mission of the Church (or the mission of Jesus) is the priority of apostolic religious, all of life — including the common life — would be affected by their commitment to that mission.⁵⁰

When women religious of apostolic institutes seriously began probing their foundation, the inspiration and vision of their founder, and their history, they frequently found that this vision and inspiration were much more universal and all-encompassing than mere

⁴⁷ D. NYGREN and M. UKERITIS, "Future of Religious Orders in the United States", [= "FORUS"] in *Origins*, 22 (1992-93), p. 260.

⁴⁸ In M. P. EWEN, S. VALLEJO, and P. MOLINARI, "Theological Reflections on Apostolic Religious Life", in *Review for Religious*, 43 (1984), pp. 3-25, the "intrinsic union and profound reciprocity between religious life and mission" is stressed, p. 13. The authors also point out that when apostolic religious life appeared, it tended to be reduced to what was "already in existence", that is the monastic form, p. 13.

⁴⁹ M. M. JOHANNING, "Mission, A Constitutive Element of Apostolic Life", in *UISG Bulletin, Special Supplement*, 62 (1964), p. 55.

⁵⁰ S. KENEL, "Challenges Facing Active Religious Today", in *Review for Religious*, 49 (1990), p. 13. See also G. ASCHENBRENNER, "Active and Monastic: Two Apostolic Lifestyles", [= "Active and Monastic"], in *Review for Religious*, 45 (1986), pp. 653-668. Both authors raise questions and present challenges.

works.⁵¹ Gradually, religious began to see their apostolate, not only in the sense of specific "works", but as a part of the mission of the Church, the mission of Jesus.⁵² In these institutes, the apostolate began to be viewed as "centrifugal" rather than as "centripetal".⁵³ Many institutes attempted to express their identity according to their charism and patrimony as certain canonists and theologians had encouraged them to do.⁵⁴

B. *Efforts to Respond to New Needs*

Although in the realm of the apostolate, some changes related to missioning, institutions, and individualized ministry occurred early in the period of adaptation, and perhaps somewhat haphazardly, the focus on participation in the mission of the Church and the appropriation of the charism caused many institutes to consider new needs and

⁵¹ Several institutes, for example, discovered that the teaching, nursing, or social service undertaken by the founder or the first members had focused on the poor, or a particular group rejected by society.

⁵² SCHNEIDERS, *New Wineskins*, pp. 88-89.

⁵³ R. L. FARICY, in "Jesuit Community: Community of Prayer", [= "Jesuit Community"], in *Studies in the Spirituality of Jesuits*, 8 (1976), p. 122, compares the apostolate of monastic institutes to that of "properly apostolic communities" by describing the first as "centripetal", that is, the monastery gathers people to it as a centre. The second is seen as "centrifugal" as the members "radiate out into the world." Although this author is speaking of the Society of Jesus, his concept can be extended to other institutes that consider themselves "properly apostolic".

⁵⁴ See MORRISEY, "The Apostolate of Religious", pp. 383-384 and ASCHENBRENNER, "Active and Monastic", pp. 660-667. The 1977 Schema of the Code of Canon Law had attempted to establish a typology of religious institutes, see cc. 93-118. This had been rejected but vestiges of that typology appear in the CIC/83, for example in cc. 577, 674, and 675. Opinions on the typology and its rejection vary. See G. GHIRLANDA, "La tipologia degli istituti di vita consacrata dal Concilio al nuovo Codice", in *Vita consacrata*, 21 (1985), pp. 210-227; J. BEYER, *Du concile au Code de droit canonique: la mise en application de Vatican II*, Paris, Tardy, 1985, pp. 77-84, "Le deuxième projet de droit pour la vie consacrée" in *Studia canonica*, 15 (1981), pp. 88-89, 107-108, 124-129, "Vie consacrée et vie religieuse de Vatican II au Code de Droit canonique", in *Nouvelle revue théologique*, 110 (1988), pp. 93-96.

demands.⁵⁵ The "centrifugal" aspect of the apostolate became more widespread. When "works" were assumed by the state and social restrictions on women's involvement began to disappear, women religious discovered new opportunities for service. They became convinced that the apostolate was an expression of their consecration to God, and that the precise form of ministry was quite accidental.⁵⁶

The realization in some institutes that the traditional works of education, health care, and social service had sprung out of a broader vision also prompted chapters, councils, and individual members to re-evaluate apostolic involvements. It is interesting to note that although those three areas of ministry seemed, at the time of the Council, to be well established as the traditional apostolate of women religious, in the long view, that practice was relatively short. J. W. Padberg points out that this tradition was "only a century and a half old"; he also reminds us that "in our own day other external apostolates may be just as important, even if they are new for us now, as nursing and teaching were new then."⁵⁷ In other words, there is but one mission in the Church: the mission of Jesus. Ministries, however, are numerous, "fluctuating and contingent" and

[t]he Church is free within very broad limits set by the gospel and tradition to devise forms of ministry which perpetuate for new generations the

⁵⁵ The decline in membership was also a factor in the abandoning of traditional ministries.

⁵⁶ LINSKOTT, "The Religious Woman", pp. 60-62. See also W. BRODERICK, "One Mission: Many Ministries", ["One Mission"], in *The Way Supplement*, 53 (1985), pp. 41-44.

⁵⁷ J. W. PADBERG, "Understanding a Tradition of Religious Life", [= "Understanding a Tradition"], in G. A. ARBUCKLE and D. L. FLEMING, ed., *Religious Life: Rebirth Through Conversion*, [= *Rebirth*], New York, Alba House, [1990], pp. 14-15.

apostolic witness in preaching, teaching, charity and ways of sanctifying life, forms of ministry appropriate for each new age and culture.⁵⁸

Two trends began to emerge from the institutes' return to their own sources: a deeper understanding of working with the poor⁵⁹ and a seeking out of unmet needs as their founders had done. The result of those trends was a real "explosion of ministries".⁶⁰ Some institutes remained within their traditional works of education, health care, and social service. Others, relying on the vision of their founder, expanded the meaning of those works by engaging in what they saw as the "contemporary adaptations of [the ministries] for which their institutes were founded."⁶¹ Generally it was the option for the poor and the inspiration of the founder that influenced the choice of new ministries.

It was perhaps this same two-pronged rationale along with a deeper understanding of Church, of mission and of the Church's missionary activity that led so many religious institutes in this country to respond when Pope John XXIII called on them to assist their

⁵⁸ BRODERICK, "One Mission", p. 41.

⁵⁹ The fundamental option for the poor taken at the assemblies of Medellín (1968) and Puebla (1979) profoundly affected many religious institutes. See also MERKLE, *Committed by Choice*, pp. 149-150.

⁶⁰ BRODERICK, "One Mission", p. 41; the author relates this "explosion of ministries" to the cultural shift that was taking place.

⁶¹ S. EUART, "Transition Time Toward 21st Century", [= "Transition Time"], in *Origins*, 23 (1993-94), p. 773; the author provides examples of those adaptations: "efforts to address the needs of women, minorities, the marginalized and persons with AIDS; also housing ministry, ministry responsive to specific educational needs such as adult literacy and ministry with families and children." Similarly, W. BRODERICK, in "One Mission", p. 41, speaks of "new specialized ministries to marriage, social justice, the sick, the marginalized, the alienated, ministries of healing and teaching."

sisters and brothers in Latin America.⁶² Thus, institutes that had never been considered "missionary" answered that plea, independently or as part of a diocesan team.

Among the "new" ministries to emerge during that period were those within parishes and dioceses. In parishes, women religious were taking their place as administrators or associates, directors of liturgy and religious education, coordinators of sacramental preparation and adult education. Many others became involved on a more ad hoc basis or as members of parish committees. Similar changes were taking place on the diocesan level, as personnel in chanceries and marriage tribunals, and in chaplaincy service in hospitals, nursing homes, and universities.⁶³

In this same vein, it is interesting to note W. Broderick's analysis of the new ministries and particularly what he calls a "central ministry" that is, the experience generally referred to as spiritual direction. He describes it as

a ministry which seeks to facilitate the personal encounter of another human being with God. Its task is to help people experience God's action and respond to him. Personal encounter with the living God must be the central event and purpose of every christian life. Every other form of ministry must in some way be related to, and have this as, the ultimate aim, whether it be nursing the sick, teaching or organizing a campaign against nuclear weapons. Likewise the more people share in this experience of personal encounter with God the more effectively they will be able to carry out these other ministries.⁶⁴

⁶² *AAS*, 52 (1960), pp. 344-349; French translation in *DC*, 57 (1960), pp. 482-486; English excerpts in *TPS*, 6/3 (1960), pp. 283-284.

⁶³ According to *CRC Statistics* — 73, in 1971-72, 2.5% of women religious were involved in ministry at the diocesan or parish level; in 1991-92, it was 9%, *CRC Statistics* — 93. See Appendix G for a comparison of the ministries of women religious during that time.

⁶⁴ BRODERICK, "One Mission", pp. 41-42.

He then speaks of the expansion of this particular ministry — the large number of people seeking spiritual direction⁶⁵ and the corresponding increase of persons qualified to offer that service, particularly women religious and lay persons. He contends that this expansion is linked to a "cultural shift", that is, to the

breakdown of institutional faith and often of community itself... [this] breakdown of institutional faith leads to a greater need of a personal faith, to one's discovery of God and the gospel. ... We have moved from a culture of obedience and intellectualism into a culture of experience and personal appropriation.⁶⁶

Whether one agrees with that author's assessment or not, it cannot be denied that many women religious are involved in this ministry as directors, either formally in spirituality centres and as members of retreat teams, or informally through their various contacts in chaplaincy service, as parish workers, or indeed as friends and co-workers in the more secular arena.⁶⁷

The last thirty years have certainly seen a proliferation of ministries. S. Euart states that "[t]oday men and women religious are involved in far more ministries than they were 30

⁶⁵ The growth in the number of persons seeking such guidance certainly cannot be denied, and this phenomenon is not restricted to the catholic population.

⁶⁶ BRODERICK, "One Mission", p. 42.

⁶⁷ It is also important to note the emergence and growth of the personally directed retreats usually seen as springing from an Ignatian spirituality and the Spiritual Exercises. In "The Retreat-givers: Spiritual Adventurers", in *The Tablet*, 247 (1993), pp. 1066-1067, M. HEBBLETHWAITE, attributes the birth of this particular retreat movement to Jesuits Gerry W. Hughes and Michael Evens at St. Beuno's in Wales, and to John English and John Veltri in Guelph, Ontario. She also refers to the latter's work, as well as that of Gilles Cusson in Quebec, in relation to the "Nineteenth Annotation" — the Exercises spread over a year from October to May. Women religious have been active in both movements.

years ago — when Vatican II concluded."⁶⁸ However, this growth has not been without difficulty and, on the whole, today's institutes find themselves facing a diversity of ministries that many find threatening.

C. *Diversity and Corporateness*

The most obvious outcome of the efforts at adaptation and renewal for apostolic institutes was a marked growth in the number and diversity of ministries within many institutes as well as what one writer has named "open-placement".⁶⁹ Closely linked to those two trends was a decline in the corporate or institutional ministries of the institute.

One of the principal questions facing many institutes today is that of diversity: how much can a group tolerate and still retain its unity and identity?⁷⁰ Another concern is that of corporateness — corporate witness as it is frequently expressed: how does an institute manifest a corporate witness when it no longer has its own works? When a significant number of members are engaged in the public sector, how does such an institute define, preserve, and live its identity, as well as manifest it to others?⁷¹ The two issues are radically connected.

⁶⁸ EUART, "Transition Time", p. 773.

⁶⁹ McDONOUGH, "Quo vadis?" p. 108.

⁷⁰ In the history of certain institutes where there has been a split, was it not, at times, because of the impossibility of accepting a different lifestyle or ministry which, in the eyes of some, would destroy the unity or identity of the institute?

⁷¹ This last question is one that is considered in RENWART, "La vie religieuse active", pp. 15-21. See also J.-M.-R. TILLARD, *Dans le monde, pas du monde: la 'vie religieuse apostolique'*, Bruxelles, Lumen Vitae, [1981], pp. [87]-111.

Diversity or pluralism is not an entirely new phenomenon but it is perhaps more apparent at the present time because of our technological society.⁷² The basic unifying factor in the midst of diversity is the charism.⁷³ In their exploration of that aspect of their lives, institutes have been obliged to determine whether or not the charism of the founder is still viable in this day and age. In some cases, this has required a certain amount of interpretation and comparison of cultural and historical conditions.

Apostolic institutes that have recognized themselves as such,⁷⁴ and that have relinquished institutions or have moved away from many of their traditional "works" need to identify what is called in French *le projet commun*, or a common thrust which will express their charism. This is not to be confused with common tasks or works.⁷⁵ J. A. Merkle in speaking of charism makes the following point:

Many religious today sense that a new corporateness is needed to translate the vision of their charism into some visible form. They know this form cannot simply be a new uniformity in ministry. Charism cannot be reduced to only one concrete expression. On the other hand, charism withers without a visible life style to embody it. The paradox of charism is that it is not just a vision but a life that takes visible form.⁷⁶

⁷² WOODWARD, in *Poets, Prophets and Pragmatists*, names this second period since the Council as "the phase of pluralism-awareness" in the history of religious institutes, p. 16. She analyses the qualities and challenges of this phenomenon and its existence in the Church, pp. 16-23. The term "pluriformity" has also been used in a similar sense. See SCRIS, "Unity and Pluriformity in Religious Institutes", in *CLD*, 8, pp. 304-309.

⁷³ RENWART, "La vie religieuse active", "...le charism, l'appel adressé à un fondateur, est toujours principe d'unité dans la diversité", p. 18. See MERKLE, *Committed by Choice*, "Charism gives religious congregations their basic identity", p. 146.

⁷⁴ *PC*, nos. 8b and 8c; cc. 578 and 675.

⁷⁵ Some institutes have never had their own works but have always had a common focus or thrust — a *projet commun* or a *tâche commune*. See RENWART, "La vie religieuse active", p. 21, n. 12.

⁷⁶ MERKLE, *Committed by Choice*, p. 150.

Each institute must come to terms with its own uniqueness, as intangible as that may seem, and in this way manifest to our world that particular facet of the mystery of Christ⁷⁷ proper to that institute.

Certainly, in terms of ministry, apostolic institutes of women present a very different picture from that of thirty years ago. Those very same trends — the understanding of the apostolic nature of their institutes, the attempts to meet new needs, and the growing diversity — have contributed in large part to the shift in the understanding of the common life. No doubt many religious may still be reluctant to name that development “renewal”.

III. RENEWAL — IMPLICATIONS FOR THE COMMON LIFE OR LIFE IN COMMUNITY

Although it seems fairly evident that the understanding of the apostolic nature of religious institutes and its appropriation by the members has been one of the most significant factors in the shift in both the interpretation and practice of the common life or life in community, one cannot entirely discount the initial adaptations of the immediate post-conciliar years.⁷⁸ These changes were numerous, far-reaching, highly visible and could be classified under the general heading: “elimination of obsolete and irrelevant monastic practices”. However, many of those practices or customs⁷⁹ governed the living of the common life or life

⁷⁷ RENWART, “La vie religieuse active”, p. 16.

⁷⁸ WOODWARD, *Poets, Prophets and Pragmatists*, pp. 15-16, refers to this immediate post-conciliar period as “the de-institutionalization phase”, and she points out that generally the “significance” of this movement was not immediately seen for what it was: “a change in worldview ... a reflection of a changed ecclesiology, the death of post-Tridentine garrison Catholicism.”

⁷⁹ Most institutes had books, “customaries” or “*coutumiers*”, outlining in minute detail how the members were to conduct themselves privately and publicly. Generally these books covered all aspects

in community, particularly in its external manifestations. Setting them aside, therefore, had widespread repercussions on the lifestyle of the various institutes and even of different houses⁸⁰ within an institute. The most important adaptation was the movement away from uniformity and externalism which manifested itself primarily in the simplification of local structures and the abolition of the general rule of silence.

A. *Shift from Uniformity and Externalism*

Prior to Vatican II, religious institutes generally took a certain amount of pride in what they saw as their unity or "oneness".⁸¹ The criterion was relatively simple: no matter where one went in the world, life in a house of a particular institute, where all the members lived under the same roof, was almost identical to what had been left behind. This was usually most apparent in the habit, but it also affected the horarium, prayer life, customs, and the ways members related to each other and to society.⁸² In many cases this unity was in reality mere uniformity based on externals.

Closely linked to the uniform lifestyle was the rule of silence, a legacy of monasticism and the law of enclosure. In most institutes, except for specific times of "recreation", silence

of the life together and assured the smooth functioning of the house.

⁸⁰ The term "house" is used here in the usual meaning of the word — a dwelling, not in the canonical sense.

⁸¹ A similar attitude was present in the Church. The Mass was the same all over the world and this was re-inforced by the use of Latin, by prescribed symbols and structures.

⁸² It would have taken an extremely courageous superior to have modified any of these practices to suit better the circumstances of a particular unit. There were some, however, who placed the welfare of the members above what they perceived to be non-essentials, and made concessions because of the situation and culture in which they were living.

prevailed.⁸³ Permission was often required to communicate with another member outside of regular recreation periods. The "quality" or type of communication was regulated as well. One did not speak of "personal" issues: feelings, likes, dislikes, family, or life prior to entrance; one did not cultivate a relationship with a specific person; novices and newly professed, for the most part, did not speak to senior professed without explicit permission. As well, women religious did not freely associate with family, nor with secular friends or co-workers.⁸⁴

At the time of the Council, this reality of uniformity and silence had been the practice for as long as most religious could remember. With the first winds of adaptation following the chapters of renewal, much of this changed — in some cases almost overnight. Rigid schedules disappeared and the importance of communication was highlighted. Members who had been allowed little freedom of choice in their personal lives⁸⁵ were suddenly expected to take responsibility for their prayer life, for buying their own clothing, for their health, rest, and recreation, even for further study and ministry involvement.⁸⁶ Religious

⁸³ Most religious kept silence at meals, at work, and, in some institutes, even at vacation houses and while travelling.

⁸⁴ This was not necessarily so for men religious. Thus many families experienced the following incongruity: the male lay or clerical religious uncle, brother or son could stay at home during a visit. However if the aunt, sister or daughter were indeed allowed "home-visits", generally families were obliged to go to the local convent to see her. Usually there were restrictions on her sleeping at home, and frequently on eating with her family; there was also the requirement of a companion. See J.-M.-R. TILLARD, "Vingt ans de grâce ou de disgrâce", in *Vie consacrée*, 58 (1986), pp. 334-335.

⁸⁵ The distinction regarding decisions in one's personal life is important as many women religious held important decision-making positions both in the institute and in its institutions. See M. DANYLEWYCZ, *Taking the Veil: An Alternative to Marriage, Motherhood, and Spinsterhood in Quebec, 1840-1920*, [Toronto], McClelland & Stewart, [1987], pp. 97-109.

⁸⁶ SISTERS OF CHARITY OF ST. VINCENT DE PAUL, *Covenant of Renewal: Interim Constitutions*, Halifax, Mount Saint Vincent, 1969, p. 20, "Accepting, then, this uniqueness of the

who, for years, had been cautioned against relationships and indiscretion, against voicing personal opinions and feelings, were being urged to communicate at a deep level. E.

Woodward expresses it well:

People who had hitherto been dependent, and who had even been rewarded for their dependency, were now asked to engage in personal and communal discernment, to substitute accountability for blind obedience, and **to cease to equate uniformity with unity**. Affectivity began to be recognized as a respectable dimension of human existence and celibate living. Relationality began to be extolled to people who had never received any training in it.⁸⁷

The picture of the local unit quickly changed. The visible underpinnings that had maintained a uniform lifestyle ceased to exist. Hesitantly and not without some mistakes, religious began to look for more meaningful signs of identity and belonging. The transition from the "common life", mainly expressed in the holding of material goods in common, in uniform schedules, clothing, and deportment, to a sense of "community and unity" was under way.

person and the corresponding responsibility to others which such acceptance implies, each sister in her personal life is free to make those decisions which would be left to the judgment of a mature Christian woman. In the exercise of this freedom, she is always conscious of her responsibility to the commitment she has freely made to the Church through her profession as a Sister of Charity."

⁸⁷ WOODWARD, *Poets, Prophets and Pragmatists*, p. 16; emphasis added. Regarding the author's last sentence, one must remember that frequently women had entered religious life in their teens and did not always relate to others as adults on an equal footing. They had simply gone from being a child or a pupil to being a postulant or novice without experiencing much independence or self-autonomy. On this point, see SCHNEIDERS, *New Wineskins*, p. 247.

B. *From the Common Life to Community and Unity*

It is unrealistic to think that all external signs of a life in common could or would be set aside.⁸⁸ However, at all levels, and particularly at the local one, existing structures and practices were questioned.⁸⁹

1. *Influences*

Religious were subjected to a number of influences at this time. Certainly there were the teachings of the Council. However, with the new freedom as regards reading material and social contacts, women religious were suddenly faced with a plethora of information: religious and secular. The influence of this available knowledge is difficult to assess. However, in relation to the movement from the "common life" characterized mainly by the emphasis on uniformity, dependency, and material goods, to a renewed sense of "community" and "unity", the following are pertinent. They are: certain theological insights regarding community, the focus on mission, and indirectly for many, the Ignatian spirituality and charism.

⁸⁸ Some aspects of the "common life" had more to do with the vow of poverty than with "community"; others were seen as necessary for the good functioning of a house of several people and not as matter for the vow of obedience. Although many of these were retained, usually that was done after much consideration and discussion.

⁸⁹ The questioning was not confined to the common life. It touched all aspects of life: prayer, vows, governance, authority, and it did so more or less simultaneously. See CADA, *Shaping the Coming Age*, pp. 85-88, for the evolution of the questioning or the nature of the "doubts" that arise in such situations. They are described as "operational", "ideological", "ethical", and "absolute".

a. *Theological Insights*

Although it is not within the scope of this paper to enter into a detailed analysis of the various theologies of religious life⁹⁰ which appeared at this time, it may be helpful to highlight certain ideas regarding "community" which captured the imagination and hearts of religious. Both *Perfectae caritatis* and chapter six of *Lumen gentium* stressed the element of consecration. Perhaps one can interpret the emphasis on call, on discipleship or the following of Jesus, as a more tangible way for the ordinary religious to understand this particular element. Other theological commentaries on "community" include its trinitarian basis⁹¹ and its link with the vow of consecrated celibacy.⁹² However, their effects on the thinking of religious do not seem to have been as pervasive as the former.

That the concept of religious life as a following of Christ should come to the fore at this time is not surprising, as the conciliar teachings had encouraged a "return to the sources

⁹⁰ A perusal of the tables of contents of periodicals on religious life in those years reveals very clearly the main concerns in the minds of both readers and writers. A chronological reading readily indicates how certain topics quickly surfaced and disappeared, while others perdured, or reappeared more forcefully at a later time.

⁹¹ Few writers picked up that theme in the 1970s, see J. MARKEY, "Towards a Trinitarian Model of Religious Life", in *Review for Religious*, 49 (1990), pp. 22-35; L. S. FIORELLI, "Trinity and Community", in *Review for Religious*, 38 (1979), pp. 201-205; T. DUBAY, *Caring: A Biblical Theology of Community*, Denville, Dimension Books, [1973], pp. 84-90. More recent probing of this aspect include L. BOFF, *Trinity and Society*, Maryknoll, Orbis, [1988], pp. 123-237; R. P. MALONEY, *The Way of Vincent de Paul: A Contemporary Spirituality in the Service of the Poor*, [= *Way of Vincent de Paul*], [New Rochelle], New City Press, [1992], p. 131.

⁹² In particular, see the work of T. MATURA on this topic: *Célibat et communauté: les fondements évangéliques de la vie religieuse*, Paris, Cerf, 1968, 127p., translated into English as *Celibacy and Community: The Gospel Foundations for Religious Life*, by P. Oigny, Chicago, Franciscan Herald, [1968], xi, 95p. Others make similar connections: V. CODINA and N. ZEVALLOS, *Vida religiosa: Historia y teología*, Madrid, Paulinas, [1987], pp. 153-154; SCHNEIDERS, *New Wineskins*, pp. 91-92, 255-263; O'MURCHU, *Religious Life*, Chapter 9, "Community and Intimacy (Celibacy)", especially pp. 135-136, 141.

of the whole of the Christian life", and stated that "the final norm of the religious life is the following of Christ as it is put before us in the Gospel".⁹³ J. Lozano affirms that

throughout history, in their attempts at self-understanding, religious communities have almost constantly harked back to the model of the apostolic Church of Jerusalem and, much more rarely, to the prophetic group made up of Jesus and his men and women disciples.⁹⁴

Thus that particular group, and more specifically, its centre, its unifying force — the person of Jesus, became the focus of much theological writing on religious life during that post-conciliar era.⁹⁵ Different expressions were used. For J.-M.-R. Tillard, religious are "captivated either by the person of Jesus or by his message."⁹⁶ P. G. van Breemen speaks of a person's "being fascinated by Christ."⁹⁷

The concept of discipleship was an attractive one for many despite its difficulties and its cost. If the basis of religious life is a relationship with Christ, that of discipleship, then its logical consequence would be a community of disciples, with Jesus as "their living bond ... the one source of their unity."⁹⁸ However, the conscious translation of this insight into

⁹³ PC, no. 2, in AAS, p. 703; FLANNERY I, p. 612.

⁹⁴ J. LOZANO, *Life as a Parable: Reinterpreting the Religious Life*, [= *Parable*], New York, Paulist Press, [1986], p. 135; J.-M.-R. TILLARD, describes this same group in *Religieux, un chemin d'évangile*, [= *Un chemin d'évangile*], Bruxelles, Lumen vitae, 1975, pp. 20-22., translated into English as *The Gospel Path*, by O. Prendergast, pp. 21-23. See also P. MOLINARI, "Community in Christ", in *The Way Supplement*, 19 (1973), pp. 66-67.

⁹⁵ At the same time, traditional meditation books were being replaced by bibles and religious were encouraged to use the scriptures for reading and prayer, particularly the Gospels.

⁹⁶ TILLARD, *The Gospel Path*, p. 22; "...ils ont été saisis soit par la personne de Jesus soit par son message ...", *Un chemin d'évangile*, p. 20.

⁹⁷ P. G. van BREEMEN, *Called by Name*, Denville, Dimension Books, [1976], p. 244.

⁹⁸ P. MOLINARI, "Community: Communion in Christ", [= "Communion in Christ"], in *The Way Supplement*, 13 (1971), p. 40.

practice has not been easy: generally it has been superseded by a sense of mission and a concern for ministry.

b. *Focus on Mission*

If the awareness of apostolic religious regarding the true identity of their institutes was raised by the emphasis on mission and the understanding that "apostolic and charitable activity is of the very nature of religious life",⁹⁹ that dual focus also had a significant effect on the meaning of the "common life" or "community" in those same institutes.

In shedding their outmoded structures and in attempting to create relevant new ones, members of apostolic institutes frequently voiced the following question: is it community that governs the apostolate, or the apostolate that dictates community life, in particular its structures? J.-M. van Parys raises that same question and immediately provides an answer. He indicates that if a religious family is founded in view of some apostolic work, then it is indeed this apostolate that should determine community structures. He adds that when religious institutes abandon this fundamental logic, communities have no meaning and the apostolate suffers.¹⁰⁰

⁹⁹ PC, no. 8b, in AAS, p. 706; FLANNERY I, p. 615.

¹⁰⁰ J.-M. van PARYS, in "Communautés religieuses et fidélités apostoliques", in *Vie consacrée*, 63 (1991), p. 386, begins by asking: "Dans une congrégation religieuse de vie apostolique, la communauté a-t-elle un autre sens que de favoriser l'action apostolique? Est-ce la communauté qui commande la forme de l'apostolat, ou les nécessités de l'apostolat qui commandent la forme de la communauté? Si une famille religieuse s'est constituée en vue du travail apostolique, voire d'un travail dans un secteur apostolique déterminé, c'est bien sûr l'apostolat qui commande la forme de la communauté. A partir du moment où l'on se départirait de cette logique fondamentale, on conduirait des communautés au non-sens, et on entraverait l'apostolat par cela même qui a pour fonction et pour sens de le favoriser."

His answer is not new. Since the end of the Council and since the publication of the *CIC/83*, many theologians and canonists have expressed similar responses. At the end of the 1960s, L. Örsy was already distinguishing between the "common life", which he saw as more in conformity with the monastic and enclosed life, and the "community" or "unity" deriving from the "union of minds and hearts" and the "common mission in the Church", that is, the charism given to the founder. For him,

[t]he essential element in all religious communities, old and new, is the union of minds and hearts, the identical charisms that all members share, and the common purpose that the community pursues. This internal element is what shapes a loose group of persons into a community. Beyond any difference in space and time, it binds together different individuals who are occupied in various works, but have the same mind and heart, the same purpose.¹⁰¹

As time went on, and more and more institutes, through the study of their charism, were able to identify themselves as "integrally apostolic", they also grew in the conviction that this identity had to affect their whole life,¹⁰² including their concept and practice of the "common life" or "community". As well, they grew to trust their own experience which confirmed the truth of advice such as the following.

In the more integrally apostolic institute, the apostolate is the focal point of the community, and the various expressions of community living take a more secondary place. Again, in integrally apostolic institutes, the apostolate is often carried out on a more individual basis depending on the talents and gifts of particular members. It is very important for the members' peace of mind to know what is expected of them in matters of apostolic

¹⁰¹ See L. ÖRSY, *Open to the Spirit: Religious Life After Vatican II*, Washington, Corpus, [1968], pp. 36-37. Although "the essential", this "internal unity ... the soul of a community" must be expressed in some external fashion, he points out that this external expression can vary. He affirms that "[t]he accidental element is the external togetherness which, to some extent is necessary but which, in itself, does not make a group into community. When we speak about the 'common life' of religious, we should primarily intend this common mind and heart, not uniformity in timetables and daily life."

¹⁰² See ASCHENBRENNER, "Active and Monastic", pp. 660-667.

involvement. Otherwise, they are often torn between community life and apostolic commitment.¹⁰³

In this matter as in so many others, the influence of Ignatius of Loyola and the Society of Jesus cannot be ignored.

c. *Ignatian Sources*

In one way it was natural for apostolic institutes of women religious to look to the Society of Jesus and to their rereading of the Ignatian spirit and charism, since Ignatius was one of the first "successful" founders of such institutes. However, other factors entered into this particular development.¹⁰⁴

Two aspects of the Ignatian heritage were especially significant: the single apostolic aim of the Society¹⁰⁵ and the concept of "community". For institutes that had been obliged to describe their aim in terms of primary and secondary, with the apostolate as secondary, an awareness of the Ignatian single aim was a source of encouragement in formulating their own purpose and charism. It is the second, Ignatius's concept of community, that is more relevant here, particularly for institutes that saw themselves as possessing a broad charism.

¹⁰³ MORRISEY, "The Apostolate of Religious", p. 385.

¹⁰⁴ A number of institutes having based their constitutions on those of the Society claim an Ignatian spirituality and charism, see "Des congrégations, instituts et communautés de spiritualité ignatienne", in *Cahiers de spiritualité ignatienne*, 15 (1991), pp. 223-550. There were other influences: the directed retreat movement, the Spiritual Exercises and retreats based on that formula, Jesuit lectures and writings. See C. McCARTHY, "Apostolic Congregations of Women and the Ignatian Charism", in *The Way Supplement*, 20 (1973), pp. 10-18.

¹⁰⁵ See F. COUREL, "La fin unique de la Compagnie de Jésus", in *Archivum historicum Societatis Jesu*, 35 (1966), pp. 186-211, translated into English and abridged as "The Single Aim of the Apostolic Institute", in *The Way Supplement*, 14 (1971), pp. 46-61.

J. C. Futrell unites the "single aim" concept and that of "community". He states: "...the end of the Company of Jesus as it was conceived by Ignatius of Loyola can be expressed in its essence as *the service of Christ through the aid of souls in companionship*."¹⁰⁶

He also points out that

[s]ince the vocation of the companions is precisely to be dispersed throughout the whole world, ... the essential union which is the very existence of the Company could not be the physical union of members of a community living together...¹⁰⁷

Other writers address similar themes and make it clear that the "community" envisaged by Ignatius was above all "a community of brotherly love ... founded on a common apostolic life-ideal."¹⁰⁸ One speaks of this "maturing grace of companionship, directed as it entirely was to a clear apostolic ideal" as an "authentic 'apostolic community' ... a grace of 'community' that would be lived out in being dispersed on apostolic mission."¹⁰⁹ The most original description of the type of community proper to the Ignatian spirit is Jerónimo

¹⁰⁶ J. C. FUTRELL, *Making an Apostolic Community of Love: The Role of the Superior According to St. Ignatius of Loyola*, [= *Making an Apostolic Community*], St. Louis, The Institute of Jesuit Sources, 1970, p. 14.

¹⁰⁷ FUTRELL, *Making an Apostolic Community*, p. 41; he refers to the life of Francis Xavier as exemplifying the "profound reality of interior strength ... which a companion derives from his consciousness of being sustained by the true companionship of others — even though working alone and far away from them ...", p. 41.

¹⁰⁸ H. ALPHONSO, "The Origin and Meaning of Jesuit Apostolic Community", [= "Origin and Meaning"], in *Gregorianum*, 72 (1991), p. 358.

¹⁰⁹ ALPHONSO, "Origin and Meaning", p. 360. See also M. COSTA, "Notes autour de la 'communauté apostolique' dans la Compagnie de Jésus", in *Cahiers de spiritualité ignatienne*, 1 (1977), pp. [231]-253. The latter points out that the term "*communauté apostolique*", although prevalent in contemporary writings, was non-existent in Ignatius's writings and in the foundation documents. He notes that "*comunidad*" was found there four times: twice in reference to groups outside of the Society that were not part of consecrated life, and twice as a synonym of "congregation" or "religious order", p. [231].

Nadal's, a contemporary of Ignatius and, in a sense, his interpreter. Regarding the houses of the Society, he makes the following points:

It must be noted that in the Society there are different kinds of houses or dwellings. These are: the house of probation, the college, the professed house, and the journey — and by this last the whole world becomes our house. ...

There are missions, which are for the whole world, which is our house. Wherever there is need or greater utility for our ministries, there is our house.¹¹⁰

It is not within the purpose of this paper to analyze in detail the meaning of "community" according to Ignatius. However, apostolic institutes looking to that source in their search for the form of "community" appropriate to their nature, found there a confirmation of their intuitions and experience. Their findings helped clarify their own response to the question: is it community that governs the apostolate, or the apostolate that dictates community life, in particular its structures?

2. *Practice and Underlying Values*

Certainly life in apostolic institutes did not evolve in a neat and orderly fashion as members struggled with the transition from uniformity to unity, and from the "common life" to "community". It was not a matter of learning all the theory and then proceeding to the practice. Various attempts at implementing directives, theological insights, and chapter decisions were initiated at different times and with varying results. The most visible change

¹¹⁰ H. NADAL, *Commentarii de instituto S.I.*, vol. 5, edited by M. Nicolau, in *Epistolae et monumenta P. H. Nadal*, Romae, Monumenta Historica Societatis Iesu, 1962, pp. 54, 469-470, quoted and translated in J. W. O'MALLEY, "To Travel to Any Part of The World: Jerónimo Nadal and the Jesuit Vocation", in *Studies in the Spirituality of Jesuits*, 16/2 (1984), p. 6.

was the movement from large institutions to small houses, and consequently to a more human type of living, incorporating many newly embraced values, particularly communication.¹¹¹

a. *From Large Institutions to Small Houses*

Perhaps for many institutes, one of the main factors that contributed to this shift from living in large convents to residing in small houses was the relinquishing of institutions and the moving out to areas where these institutes had no houses or where there were no religious.

It is important to note that it is not merely the size of the building nor the number of residents that is significant in the definition of a "small house", but the lifestyle as well.¹¹²

Small group living has been described "qualitatively" as

a way of sharing life that is distinctly communal in decisions taken, house jobs to be done, and religious practice followed. It is an 'intentional' community in the sense that members explicitly agree that living together will have certain specific consequences relating to issues such as time spent together, procedures for making decisions, openness to each other, welcome to guests, and the like.¹¹³

¹¹¹ It should be noted that not all apostolic institutes of women implemented all of the practices that appear in this paper. A few institutes basically retained most of their former customs. Certain ones made specific changes but kept other traditional ways. For example, some institutes have never moved into small houses or groupings, at least not in the sense that the term is used here.

¹¹² In the beginning, generally the numbers averaged from four to ten. Frequently now, one can find groups of two or three, and few above six or seven. The proper law of some institutes does not allow for groupings of fewer than three.

¹¹³ P. HENRIOT, J. APPLEYARD, and J. L. KLEIN, "Living Together in Mission: A Symposium on Small Apostolic Communities", in *Studies in the Spirituality of Jesuits*, 12,2 (1980), p. 2. R. P. MALONEY, in *Way of Vincent de Paul*, refers to this type of 'intentional' community as "covenanted", p. 133.

In some cases, this move to small groupings paralleled shifts in ministry. In others, external factors came into play: buildings were condemned or reclaimed; timely sales were possible. However, for many, the desire for a better quality of life became the motivating factor, and large institutions, such as motherhouses, were divided into smaller units. Naturally, this effort has not always been successful.¹¹⁴ Some numerically small groups have never adopted the "qualitative" lifestyle described earlier and have continued to live institutionally. Others have settled in and have resisted any suggestion of change or the acceptance of new members. On the other hand, some small groups became "inserted" into a poorer or lower class milieu, where they could share more directly in the lives of those around them.¹¹⁵ Regardless of the "success" of this movement, one can say that generally this shift allowed members a freedom and an availability for mission that was completely in accord with their apostolic vocation.

b. *Quality of Life*

Regardless of the size of the house or the number of religious in a particular unit, the movement towards a "more human way" of living became fairly widespread. Whether

¹¹⁴ Cautions as well as directives were issued on this matter. See *ET*, pp. 518-519, Pope Paul's words in nos. 40 and 41 are still pertinent, *FLANNERY I*, pp. 698-699. See also SCRIS "Modification of Constitutions", 10 July 1972, in *CLD*, 7, p. 480; "A propos des petites communautés", in *Informations*, 1 (1975), pp. 147-152, trans. as "Regarding Small Communities", in *Consecrated Life*, 1 (1977), pp. 141-145; *CICLSAL, Fraternal Life in Community*, [= *Fraternal Life*], Rome, 1994, no. 64, pp. 56-59.

¹¹⁵ This trend was not without its problems. However, it injected a dose of realism into the views of religious who had frequently lived removed from the daily difficulties of ordinary life. Unemployment, poverty, suffering and death now had faces and names. See TILLARD, "Vingt ans de grâce ou de disgrâce", pp. 327-328. That there is some discomfort with this practice is evidenced in certain Roman documents, e.g., *CICLSAL, "Potissimum institutioni"*, [= "Potissimum"], 2 February 1990, in *AAS*, 82 (1990), no. 28, pp. 491-492, translated as "Directives on Formation in Religious Institutes", [= "Directives"], in *Origins*, 19 (1990-91), pp. 685-686.

this was a reaction "against the vast, impersonal organization which is a feature of the modern world",¹¹⁶ or whether it stemmed from a better understanding of the human person because of the growing awareness of the contribution of the social sciences, certain common values can be detected. Generally, the shift to a more human way of being together and interacting with each other can be interpreted as an attempt at a more "authentic common life",¹¹⁷ which focused on a unity of minds and hearts rather than on an external togetherness.

Once again, in this movement as in most of the others, external and structural modifications came first. Frequently those changes were intended to foster a sense of union and community:¹¹⁸ a community of life, manifesting itself not merely in a co-existence under the same roof, but in a real union of minds and hearts seen in personal relations, mutual assistance, as well as in the sharing of common goods and common interests.¹¹⁹ For several authors and for a great number of religious, the small houses or groupings seemed to foster that type of community better than the large impersonal institutions of the past.¹²⁰

¹¹⁶ M. EVANS, "The Apostolic Religious Community", in *The Way*, 16 (1976), p. 34.

¹¹⁷ EVANS, "The Apostolic Religious Community", p. 34.

¹¹⁸ Members sought ways of coming together for different purposes in order to share their life and their faith: prolonged evening meals, house meetings, not only to discuss housekeeping issues, but also to share insights on scripture, articles, or other material circulated by the institute. See FARICY, "Jesuit Community", p. 123.

¹¹⁹ V. CODINA MIR, "Doctrina y práctica de la vida comunitaria", [= "Doctrina y práctica"], in *Confer*, 10 (1971), pp. 336-337. He also points out other dimensions of "community": a community of faith — the basis for their coming together is the Lord, a community with a particular charism, and a community of service.

¹²⁰ See CODINA MIR, "Doctrina y práctica", p. 338; MOLINARI, "Community in Christ", p. 65.

For many, with the disappearance of the cloister in apostolic institutes of women religious, hospitality became a priority. Not only were religious able to enter the homes of their family, friends and colleagues, these same people were allowed into the convents or houses, and were often invited to share prayer, the liturgy, special celebrations, or a meal.¹²¹

Closely linked then with the opening up of sisters' houses to outsiders was the concern regarding witness.¹²² What did those outsiders see when they joined a local community for a meal, for liturgy, for a celebration, or for prayer? Were they able to perceive the joyful witness of a group, not linked by family ties nor by any professional, emotional, or psychological affinity, manifesting a genuine concern for one another, an acceptance of each member regardless of background or position, an authentic caring, and mutual support? If so, would such a community not be based on more than common goods, structures and behaviour? Would it not have as its centre "the experience of the Lord ... an experience [having], by its very nature, a communitarian dimension?"¹²³ In other words, could one not describe this group as being in the process of becoming a community of disciples.¹²⁴

¹²¹ This was not an easy transition for everyone. Some local groups were quite restrictive in their selections; with time certain ones overcame that reticence, others have remained closed to particular persons. M. EVANS, in "The Apostolic Religious Community", questions "whether many religious realized in the past that their privacy, so piously conserved with a good conscience under the guise of the holy enclosure, could and often did minister to a form of selfishness", p. 32.

¹²² Certainly the witnessing of poverty and simplicity of lifestyle was important, and it was perhaps in this area where the most conscious efforts were made.

¹²³ MOLINARI, "Communion in Christ", p. 42.

¹²⁴ Although the concept of "discipleship" seemed to strike a chord among religious, the gap between the "individual disciple" and a "community of disciples" appears to have been more difficult to bridge consciously. See A. DULLES, , *Models of the Church: A Critical Assessment of the Church in All Its Aspects*, 2d. ed., [Dublin], Gill & Macmillan, [1988], pp. [204]-226, for a description of the

A much-used phrase which surfaced during those years was "building community". Certain writers opposed it.¹²⁵ However, perhaps its accuracy lies in the efforts to establish and foster the type of relationships necessary to live "community" — relationships which would allow the members to share with each other what truly unites them.

c. *Relationship — Communication*

It would seem rather superfluous to state that communication is basic to any type of relationship. However, it may not be an exaggeration to state that many of the difficulties experienced by religious in their attempts to live community centre around their inability to communicate clearly, honestly, and with some depth around the values that unite them. It has been suggested that

[t]he individualism, isolationism and self-centeredness which have sometimes developed among religious are a consequence of the failure of themselves and their communities to share what is most precious and most intimate: a failure which deprives them of the mutual inspiration and support which are fundamental values of religious life.¹²⁶

What is it that is referred to as "most precious and most intimate" and that must be shared? P. Molinari speaks of the need "to share apostolic experience, spiritual insights and communitarian reflection on scripture and on the heritage of the congregation"; time must "be set aside at regular intervals" for that purpose.¹²⁷

characteristics of such a community.

¹²⁵ WOODWARD, in *Poets, Prophets and Pragmatists*, says: "We do not build community. Community is", p. 49.

¹²⁶ MOLINARI, "Communion in Christ", p. 42.

¹²⁷ MOLINARI, "Communion in Christ", p. 43.

If indeed "community is the process of becoming united through the common experience of a core vision",¹²⁸ then a requirement would be the communication of that core vision, and the establishing of appropriate structures to facilitate that process. Making time on a regular basis for such sharing is one of those structures. A fundamental question then is "whether we trust each other; whether we can be vulnerable, poor, in each other's presence; whether there is, when we encounter one another, a basic stance of openness to the self-revelation of God in this meeting?"¹²⁹

It would seem that for many religious the answer to that question is "no". Developing the type of atmosphere and of relationship which will foster the kind of sharing proposed by both P. Molinari and E. Woodward is difficult. Despite the numerous efforts on the part of many institutes to improve communication through various techniques and workshops, it still remains a challenge for a great number of houses and individual members. No doubt there are a multiplicity of reasons: personal insecurity, a lack of self-esteem, personality traits, family background, religious formation, vestiges of a Jesus-and-I spirituality. However, the efforts must continue if there is to be "true community".

C. *New Developments*

In the period properly known as that of adaptation and renewal, it would seem that, for the most part, religious institutes were moving in new directions in a somewhat haphazard and unconscious fashion, with the assumption that once this adaptation and renewal were

¹²⁸ WOODWARD, *Poets, Prophets and Pragmatists*, p. 46.

¹²⁹ B. FIAND, *Living the Vision: Religious Vows in an Age of Change*, [= *Living the Vision*], New York, Crossroad, [1990], p. 85.

completed, life would be settled once again. Perhaps the directives regarding a fixed time of experimentation contributed to that outlook. However, those attitudes are not surprising. Both the Church and religious institutes were coming out of a background which had not changed for several centuries. New developments affecting the common life or life in community emerged during those years; three merit some attention. They are: the therapeutic model of community, the practice of inter-congregational¹³⁰ living, and living alone.

1. *Therapeutic Model of Community*

An in-depth exploration of the therapeutic model of community is not the intent of this section; however, this type of grouping does exist. It can present a variety of problems for the leadership of an institute, for the members of the particular group, and for the other members of the institute.

G. Arbuckle presents three models of community which correspond to what have been known as the monastic, mendicant and apostolic forms of religious life. They are the ascetical community, the relational/mobile one, and the mission community. He points out that those three models evolved out of the inspiration of founders in response to societal and ecclesial conditions.¹³¹

He then highlights the emergence of another type — the therapeutic model into which religious "have slipped" in "reaction to the depersonalization of religious life structures of the

¹³⁰ Although in this paper, the term "congregation" has been restricted to those institutes founded in the nineteenth century with that particular title, in this context it reflects common usage.

¹³¹ G. ARBUCKLE, "Suffocating Religious Life: A New Type Emerges", [= "Suffocating Religious Life"], in *The Way*, 65 (1989), pp. 26-27.

pre-Vatican II Church."¹³² He explains the background of a therapeutic group and illustrates how it has been applied, and at times misused, within a religious community setting. The purpose of such a community is primarily to respond to the needs of the individual community member, not to apostolic needs in society or in the Church.¹³³

This is not to disparage the benefits of a therapeutic community, and some religious may require such a living situation for a period of time. However, if a group is formed for that purpose, those recruited to live there must know its aim and the expectations placed on them. In a sense, the rehabilitation of other members would become their main ministry; they must agree to that and possess the necessary qualifications. For an apostolic institute to slip thoughtlessly into this mode of living together would be in direct opposition to its very nature.¹³⁴

2. *Inter-Congregational Communities*

In a sense, one can say that the development of inter-congregational communities, where members of different institutes live together, arose out of a completely different rationale than that fostering therapeutic groups. Generally, initiatives of this nature are related to ministry.¹³⁵

¹³² ARBUCKLE, "Suffocating Religious Life", p. 33. See also B. THOMAS, "Participative Leadership in Religious Life", in *Proceedings of the Annual Convention of the Canon Law Society of America*, 34 (1972), pp. 86-87, for another interpretation of the therapeutic model.

¹³³ ARBUCKLE, "Suffocating Religious Life", p. 33.

¹³⁴ G. Arbuckle also points out the "consequences of accepting" this particular model, in "Suffocating Religious Life", pp. 37-38.

¹³⁵ No specific reference will be made here to circumstances relating to study, health, or family needs which might require a sister to live in the house of another institute for a short period of time.

Different situations have given birth to this type of grouping. First of all there is the common ministry project undertaken perhaps at the request of a bishop, of another institute that is lacking personnel, as a joint effort on the part of the conference of major superiors or of several institutes in a given area. This may be particularly relevant in what one has traditionally called missionary territories. In these cases, the members may both live and work together.

The second reason is perhaps more common. In response to a particular need a sister accepts a position in an area where there are no houses of her own institute.¹³⁶ In that case, she might live in one of another institute, as a full participating member of that local unit, sharing responsibilities for prayer, housework and other matters related to the good functioning of the group.

The third situation is similar. One by one, members of a local unit leave for different reasons — other ministries, health, study, age. Only one or two persons remain. The institute may be reluctant to abandon that particular ministry or milieu. The solution may be for those remaining to live in a house of another institute. Regardless of the rationale, it would appear that the qualities required for the authentic living of any "true community" are the same ones that are needed in inter-congregational ones. A deep respect for each other's identity and charism is also paramount, as it is not a matter of one group's trying to absorb the other.

However, c. 665 - §1 applies to such situations.

¹³⁶ This is done in dialogue with the appropriate superiors and according to c. 665 -§1.

Certain reservations and cautions have been expressed around this movement.¹³⁷ However, if apostolic religious life is to survive despite the rapidly declining numbers of active members, new ways of obtaining and providing mutual support must be found. Inter-congregational living may indeed help to answer that need in some cases. It might also provide options for members who, for one reason or another, may need a different type of community.¹³⁸

3. *Living singly*¹³⁹

A practice which has become fairly common in certain institutes and in certain geographical areas is that of sisters living singly or living alone. It is a practice that has engendered a great deal of discussion, if not consternation, on the part of ecclesiastical authorities, of certain major superiors, and, of a good many members of the institutes where it occurs.¹⁴⁰

¹³⁷ J. BEYER, *Le droit de la vie consacrée: commentaire des canons 607-746, instituts et sociétés*, Bourges, Tardy, 1988, p. 139.

¹³⁸ Some institutes or provinces are so localized and so small that there is little option in terms of living. The same group may have been together for a number of years. Although stability is a characteristic of monastic life, it is not a feature of the apostolic institute and, in the long term, could prove detrimental to apostolic initiatives. In other cases, inter-congregational living might provide a person with a particular reputation the opportunity to start anew.

¹³⁹ There has been some ambiguity in the term used to describe this particular situation. Many avoid the terms "absent", or "living outside the community", or "living away from the community" as they can be interpreted in a negative manner as if the person concerned were not in good standing or were in the process of leaving the institute.

¹⁴⁰ This is true despite the provisions of c. 665 - §1 regarding absences from a house of the institute, c. 586 pertaining to the autonomy of life of the institute, and c. 578 safeguarding the patrimony of the institute. However, on the whole, this does not seem to have presented the same problem for men's institutes. There have been a number of documents regarding absences. See SCRIS, "Posizione giuridica di una religiosa assente dalla casa religiosa", in *Informationes*, 1 (1975), pp. 37-38, trans. as "Juridical Position of a Religious Absent from the Religious House", in *Consecrated Life*, 1 (1977), pp. 37-38; "Leave of Absence or Exclaustration" in *Informationes*, 2 (1976),

One can question why this practice appears to be so problematic. Perhaps it is because, consciously or unconsciously, ecclesiastical authorities and religious themselves are still operating out of the monastic model of community, interpreting "community" as "common life", living together under the one roof, subject to uniform practices and regulations. That is what some authors call the "primary family model".¹⁴¹ Yet, since the Council, a shift has taken place, both in theory and in practice, away from the emphasis on the uniformity and physical proximity of the "common life", to an understanding of "community" as centered on Christ and gathered around the charism in a "union of minds and hearts". The movements and trends of the past thirty years have taken this direction.

Generally it is those same trends and movements, and, in particular, the concern for the apostolate that have brought about the practice of sisters living alone. When a need arises and only one person is required or is able to respond, major superiors are faced with a dilemma: allow that person to live by herself or refuse to send someone.¹⁴² Experience has proven that it is not always beneficial to send someone, perhaps an older person, "to make community".¹⁴³

pp. 204-210; "Religieux vivant seuls en appartement", in *Informations*, 3 (1977), pp. 207-212. See also M. O'REILLY, "Permission of Absence from the Community", in *Informations*, 10 (1984), pp. 69-78.

¹⁴¹ SCHNEIDERS, *New Wineskins*, p. 252, see also p. 247 for a description of the primary family model and how it was lived in religious institutes.

¹⁴² A situation as described in inter-congregational living can arise where only one person is left in a particular ministry or area. There may be no other religious present or inter-congegational communities may not be viable for a variety of reasons.

¹⁴³ This may be true for both parties. The "companion" may feel isolated. She may have had little experience in small group living and in sharing responsibility for the life of the group. The sister engaged in full-time ministry may find herself having "to take care" of the other person in various ways, thus her energies for mission are dissipated.

There are other reasons for living singly. Certainly health, be it physical, mental, or emotional is one of them. However, another is directly related to the concern for the more "human type of living", that has arisen in these last years, and the qualities of relationship that foster "true community". The tendency in the past to spiritualize situations, or to negate the importance of human elements, such as compatibility, and certain personality traits, has perpetuated the theory that if religious belong to the same institute they are able to live together. That was no doubt true in very large houses, when structures and customs favoured silence, precluded any in-depth sharing, and restricted conversation to certain times and topics.¹⁴⁴ Without those structures, and faced with "community life" rather than a "uniform common life" based on external observances, this theory may no longer be true, particularly in a very small grouping of apostolic religious.

The situation which seems to cause most unease among religious is that of sisters' living singly even when there are houses or other members of the same institute in the area.¹⁴⁵ Regarding this circumstance, S. Schneiders, in her comments on "The Changing Shape of Community Life", says that

[t]his is not necessarily a surrender to unmortified living; it may well be a reasonable choice about where and how energies are to be expended. If the primary charism and ministry of a congregation is community life it might make sense to put prime energy into the developing of viable community

¹⁴⁴ One must not forget that in such units, the "difficult religious" was more easily absorbed; people were able to lose themselves in the crowd and live isolated and withdrawn from any kind of "community". They appeared at all the specified times but contributed little to the life of the group. This is almost impossible in a small house.

¹⁴⁵ No doubt the source of this unease is multi-faceted. It is interesting to note that, on the whole, lay people, especially married couples are less uncomfortable with this situation; they are perhaps a little more realistic regarding the relevance of compatibility in attempting to establish a "community of life".

despite the lack of natural compatibility. If the primary ministries of the individuals are in other areas the deliberate creation of a living situation which will be highly conflictual is self-defeating behavior.¹⁴⁶

What was said regarding inter-congregational living and the survival of apostolic religious life is pertinent here as well. While community, as unity of spirit and charism, does not require living together, it does demand a direct relationship based on mutual love kept alive by frequent communication.¹⁴⁷ The challenge then for apostolic institutes will be the development of structures necessary to foster that kind of relationship.

CONCLUSION

Since the Council, religious apostolic institutes of women, have experienced a number of challenges and opportunities. They have also faced a number of difficulties. Some have engendered great suffering and division; those surrounding the issues of diversity, corporateness, ministry choices, and community must not be minimized. Yet there are, perhaps, certain underlying attitudes, memories, or interpretations that can exacerbate existing difficulties or foster new problems.

One is the seeming inability, on the part of some institutes or their members, to distinguish between uniformity and unity. This becomes particularly evident in discussions around diversity in ministry or lifestyle. Another is the understanding or the misunderstanding of obedience. This difficulty frequently surfaces in discussions around missioning,

¹⁴⁶ SCHNEIDERS, *New Wineskins*, p. 253.

¹⁴⁷ G. WEMHOFF, "Gospel Power and Religious: The Call to Community, Contemplation and Compassion", in *The Way Supplement*, 63 (1988), pp. 85-86.

assignments, and what has been referred to as "open-placement".¹⁴⁸ A third factor is the aging of members and the lack of candidates which can interfere with an institute's definition of itself as apostolic as well as with its fidelity to that nature. Finally, for many, the tension between "community" and "apostolate" has yet to be resolved or addressed in an authentic and open manner.

Certainly the process of adaptation and renewal touched all aspects of life, and although mistakes were made during those phases, new life was born. Principles, processes, and ways of acting and being — encouraged by the conciliar texts to facilitate renewal — became part of life; they were not adopted just for a time. Thus there can be no turning back. Generally, the exercise of the apostolate and the living of community today bears little resemblance to that of the pre-Council era. We can expect then that the future will be just as different.

Societal and cultural shifts and attitudes will no doubt continue to influence the shape that religious life will take in the future, as well as the understanding and practice of the "common life" and the "life of sisters or brothers in community". Openness to the Spirit, faith in God's call, attentiveness to the signs of the times, and a willingness to trust their own experience are the attitudes women religious need in order to meet that future which is being shaped by how we live the present.

¹⁴⁸ McDONOUGH, in "Quo vadis?", indicates that this practice has allowed some institutes to return "to their original intent and practice of serving the Church in a wide variety of occupations as needed." She also points out that it is one of the greatest causes of the decline of traditional ministries and of the difficulty in maintaining "corporate commitments", p. 108. It is this type of situation that, according to J. KHOURY, cannot be classed under c. 665 - §1 *Vie consacrée (essai de commentaire des canons 573-709)*, Rome, s.n., 1984, p. 237.

CHAPTER FOUR

IMPLICATIONS FOR THE FUTURE

If the immediate post-Council years were a time of change and upheaval for religious, the last two decades and the approaching millenium may have engendered more confusion, some disillusionment, and even a loss of hope. In the late 1970s and early '80s, there existed in many institutes of women a certain excitement regarding the new trends and the confidence that since they had responded to the directives of the Second Vatican Council, all would be well. Not that those religious expected life to return to what it had been prior to the Council, but it did seem as if a plateau had been reached.¹

This is no longer true. More and more as women religious look towards the future, most can foresee a dramatic reduction of members within the next ten to twenty years; many speak of an "end time". The drastic decrease in membership alone would require considerable adjustment in every facet of life. However, religious realize that the rapidity and depth of change taking place simultaneously in society, in the Church, and in their institutes point to a profound shift, frequently referred to as a paradigm shift,² still in the

¹ This was true regarding candidates. Even though applicants were not arriving in large numbers, for several years many institutes consistently received a few candidates annually.

² The theory of paradigms was developed primarily by T. S. KUHN, *The Structure of Scientific Revolutions*, 2d. ed., Chicago, University of Chicago Press, [1970], pp. 174-176, 191-198. Generally "paradigm" refers to the beliefs, values and behaviours shared by the members of a particular society or community (broad sense); although it does not necessarily penetrate one's consciousness, it influences thinking, attitudes, and goals. When the structures or rules of a paradigm are questioned and set aside, one can speak of a shift. However, since the new paradigm arises while the old one is still operating, confusion and ambiguity follow. For an application of this theory to religious life, see J. HOLLAND, *The Postmodern Cultural Transition: Its Challenge to "The Vowed Life"*, ms., South Orange, Warwick Institute, 1990, i, 35p. Other writers use different terms. R. P. MALONEY speaks of the "horizon-shift" in theology and spirituality from the seventeenth century to the twentieth, in *The*

developmental stage with no end in sight. This complicates any visioning of and planning for the future, as not only does this shift affect external pressures and circumstances, it also influences thought patterns and attitudes.

Paradigm shifts are certainly not a new phenomenon; there have been other such transitions in the past influencing religious life, the Church, and society as a whole.³ Historians and sociologists can detect a commonality between the present time and the transition periods of the past thus recognizing the shift for what it is. The ordinary person knows experientially that life is no longer as it was, and it appears to be in a turmoil. Whether we name the dawning era as "technological", "global", or "postmodern", it will be as instrumental in shaping society, the Church, and religious life as were former ones.

In order to look to the future of apostolic women religious, particularly regarding the practice of the common life, it might be useful to consider briefly the influence of certain cultural and societal attitudes towards women — past and present — on religious institutes and on Church legislation, as well as some of the reactions today to authority in general, and to ecclesiastical legislation in particular, in order to see in what direction we may be moving. This chapter will also attempt to reconcile a few seemingly contradictory situations: some current trends in the practice of living community, the demographic facts on membership in

Way of Vincent de Paul: A Contemporary Spirituality in the Service of the Poor, [= *Way of Vincent de Paul*], [New Rochelle], New City Press, [1992], pp. 48-52, 90-96; L. ÖRSY, also uses the term "horizon" in *Theology and Canon Law: New Horizons for Legislation and Interpretation*, [= *Theology and Canon Law*], Collegeville, Liturgical Press, [1992], pp. 83-88; and in his "The Meaning of *Novus habitus mentis*: The Search for New Horizons", in *The Jurist*, 48 (1988), pp. 429-447.

³ For example, the foundation of the mendicants paralleled the establishment growth of urban areas, the rise of the city states, and the decline of the feudal system. See L. CADA, et al., *Shaping the Coming Age of Religious Life*, New York, Seabury, [1979], pp. 25-31.

religious institutes, the Church's legislation and writings concerning the common life, and the growing desire for community within secular society. Then we shall endeavour to suggest possible changes in legislation, structures, and support systems which might facilitate viable community in a time of profound change. Finally we should be able to point out some seeds of hope and growth.

I. INFLUENCE OF VARIOUS CULTURAL AND SOCIETAL ATTITUDES TOWARDS WOMEN

It is important to realize that neither the Church nor religious life exists in a vacuum; both are made up of human beings who are products of their society and culture. Therefore the attitudes and values prevalent in society during any era are likely to be present to some degree within both the Church and religious life. These influences are multiple, complex, and far-reaching. However, since this paper focuses on the common life of apostolic women religious, it will be sufficient to concentrate on how the existing attitudes towards women in society at any given time contributed to the shaping of both relevant Church legislation and the mentality of the women religious themselves.

A. *The Past*

Since this is neither an historical nor a sociological study, only a few main traits will be highlighted, particularly those that affected the common life most directly. However, they are sufficient to illustrate the underlying values and the mindset of the people of the times which could not but influence, at least indirectly, Church legislation, religious life, and the attitudes of families of candidates.

1. Church Legislation

Perhaps the legislation with the farthest ranging effect on women religious was that concerning the enclosure.⁴ J. Cain indicates that in order to understand why the cloister, for so long, was considered an essential element of religious life for women, it is necessary to have some knowledge of the place of women in society during much of that time. He points out that the importance of the cloister, "was substantiated by the view of women in general which prevailed during that time" and that "the byword for women for ages was *aut maritus aut murus*, either a husband or the cloister."⁵

Generally in the Western world, women were considered inferior by society as a whole and occupied a dependent position — on their fathers, husbands, brothers, or sons. They had "little autonomy and no place in public life. They were considered inferior, immature, emotional, incapable of logical reasoning, weak and fickle."⁶ This was also true, to some extent, of most of the cultures where the Church took root in its early years.⁷ How

⁴ The establishment of the enclosure, for both women and men, assured a separation from the world necessary for contemplation and prayer. However very quickly, the regulations governing the cloister became much more stringent for women than for men. See J. CAIN, "Cloister and the Apostolate of Religious Women", [= "Cloister"], in *Review for Religious*, 27 (1968), p. 256.

⁵ CAIN, "Cloister", p. 244.

⁶ M. BRENNAN, "Enclosure: Institutionalizing the Invisibility of Women in Ecclesiastical Communities", [= "Enclosure"], in *Concilium*, 182 (1985), p. 40. See also J.-C. GUY and F. REFOULÉ, ed., *Chrétiennes des premiers temps*, [= *Chrétiennes*], Paris, Cerf, [1965], pp. 20-21. See also CAIN, "Cloister": "It was natural for society to hesitate in placing personal responsibility in a woman, to whom it accorded only a secondary social role, one without an equal opportunity of education and advancement. There was an implicit confidence in man's ability to live up to his vows and fulfill his religious obligations, while the nun had to be bolstered and supported by numerous external props", p. 256.

⁷ See J. GAUDEMET, *Études de droit romain, III. Vie familiale et vie sociale*, in L. LABRUNA

ever, women who belonged to a higher class, who were more advantaged culturally or materially usually enjoyed more freedom both inside and outside their homes.⁸

It must also be remembered that when the virgins first began to gather in small groups for support or protection, the Church was in a minority position. The teachings of the Gospel, the example of Jesus's attitudes towards women, and the principles expressed in the Letter to the Galatians (3:28) reached only a relatively small segment of the general population. Therefore it is not surprising that the prevailing attitudes towards women would infiltrate the minds of some Church officials and leaders. This mix of spiritual principles and cultural attitudes contributed to a certain ambiguity, particularly in the writings of the Fathers, and to some contradiction in practice.⁹ J. Cain points out that

[m]any religious restrictions were imposed upon [woman]; some very undoubtedly for her own safety, but others reflect the androcentricity of ancient culture. She was relegated to a position of inferiority on the grounds that she belonged to a guilty sex, being responsible for man's condition through the fall.¹⁰

Such widely accepted perceptions in society, articulated to some degree in the writings of the Fathers, were undoubtedly not without influence on the authors of Church legislation.

et al., ed., Napoli, Jovene, 1979, pp. 227-258, "Le statut de la femme dans l'empire romain". See also K. MEAGHER, *The Status of Women in the Post-Conciliar Church*, J.C.D. diss., Ottawa, Saint Paul University, 1976, pp. 3-27, for a summary of the attitudinal and legal stances on women current in "ancient societies" and in the early Church.

⁸ See A. CUNNINGHAM, "The Ministry of Women in the Church", [= "Ministry of Women"], in *Review for Religious*, 28 (1969), pp. 944-945; GUY and REFOULÉ, *Chrétiennes*, pp. 19-20.

⁹ See J. LAPORTE, *The Role of Women in Early Christianity*, New York & Toronto, Edwin Mellen Press, [1982], 189p. See CUNNINGHAM, "Ministry of Women", who points out that the Fathers used "themes anterior to Christianity and the device of the diatribe, developed according to the ancient mode of argumentation"; she adds that they were also familiar "with pagan philosophy and the classics", p. 944.

¹⁰ CAIN, "Cloister", p. 244.

Other societal factors influenced the option for the enclosure: the persecutions of the Christians and later the migrations of peoples across Europe provided a rationale of safety and protection.¹¹ However, one can question whether this motivation was not three-pronged: protection of the women against marauding bands, protection of the men against woman seen as "temptress",¹² and protection of the women against themselves.¹³

Although the discussion has centered mainly on the law of enclosure, generally more restrictions were placed on institutes of women religious than on those of men.¹⁴ Indeed J. Creusen, commenting on the background to *Conditae a Christo*, particularly on the authority of the bishops over institutes of women, indicates that control was more necessary in women's institutes than in men's.¹⁵ This perceived need for more control by Church

¹¹ J. T. SCHULENBURG, speaks of "the age of the viking, the saracen, and the magyar invasions, of political anarchy and local violence", in "Strict Active Enclosure and Its Effects on the Female Monastic Experience (ca. 500-1100)", [= "Strict Active Enclosure"], in J. A. NICHOLS and L. T. SHANK, *Distant Echoes, Medieval Religious Women I*, [= *Distant Echoes*], [Kalamazoo], Cistercian Publications, 1984, p. 52.

¹² This latter perception derived from the belief that woman (Eve) was responsible for the "fall". See CAIN, "Cloister", p. 244. See also J. LECLERQ, "La clôture: points de repère historiques", in *Collectanea cisterciensia*, 43 (1981), pp. 369-370, for an analysis of the various motivations for the imposition of the cloister.

¹³ SCHULENBURG, "Strict Active Enclosure": "... enclosure appears to have been viewed primarily as an internal safeguard which would protect the female religious from the fragility of her sex, and only secondarily to serve as a physical protection from the dangers of the outside world", p. 79.

¹⁴ One can recall the reactions to Mary Ward's attempt to establish a centralized institute following the model of the Society of Jesus, and to her intent that the "English Ladies" would teach, or undertake "apostolic missions". This was seen as "invading a masculine preserve", see E. RAPLEY, *The Dévotes: Women and Church in Seventeenth Century France*, [= *The Dévotes*], Montreal & Kingston, McGill-Queen's University Press, [1990], p. 30. See also M. LINSKOTT, "The Religious Woman in the Church", in *The Way Supplement*, 19 (1973), pp. 46, 52-57.

¹⁵ J. CREUSEN, "Les instituts religieux à vœux simples: esquisse historique", in *Revue des communautés religieuses*, 16 (1945), "Le contrôle cependant était plus nécessaire dans les instituts de

authorities over women's institutes was still evident in the *CIC/17*. J. Abbo, responding to a question regarding the status of women in the 1917 Code, states:

Canon Law deals with women in a way at once cautious, reserved, and protective. Canonists explain this attitude with all or some of the following points: the weakness seemingly inherent in the female sex (*imbecillitas sexus*, as they call it in their incomparable Latin); the not yet forgotten role played by women in original sin; the occasion of actual sin she often proves.¹⁶

It is easy to suspect that the cultural and social attitudes of the past regarding women had some influence on those responsible for the Church's legislation; however even the religious themselves and their institutes were not immune to the values and thinking of their milieu.

2. *Religious Institutes of Women*

Although the perception of women as weak and inferior was fairly widespread, other considerations affected religious institutes and the families of religious. One was a question of class.

It would seem, from a cursory glance at the literature, that the groupings of the early virgins and widows frequently comprised two classes: wealthy women and their servants or slaves. Whether or not the distinction of class persisted within all "communities", it did exist in the society from which they came.¹⁷

femmes que chez les hommes", p. 40.

¹⁶ J. ABBO, "Women in Canon Law", in *The Priest*, 20 (1964), p. 248; also his "Women Religious in Canon Law", pp. 1079-1080.

¹⁷ J. A. McNAMARA, "Muffled Voices: The Lives of Consecrated Women in the Fourth Century", [= "Muffled Voices"], in NICHOLS and SHANK, *Distant Echoes*, pp. 13-18.

Later during the Middle Ages, we find wealthy upper class women endowing or establishing abbeys or requesting their families to do so, in order that they and their friends might enter.¹⁸ In many instances, women saw the monastery as an attractive alternative to marriage. In others, devout families offered their daughters to religious life at a very early age so that they would be assured of prayers for themselves, the family or their city.¹⁹ Frequently, the parents willingly endowed the "nunneries"

because they performed an important social role in providing a haven for the daughters and widows of the aristocracy for whom no suitable marriage could be found. The women who entered them expected to enjoy the society of their own kind. They were thus aristocratic and socially exclusive communities. If girls of humbler origins were admitted at all, it was only in the capacity of servants.²⁰

With the enforcement of the law of enclosure, these "girls of humbler origins" and the servants accompanying the women of the noble class became the "extern" and "lay" sisters who did the manual labour required for the functioning of the monastery as well the errands outside the walls.

Regardless of the motivation, religious (nuns), enclosed with solemn vows, were generally from the upper class. As monasteries were to be self-sufficient, this practice

¹⁸ M. SKINNER, "Benedictine Life for Women in Central France, 850-1100: A Feminist Revival", [= "Benedictine Life"], in NICHOLS and SHANK, *Distant Echoes*, p. 89.

¹⁹ M. A. NEAL, *From Nuns to Sisters: An Expanding Vocation*, Mystic, Twenty-Third Publications, [1970], p. 18.

²⁰ C. H. LAWRENCE, *Medieval Monasticism: Forms of Religious Life in Western Europe in the Middle Ages*, London and New York, Longman, [1984], p. 176. See also E. POWER, *Medieval English Nunneries, c. 1275 to 1535*, [= *English Nunneries*], Cambridge, University Press, 1922, pp. 3-9. The sending of unmarried women to the monastery was not conducive to a life of prayer and contemplation; no doubt some of the "laxities" mentioned by these two authors, as well as others, can be attributed to this practice.

became even more widespread since the members' dowries provided the monastery's main source of funds.²¹

Later this question of class was to pose different kinds of problems when institutes of simple vows, dedicated to an external apostolate, began to emerge. In order to finance themselves and their works, these institutes were, at times, obliged to depend on donations from wealthy patrons and parents of candidates or students. Thus, at times there was the risk of interference in the governance of the institute or the school on the part of those benefactors.²² A certain amount of unease also existed among the parents of those joining the new institutes. Without solemn vows, there was the danger that a member might leave and return to the family, thus upsetting inheritance arrangements.²³ As well, many families and other members of society found the lifestyle of the new institutes lacking in "propriety and dignity".²⁴ There were tasks that a well-born woman would not undertake.²⁵ Besides,

²¹ In many cases this was pleasing to parents as the dowry for religious life was usually lower than that for a marriage.

²² RAPLEY, *The Dévotes*, pp. 55, 59-60.

²³ RAPLEY, in *The Dévotes*, points out that through their solemn profession, "[m]onks and nuns acquiring the state of civil death, became as it were, non-persons in secular society. This meant that they no longer had a claim to worldly rights — or to worldly goods. This was a comfortable thought for families with estates to consider. They valued the assurance that their children, once entered into the religious state, could not be resurrected to complicate the inheritance. The fact that their sons, by entering the Society of Jesus and the various other new congregations of simple vows, had managed to enter religion while keeping one foot in the world made them all the more determined that their daughters should not do the same", p. 39.

²⁴ RAPLEY, *The Dévotes*, p. 55.

²⁵ See POWER, *English Nunneries*, pp. 5-6. Vincent de Paul also encountered similar attitudes in attempting to establish his *charités*.

among the women themselves. many viewed the cloister as a "more perfect form of life" and contemplative life as "not only the highest, but the happiest form of human existence."²⁶

It is interesting to note the pivotal position of the enclosure: cultural and societal attitudes contributed to its establishment and, in turn, the status provided by the cloister and solemn vows coloured the attitudes of potential candidates and their families.

When members of institutes of simple vows were recognized as religious, the special status of the cloistered nun disappeared. Although in some circles, parents continued to find a certain pride and prestige in having a family member in religious life, this phenomenon was short lived. Particularly during the 1960s, a transformation in attitudes and values, along with the Second Vatican Council, radically altered perceptions of the role and place of authority, of women, and of commitment. Religious institutes of women felt the effects of that change very keenly. We shall return to these notions later.

B. *The Present*

Without the benefit of hindsight, it is more difficult to isolate the effect of cultural and societal attitudes present in today's world — particularly the attitude towards women — in relation to Church legislation. Attitudes towards ecclesiastical legislation appear to be more bound up in the current crisis regarding authority and leadership which seems to prevail in society²⁷ and which influences more the reception of laws rather than their actual formulation. Nevertheless, the rise of the women's movement in this latter part of the

²⁶ RAFFLEY, *The Dévotes*, p. 57.

²⁷ See MALONEY, *Way of Vincent de Paul*, pp. 50, 95-96.

century has profoundly affected women's own understanding of themselves, of their role in society and in the Church, and simultaneously societal and cultural attitudes. What seems most obvious at this time is the influence of these various attitudes on reactions to Church discipline and on the life of religious institutes themselves, particularly on the decline in membership.²⁸

1. *Reactions to Church Legislation*

One cannot deny that a degree of turmoil surrounds the exercise of leadership and authority in today's society.²⁹ This is not confined to secular society or to the political arena. The philosophy and perception of authority and leadership have shifted, as one author describes, from "the authority of status ... [to] the authority of competence."³⁰ On the whole, people are no longer willing to accept statements from authority figures on trust; education of the masses, examples from oppressive regimes, scandals surrounding political leaders, and the proliferation of information through the media have contributed to this movement. Again one cannot be surprised that if a mentality of mistrust of authority exists in the secular realm, it will inevitably spill over into Church life.³¹

²⁸ For some factors influencing this decline, see M. A. DONOVAN, *Sisterhood as Power: The Past and Passion of Ecclesial Women*, [= *Sisterhood*], New York, Crossroad, [1989], pp. 71-79.

²⁹ This is evident in the rejection of the communist regime in Eastern Europe and, in democracies, the frequent overthrow of incumbents during an election.

³⁰ J. F. X. HARRIOTT, "Reflections on Leadership", in *The Way*, 29 (1989), p. 296. More and more, experience is seen as a credible source of competence on the part of the leader(s), as well as knowledge.

³¹ HARRIOTT, "Reflections on Leadership", pp. 296, 300-301.

One of the traits most sought after in leaders and in governing bodies is integrity which manifests itself in the honesty of those in authority and a consistency between words and actions. If those qualities appear to be lacking, the credibility of the person or the organization is lessened. This is an especially sensitive issue when it is question of the Church — its teachings and its personnel.³² Credibility is also weakened when leaders and those in positions of authority are perceived as addressing situations that do not require legislation or intervention, as appearing to lack sufficient knowledge of the background of an issue, or when their words or actions are seen as disproportionate to the matter under consideration. All of those possibilities affect the "reception" of law and teachings.³³

For women religious, those reactions are complicated because of an evolution in their perception of the exercise of authority. Many institutes have attempted to implement inclusive, collaborative, and participative governing methods. Thus if authority is seen as being exercised in a patronizing or patriarchal fashion without any attempt to involve or listen to those most directly concerned, credibility is again eroded.

One cannot entirely blame "the world" for the development of certain of these attitudes and their influences in relation to Church legislation. Pope John XXIII named the

³² The document issued after the 1971 Synod of Bishops recognizes that problem, at least in one realm: "While the Church is bound to give witness to justice, she recognizes that anyone who ventures to speak to people about justice must first of all be just in their eyes." SYNOD OF BISHOPS, *Convenientes ex universo*, 30 November 1971, in *AAS*, 63 (1971), p. 933; translated in A. FLANNERY, ed., *Vatican Collection: vol. I, Vatican Council II, The Conciliar and Post Conciliar Documents*, revised edition, Northport, Costello, 1988, p. 703.

³³ For a development of the concept of "reception", see L. ÖRSY, *Theology and Canon Law*, pp. 83-88; Y. CONGAR presents the historical background to this topic, in *Droit ancien et structures ecclésiastiques*, London, Variorum Reprints, 1982, Chapter XI, "La 'réception' comme réalité ecclésiologique", pp. 369-403.

need for a greater recognition of the role of women among "three things characterizing modern age".³⁴ In many instances, the Second Vatican Council emphasizing the place of the laity, authority as service, equality in baptism, and the image of Church as people of God simply added to or confirmed what was already in people's hearts, minds, and their usual practice. Religious institutes of women existing both in the world and in the Church could not escape those influences.

2. *Apostolic Religious Institutes of Women*

It is beyond the scope of this paper to attempt to measure the influence of the women's movement on women religious, particularly on this continent. Certainly the media, in all its forms, provided philosophy and fact to those open to the message. However, concurrently, one must remember that religious acquired insights from other sources — frequently from the writings of their founders, but also from certain Church documents.³⁵

One change in society that could not but influence religious institutes, in terms of their membership, was the opening up of employment possibilities for women in the public sphere and of opportunities on the part of lay women for service within the Church. A woman no longer needed to be a member of a religious institute to devote herself to the apostolate at home or abroad. Women now had options if they wished to lead a life of

³⁴ JOHN XXIII, *Pacem in terris*, 11 April 1963, in *AAS*, 55 (1963), pp. 267-268, translated in *TPS*, 9 (1963); the other two characteristics were: "a progressive improvement in the economic and social condition" of workers, and "a form of society which is evolving in entirely new social and political lines," particularly through the achievement of political independence, nos. 39-42, p. 21.

³⁵ *Pacem in terris* has already been cited. Among others, one can mention *Lumen gentium*, Chapters 2, 4 and 5; *Gaudium et spes*, the document published by SCEP, on *The Role of Women in Evangelization*, and *Religious and Human Promotion*.

dedication to the service of others. Religious life no longer provided the only source of interesting professional positions and opportunities for advancement.³⁶ The Council decree highlighting the universal call to holiness and negating the superior status of religious life also contributed to a decrease in membership.³⁷

Finally the social and cultural upheaval of the sixties had an important effect on how youth viewed, and still views, commitment. The concept of a life commitment was questioned and, in many cases, it was deemed impossible; therefore, both marriage and religious life have suffered the consequences. Certainly the societal and cultural attitudes towards women were not the only influences on both Church legislation and on the life of religious institutes. However, they are perhaps the most pervasive and profound.³⁸

II. MEANING AND PRACTICE OF COMMUNITY IN FLUX

The present paradigm shift is also exerting a profound influence on various facets of existing societal, cultural, and religious attitudes and institutions, including the meaning and practice of community, particularly as it is lived by members of religious apostolic institutes

³⁶ Although generally the desire for professional involvement and advancement was not a conscious motive for entering, nevertheless, sociological motivations have more than likely played a part in some decisions. See M. DANYLEWYCZ, *Taking the Veil: An Alternative to Marriage, Motherhood, and Spinsterhood in Quebec, 1840-1920*, [Toronto], McClelland & Stewart, [1987], pp. 51-70. Naturally these positions and advancements were not guaranteed. However, religious held important and responsible positions in their institutions, positions that, for the most part, were not available to lay women.

³⁷ Perhaps the latter exercised greater influence on religious themselves, particularly those who left.

³⁸ COUNCIL OF THE GENERAL SECRETARIAT OF THE SYNOD, *De vita consecrata deque eius munere in Ecclesia et in mundo: instrumentum laboris, The Consecrated Life and Its Role in the Church and in the World: Instrumentum laboris, [= Instrumentum]*, Ottawa, Canadian Conference of Catholic Bishops, 1994, nos. 16-21.

of women on this continent. It is interesting to note that as religious institutes began to modify their understanding and living of community, a movement towards a communal life began to emerge in secular society.

A. *Search for Community in Society at Large*

Despite the individualistic tenor of today's society, there is still a movement among many people towards some type of community experience. One can recall the "communes" of the sixties whose members were reacting to the prevalent values of the time by attempting to live in a counter-cultural way. Most of these did not adhere to any particular religious denomination; indeed many proved destructive of their members whether emotionally, psychologically, or physically. Generally they did not last, and some authors resist calling them communities.³⁹

However, within the Christian family, communities of different types have also emerged. The best known are probably Taizé, L'Arche, Iona, the Catholic Worker Houses; generally these groups are composed of a stable permanent core of members with others who join them for varying periods of time. Then there are communities without any "live in" component but whose members meet on a regular basis with some common purpose: Charismatic/Covenant communities, Basic Christian Communities, Christian Life Communities (Ignatian inspired), associations linked with different religious institutes.⁴⁰ On

³⁹ See J. A. MERKLE, *Committed by Choice: Religious Life Today*, [= *Committed by Choice*], Collegeville, Liturgical Press, [1992], pp. 21-22.

⁴⁰ For a description of some of these communities, see T. RAUSCH, in *Radical Christian Communities*, Collegeville, Liturgical Press, 1990, pp. 147-187. For the Christian Life Communities, see E. and M. C. BINGEMER, "CLC: Lay People Called to Holiness in an Ignatian Style", in *The Way Supplement*, 70 (1991), pp. 33-39. For an account of an experience of the Catholic Worker

a different level, one can note the diverse forms of what might be termed "life groups" which have sprung up in almost every urban area on the continent. Many of them are classified under the generic "support" or "self-help" title; the best known is Alcoholics Anonymous with its various branches. In a very real sense, they provide a type of therapeutic community for their members.

Religious institutes receiving inquiries from prospective candidates at this time can also attest to the search for community. However, formation directors indicate that this desire must be carefully evaluated. Many of today's young adults come from unstable homes and disrupted families; one must be assured that an applicant is not seeking a surrogate home and family.⁴¹

At first glance it might seem ironic that just as secular society is looking for some type of "community", religious institutes could be perceived as having abandoned that aspect of their life. However, a deeper consideration would indicate that what has been abandoned is uniformity and the identification of "community" with living under the same roof; the search for authentic community is very much alive in most institutes of apostolic women religious.

community, see C. DAVIS, "The Catholic Worker Vision", in *The Tablet*, 248 (1994), pp. 1095-1096.

⁴¹ Frequently it is this very need to which certain cults and sects appeal in their proselytizing and through the functioning of their "communities".

B. *Search for Community in Apostolic Religious Institutes of Women*

When we recall how life was lived in religious institutes of women prior to the Second Vatican Council, we cannot but be amazed at the changes that have taken place in the intervening years. In many instances, whether it be local units, provinces, or the institute as a whole, one can detect little resemblance between life before the Council and present experience, particularly in the area of the "common life" or the "community life". Given the rate and depth of change currently affecting all of society, one can readily believe that in another twenty years, "community", indeed religious life itself, will bear little similarity to what is being lived at present. A major factor here will be the drastic decline in numbers facing all institutes in the next ten to twenty years.⁴² It would seem that in order to deal effectively and healthily with this paradigm shift,⁴³ there are three facets of "community" that must be considered: 1) a community of adults, 2) a community for mission, 3) a community of persons who have a commitment to each other, not only to God or to the institute as an abstraction.

⁴² In 1965, the Women's Section of the CRC conducted a study to ascertain the state of religious institutes of women in the country at that time; see M. A. LESSARD and J. P. MONTMINY, "The Census of Religious Sisters of Canada", in CANADIAN RELIGIOUS CONFERENCE, *Universal Call to Holiness and Religious Vocations*, Ottawa, Canadian Religious Conference, 1966, pp. 380-384, for the listing of the total membership of the institutes that responded to their questionnaire. For a comparative table of the ten institutes of women given there as having the highest membership in 1965, see Appendix I which also includes their totals for 1985, and their projections for 2005, and 2025.

⁴³ This shift is not limited to the demographic decline.

1. *A Community of Adults*

It may seem somewhat absurd to stress the existence of a community of adults in religious life; surely that has always been so. However, one can begin by asking: "What is an adult?" It is difficult to find such a definition; generally, dictionaries of psychology move in their listings from "adolescence" to "affect".⁴⁴ Dictionaries of anthropology are more forthcoming.⁴⁵ Most definitions or descriptions include the element of maturity, which is then translated into an ability to act independently and interdependently, to acquire rights, and to assume responsibilities for oneself and others. The development of the social sciences has also taught us that one needs to have acquired a sense of one's own identity before being able to engage authentically and healthily in relationships characterized by intimacy and mutuality — whether these relationships are within marriage or friendship.⁴⁶ This is also true

⁴⁴ R. M. GOLDENSON, ed., *Longman Dictionary of Psychology and Psychiatry*, [= *Longman*], New York, Longman, [1984], pp. 19-20, "*Adult-ego* state: the component of the personality that represents a mature capacity to deal with current reality, characterized by Eric Berne as *neopsychic*, since it represents the individual's own views, as contrasted with *exteropsychic* tendencies, borrowed from parents, and *archaeopsychic* relics of childhood."

"*Ego* in psychoanalysis, the component of the personality that deals with the external world and its practical demands. More specifically, the ego enables us to perceive, reason, solve problems, test reality, and adjust our instinctual impulses (the id) to the behests of conscience (the superego)", p. 247.

⁴⁵ See C. SEYMOUR-SMITH, ed., *Dictionary of Anthropology*, Boston, G. K. Hall, [1986], "Adulthood: The attainment of maturity for anthropological purposes defined as social maturity — that is the acquiring of full rights and responsibilities to the extent to which these are age-structured. This often occurs along with marriage or parenthood", p. 5; see also D.E. HUNTER and P. WHITTEN, ed., *Encyclopedia of Anthropology*, New York, Harper and Row, [1976], "Adulthood: This period in the human life cycle is reached by living long enough and learning everything necessary to assume the rights, privileges, duties, and responsibilities intrinsic to reproductive, economic, ritual, and other essential social functions.

In large and technological complex societies, adulthood tends to be deferred until formal education is completed and people can support themselves independently", p. 6.

⁴⁶ R. J. GILMARTIN, "Happiness and Development in Middle Age", in T. A. KANE, ed., *Happiness: Issues of Emotional Living in an Age of Stress for Clergy and Religious*, Whitinsville, Af-

of relationships within a community, the kind of community that one hopes to find in religious life.

Certain psychologists, in particular Erik Erikson, in describing the cycle of the human person's development point out that the achievement of a stable identity is the task of adolescence, especially during its latter phase.⁴⁷ This is important in the forming of relationships, but it is also extremely significant for the one joining a religious institute. If some measure of self-identity has not been reached before entering, the development of the person's own identity might be arrested and the novice could assume an identity comprising her perception as to what constitutes a good Sister of St. X.⁴⁸ This was perhaps a danger in the days when women (and men) became religious at an early age. In some cases, the religious identity was built on sand and could not withstand difficulties and crises.

However, what is significant now is that most of the women in religious institutes who are between forty-five and fifty at the present time entered during or after the Council, during or after the chapters of renewal.⁴⁹ They have lived, for the most part, a relatively unstructured lifestyle, in small units rather than in large institutions. Many of them had worked before entering and had lived independently for some time.⁵⁰ For the most part, they

firmation Books, [1982], p. 29.

⁴⁷ See E. ERIKSON, *Identity, Youth and Crisis*, New York, W. W. Norton, [1968], pp. 128-135, 155.

⁴⁸ Some psychologists would probably consider this assumed identity the *persona*, a term used by Jung "to refer to the 'face' or 'mask' one adopts in the outside world. P[ersona] pertains to conscious purposes, not to deeper layers of the personality", in GOLDENSON, *Longman*, p. 546.

⁴⁹ This may not apply to all institutes of women, but it is applicable to a large number of them.

⁵⁰ Many institutes include these two aspects among their requirements for acceptance. According to a study undertaken by the CRC, see M. GALLAGHER, *Candidates to Religious Congregations 1981-*

have had little or no experience of the uniform and rigid lifestyle of the pre-Council era. They have been responsible for many areas of their own lives as well as for the good functioning of the local unit to which they belong.

The years since Vatican II have also affected older members' experience and perception of community. Perhaps this group can be divided into two.⁵¹ First of all, there are those presently in their sixties and seventies; they were "young" at the time of the Council and the chapters of renewal. For the most part, they have lived a lifestyle similar to that of the under fifties. However, there are two significant factors in their background: they experienced firsthand the "old form" of religious life to which they do not wish to return, and a large number of their original companions have left. In a sense they are the "remnant".⁵² The second group consists of sisters in their eighties and nineties. Again there are those whose lives since the Council closely resembled that of the other two groups. Many of them, as they age, resist the institutionalized uniformity of retirement centres and try to remain active in their local units for as long as possible. The other segment laments the losses and changes and believes that the institute is doomed; at times, their comments seem negative and judgemental, particularly regarding the lifestyle of certain members of the institute.

1990: Statistics, Ottawa, Canadian Religious Conference, 1991, pp. 5-6, the majority of the women accepted between 1981 and 1990 had worked between 3 and 7 years prior to entering; 60% had obtained a basic degree; 25% had post-secondary education of some kind; 70% had some work training, professional or other. This trend will no doubt continue for some time.

⁵¹ In order to facilitate discussion, a division into age groups has been used. However, the division is not that clear; there is overlapping in all categories. One knows younger members who are closed, rigid and narrow, and elderly ones who are wonderfully open, free and accepting of newness and diversity.

⁵² This fact is true for many of the older members of the first group. For those who stayed, the reasons may be quite varied. A small number may have remained for the wrong motives, but the majority did so out of a clear sense of call, a vocation reexamined with each departure.

The existence of those first two groups within an institute has implications for the future, particularly in terms of community. Besides, in most institutes the majority of members are over seventy; thus, in another ten to twenty years, few of these will still be living. On the whole, institutes will find themselves reduced to approximately a third of their present population, even less in some instances. Given the existence of this demographic reality, as well as other factors arising out of mission, culture, and Church, what will it mean to be a community of adults, "a community of adult friends in ministry".⁵³

From the perspective of both "religious life" and "adulthood", it would seem that we are speaking here of a group of women whose bond is their call, their commitment to the following of Jesus lived out according to a particular charism, and actualized through ministry. Some characteristics of such a community would be "mutual trust, friendship, sincere communication, sharing and mutual forgiveness."⁵⁴

⁵³ S. SCHNEIDERS, *New Wineskins: Re-imagining Religious Life Today*, [= *New Wineskins*], Ramsey, Paulist Press, 1986, p. 248. She also refers to this group as "a community of friends who are co-disciples in ministry", p. 247. The concept of a community of friends is not a new one, it was at the basis of Augustine's rule and is evidenced in the role attributed to the leader of the group; see *The Rule of St. Augustine: Masculine and Feminine Versions*, R. Canning, trans., introduction and commentary by T. Van Banel, London, Darton, [1984], pp. 101-105.

⁵⁴ J. LOPEZ, "The Present Reality of the Religious Life: Basic Data on the Evangelical Life and Mission", in UNION OF SUPERIORS GENERAL, *Consecrated Life Today: Charisms in the Church for the World*, [= *Consecrated Life Today*], [Middlegreen], St. Pauls, [1994], p. 88. See also *Instrumentum*, no. 58; A. DUCHARME, "La mission de la vie communautaire aujourd'hui", [= "Vie communautaire aujourd'hui"], in *Vie des communautés religieuses*, 51 (1993), p. 82.

Perhaps it is easier to describe what a community of adults is not.⁵⁵ First of all, it is not based on the primary family model as were the pre-Council units; thus, there can be no parenting nor any search for such a relationship.⁵⁶ The relationship is that of adult peers, both among the members and with the community leader. Members know that this group cannot be expected to respond to all their needs; the smaller the group the truer this is. Although the term "friends" is used in describing such a community, it is in the broad sense and does not imply the intimacy that can exist between close friends. Perhaps the better term is that chosen by Ignatius — "companion".⁵⁷ Bonds of close friendship may indeed develop, but it is unrealistic to think that all one's intimacy needs will be met within a particular community.⁵⁸

Can religious expect anything from a community? S. Schneiders describes some of the values and needs which may realistically be sought in a community of adults.

[A]mong those values will probably be a shared concern for ministry, a shared vocational context of celibacy, and in some sense a shared history ... Some of the needs which the community will meet will be that for worship, prayer, and faith sharing in the spiritual sphere; the supplying of mutual assistance, support, affirmation, the space to be oneself and to grow, reasonable and caring confrontation when necessary, and a sense of

⁵⁵ SCHNEIDERS, *New Wineskins*, pp. 247-250. See also B. FIAND, *Living the Vision: Religious Vows in an Age of Change*, [= *Living the Vision*], New York, Crossroad, [1990], pp. 79-81, and, by the same author, *Where Two or Three Are Gathered: Community Life for the Contemporary Mission*, New York, Crossroad, [1992], pp. 33-55.

⁵⁶ Psychological writings and life experience indicate that these two attitudes can be manifested in very subtle ways.

⁵⁷ Companion, from the Latin *cum* and *panis*.

⁵⁸ It would be out of place to expect within a religious community the degree of intimacy and of sharing which is proper to marriage. However, on the continuum, the bonds among members of a religious community should be closer to the "partnership of life and love" of a marriage than to the impersonal connections of a boarding house.

belonging, interdependence, and friendship in the psychological sphere; and the sharing of resources and opportunities for growth and development in the professional and ministerial spheres. Obviously, communities will vary greatly in their capacity to meet the needs of their members in these various spheres, but the point here is that these are real and legitimate needs of religious which a community can be legitimately expected to fulfill in some measure, and it is realistic to evaluate a community in terms of its capacity and willingness to function in these ways.⁵⁹

This description of a community of adults says nothing specific about living together under the one roof, although it does not exclude such a possibility; it says nothing about uniformity of schedules, of works, or of set ways of doing or being. If communities are made up of adults, each group will then be capable of establishing the structures relevant to the society in which it is situated, and appropriate for its members and their ministries.⁶⁰

2. *Community for Mission*

The phrase, "community for mission", has been much to the fore in these post-conciliar years.⁶¹ It is always important, however, to differentiate between mission and ministry, as there is only one mission but many ministries. Certainly, religious share in the mission of the Church which is the mission of Jesus. Yet the phrases the "mission of Jesus" and the

⁵⁹ SCHNEIDERS, *New Wineskins*, p. 248. See also CICLSAL, *Fraternal Life in Community*, [= *Fraternal Life*], Rome, 1994, nos. 24-26, and 35-38.

⁶⁰ A. DUCHARME, in "Vie communautaire aujourd'hui", points out that for religious life to be relevant it must be modeled on the society in which it finds itself. "...la Vie Religieuse est pertinente si elle se modèle sur la société où elle se réalise", p. 82. See also MERKLE, *Committed by Choice*, pp. 117-119.

⁶¹ See *Instrumentum*, nos. 60-62; *Fraternal Life*, nos. 58-59. See also M. ABBOTT, "Community", in *UISG Bulletin, Special Supplement*, 62 (1984), pp. 56-60; U. O'NEILL, "Community for Mission", in *The Way Supplement*, 61 (1988), pp. 62-75; H. O'DONOGHUE, "Religious Community as Apostolic Resource", in *Religious Life Review*, 24 (1985), pp. 154-161.

"mission of the Church" are rather broad. How can they be translated into a more tangible and unifying reality relevant for a particular community?

There are at least two ways of rendering the mission more "manageable". First of all there is the charism of the institute. By focusing the mission in a specific manner, not only does the charism provide the criteria for the selection of ministries in which the members of the institute are engaged, but it is also the bond of unity in diversity, and the source of that intangible spirit and sense of belonging experienced by the members and which form the basis for community.⁶² The members then are "companions" or "friends", engaged in a common mission.

The second process which might provide a focus for a community in regards to mission is what can be called an apostolic thrust.⁶³ This is particularly true for a local unit of religious living together but engaged in diverse ministries. Is there a common external thrust that can be adopted by all the members of that unit which will give meaning to their being together in that particular house,⁶⁴ something more than compatibility, convenience, or the fact that the institute owns the building? Is there a bond, besides the charism or within the charism, that will make that group a community? Experience has shown that geographic proximity is not always sufficient.

⁶² Paradoxically, this frequently becomes clearer when one is away from one's own institute and in close contact with another.

⁶³ In French this is frequently referred to as *le projet apostolique* or *le projet commun*.

⁶⁴ House is used here in the ordinary sense, not in the canonical one.

The *raison d'être* of a community is the mission. The various ministries carried out by the members are but aspects of that mission. More subtle, perhaps, and more difficult to determine but equally important is the witness value of the relationships among the members of a particular community, and of the presence of this community within a sector of society or of the Church. This is true whether the members live together or not. Thus the community must be able to relate its charism to the people with whom they are involved, as well as to the circumstances and needs of the world in which it finds itself. One author speaks of religious life as being "both a countercultural and a transformative force in the society."⁶⁵ She elaborates on this theme and states that a community

must be enough unlike the society to stand in contrast to it. Its common life should reflect its transcendent source of inspiration, and it should have the capacity to be critical of the prevailing understanding of things in the culture. On the other hand, a group should be enough like the culture, that the religious and human meaning upon which it is based can be communicated. People only identify with something not foreign to their way of thinking and being.⁶⁶

Certainly the witness provided by a community where members live together under one roof will be different from that given by one where the members live singly. However, both can be authentic and prophetic, although not without their own particular difficulties. In the latter case, it soon becomes evident to co-workers and other acquaintances what kind of relationship the sister has with her institute, with her province, or with other members. Her manner of speaking about the institute and its members, her commitment to the life of

⁶⁵ MERKLE, *Committed by Choice*, p. 117.

⁶⁶ MERKLE, *Committed by Choice*, p. 118. See also DUCHARME, "Vie communautaire aujourd'hui", pp. 78-79. Unfortunately by the early 1960s, most religious communities presented an image which was rather foreign to most people. Some might argue that the pendulum has swung too far in the opposite direction and that today religious communities do not stand enough "in contrast".

the institute through her participation in and attendance at meetings and assemblies, at times with some cost, the values for which she stands and which she fosters, her hospitality to other members of the institute — all of that witnesses to a relationship that is inclusive, and it can speak to those around her. Such a witness demands a certain openness on the part of the sister to be able to share her life with co-workers or others.

The witness of a community whose members live together can be very powerful, especially if those around them see there an acceptance of and a respect for each other regardless of talents, background, or ministry; if they can see the members making time for each other and supporting each other in joy and pain. However, such a community cannot be a closed entity. Although there will be times when the members gather by themselves, the community must be characterized by an inclusive and non-discriminating hospitality and openness. Religious community witnesses to the all-embracing command of charity and the *communio* of the Church; in this way it is also a prophetic community.

Such a witness can speak eloquently to others, in particular to the hopes and ideals that lie in the heart of most people, and it demonstrates that some of the prevailing societal attitudes such as individualism, consumerism, and self-centredness can be transcended.⁶⁷ In a sense, then, the witness of that community becomes a counter-cultural and transformative force for those with whom it comes in contact.⁶⁸

⁶⁷ In a way the vows speak to these three attitudes.

⁶⁸ See *Instrumentum*, nos. 63-64. M.-A. DONOVAN, in *Sisterhood*, speaking of the three vows, indicates how each one seems to come to the fore at a particular point in history: poverty in the 13th century a time of growing wealth; obedience in the 16th and 17th centuries “with the rise of individualism in its various manifestations”; she questions whether celibacy is not the vow for this time and for what she names as a “sexually preoccupied culture”, pp. 81-82.

Finally the aspect of community witness, whether of religious living together or singly, that cannot be overlooked, is the witness of their own life, a life of discipleship dedicated to the following of Jesus.⁶⁹ This can be evidenced in a myriad of ways, but it finds its source in prayer, in reflecting on and sharing the word, and in liturgical celebrations of various kinds. When this aspect of life is shared with others, it can provide nourishment for their spirit and their heart as well as an encouragement for them to live faithfully their own call.

3. *Commitment of Community Members to Each Other*

Canonical and theological writings on religious life frequently address the issue of commitment, usually in the light of the person's commitment to God within a specific institute and according to its proper law. Little is ever said regarding the commitment of the members to each other. Indeed, do members of an institute, by their profession, pledge fidelity to each other?⁷⁰ If they do, are there consequent rights and responsibilities? The attitudes and relationships described as basic to a community of adults, of companions for mission, would seem to illustrate their commitment to each other. Does this fidelity need to be formalized or expressed, or is it not taken for granted by one's incorporation into the institute?

⁶⁹ See "c. 673 - Omnium religiosorum apostolatus primum in eorum vitae consecratae testimonio consistit, quod oratione et paenitentia fovere tenentur."

"C. 673 - The apostolate of all religious consists primarily in the witness of their consecrated life, which they are bound to foster through prayer and penance."

See also A. DULLES, *Models of the Church: A Critical Assessment of the Church in All Its Aspects*, 2d. ed., [Dublin], Gill & Macmillan, [1988], pp. 208-212, 220-222.

⁷⁰ This question is addressed by T. E. CLARKE, in "Jesuit Commitment: Fraternal Covenant", in *Studies in the Spirituality of the Jesuits*, 3 (1971), pp. 69-101.

Certainly in the past this mutual commitment was real in the sense that a person in religious life depended on the institute, its leaders and its members for nearly every aspect of life. This was particularly true for women religious since relationships with people outside the institute tended to be quite restricted. One might say that there was little choice in this matter; therefore, any expression of such a mutual commitment would have seemed superfluous.

However, because of the circumstances in which many apostolic women religious find themselves today and certainly will in the future, perhaps this mutual commitment within an institute or a community will need to be raised, discussed, and clarified.⁷¹ This will become more important as numbers decline; however, even now, one might question how this commitment to each other is being fostered among the newer members of our institutes.⁷² Indeed in a number of institutes or provinces, even some older religious may have lost sight of such a commitment. As was noted, certain expectations regarding community are realistic. It might be good for members to verbalize their needs and expectations, and what precisely is being sought in a particular community, however it is structured — members all living under one roof or living singly.⁷³

⁷¹ This aspect may need to be a conscious part of initial formation which should reflect the reality and experience of the life of the active members of the institute, see S. SCHNEIDERS, "Formation for New Forms of Religious Community Life", in *The Way Supplement*, 62 (1988), pp. 63-76.

⁷² See J. A. EBY, "One Voice from the Middle Place", in *Review for Religious*, 53 (1994), pp. 364-374, for a reflection from the point of view of a newer member of an institute.

⁷³ Some questions that might help clarify or test one's commitment to other members are the following. What does it mean to be "there" for each other? To whom does one spontaneously or exclusively turn in a time of crisis, to other members of one's present or former community, to one's family, or to friends outside the institute?

Certainly one of the greatest shifts in the understanding and practice of community in these times is away from a uniform and highly regulated lifestyle to a freer, more flexible one centered on mission rather than on works. There has been a movement from living a "common life" with a uniformity in food, clothing, type of residence, and schedules, to living "community", a union of minds and hearts around a common charism, mission, or thrust.⁷⁴ If those are the bonds which link members, if they are indeed companions for mission, then they are living community whether they live together under the same roof or singly. In many institutes, the latter has become a wide-spread practice and, at times, an uncomfortable one both for leaders and other members. It is fairly realistic to believe that this phenomenon will increase, particularly because of declining numbers. The ensuring of viable community in such circumstances will demand openness, imagination, creativity, and trust on the part of all — leaders as well as members.

C. *Structural Change and Support Systems*

As apostolic religious institutes of women face the future, a number of challenges await them. The most obvious one is, without question, the decline in membership — a decline occasioned by a lack of candidates as well as aging members. This decrease will significantly affect these institutes as they attempt to remain faithful to their apostolic nature by responding to needs not addressed by society and, at the same time, fostering viable community life among their members and providing them with all that "is necessary to fulfil the purpose of their vocation."⁷⁵ With time, it will be important for institutes to become

⁷⁴ See *Instrumentum*, no. 24.

more and more aware of the charism — their bond of unity — and to determine priorities regarding both ministry and community life in fidelity to that charism.

1. *Means of Preserving Unity*

The challenge of preserving unity is all the greater if an institute chooses to respond to needs by having its members (already few in number) dispersed over a wide geographic area, rather than forming larger groups in a few locations. Out of fidelity to their apostolic nature, many institutes are opting for the first possibility. If members are living here and there in groups of two or perhaps three, but mostly singly, at considerable distance from each other, how does the bond of unity remain firm? What types of structures and support systems will be needed to ensure a sense of belonging and of commitment to the institute, as well as to each other? In the case of institutes which have traditionally extended from one coast to another, the distances may be considerable; nevertheless, it may be deemed important to maintain a presence in some areas, because of their isolation or particular nature.

What kind of structures and support systems would these institutes need to establish in order to ensure that the charism, the bond of unity, is preserved and that members do not feel isolated and abandoned? What types of communities can be formed in such settings, communities that will nurture life and foster the mission? First of all, that has to be a priority for the whole institute and thus the input of those concerned is of vital importance.⁷⁵ It is the religious living in far-flung areas that must say what it is they need, in terms of

⁷⁵ C. 670; it is important to note the wording of the canon which speaks of the institute's obligation to "supply the members with everything that, in accordance with the constitutions, is necessary ..." Emphasis added.

⁷⁶ At some point this could be the focus of a general chapter.

structure and support, in order to remain faithful to their commitment. It will not be identical for all sectors and it will not happen automatically. The institute will have to devote some of its resources — personnel and finances — to this aspect of life if it is indeed a priority. Travel and the various means of communication are expensive. It may also be necessary to select at least one member of the institute's leadership group to carry out this task of "animation". Creativity on the part of members and leadership will definitely be called forth.

2. *New Types of Communities*

New situations require new structures, particularly regarding community. As apostolic institutes modify their organizational structures to correspond to smaller numbers of active religious and growing numbers of elderly and ill members, new and different ways of grouping their members need to be considered, particularly if they have defined themselves as apostolic, and if that nature is to be preserved.

At times, one hears a variety of terms to designate new concepts regarding the formation of communities: "communities without walls", "district communities", "intentional communities", "associational communities", to name but a few. Several of them overlap and describe a similar structure; others express more of a motivational aspect or focus; some are sociological terms appropriated by religious and adapted to fit certain circumstances.

"Communities without walls" is a broad term that can include other facets, such as the "intentional" or "associational" models. In such a community, members could be living in a variety of situations: singly, in small groups of two or three, or in inter-congregational

settings. Their community is a particular clustering of members not circumscribed by four walls and a roof, but centered around a common thrust: a certain ministry, theology, mission⁷⁷ or aspect of the charism. The characteristics of such communities would be those already mentioned as describing a community of adults or companions for mission. It could also happen that in a residence of several members, two or three different "communities without walls" could be represented. In those cases, belonging to this type of community does not preclude some kind of relationship in the local unit, but its focus would be different. Thought and effort would be necessary in order to assure smooth links among the various groupings.

"District communities", such as exist in certain institutes of men⁷⁸ are similar to "communities without walls"; however, in the former case, geography is a significant factor. This type of community could include all the members living in a particular geographic province or region.

Generally "intentional" and "associational" communities carry a sociological connotation that is missing in some of the others.⁷⁹ However, the phrase "intentional" can be

⁷⁷ The Soeurs de Sainte-Croix/Sisters of Holy Cross have recently restructured their institute with mission as a focus. Each member, although belonging to a geographic local unit, at the same time is part of a group with a particular ministry focus. These groups also include those who are ill or elderly under the ministry of prayer and suffering. See SOEURS DE SAINTE-CROIX, *Perspectives Sainte-Croix*, 4 (1989), pp. 10-14.

⁷⁸ The Missionary Oblates of Mary Immaculate have had district communities almost since their foundation, and this structure has received the support of the CICLSAL. See "Letter from the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life ...", Prot. m. YM 29/92, in *Acta Administrationis generalis, O.M.I.*, 15 (1992), pp. 13-15. This letter was sent in acknowledgement of the General Superior's report to the CICLSAL.

⁷⁹ For one interpretation of these terms, see P. WITTEBERG, *Creating a Future for Religious Life: A Sociological Perspective*, New York, Paulist Press, [1991], pp. 11-13, 61-63.

interpreted in a broad sense and applied to groups who gather and clearly state their "intention" regarding the nature, structure, and functioning of their particular community. This would be akin to what one author designates as a "covenanted" community. He points out that in such units, the structures are not from without, but are created by the members, thus from within. He points out that "having made common decisions and created local structures, [the members] will abide by them."⁸⁰

Naturally some of the traditional forms of community will remain; however, many of those will be the health care centers and residences for the aged. The elderly or those whose strength is somewhat diminished by illness cannot be excluded from the new types of community. However, their participation in these kinds of groupings should parallel that of others. It would be unrealistic and counter-productive, especially in very small groups, to expect that religious engaged in full-time active ministry be also able to look after members requiring extensive and intensive care. The institute or the local group would need to make other provisions or such a situation could give rise to injustices towards all concerned. Indeed, a community of older members can be a significant presence in a particular location and contribute to the support and encouragement of those who are still "in the field".⁸¹ The underlying philosophy to the establishing of various types of communities is that they must

⁸⁰ MALONEY, *Way of Vincent de Paul*, p. 137.

⁸¹ One could see a group of two or three people in their late sixties or seventies living in a particular area, because that is where they had been actively involved for a number of years. Depending on the location, besides providing a presence there, they might also offer a pied-à-terre for others living singly or in remote areas. Thus these older religious could belong to a small community on a more regular day-to-day basis and to an extended one as well. There could be significant benefits all around.

fit the people involved, their situation and ministry. Therefore the operative attitudes will have to be flexibility, trust, and openness on the part of all.

3. *Communications*

If communication has been an important factor in the good functioning of a community, it will be even more so in the future.⁸² If units and individuals are scattered over a vast geographic territory, what kind of communication will be needed to connect them? In certain areas, periodic gatherings may be possible; in others, perhaps annual ones are more in order. Once again, the input of those involved will be of utmost importance in decisions on this matter. Fortunately we live in an age where technology can be of considerable assistance; telephone conferences, faxes, hook ups, modems, electronic mail could facilitate connections and discussion.⁸³ Certainly this would entail initial expense, and some members might consider this extravagant; however, if ministry and community are stated priorities, if the life and growth of the institute as a whole and of the members as individuals are important, then resources will have to be committed to these areas, perhaps to the detriment of others.

That is the "how" of connecting and communicating, but what is to be communicated? A rather facile response is "life"; however, faith, ministry concerns, significant events in one's life, issues related to the life of the institute as a whole — all are matter for sharing among

⁸² *Fraternal Life*, nos. 29-34.

⁸³ One can envision a telephone conference linking small groups or members living singly in order to discuss some matter pertaining to the life of the group or of the institute, e.g., preparatory materials for chapter. One can also envision a round-robin type of newsletter or fax which one begins and to which each unit or individual adds a section, e.g., for birthdays or special days in the institute.

the members of the community. Besides the more material means of connecting, institutes may need to set in motion various processes in order to facilitate the sharing. Naturally not all communication can and should be serious, structured, or formalized; there has to be room for the Spirit, informality, and playfulness. However, as numbers diminish and as members age, if the active members are to remain committed and energized for mission, more time and energy will need to be expended on learning how to communicate in an open and non-threatening manner, as adult companions in a community for mission. Leaders (superiors) have a role to play here as in other areas of the life of their institutes.

4. *Challenges for Leadership*

The years since the Council have not been easy for those in leadership in religious life, whether they have been responsible for the institute as a whole, for intermediate, or for local units.⁸⁴ As numbers diminish and members age, painful choices will need to be made, and the exercise of leadership will probably not become any less difficult. One decision, already mentioned, would be to continue to respond to needs even though this may require a sister to live singly. Other decisions may target the care of the aging and the sick. If institutes are to remain faithful to their apostolic nature and their charism, by freeing active members to engage in ministry, they might have to find diverse ways of caring for the sick and

⁸⁴ Since the Council, particularly in women's institutes, a consciousness of language and its meaning has moved many groups to use the term "leader" and "leadership". Despite this sensitivity, it would seem that prior to the selection of the general superior or council member, much discussion centers around "leadership" and the relevant qualities; yet afterwards, those selected spend much time in administrative tasks rather than in "leading" or "animating". These two terms appear similar in meaning, or at least in practice.

the elderly.⁸⁵ The administration of the institute may also require adjustments and innovations. Perhaps the title of a talk by Howard Gray, "Maintenance or Mission", summarizes the challenge well. Unfortunately at times, those in authority can appear to forget the members in active ministry, because the problems in the rest of the institute seem much more compelling.

Leadership in such institutes will differ significantly from that exercised in a time of growth and expansion. The model of leadership needed for a large segment of elderly and sick sisters cannot be the same as for the small group involved in active ministry. Indeed institutes thus populated will probably require two people with very different gifts and talents.⁸⁶

What kind of leadership will be needed by active members scattered over a vast geographic territory? Perhaps it is easier to state what they would not need. If indeed we are dealing with communities of adults, of companions for mission, leaders (superiors/councils) must not act as mothers, nor should they be primarily concerned with multiple rules and regulations.⁸⁷ Neither should they expect to impose or to find much uniformity in the

⁸⁵ They may be obliged to hire (more) lay help or make arrangements with other institutes or institutions. Already in certain areas, several institutes have come together to establish inter-congregational health care units. Others have negotiated with residences or nursing homes directed by various agencies.

⁸⁶ This does not imply that there will be more than one supreme moderator. However, a council member could be elected specifically for each of those positions, with a well-defined mandate. In certain ways, their roles would be similar: both are leaders of a group of committed adult women religious, but whose needs are different.

⁸⁷ G. TROISI, in "Administration in Religious Communities Today: The Doing of Liberation Theology", [= "Administration Today"], in *Sisters Today*, 51 (1979-80), states: "The most enervating and fruitless task religious leaders can engage in, is spending time making regulations ... A governing body can only set up guidelines and enable people to develop their own response to the gospel as they interpret it in their lives", pp. 442-443.

way the various clusters function, since the situations in which these communities find themselves will differ greatly in terms of geography, culture, and local Church. These leaders would also have to be comfortable with ambiguity and flexibility.

The role of leadership for such a group of religious would be that of animator, of enabler, providing encouragement and support so that the members can live their vocation as generously and as happily as possible.⁸⁸ The leader for such a group would also act as one of the main links among the different members, but particularly among communities, and geographic regions. At present on the whole, apostolic religious are very competent and deeply committed to the ministry in which they are engaged and to the people whom they serve. There is no reason to believe that this will be any different in the future. Certainly, they will need opportunities for ongoing spiritual and professional formation. However, they will not need directives imposed upon them regarding their prayer, their work, or other aspects of their life. What they probably will need most is encouragement to continue living the charism and working towards the goals that the institute and the community have set. They will need affirmation that what they are about is worthwhile; more importantly, perhaps, that they themselves are worthwhile, and that they are the institute's "greatest resource".⁸⁹ Questions a leader might ask each member are the following: "What do you need in order to live your call wholeheartedly, with enthusiasm and in fidelity to the char-

⁸⁸ The leadership described here is that exercised traditionally by the provincial or general superior. In terms of a local unit, the leader could have some similar functions although on a reduced scale as she would probably be involved in full-time ministry. The focus of her concern would be the individual and the facilitating of unity among those individuals. She would also be the "memory" for the community, reminding them of their "intention", their "covenant", of goals set, of decisions taken, or of other matters relevant to the unity and good functioning of the group.

⁸⁹ "The greatest resource of our congregation is its members", SISTERS OF CHARITY OF ST. VINCENT DE PAUL, *Constitutions and Directives*, Halifax, Mount Saint Vincent, 1985, art. 56, p. 18.

ism?" "What does your community need?" "How can I, as leader, help you to do that?" The answers may be surprising and yet quite simple.

To fulfil such a role, the leader will need to be a good communicator and a good traveller. Certainly the responsibility for remaining connected to the institute belongs to each sister, the one at a distance as well as those living with other members of the institute. Nevertheless, as more and more religious are living singly or in groups of two and three, it will be imperative for leaders of institutes to see that appropriate structures are established in order to assure and facilitate this mutual exchange.⁹⁰

The years ahead will certainly continue to present a number of changes and challenges for the practice of the common life and of community. How institutes will adapt to those changes is unknown; however, it will certainly involve some struggle — emotionally, psychologically, and perhaps canonically.

⁹⁰ J. BEYER, in his commentary on c. 665 - §1, in *Le droit de la vie consacrée: commentaire des canons 607-746, instituts et sociétés*, [= *Le droit: instituts et sociétés*], Bourges, Tardy, 1988, refers to the responsibility of superiors in the case of a "prolonged absence": "... plus l'absence est prolongée, plus la responsabilité des supérieurs est engagée. Des visites, des contacts réguliers devraient être possibles et prévus. Abandonner des personnes à leur sort serait un manque grave de responsabilité dans le gouvernement de l'institut", p. 138. There are echoes here of c. 670.

D. *Canonical Issues*

When Pope John XXIII called for a revision of the Code of Canon Law,⁹¹ many religious were keenly aware that much of the *CIC/17* was outdated. Life had changed and the law, which follows life, was lagging far behind. However, the rate of change has accelerated and once again, after only fifteen to twenty years, religious may find that certain sections of the law no longer fit the reality of their life experience. This may be particularly true of their proper law.

Considering the phenomenon of change per se, we can identify two phases since the Council. First of all, immediately after Vatican II, change in religious institutes was obvious, overwhelming in some cases, with very glaring and at times devastating effects. These latter years have seen a different kind of change. It has been more subtle, perhaps almost imperceptible, then suddenly one realizes that not only is life no longer what it was, it is not what one thought it was becoming.⁹² Although the former type of change was difficult, the latter may have affected members in a deeper manner — even to a loss of hope, in some cases. These shifts have also affected the law, both its understanding and reception.

⁹¹ *AAS*, 51 (1959), p. 68.

⁹² The decline of candidates illustrates well this phenomenon. For many institutes, in the first few years immediately following the Council, there may have been very few candidates, perhaps none. Then for perhaps ten to fifteen years, a small but consistent number were accepted annually. Suddenly, or so it seemed, there was no one. As members began to absorb that reality, they were also profoundly struck by other facts, e.g., their aging population, the increasing numbers of departures, diminishing financial resources, a loss of status.

1. *The Proper Law of Institutes*

It is safe to say that most institutes revised their law and wrote their "new constitutions" in that hiatus, where life seemed to have reached a plateau.⁹³ On the whole, religious institutes of women undertook that process very seriously and attempted to be true to their own experience as well as to the guidelines issued by the Holy See.⁹⁴ They tried to include in the constitutions proper, only those facets of life that were stable and unchangeable.⁹⁵ Although at one level they knew that this new law was not carved in stone, most did not foresee that several sections, even in the first book, would be out of date, indeed impossible to implement, within ten years. Thus at the present time, most institutes find themselves needing, once again, to revise certain parts of their constitutions for various reasons.⁹⁶ A glance to the future and a deeper understanding of the charism might suggest others.

⁹³ There were, perhaps, several reasons for this sense that life was settling down. One may simply have been human nature; most people can tolerate very little change at one time. The pervasive use of the term "experimentation" and the emphasis on the specific time limit surrounding that "experimentation" may also have fostered that feeling among many religious.

⁹⁴ SCRIS, "Modification of Constitutions", 10 July 1972, in *CLD* 7, pp. 477-483, this letter includes a list of documents touching on specific areas of religious life needing adaptation. During the post-conciliar years, SCRIS issued a series of letters clarifying various aspects of the rewriting process. Many of those letters were private. See *CLD* 8, pp. 335-341, 343-344, 344-347; *CLD* 9, pp. 345-346, 351-353,

⁹⁵ See cc. 587 and 578.

⁹⁶ A certain amount of discomfort and anxiety surrounds this fact. Perhaps some recall difficulties experienced in obtaining approval of their constitutions and are hesitant to revisit that process. Others may fear new restrictions and worry that the CICLSAL will not be content with the changes being submitted and will demand modifications in other areas, perhaps reintroducing certain practices.

Although most institutes know that their reality will change significantly in the next ten years, it would still be possible for them to make provision in their constitutions for some unforeseen and unknown eventualities. In many instances, the *CIC/83* refers to the proper law of the institute or to its constitutions.⁹⁷ Without being restrictive, institutes might be able to protect themselves by including certain points in their own law, particularly regarding the understanding, interpretation, and practice of "community". Canon 602 refers to the *vita fraterna* "proper to each institute", and c. 607 - §2 points out that the members of religious institutes "live a life in common as brothers or sisters" but "in accordance with their own law".⁹⁸ It could be advantageous for an institute to include some general principle in its constitutions in the section on "community" reflecting its traditions and allowing for latitude and flexibility in future practice.

A similar inclusion might be necessary in the description of the role and function of local leaders or superiors to allow for the distinction between a group contained within a specific residence and a community without walls. Although the Code does not speak directly of local superiors, c. 608 indicates that a community is to live "under the authority of a Superior."⁹⁹ Canons 618 and 619 provide broad guidelines regarding the function of superiors or leaders which, particularly in c. 619, seems to be one of an animator rather than

⁹⁷ See J. BEYER, *Du concile au Code de droit canonique: la mise en application de Vatican II*, Paris, Tardy, 1985, pp. 121-122.

⁹⁸ "C. 602, *Vita fraterna, unicuique instituto proprio...*"; "c. 607, *...secundum ius proprium ... vitam fraternam in communi ducunt.*"

⁹⁹ See M. M. MODDE, "Religious Houses and Governance", in J. HITE, S. HOLLAND, and D. WARD, ed., *A Handbook on Canons 573-746*, Collegeville, Liturgical Press, [1985], p. 65. J. BEYER, in *Le droit: instituts et sociétés*, indicates that it is the proper law of the institute that determines the mission and authority of local superiors, p. 34. See *Instrumentum*, no. 59.

that of a "commanding officer". Therefore, it would be important that the proper law of an institute not be more restrictive than the Code, but simply highlight what is particular to the institute and its tradition.

2. *The Universal Law*

As we have seen, the *CIC/83*, in several instances, refers either to the proper law of the institute or more specifically to the constitutions. Although this is a significant improvement over the *CIC/17*, some writers seem to indicate that more autonomy could have been left to the individual institute.¹⁰⁰

a. *Difficulties*

Perhaps the areas in the universal law that give rise to greater difficulties, or misunderstandings are precisely those concerning "houses" and "superiors". Although many commentators point out that the term "house" is not exclusively synonymous with a building and is identified with the group — the community¹⁰¹ — yet the question "what is a house of the institute?" continues to be raised. There is still some ambiguity surrounding the "constituted house" (*in domo legitime constituta*) of c. 608, and the "established" house (*domus*

¹⁰⁰ See BEYER, *Le droit: instituts et sociétés*, pp. 315-316, also his "Vie consacrée et vie religieuse de Vatican II au Code de Droit canonique", in *Nouvelle revue théologique*, 110 (1988), pp. 94-96; J. WALSH, "Apostolic Religious Life: A Sea of Uncertainties", in *Review for Religious*, 44 (1985), pp. 561-562.

¹⁰¹ Almost every canonist writing on religious life has commented on c. 608, e.g., E. McDONOUGH, "Common Life and Houses", in *Review for Religious*, 52 (1993), p. 465. S. HOLLAND, in "Religious House' According to Canon 608", in *The Jurist*, 50 (1990), summarizes quite succinctly what most of the best-known commentators have said, pp. 539-545. She also provides some clarification regarding the background of the canon, pp. 532-539.

eriguntur) of c. 609.¹⁰² This lack of clarity presents certain difficulties, especially as circumstances cause significant changes in lifestyles and living situations. This confusion would seem to indicate that there has been little change in mentalities and that "community" is still largely defined in people's minds as "living together under one roof". This ambiguity also engenders problems around the interpretation of c. 665 - §1, that "[r]eligious are to reside in their own religious house" (*in propria domo religiosa habitent*). A greater emphasis on the "community" rather than the "building" would alleviate some of the misunderstandings around these terms.¹⁰³

Another source of difficulty, perhaps more particular to North America, is the matter of governance and the requirement of a superior in every community. This is aggravated if one identifies local community solely with the building in which religious are living, especially if the group is small — two or three members. However, theological reflection on religious community as a community of adults also raises the question as to why such a person or presence is necessary. No doubt there are many reasons why this question of superiors, authority, and governance is problematic. To attribute the cause entirely to an anti-authority sentiment is rather simplistic, to say the least. Certainly, past abuses, restrictions, and vestiges of a cloistered or monastic mentality play a large part, particularly in institutes of women, and for some women religious the requirements of the law on this point still carry

¹⁰² *Codex iuris canonici auctoritate Iohannis Pauli P.P. II promulgatus*, Typis polyglottis Vaticanis, 1983, xxx, 317p., revised English translation, prepared by The Canon Law Society of Great Britain and Ireland, 1993, in E. CAPPAROS, M. THÉRIAULT, and J. THORN, ed., *Code of Canon Law Annotated*, Montreal, Wilson & Lafleur, 1993, 1631p. [Unless otherwise indicated all English translations of *CIC/83* are taken from *CIC/93/GBI*].

¹⁰³ As numbers diminish, institutes will need to be attentive to certain laws governing the status of juridic persons.

echoes of paternalism or maternalism. However, the increased democratization of society in these past decades, the influence of the women's movement, the consequent growth of the equality of women in the workplace and in various sectors of society, the current prevailing shift in perceptions of and attitudes towards authority — all contribute to the malaise.

On another level but related to this same issue, there probably has not been sufficient renewal regarding the vow of obedience, its nature, its focus, and its execution. Perhaps too many religious still see it as targeting what one speaker called "traffic regulations". Consequently, the superior is still seen as the permission giver rather than the animator, a "commanding officer" rather than the person who calls the members to fidelity to their vocation, to the charism, and to what the community has established as their apostolic goal or thrust. This perception is detrimental to the exercise of leadership in any segment of the institute, but particularly within the local unit.

Again language is a problem, and the various titles adopted by different institutes over these past several years do not always translate the reality of life or the intent of the law. For many women religious gathered in a community of adults, the term "superior" not only introduces a suspicion of "inferiority" and recalls past immature attitudes and behaviour — on the part of both superiors and members, but it does not convey accurately what is needed for the life of that community.

For many religious on this continent, some of the difficulty surrounding Canon law stems from the immersion of religious in a legal atmosphere which is descended from the English common law. Although, one could argue that most religious are not acquainted with

any legal system, still the influence of the media cannot be discounted, and the little that is known relates to the common law family. Therefore, for the most part, North American attitudes towards the law differ from those of certain Europeans, thus contributing to problems in understanding and interpretation.

b. *Possible Revisions of Certain Canons*

At a little more than ten years since the publication of the 1983 Code, some might consider it premature to think of possible revisions. Although several centuries had passed before Canon Law was codified in 1917, only sixty-five years separate that Code and the 1983 one. One might expect, given the current depth and rate of change in society, in the Church, and in religious institutes, that certain modifications in the universal law will occur within an even shorter space of time.

When one examines the two schemas of religious law which preceded the *CIC/83*, one is struck by the economy of the 1977 draft. This schema was revised and one of its main components, the typology of religious life, was dropped. Perhaps this first attempt was too great a departure from the *CIC/17*, and neither those involved in the actual drafting of the Code nor religious themselves were able to make the necessary leap at that time. Nearly twenty years later, with the experience of the 1983 Code and of life itself, perhaps the 1977 schema bears revisiting particularly in the context of any revision or modification. This re-evaluation of that schema would require a renewed sense of subsidiarity, that is, the determination to inscribe in the universal law only what pertains to all institutes.¹⁰⁴

¹⁰⁴ BEYER, *Le droit: instituts et sociétés*, pp. 313-316; see also G. LESAGE, "Le principe de subsidiarité et l'état religieux", in *Studia canonica*, 2 (1968), pp. 99-123; M. LAPIERRE, "Why Religious Life?", in *Studia canonica*, 2 (1968), pp. 295-298.

Difficulties in understanding and interpretation have already been pointed out regarding the term "house" with the distinction of "constituted" and "established", and this despite efforts to avoid some of the nomenclature of cc. 496-498 of the *CIC/17*.¹⁰⁵ In the section common to all institutes of consecrated life, c. 9 of the 1977 schema spoke of the establishment of "houses or communities" (*sedes vel coetus*),¹⁰⁶ thus using the two terms synonymously. However, in c. 97 in the section concerning "religious institutes", the distinction is made between "community" (*communitas*) and "house" (*domus*),¹⁰⁷ as the canon states that "[a] religious community should live in a legitimately established house."¹⁰⁸ This is repeated in c. 608 of the present Code.

To use the wording of c. 9, which seems to equate "communities" and "houses", in the present c. 609 regarding the establishing of such bodies, would help to break down the identification of community with a building. In that case, the present c. 608 would be superfluous. Some of its elements could be expressed in other ways and incorporated into other canons. For example, in the section dealing with obligations and rights, the reference to the Eucharist could include the principle of c. 608 stating that the Eucharist is "the centre

¹⁰⁵ See "*Relatio*", in *Comm.*, 15 (1983), pp. 67-68 regarding certain wording of cc. 535 and 536 in the 1980 *Schema* which became cc. 608 and 609 of the present Code.

¹⁰⁶ PONTIFICIA COMMISSIO CODICI IURIS CANONICI RECOGNOSCENDO, *Schema canonum de institutis vitae consecratae per professionem consiliorum evangelicorum*, Romae, Typis polyglottis Vaticanis, 1977, xiii, 36p., translated into English as *Schema of Canons for Institutes of Consecrated Life by the Profession of the Evangelical Counsels*, ms., Rome, UISG, 1977, 29p. In this particular canon, the translation prepared by the Publications Office of the United States Catholic Conference uses "houses or groups".

¹⁰⁷ The Latin uses *sedes* in c. 9 and *domus* in c. 97.

¹⁰⁸ "Communitas religiosa habitare debet in domo legitime constituta..."

of the community". It is also important to note that it is the "community" that is to live "under the authority of the Superior". That element could be integrated elsewhere as well, perhaps in c. 665 - §1, again under obligations and rights. If that canon were reworded to indicate that "religious are to reside within their own community under the authority of a superior designated according to the norms of law", this would allow for the implementation of some of the new ways of living and alleviate certain feelings of unease or guilt. Again, it might help to avoid equating "community" with "four walls and a roof". There might be no need for the norms regarding absences, since a person who is ill or studying could certainly be within a "community" and not be in a "house/building" of the institute.¹⁰⁹

The understanding of "community" as a broader concept than a dwelling would have implications for other canons: c. 621, a "province is a union of several houses or communities..."; c. 622 regarding the authority of the supreme moderator "over all provinces, houses, communities, and members of the institute". It would eliminate the need for c. 629, as it would seem unlikely that a superior would be residing outside a community.

The other element of c. 665 - §1 concerning the observance of the common life could be judged superfluous since it exists in the description of a religious institute, c. 607 - §2. This paragraph could be reworded in order to stress more firmly the "union of minds and hearts" and to avoid any sense of uniformity: "A religious institute is a society in which the

¹⁰⁹ If institutes are faithful to their apostolic nature, there would seem to be no need for the provision regarding the "apostolate". It is interesting to note that the *CCEO* includes a similar norm (c. 478) in its section on monasteries and, for that reason, lists only two reasons for absence: illness and studies. However, one might also question the necessity to spell out the fact that religious are to live in their own community, it would seem unlikely that they would be living elsewhere, if the sense of community is indeed expanded.

members, united in mind and heart, pronounce public vows and live a life of sisters or brothers in community observing the common life according to their own law." The provision regarding the proper law is already expressed in c. 607 - §2; however, the position of the phrase "in accordance with their own law",¹¹⁰ and a lack of reference to that element in the majority of commentaries have contributed to its being easily overlooked. Many people, including religious, canonists, and ecclesiastical authorities, still interpret the wording regarding the *vitam fraternalam in communi ducunt* as relating exclusively to an image of uniform schedules and living together under one roof. This is true whether it be a question of the original Latin or the translations "a fraternal life in common",¹¹¹ or to "live a life in common as brothers or sisters".¹¹²

Closely linked with the concept of the proper law of the institute is c. 578. It is of particular importance since it highlights the significance of the character and nature of the institute which is to govern the whole of its life and that of the members: the interpretation of the vows, the practice of the "common life", the exercise of authority, the type of government, and the apostolate — for apostolic institutes. Yet, it seems to be lost in its present position. In a revision that could perhaps be remedied.

The concept of the nature and character of the institute is reiterated in c. 587 which enumerates the elements to be included in "the fundamental code or constitutions". In listing the objects of those "basic norms", community and the common life could be included. This

¹¹⁰ This is true for the Latin as well as for the two English translations.

¹¹¹ *CIC/93/GBI*.

¹¹² *CIC/83/CLSA*.

would point up once again that it is the approved nature, character, and charism of the institute that dictates not only the apostolate, but also the practice of community and the type of common life proper to the particular institute. To be faithful to the teachings of Vatican II, especially *PC* 15a, it would be important to distinguish clearly between community, which has as its goal and its *raison d'être* the union of minds and hearts, and the common life which pertains more to goods, to the sharing of resources, and perhaps ultimately to the vow of poverty.

Any future revision of the universal law will present a number of challenges. First of all, it should not be done piecemeal. A second challenge, no less daunting, would be a re-evaluation of the current law for religious in the light of the principle of subsidiarity, that is reserving for the Code only the broad norms and principles applicable to all institutes, while leaving the individual institutes the freedom to regulate their lives according to their character, nature and charism.

If, within institutes, serious attempts are being made to establish communities of adults, could one not hope for a similar intent in any revision of the law? Is the law regarding religious life not meant for institutes of adults, for institutes many of which have decades, even centuries, of experience behind them? If such is the case, perhaps even some of the suggested rewording would be superfluous.

Finally when speaking of the universal law today, one cannot ignore, on the one hand, the residue of fear and mistrust that lurks below the surface in many religious institutes. It is a complex issue, and its cause cannot simply be reduced to recalcitrant attitudes or anti-authority sentiments. Thirty years after the Council, there is a common perception (not re-

stricted to religious) that positions have hardened, that conservative elements in the institutional Church have triumphed, and that many of the conciliar principles have been ignored, lost, or put aside. Yet on the other hand, many religious have a much deeper sense of Church and their place within it. They have also grown to trust themselves, and when they measure their life and experience against certain writings, they feel freer to say with a degree of confidence: "This does not fit ... this does not work." All of this results in tension. The challenge then for institutes and for the Church is to use this tension as a source of growth and new life.

CONCLUSION

What does the future hold for apostolic institutes of women, particularly as regards the common life? What further changes and adjustments to the understanding and practice of "community" will be required of institutes as their life evolves? No one holds a crystal ball. However, one can assume that the paradigm shift presently underway in the whole of society will profoundly influence both the Church and religious life as did past societal and cultural attitudes and movements. Therefore, one might believe that if significant changes affect the way religious lead their lives, the law also will be modified in order to describe faithfully whatever is common to the lived reality of the various institutes. However, in the past, religious institutes themselves were not immune to those societal transformations, and again it is safe to presume that certain trends, both external and internal, will colour the shape that the common life, or more accurately "community" will take in the future.

An institute's search for authentic community — a community of adults committed to each other and for mission — while remaining faithful to its apostolic nature and caring for the aged and ill members will continue to present a challenge to members and leaders.

If institutes are able to preserve unity amid diversity both in ministry and living situations, to foster growth and life among their members in spite of declining numbers and aging members, to keep alive their apostolic nature, to continue reaching out in fidelity to their charism, to take seriously the witness value of their lives, they will have prepared the way for the new seed, the new form of religious life that is waiting to be born.

CONCLUSION

This study of the common life gives rise to a number of conclusions and areas for reflection. Generally these can be grouped around the following themes: the common life — its nature, development, interpretation, and relation to "community"; the monastic influence; the character and nature of the institute; finally some issues around the scriptural basis for the common life or for a religious community.

1. **The common life.** It is obvious that the common life has had a long and varied history as an element of religious life, and more immediately of apostolic religious institutes of women. The meaning given to the term "common life" has evolved throughout the centuries, and one can note several phases in this evolution.

The leaders of the first organized gatherings of religious saw this element as an expression of the "union of minds and hearts". Augustine's Rule is eloquent on this point. In a sense, one could say that for them the "common life" was, in actual fact, "community", a coming together of persons committed to Christ, and desirous of sharing life as sisters or brothers in community. The sharing of material goods was simply an outcome of this union.

With the rise of the monasteries, common life took on an additional sense of a physical togetherness under the one roof; it was characterized by a high degree of uniformity of schedules and material goods. Everyone received the same food, the same clothing, the same furnishings for his or her cell, the same objects for personal use. This aspect of uniformity was reinforced at the time of the mendicants with their emphasis on the renunciation of private property. This is not to say, however, that all religious adhered to

the norms laid down by the law of the Church and the rules of the institutes: several pieces of legislation point to quite the opposite. The emphasis by the monks on the more external features of the common life rather than the union of minds and hearts is not entirely surprising. The atmosphere conducive to the in-depth sharing fundamental to a sense of union would have been very difficult in the large medieval monasteries, some of which counted several hundred members.

The first successful attempts at moving away from the exclusively physical and external meaning of the common life are credited to Ignatius of Loyola. If the members of the Society of Jesus were to be scattered throughout the world for the mission, "common life" had to take on a different significance. Once again the concept of the "union of minds and hearts" came to the fore, this time as the "unity of companions for mission".

Despite this effort, generally the external manifestations of the "common life" remained the norm and this was adopted by the 1917 Code in its canons 487 and 594. Thus religious life in the pre-Vatican II era was fairly uniform in its expression. In fact the codification of the law fostered a uniformity, not only across the various houses of an institute, but also across institutes. In spite of the diversity of habits, there was little significant difference in the interpretation and the living out of the common life from one institute to another.

The Second Vatican Council stressed the *vitam fraternam* once again — the life of sisters or brothers in community, unity rather than uniformity. Thus the term "community" began to take on a new meaning and replace "common life". It would seem that as we

approach the millennium, we have come full circle. Certainly when one considers the reality of religious life, particularly apostolic religious life, at this point in history with the decline of membership and the diversity of ministry, "community", the life of sisters or brothers in a union of minds and hearts, is more appropriate and more life-giving than a uniform, regimented lifestyle characterized mainly by physical proximity, a common roof, and identical clothing, food, and material goods. However, as long as the two expressions are used interchangeably, ambiguity and misunderstanding will continue.

2. **Monastic influence.** For women religious the most significant aspect that reinforced the external aspects of the common life was the law of enclosure and its attendant norm of solemn vows. The enclosure was particularly detrimental to the development of apostolic institutes, in accord with their nature and the intent of the founders. After the recognition of institutes of simple vows and up until the Council, women in those institutes attempted to carry out all the demands of an external ministry within structures that were more proper to monastic than to apostolic life. One can question whether this insistence on the preservation of monastic elements was part of a misconception on the part of Church authorities and religious themselves that caused them to consider monasticism as the ideal, the prime model of religious life.

There is no question that monasticism has had a pervasive influence on religious life, particularly that of women, and on the image that a great number of people have of religious and of the life itself. Despite the fact that the monastic age came to an end several centuries ago, its elements and attitudes have lasted, and one finds vestiges of them in most institutes, even in those of apostolic life. The quasi-exclusive interpretation of the "common life" or

of "community" as living together under the one roof is one example. This image of monasticism as the model for all religious life has been detrimental to the emergence of new groups, to the acceptance of other forms into the evolution of religious life. Had this insistence not been so strong, perhaps a natural development could have included, as religious groups such as the Beguines and the present day secular institutes.

As we enter a new millennium, can we hope that apostolic institutes will take the risk and identify themselves as such, devise structures, recognize their own particular spirituality, and adopt corresponding forms of prayer appropriate to their character and mission.

3. **The character of the institute.** The Second Vatican Council encouraged institutes to be faithful to their character and nature. Section 8 of *Perfectae caritatis* underlined that mandate for apostolic institutes, and urged them to make the necessary changes in order to live faithfully their apostolic identity. True fidelity to the nature and character of the institute would allow institutes to define both community and the common life in a way that is appropriate to who they say they are.

Canon 578 of the 1983 Code of Canon Law provides the juridical principle in this matter, and several canons refer to the proper law or the constitutions of the institute. Nevertheless, regardless of those norms and the principle of subsidiarity which was one of those governing the revision of the Code, many religious perceive a discrepancy between theory and practice. Despite the injunction of c. 587 - §3 regarding the avoidance of a multiplicity of norms in the proper law, one can detect within the Code itself a number of canons that could be deemed superfluous if the proper law of an institute is indeed its main

law. One could hope that a new revision would include in the universal law only those matters that pertain to all institutes.

4. **The theology of community.** Perhaps one of the factors which has contributed most strongly to the emphasis on the external aspects of the common life is the scriptural basis upon which it rests: the Jerusalem community described in *Acts*. What is usually highlighted in that passage is indeed the material sharing, the placing of goods in common. Little is said about their remaining faithful to the "community" aspect of their lives — their being sisters and brothers in Christ. Certainly this sharing of material goods is an important quality, not only for religious, but for all Christians in the understanding and practice of charity and justice. Yet perhaps it is time to reflect on another model: the community of disciples that surrounded and followed Jesus. The concept of discipleship has appealed to religious and that model of community could be quite relevant at the present time and for the future. If this were the prototype placed before apostolic institutes of women or men, there would be less confusion between the "common life" and "community". The former relates more to the vow of poverty, to how all members are to have access to the goods of the institute, and how these are to be shared, not only among the members, but with the larger Christian community. "Community" expresses a deeper reality, a unity at the level of the heart and the spirit around a common charism and a common mission. In religious life, both are important, even necessary, but they are not synonymous. It is because we are a "community", that we live a "common life"; both aspects have to reflect the nature and character of the particular institute and be faithful to it.

This study in referring to institutes, to the forming of local units has considered only fairly traditional groupings, that is the coming together of members of the same institute, or in some cases inter-congregational living. However, in all the situations presented, it has been a question of groups of religious. Yet new forms of community, indeed of religious life, are possible and are, perhaps, already on the horizon. These communities might include women and men, members committed permanently by vow and others dedicated in some way for a time, lay people and religious. The words of Isaiah (43:19) offer hope, but perhaps also a vision that most religious can only perceive now with the eyes of faith: "See, I am doing a new deed, even now it comes to pass; can you not see it?"

APPENDIX A

EVOLUTION OF THE CONGREGATION FOR RELIGIOUS¹

Prior to the time of Pope Sixtus V, the Congregation for Bishops had the responsibility for apostolic visitations and other matters related to religious.

27 May 1586 Sixtus V: Sacred Congregation for Consultations of Regulars

22 January 1588 Sixtus V, *Immensa*: Sacred Congregation for Consultations of Regulars, Congregation for Consultations of Bishops and Other Prelates

1601 Fusion of the two: Sacred Congregation for Bishops and Regulars

29 July 1908 Pius X, *Sapienti consilio*: Sacred Congregation for Religious

As time went on, the competence of this Congregation was expanded to include all aspects of religious life as well the Societies of Apostolic Life and Third Orders

15 August 1967 Paul VI, *Regimini Ecclesiae universae*: Congregation for Religious and Secular Institutes

28 January 1988 John Paul II, *Pastor bonus*: Congregation for Institutes of Consecrated Life and Societies of Apostolic Life

¹ Information taken from *Annuario pontificio per l'anno 1994*, Città del Vaticano, Libreria editrice Vaticana, 1994, pp. 1731-1732; also from A. BATTANDIER, *Guide canonique pour les constitutions des instituts à vœux simples*, 5e éd., Paris, Lecoffre, 1911, pp. xi-xxvii.

APPENDIX B

VATICAN II DOCUMENTS AND RELIGIOUS LIFE¹

Sacrosanctum Concilium, 4 December, 1963, in *AAS*, 56 (1964) pp. 97-134; in FLANNERY I, pp. 1-40.²

Importance of formation (nos. 15-19), the various rites and liturgical celebrations pertinent to religious (nos. 55, 80), and the Divine Office (nos. 83-100).

Christus Dominus, 28 October 1965, in *AAS*, 58 (1966), pp. 673-696; trans. pp. 564-590.

Section III: "Those Who Cooperate with the Diocesan Bishop in His Pastoral Task" - "Religious", (nos. 33-35).

Apostolicam actuositatem, 18 November 1965, in *AAS*, 58 (1966), pp. 837-864; trans. pp. 766-798.

"Relations with the Clergy and with Religious", (no. 25c).

Ad gentes, 7 December 1965, in *AAS*, 58 (1966), pp. 947-990; trans. pp. 813-856.

Chapter II, "Missionary Work", (no. 18), the fostering of religious life. The principles regarding missionary activity in its various phases would also apply to religious who are missionaries.

Presbyterorum ordinis, 7 December 1965, in *AAS*, 58 (1966) pp. 991-1024; trans. pp. 863-902.

This document applies to religious who are clerics except where the text very obviously pertains to diocesan priests.³

¹ The documents included in the body of the text do not appear here. This is not a concordance, therefore, only general references will be given. Other documents contain principles which would naturally apply to religious, particularly in certain circumstances, e.g., *Gaudium et spes*, *Unitatis redintegratio*.

² All references are to FLANNERY I.

³ Chapter 1, "Priests' Relations with Others", includes bishops, other priests, and lay people; religious are not mentioned.

APPENDIX C

TEXT AND TRANSLATIONS OF PC 15a

AAS, 58 (1966), p. 709:

Vita in communi agenda, ad exemplum primaevae Ecclesiae in qua multitudo credentium erat cor unum et anima una (cfr. *Act.* 4, 32), evangelica doctrina, Sacra Liturgia et praesertim Eucharistia refecta, in oratione et communionem eiusdem spiritus perseveret (cfr. *Act.* 2, 42). Religiosi, ut membra Christi, in fraterna conversatione honore se invicem praeveniant (cfr. *Rom.* 12, 10), alter alterius onera portantes (cfr. *Gal.* 6, 2). Caritate enim Dei in cordibus per Spiritum Sanctum diffusa (cfr. *Rom.* 5, 5), communitas ut vera familia, in nomine Domini congregata, Eius praesentia gaudet (cfr. *Matth.* 18, 20). Caritas autem plenitudo legis est (cfr. *Rom.* 13, 10) ac vinculum perfectionis (cfr. *Col.* 3, 14). eaque scimus quoniam translati sumus de morte ad vitam (cfr. *1 Io.* 3, 14). Immo fratrum unitas Christi adventum manifestat (cfr. *Io.* 13, 35; 17, 21) magnaue virtus apostolica ex ea manat.¹

FLANNERY I, p. 620:

Common life, in prayer and the sharing of the same spirit, should be constant, after the example of the early Church, in which the company of believers were of one heart and soul. It should be nourished by the teaching of the Gospel and by the sacred liturgy, especially by the Eucharist. Religious, as members of Christ, should live together as brothers and should give pride of place to one another in esteem, carrying one another's burdens. A community gathered together as a true family in the Lord's name enjoys his presence through the love of God which is poured into their hearts by the Holy Spirit. For love sums up the law and is the bond which makes us perfect; by it we know that we have crossed over from death to life. Indeed, the unity of the brethren is a symbol of the coming of Christ and is a source of great apostolic power.

ABBOTT, p. 477:

The primitive Church provided an example of community life when the multitude of believers were of one heart and one mind, and found nourishment in the teaching of the gospel and in the sacred liturgy, especially the Eucharist. Let such a life continue in prayerfulness and a sharing of the same spirit. As Christ's members living fraternally together, let them excel one another in showing respect, and let each carry the other's burdens. For thanks to God's love poured into hearts by the Holy Spirit, a religious community is a true family gathered together in the Lord's name and rejoicing in His presence. For love is the fulfillment of the law and the bond of perfection; where it exists

¹ The scriptural references are not repeated here in the translations.

we know we have been taken from death to life. In fact, brotherly unity shows that Christ has come; from it results great apostolic influence. (W. M. ABBOTT, ed., *The Documents of Vatican II*, [Piscataway], New Century Publishers, [1966], xxi, 792p.)

ST. PAUL EDITIONS, p. 310:

Common life, fashioned on the model of the early Church where the body of believers was united in heart and soul, and given new force by the teaching of the Gospel, the sacred liturgy and especially the Eucharist, should continue to be lived in prayer and the communion of the same spirit. As members of Christ living together as brothers, religious should give pride of place in esteem to each other and bear each other's burdens. For the community, a true family gathered together in the name of the Lord by God's love which has flooded the hearts of its members through the Holy Spirit, rejoices because He is present among them. Moreover love sums up the whole law, binds all together in perfect unity and by it we know that we have crossed over from death to life. Furthermore, the unity of the brethren is a visible pledge that Christ will return and a source of great apostolic energy. (*The Sixteen Documents of Vatican II and the Instruction on the Liturgy*, [Boston], St. Paul Editions, [1966], 624p.)

TANNER 2, p. 945:

There was one heart and one mind in the many converts of the early church. Their life of the Spirit must continue in communities given to prayer, the study of the gospels, and the work of the liturgy, especially mass. Religious are members of one another in Christ; they should vie with one another in ceding status, in supporting one another in trouble. A community is truly a family animated by the love of God which the holy Spirit infuses in hearts, a family celebrating the presence of that Lord in whose name they came together. Charity is the fulfilment of the law, the bond of holiness; in charity we understand that we are transformed into life through death. The bond between fellow religious anticipates the coming of Christ and is a powerful source of apostolic effectiveness.

MARTIN (FIDES), p. 385:

La vie à mener en commun doit persévérer dans la prière et la communion d'un même esprit, nourrie de la doctrine évangélique, de la Sainte Liturgie et surtout de l'Eucharistie, à l'exemple de la primitive Église dans laquelle la multitude des fidèles n'avait qu'un coeur et qu'une âme. Membres du Christ, les religieux se préviendront d'égards mutuels, dans une vie de fraternité, portant les fardeaux les uns les autres. Dès lors en effet que la charité de Dieu est répandue dans les coeurs par l'Esprit-Saint, la communauté telle une vraie famille réunie au nom du Seigneur, jouit de sa présence. La charité est la plénitude de la loi et le lien de la perfection, et par elle nous savons que nous sommes passés de la mort à la vie. En outre, l'unité des frères manifeste que le Christ est venu, et il en découle une puissante vertu apostolique. (P.-A. MARTIN, ed., *Vatican II: les seize documents conciliaires, texte intégral*, Montreal & Paris, Fides, [1966] 671p.) (Ed. Centurion has the same translation.)

ED. ANCORA, pp. 26-27:

Sull'esempio della Chiesa primitiva in cui la moltitudine dei credenti era d'un cuore solo e d'un'anima sola, nutrita per mezzo degli insegnamenti del Vangelo, della Sacra Liturgia e soprattutto dell'Eucaristia, si faccia in modo che la vita comune perseveri nella orazione e nella stessa unità di spirito. I religiosi, come membri di Cristo, nei loro rapporti fraterni si prevengano gli uni gli altri con un mutuo rispetto, portando i pesi gli uni degli altri. Infatti a motivo dell'amore di Dio diffuso nei cuori per mezzo dello Spirito Santo, la comunità come una famiglia unita nel nome del Signore gode della Sua presenza. La carità è poi il compimento della legge e vincolo di perfezione, e per essa noi sappiamo di essere passati dalla morte alla vita. Anzi l'unità dei fratelli manifesta l'avvento di Cristo, e da essa promana una grande forza nell'apostolato. (P. MOLINARI, *Commento al decreto sul rinnovamento della vita religiosa adattato alle circostanze odierne*, 4a ed., Milano, Ancora, [1967], 151p.)

ELLE DI CI, p. 95:

La vita in comune, sull'esempio della Chiesa primitiva in cui la moltitudine dei credenti era d'un cuore solo e d'un'anima sola, nutrita per mezzo degli insegnamenti del Vangelo, della Sacra Liturgia e soprattutto dell'Eucaristia, perseveri nella orazione e nella stessa unità di spirito. I religiosi, come membri di Cristo, nei loro rapporti fraterni si prevengano gli uni gli altri nel rispetto scambievole, portando i pesi gli uni degli altri. Infatti con l'amore di Dio diffuso nei cuori per mezzo dello Spirito Santo, la comunità come una famiglia unita nel nome del Signore gode della Sua presenza. La carità è poi il compimento della legge e vincolo di perfezione, e per mezzo di essa noi sappiamo di essere passati dalla morte alla vita. Anzi l'unità dei fratelli manifesta l'avvento di Cristo, e da essa promana grande energia per l'apostolato. (E. FOGLIASSO, *Il decreto 'Perfectae caritatis' sul rinnovamento della vita religiosa in rispondenza alle odierne esigenze*, Torino-Leumann, Elle Di Ci, [1968], 620p.)

BIBLIOTECA DE AUTORES CRISTIANOS, p. 569:

La vida común, a ejemplo de la Iglesia primitiva, en que la muchedumbre de los creyentes tenía un solo corazón y una sola alma, nutrida por la doctrina evangélica, la sagrada liturgia y, señaladamente, por la Eucaristía, debe perseverar en la oración y en la comunión del mismo espíritu. Los religiosos, como miembros de Cristo, han de adelantarse unos a otros en el trato fraterno con muestras de deferencia, llevando unos las cargas de los demás. Por la caridad de Dios que el Espíritu Santo ha derramado en los corazones, la comunidad, congregada, como verdadera familia, en el nombre del Señor, goza de su presencia. Pues la caridad es la plenitud de la ley y vínculo de la perfección, y por ella sabemos que hemos pasado de la muerte a la vida. Es más, la unidad de los hermanos pone de manifiesto el advenimiento de Cristo y de ella emana una gran fuerza apostólica. (*Concilio Vaticano II: constituciones, decretos, declaraciones, legislación posconciliar*, 3a ed., Madrid, Editorial catolica, 1966, xv, 1118p.)

ENCICLOPEDIA CONCILIAR, p. 572:

La vida en común, a ejemplo de la Iglesia primitiva, en que la muchedumbre de los creyentes tenían un mismo corazón y una misma alma, nutrida por la doctrina evangélica, la sagrada liturgia y sobre todo por la Eucaristía, perseverérese en la oración y en la comunión del mismo espíritu. Los religiosos, como miembros de Cristo, hónrense a porfía unos a otros con trato fraternal, ayudándose mutuamente a llevar sus cargas. La comunidad como una verdadera familia, reunida en el nombre del Señor, disfruta de su presencia, porque el amor de Dios se ha derramado en los corazones por virtud del Espíritu Santo. Pero el amor es la plenitud de la ley y vínculo de perfección, y por él sabemos que hemos pasado de la muerte a la vida. Más aún, la unión de los hermanos manifiesta la venida de Cristo y de ella dimana un gran vigor apostólico. (J. PIQUER, ed., *Vaticano II: enciclopedia conciliar*, 2a ed., [Barcelona], Editorial Regina, [1967], 1470p.)

APPENDIX D

ROMAN DOCUMENTS FROM THE COUNCIL TO THE CODE¹

- SCRIS *Renovationis causam*, 6 January 1969, in *AAS*, 61 (1969), pp. 103-120; trans. in FLANNERY I, pp. 634-655, "The Importance of Community Life", no. 18. (Changes to the *CIC/17* regarding formation.)
- SCRIS *Par une lettre*, 10 July 1972, [Private, Prot. N. Sp. R. 194/72], in FLANNERY II, pp. 195-199, "Common Life", nos. 1-4. (Certain norms regarding general chapters of renewal.)
- PAUL VI *Evangelii nuntiandi*, 8 December 1975, in *AAS*, 68 (1976), pp. 5-76; trans. in FLANNERY II, pp. 711-751, no. 69, importance of witness of life. (Document from Synod on Evangelization.)
- SCRIS *Quitte ton pays*, 1976, in *Informationes*, 2/2 (1972), pp. 78-82; trans. in FLANNERY II, pp. 205-208, concern for religious caring for family members and their relation with the community.
- SCRIS/SCE *Mutuae relationes*, 14 May 1978, in *AAS*, 70 (1978), pp. 473-506; trans. in FLANNERY II, pp. 209-243, "Religious Life within the Ecclesial Communion", Chapter III, nos. 10-14. (Guidelines regarding relations between bishops and religious.)
- SCRIS *The Contemplative Dimension of Religious Life*, January 1981, [Plenaria/Private], in FLANNERY II, pp. 244-259, Section C, "The Religious Community", no. 15, "The Superior of the Community", no. 16. (A description of the contemplative dimension of religious life along with guidelines for both active and contemplative institutes.)
- SCRIS *Le scelte evangeliche*, January 1981, [Plenaria/Private], in FLANNERY II, pp. 260-284, nos. 24-27, "Experts in communion ..." (The role and contribution of religious in human advancement: some theoretical considerations and guidelines.)

¹ The documents included in the body of the text do not appear here.

APPENDIX E

DEVELOPMENT OF CANONS FROM SCHEMAS TO CIC/83

1977

C. 1 -§1. A life consecrated through the profession of the evangelical counsels is a fixed form of life in which the faithful, following Christ more closely, are wholly dedicated to God, the Supreme Object of their love. Having committed themselves by a new and special title to God's honor, the world's salvation and the building up of the Church, they aim at the perfection of charity in the service of God's Kingdom, and having become a sign clearly visible in the Church, they may foreshadow the glory of heaven.

§2. The faithful of their own free will take upon themselves this form of living in Institutes of consecrated life, that have been founded through the Holy Spirit's inspiration and established by the competent Church authority. They do this when, by means of vows or other sacred bonds similar to vows, made in accordance with the laws of their own Institutes, they profess to observe the evangelical counsels of chas-

1980

C. 503 -§1. Life consecrated by the profession of the evangelical counsels is a stable form of living whereby the faithful, following Christ more closely under the action of the Holy Spirit, are totally dedicated to God as the one most loved, so that, having given themselves to his honor, and to the building up of the Church and to the salvation of the world by a new and special title, they may strive for the perfection of charity in the service of the Kingdom of God and, having become a luminous sign in the Church, may show forth the glory of heaven.

§2. The Christian faithful freely assume this form of living in institutes of consecrated life which have been canonically erected by competent ecclesiastical authority, when they through vows or other sacred bonds according to the particular laws of the institutes, profess to observe the evangelical counsels of chastity, poverty, and obedience and they, through the perfection of charity to which those coun-

1983

C. 573 - §1. Life consecrated through profession of the evangelical counsels is a stable form of living, in which the faithful follow Christ more closely under the action of the Holy Spirit, and are totally dedicated to God, who is supremely loved. By a new and special title they are dedicated to seek the perfection of charity in the service of God's Kingdom, for the honour of God, the building up of the Church and the salvation of the world. They are a splendid sign in the Church, as they foretell the heavenly glory.

§2. Christ's faithful freely assume this manner of life in institutes of consecrated life which are canonically established by the competent ecclesiastical authority. By vows or by other sacred bonds, in accordance with the laws of their own institutes, they profess the evangelical counsels of chastity, poverty and obedience. Because of the charity to which these counsels lead, they are linked in a special way to the Church

APPENDIX E

ity, poverty, and obedience, and are united to the Church and its mystery through charity, through the guidance of these same counsels.

C. 74. By their fraternal unity, rooted and strengthened in charity they should be an example to others of reconciliation in Christ. In the way they conduct themselves they should mirror the gentleness and unassuming manner of Christ.

C. 93 - §1. In any Religious Institute, at least at definitive profession, members should take upon themselves the observance of the three evangelical counsels, confirmed by public vow, and a fraternal way of living in common should be followed by all, according to the Constitutions.

§2. The public witness to be given to Christ and the Church in these Institutes involves the members' separating themselves from the world in a manner that

sels lead, are united to the Church and its mystery in a special way.

C. 529. The fraternal life proper to each institute, by which all members are joined together as it were into a particular family in Christ, should be so defined that it results in mutual help for all for fulfilling their own vocation. Moreover, by fraternal communion, rooted and founded in charity, the members are an example of universal reconciliation in Christ.

C. 534 - §1. Religious life, as a consecration of the whole person, wonderfully manifests in the Church the marriage created by God as a sign of the world to come. Thus the religious consummates his/her whole self gift as a sacrifice offered to God by which one's whole existence becomes continuous worship in charity.

§2. A religious institute is a society in which members according to particular law profess public vows, whether perpetual ones or temporary ones renewed when they

and its mystery.

C. 602. The fraternal life proper to each institute unites all the members into, as it were, a special family in Christ. It is to be so defined that it proves of mutual assistance for all to fulfil their vocation. By their fraternal union, rooted and based in charity, the members are to be an example of universal reconciliation in Christ.

C. 607 - §1. Religious life, as a consecration of the whole person, manifests in the Church the marvellous marriage established by God as a sign of the world to come. Religious thus consummate a full gift of themselves as a sacrifice offered to God, so that their whole existence becomes a continuous worship of God in charity.

§2. A religious institute is a society in which, in accordance with their own law, the members pronounce public vows and live a fraternal life in common. The vows

APPENDIX E

conforms to the distinctive character and purpose of their Institute; it implies also the wearing of the habit prescribed by the Constitutions as a sign of their consecrated lives.

elapse, and lead a fraternal life in common.

are either perpetual or temporary; if the latter, they are to be renewed when the time elapses.

§3. The public testimony rendered to Christ and the Church by religious includes a separation from the world proper to the character and end of each institute.

§3. The public witness which religious are to give to Christ and the Church involves that separation from the world which is proper to the character and purpose of each institute.

[No parallel canon].

C. 591 - §1. Religious should live in a particular religious house observing the common life and should not depart from it except with the permission of their superior. If it concerns an extended absence from the house, the major superior with the consent of his/ her council and for a just cause can permit a member to live outside a house of the institute, but not longer than one year, unless for a reason of caring for an infirmity, or of studies, or of exercising an apostolate in the name of the institute.

C. 665 - §1. Religious are to reside in their own religious house and observe the common life; are not to stay elsewhere except with the permission of the Superior. For a lengthy absence from the religious house, the major Superior, for a just reason and with the consent of the council, can authorize a member to live outside a house of the institute; such an absence is not to exceed one year, unless it be for reasons of health, studies or an apostolate to be exercised in the name of the institute.

§2. A member who illegitimately departs from a religious house with the intention of removing himself or herself from the authority of the superiors, should be solicitously sought out by them and helped to return and to persevere in his/her vocation.

§2. Members who unlawfully absent themselves from a religious house with the intention of withdrawing from the authority of Superiors, are to be carefully sought out and helped to return and to persevere in their vocation.

APPENDIX E

- C. 95 - §3. However, whatever members acquire by their own industry, or by a salary or from a pension, should be surrendered to the institute.
- C. 594 - §3. Whatever a religious acquires by his/her own industry or by reason of the institute, he/she acquires for the institute. What comes to the religious by reason of pensions, assistance, or insurance in any way is acquired by the institute unless it is otherwise established in particular law.
- C. 668 - §3. Whatever a religious acquires by personal labour, or on behalf of the institute, belongs to the institute. Whatever comes to a religious in any way through pension, grant or insurance also passes to the institute, unless the institute's own law decree otherwise.
- [No parallel canon].
- C. 670. The institute must supply the members with everything that, in accordance with the constitutions, is necessary to fulfil the purpose of their vocation.
- C. 507. The mind and plans of the founders sanctioned by competent ecclesiastical authority concerning the nature, end, spirit, and character of the institute, as well as its sound traditions, all of which constitute the patrimony of the institute, are to be faithfully preserved by all.
- C. 578. The mind of the founders, and their dispositions concerning the nature, purpose, spirit and character of the institute which have been approved by the competent ecclesiastical authority, together with its sound traditions, all of which comprise the patrimony of the institute itself, are to be faithfully observed by all.
- C. 514 - §1. A just autonomy of life, especially with regard to government, is recognized for each institute, whereby they enjoy in the Church their own discipline and can preserve their patrimony intact, as
- C. 16 - §1. Individual institutes are to be recognized as having a fitting autonomy in their way of life, especially in governance, and in this way they may benefit from their own rule of life, and can keep intact their
- C. 586 - §1. A true autonomy of life, especially of governance, is recognised for each institute. This autonomy means that each institute has its own discipline in the Church and can preserve whole and entire

APPENDIX E

doctrinal, spiritual and liturgical heritage.

§2. It belongs to the Apostolic See and the bishops to confirm and safeguard this autonomy.

C. 4 - §2. By their consecration, those who profess the evangelical counsels are neither alienated from their fellow men nor unprofitable citizens of this earthly commonwealth, since even if they do not directly assist those with whom they live, still, they cooperate with them spiritually, by prayer, by a life of sacrifice, by spreading the Gospel message.

§3. Moreover, all who generously perform other tasks for their fellow men, working to build the earthly city also for the Lord, give witness to Christ, so that the Father in heaven is glorified in all.

C. 108 - §1. Apostolic activity belongs to the very nature of those Institutes which are dedicated to works of the apostolate. Accordingly, the lives of all members are to be totally imbued with the apostolic spirit, while all their apostolic activity is to be

mentioned in c. 507.

§2. It is the responsibility of the bishops to protect and foster this autonomy.

C. 599. The apostolate of all religious consists primarily in the witness of their consecrated life which they foster by prayer and penance.

the patrimony described in can. 578.

§2. Local Ordinaries have the responsibility of preserving and safeguarding this autonomy.

C. 673. The apostolate of all religious consists primarily in the witness of their consecrated life, which they are bound to foster through prayer and penance.

C. 601 - §1. In institutes given to works of the apostolate, apostolic action pertains to their very nature. Thus the entire religious life of the members should be imbued with an apostolic spirit and all their apostolic activity should be informed with a religious

C. 675 - §1. Apostolic action is of the very nature of institutes dedicated to apostolic works. The whole life of the members is, therefore, to be imbued with an apostolic spirit, and the whole of their apostolic action is to be animated by a religious

APPENDIX E

animated by the spirit of their Institute.

§2. Apostolic activity should always flow from a close union with God, and it should strengthen and foster this union as well.

§3. Apostolic activity performed in the name of the Church, and under its mandate, should be carried out within ecclesial unity.

C. 109. The special works of an Institute should be faithfully maintained and adapted to what is most needed in particular circumstances of time and place, employing appropriate new methods.

C. 97. A religious community should live in a legitimately established house which should have its own Church or oratory where the Eucharist is celebrated and reserved so that it might truly be the center of the community.

spirit.

§2. Apostolic action always proceeds from intimate union with God and is strengthened and fostered by it.

§3. Apostolic action, which is to be exercised in the name and by the mandate of the Church, is carried out in ecclesial communion.

C. 603 - §1. Superiors and members should retain the mission and works proper to the institute; but they should prudently accommodate them, paying attention to the needs of times and places, and even using new and opportune means.

C. 535. A religious community should live in a house legitimately established under the authority of a superior designated according to the norm of law: each house should have at least an oratory in which the Eucharist is celebrated and is reserved so that it may be truly the center of the community.

spirit.

§2. Apostolic action is always to proceed from intimate union with God, and is to confirm and foster this union.

§3. Apostolic action exercised in the name of the Church and by its command is to be performed in communion with the Church.

C. 677 - §1. Superiors and members are faithfully to hold fast to the mission and works which are proper to their institute. According to the needs of time and place, however, they are prudently to adapt them, making use of new and appropriate means.

C. 608. A religious community is to live in a lawfully constituted house, under the authority of a Superior designated according to the norms of law. Each house is to have at least an oratory, in which the Eucharist is celebrated and reserved, so that it may truly be the center of the community.

APPENDIX E

C. 9 - §1. Houses or communities of an Institute are erected or established by the competent authority in accordance with the norms of the Constitutions, provided that while the matter was being deliberated the consent of the local Ordinary has already been obtained in writing.

[§2 has become part of c. 610 in the *CIC/83*].

C. 536 - §1. Houses of a religious institute are erected by the competent authority according to the constitutions, the previous consent of the diocesan bishop having been given in writing.

[§§2 and 3 have become part of c. 610 in the *CIC/83*].

C. 609 - §1. Houses of a religious institute are established, with the prior written consent of the diocesan Bishop, by the authority competent according to the constitutions.

§2. For the establishment of a monastery of cloistered nuns, the permission of the Apostolic See is also required.

§4. To erect a monastery of nuns the approval of the Apostolic See is required, and the consent of the diocesan bishop given in writing.

APPENDIX F

COMMON LIFE: TYPE OF ELEMENT

ANDRÉS GUTIÉRREZ, D. J.,

An essential and indefectible element (elemento esencial e indefectible): public vows; an integral element which can be lacking in certain cases ([elemento] integral y que puede faltar en algunos casos: la vida fraterna en común); a complementary one: separation from the world (otro complementario, la separación del mundo), *El derecho*, p. 51.

BATTELLI, G.,

"Community life, according to Church Law, is essential to religious life", p. 73.

BEYER, J.,

re c. 607 - §1: "Ces trois éléments sont essentiels" (continuous worship in charity); "trait essentiel de la vie religieuse, une vie de fraternité qui se vit en commun", *Le droit: instituts et sociétés*, pp. 11-12.

CASTILLO LARA, R.,

"... religious make a profession of the evangelical counsels through public vows and a common life. These two elements constitute the fundamental characteristics from the juridical point of view", "Reflections", p. 8.

CHIAPPETTA, L.,

re c. 607 - §§2-3: specific elements of religious institutes (il concetto d'Istituto religioso nei suoi elementi specifici); §1 expresses the fundamental elements which characterize religious life (gli elementi fondamentali caratterizzanti tale vita), vol. 1, pp. 702-703.

GALLEN, J.,

"an essential of a religious institute", p. 934.

GAMBARI, E.,

C. 607 - §§§ 1-3 expresses the constitutive and distinctive elements of the form of consecrated life which is specifically religious life (gli elementi costitutivi e quindi distintivi della vita consecrata specificata come vita religiosa ...), "Elementi di fiducia", p. 9.

GEEROMS, G.,

"un élément intégral et qui ne peut faire défaut: la vie fraternelle en commun", p. 125.

- IGLESIAS, F., "fraternal life is a constitutive element of consecrated life" (elemento costitutivo) ... "fraternal communion is a basic element of the unity of life of the members of an institute" (elemento basilare) ... "fraternal life as a substantial element" (elemento sostanziale) ... a "constitutive factor" (tratto costitutivo), p. 113. [All refer to consecrated life.]
- KALLUMKAL, J., "Without their practice [of public vows, fraternal life in common and separation from the world], no institute may be called religious, because they are the essential elements that characterize a religious institute", p. 138.
- KHOURY, J., "Elle [la vie commune] constitue presque un conseil global et totalisant de la vie consacrée", p. 105.
- LINSCOTT, M., "Community is a distinguishing requirement for religious life", p. 19.
- McDONOUGH, E., "Common life is currently one of the basic canonical requirements both for religious institutes (cc. 607-707) and for societies of apostolic life (cc. 731-746) in the revised Code", "Common Life", p. 304.
- MODDE, M., C. 607 - §§§1-3 "define religious life and religious institutes according to their essential elements of spousal and sacrificial consecration, public vows, community life, and special witness", p. 62.
- VALDRINI, P., et al., "La vie en commun est essentielle à la vie religieuse", affirme avec vigueur le c. 607 - § 2. Il s'agit de la cohabitation quotidienne, moyennant les dispenses prévues traditionnellement en droit canonique", p. 99.

APPENDIX G

CANADIAN STATISTICS - SISTERS¹

	Totals	Entrances	Departures	Deaths²
1940	43,994	2011	n/a	n/a
1964	n/a	1377	n/a	n/a
1966	n/a	946	n/a	570
1968	n/a	328	361	574
1970	n/a	137	547	583
1971	48,428	208	726	378
1972	44,606	232	823	428
1973-74	44,127	203	550/490	675/661
1975-76	41,145	167	342/452	617/656
1977-78	40,159	288	268/269	659/664
1979-80	38,586	231	172/152	695/724
1981-82	37,634	311	133/139	644/752
1983-84	35,847	280	102/113	799/794
1985-86	34,261	250	107/101	801/775
1987-88	32,729	195	76/90	810/753

¹ Information taken from *CRC Statistics - 1973-1993*.

² Beginning in 1973, statistics were published biennially, and for several years, separate numbers were given for departures and deaths in each of the two years covered by the particular statistics, e.g., in 1973, there were 550 departures and 675 deaths; in 1974, 490 departures and 661 deaths. These are recorded thus: 550/490 for departures and 675/661 for deaths. This method was not used for entrances; the total 203 includes those who entered during that two-year span.

APPENDIX G

1989-90	30,707	123	87/92	776/773
1991-92	28,639	143	149	1618

APPENDIX H

CANADIAN STATISTICS - SISTERS¹

AGE

	-35	75+
1971-72	11.4%	11.6%
1973-74	7.8%	13.9%
1975-76	6.3%	13%
1977-78	3.17%	17.5%
1979-80	2.32%	19.66%
1981-82	1.74%	22.85%
1983-84	1.34%	25.66%
1985-86	1.43%	28.91%
1987-88	1.71%	31.60%
1989-90	1.14%	36.27%
1991-92	.005%	39.8%

¹ Information taken from CRC *Statistics - 1973-1993*.

MINISTRY

	Education	Church²	Internal	Retired³
1971-72	31.1%	2.5%	24.5%	8.4%
1973-74	26.2%	3.9%	28.1%	11%
1975-76	25%	6.2%	29.5%	12.9%
1977-78	22.14%	7.89%	26.52%	14.37%
1979-80	20.75%	7.46%	30.36%	13.97%
1981-82	18.08%	8.08%	29.46%	13.94%
1983-84	16.5%	9.06%	29.64%	15.57%
1985-86	15.21%	8.3%	28.14%	17.7%
1987-88	14.33%	8.71%	29.57%	17.69%
1989-90	13.14%	9.57%	28.62%	19.6%
1991-92	10%	9%	29%	22%

² Ministry in parishes and dioceses.

³ Includes only those who are completely retired.

APPENDIX I

TEN INSTITUTES¹ - COMPARATIVE POPULATIONS

	1965	1985 ²	2005	2025
SNJM ³	4,286	2,663	n.a.	n.a.
CND	3,915	2,454	1333	365
SP	3,559	2,056	989(2004)	209(2024)
CSC	2,397	1,544	780	186(2026)
SSA	2,281	1,341	734(2003)	279(2018)
SCO	2,004	1,139	703	375
SGM	1,977	1,154	535(2004)	101(2024)
SCQ	1,961	1,172	713(2000)	180(2020)
SASV	1,915	1,234	677(2003)	175(2023)
SC	1,753	1,126	587	139

¹ These are the ten institutes having the highest number of members at the time of the study sponsored by the Women's Section of the Canadian Religious Conference in 1965.

² The intent was to provide information on a twenty-year interval; however, not all institutes could offer statistics and projections corresponding to those dates. In such cases the year is given in brackets. One must remember that most actuarial studies do not include new members; they take into account only the members in the institute at the time of the study. Therefore, a total of 365 members in 2025 would represent an aged population. The notation n.a. indicates that projections were not available.

³ Official names of institutes involved: SNJM = Soeurs des Saints Noms de Jésus et de Marie/Sisters of the Holy Names of Jesus and Mary; CND = Soeurs de la Congrégation de Notre-Dame; SP = Soeurs de la Providence/Sisters of Providence/Hermanas de la Providencia; CSC = Soeurs de Sainte-Croix/ Sisters of Holy Cross; SSA = Soeurs de Sainte-Anne; SCO = Soeurs de la Charité d'Ottawa/Sisters of Charity of Ottawa; SGM = Soeurs de la Charité de Montréal, "Soeurs Grises"/ Sisters of Charity of Montreal/"Grey Nuns"; SCQ = Les Soeurs de la Charité de Québec; SASV = Soeurs de l'Assomption de la Sainte Vierge; SC = Sisters of Charity of Saint Vincent de Paul, Halifax.

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