

# CANON LAW IMPLICATIONS

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*Vultum Dei Quaerere & Cor Orans*



*“Jesus condemns people with good manners but bad habits”, because it is one thing to “appear good and beautiful”, but inner truth is something else. In the same way, it isn't good to be bound exclusively to the letter of the law, because “law alone doesn't save. Law saves when it leads you to the source of salvation”.*  
- Pope Francis (October 14th, 2014)

URL:

<https://www.facebook.com/140900652751891/photos/a.147197238788899.1073741826.140900652751891/347723398736281/?type=3>. 08/21/2018.

# Why this topic?

2014 QUESTIONNAIRE of the CIVCSVA ( $\approx$  Congregation for Consecrated Life) to “all communities of cloistered Nuns”

Key issues: **autonomy, formation, enclosure**

Aim: revision of *Sponsa Christi* (1950) and update / replacement of *Verbi Sponsa* (1999)

2016 Apostolic Constitution of Pope Francis  
*Vultum Dei Quaerere*

2018 Instruction of the CIVCSVA  
*Cor Orans*

**autonomy / federation, enclosure, formation**

# Aims

- to present a canonical and Benedictine view on the recent legislation in general
- to give an orientation of *Cor orans* and highlight some points of it
- to have a look at the impact that it has on us as Benedictine women in general and in particular

# Vultum Dei Quaerere

## ON WOMEN'S CONTEMPLATIVE LIFE

WHAT?      Apostolic Constitution by Pope Francis

WHY?

- former Legislation – Sponsa Christi from 1950 – “out date”
- journey taken by the Church in recent decades in the light of the teachings of the Second Vatican Council & a changed social and cultural situation
- to maintain and reinforce the fundamental values of contemplative life e.g. silence, attentive listening, the call to an interior life, stability
- to fill holes / *lacune legis*: formation, autonomy / federations, enclosure

# Vultum Dei Quaerere

## ON WOMEN'S CONTEMPLATIVE LIFE

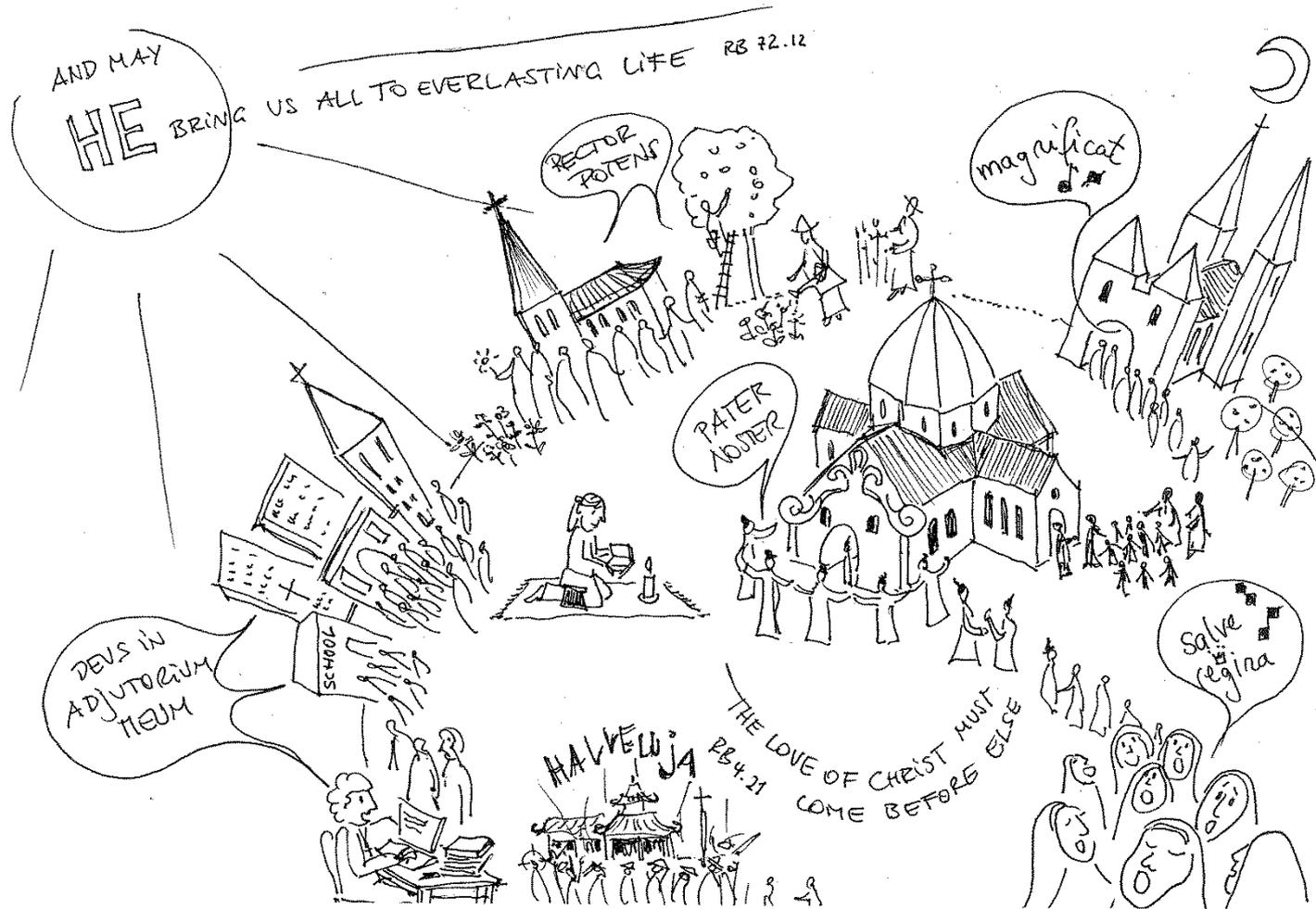
FOR WHOM? **CIVCSVA** & „**individual cloistered monasteries of nuns**, whether wholly contemplative or not, and whether part of a federation or not” (Art. 2 § 1 V DQ) ≈ *moniales*

WHAT? (1) Invitation to reflection and discernment on twelve aspects of consecrated life in general and the monastic tradition in particular:

<sup>1</sup>**formation**, <sup>2</sup>prayer, <sup>3</sup>the word of God, <sup>4</sup>the sacraments of the Eucharist and Reconciliation, <sup>5</sup>fraternal life in community, <sup>6</sup>**autonomy**, <sup>7</sup>**federations**, <sup>8</sup>the **cloister**, <sup>9</sup>work, <sup>10</sup>silence, <sup>11</sup>the communications media and <sup>12</sup>asceticism.

(2) Regulations on these subjects & mandate to the CIVCSVA to issue an instruction

# Monastic life



# Monastic life: ecclesial documents

## 1950: **Sponsa Christi Art. 2**

§ 1 The particular form of monastic religious life that *moniales* must faithfully live under strict regular discipline, and to which they are destined by the Church, is the canonical contemplative life.

§ 2 The name canonical contemplative life does not mean the internal and theological life ... but the external profession of a religious discipline which, both for the cloister, exercises of piety, prayer and mortification and the work ... is so ordered to interior contemplation that all life and all action can easily and must be effectively imbued with the desire for it.

## 1965 **Perfectae Caritatis**

7. Communities which are entirely dedicated to contemplation

9. The monastic life: The principal duty of monks is to offer a service to the divine majesty at once humble and noble within the walls of the monastery, whether they dedicate themselves entirely to divine worship in the contemplative life or have legitimately undertaken some apostolate or work of Christian charity.

## 2016 **VDQ**

5. The contemplative monastic life, made up mainly of women, is rooted in the silence of the cloister; it produces a rich harvest of grace and mercy. Women's contemplative life has always represented in the Church, and for the Church, her praying heart, a storehouse of grace and apostolic fruitfulness, and a visible witness to the mystery and rich variety of holiness. → Footnote PC 7 & PC 9.

# Cor Orans

IMPLEMENTING INSTRUCTION OF THE APOSTOLIC CONSTITUTION “VULTUM DEI  
QUAERERE” ON WOMEN’S CONTEMPLATIVE LIFE

INTRODUCTION

GENERAL NORMS (1-14)

CHAPTER ONE: **THE AUTONOMOUS MONASTERY** (15-85)

SECOND CHAPTER: **THE FEDERATION OF MONASTERIES** (86-155)

CHAPTER THREE: **SEPARATION FROM THE WORLD** (156-218)

CHAPTER FOUR: **FORMATION** (219-289)

FINAL DISPOSITIONS

CONCLUSION

# Cor Orans

## WHAT: INSTRUCTION

= clarifies and elaborates the prescripts of the law; determines the methods to be observed in fulfilling them (can. 34 § 1 CJC)

it does not derogate (= exemption/relaxation) from the laws (can. 34 § 2 CJC)

## DEROGATIONS OF LAWS IN COR ORANS WITH THE SPECIFIC APPROBATION OF POPE FRANCIS:

- can 638 § 4 – regarding alienations and acts, that can worsen the patrimonial situation of a monastery – see CO 52, 81d and 108
- can 667, §4 CJC regarding entering the enclosure – see CO 83g
- can. 628, §2, 1° CJC regarding visitation – see CO 111
- can. 686, §2 CJC regarding exclaustation – see CO 177 and 178; 130
- 667, §4 CJC regarding the dispense from enclosure – see CO 174 and 175
- the restriction of *Verbi Sponsa* n. 17, §2 regarding absence from the monastery – see CO 176;
- Final Dispositions.

**NB: ALL THESE STRENGTHEN THE AUTHORITY OF THE ABBESS/PRIORESS AND REDUCE THE AUTHORITY OF THE DIOCESAN BISHOP**

# Cor Orans

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# Chapter Three: Separation from the world

## Table of content:

- I. Concept and relevance for contemplative life (CO 156-167)
- II. Means of Communication (CO 168-171)
- III. Cloister (CO 172-182)
- IV. Papal Cloister (CO 183-188) &
- V. Norms (CO 189-203) = replacement of *Verbi Sponsa*
- VI. The Cloister defined in the Constitutions
  - A Constitutional Cloister (CO 205-207)
  - B Monastic Cloister (CO 208-211)
- VII. Regulations Regarding Constitutional Cloister (CO 212-218)

# Separation from the world: enclosure

previous regulation can. 667 CIC

§ 1 “common enclosure” for every religious house

§ 2 stricter discipline of enclosure for monasteries ordered to contemplative life

§ 3 enclosure of nuns:  
papal  
constitutional

§ 4 special competence of the diocesan bishop regarding the enclosure of Nuns

VDQ / Cor Orans

**papal enclosure** = norms given by the Holy See; external works of apostolate excluded (CO 183)

**constitutional enclosure** = defined in the Constitutions or another code of the proper law; some activity for the benefit of the people are associated to the contemplative life (CO 204)

**monastic enclosure** = more rigorous than the common enclosure; beside the primary function of divine worship some wider forms of receptions and hospitality (CO 210); Constitutions or another Code of the proper law (CO 211)

# What has changed?

- **Discernment possible and necessary**

VDQ Art. 10 §1: Each monastery, following serious discernment and respecting its proper tradition and the demands of its constitutions, is to ask the Holy See what form of cloister it wishes to embrace, whenever a different form of cloister from the present one is called for.

- **Extension of the authority of the Abbess/Prioress**

Exclaustration for one year (CO 177)

Dispense from the enclosure (CO 175)

Absence from the monastery (CO 176)

- Exclaustration not via Rome = derogation can. 686 §2 CIC
- Restriction of the authority of the diocesan bishop = derogation can. 667 § 4 CIC

# Chapter four: Formation

## Table of content:

- I. **General Principles** (CO [219-220] 221-230)
  
- II. **Ongoing Formation** (CO 231-241)
  
- III. **Instruments of Ongoing Formation** (CO 242-249)
  
- IV. **Initial Formation** (CO 250-261)
  - A **Aspirancy** (CO 262-268)
  - B **Postulancy** (CO 269-276)
  - C **Novitiate** (CO 277-284)
  - B **Juniorate** (CO 285-289)

# General observation

Cor orans...

- ... emphasizes the value and importance of the ongoing formation
- ... asks for discernment in general and in particular; e.g. related to candidates from other countries:
  - 255. The establishment of international and multicultural monastic communities manifests the universality of a charism, therefore the reception of vocations coming from other Countries must be the object of adequate discernment.
  - 256. One of the reception criteria is given by the prospect of spreading monastic life tomorrow in particular churches where this form of following Christ is not present
  - 257. The recruitment of candidates from other countries solely for the sake of ensuring the survival of a monastery it to be absolutely avoided [VDQ art. 3 § 6].
- ... gives responsibilities / tasks to the Federation:
  - President (CO 117-120)
  - common initial formation (CO 141h)
  - federal formator (CO 148)
- NB: Guidelines on Formation to be issued from the CIVCSVA

# New Regulation

- obligatory **Aspirancy**: min. 12 month; max. 2 years
- **Postulancy**: min. 12 month, max. 2 years  
≠ can 597 § 2 CIC: „suitable preparation“
- **Novitiate**: obligatory of 2 years  
≠ can. 648 § 1 CIC: min. 12 month, § 3: max. 2 years
- **Juniorate**: CO 287 „Temporary profession is emitted for three years and renewed annually up to the completion of five years, until a minimum of nine years of initial formation is completed.“

1 A + 1 P + 2 N + 5 J = min. 9 years of initial formation

≠ Benedictine sisters (*sorores*),

≠ Benedictine monks

≠ all other apostolic religious people

# Break - Reflection

- Questions for the tables on enclosure, formation, especially the time of formation

# AUTONOMY & FEDERATIONS CONGREGATIONS

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### Structure of the Confoederatio Benedictina (OSB)

1893 Leo XIII. *Summum semper*



## CONFOEDERATIO BENEDICTINA

## COMMUNIO INTERNATIONALIS BENEDICTINARUM

*Lex propria*

*NdC*

Congress of Abbots  
Synod of Presidents  
APC + PCBS  
Abbot Primate



**19 Congregations OSB**

= *monasteria sui iuris*  
Abbot + Chapter

Constitutions  
General Chapter  
Abbot President

&  
*monasterii*  
*extra Congregationes*

*consociatio*

Statutes  
Conference of Delegates  
Administrative Council  
Moderator  
Symposium

**19 Regions**

=

1. *monasteria sui iuris* can. 615  
„isolated“

2. incorporated in / associated/affiliated  
a Congregation/a monastery of men

3. united as Congregations/Federations of Sisters  
Congregation of Nuns  
Federations of Nuns



# autonomous monastery

## juridical

- community
- abbess/prioress = major superior can. 620 CIC
- chapter = all members with final profession
- council
- novitiate
- independent economy
- house with oratory

## VDQ Art. 8 § 1

### **Juridical autonomy needs to be matched by a genuine autonomy of life**

- minimum number of Sisters
- not overaged
- vitality to practice and spread out the charism
- capacity for formation & governance (leadership)
- dignity & quality of liturgical, fraternal, spiritual life
- sign value & participation in the local church
- self-sufficiency
- suitable monastery

# autonomous monastery in *Cor Orans*

## Definition CO 6:

*Monastery sui juris* refers to the religious house of a female monastic community that, having the requisites for real autonomy of life, was legitimately erected by the Holy See and enjoys juridical autonomy under the law  
unfolded in CO 15, 16, 18

## Table of content:

- I. Foundation (CO 20-38)
- II. Canonical Erection (CO 39-53)
- III. Affiliation (CO 54-64)
- IV. Transfer (CO 65-66)
- V. Suppression (CO 67-73)
- VI. Ecclesial Vigilance of the Monastery (CO 74-82)
- VII. Relations between the Monastery and the Diocesan Bishop (CO 83-85)

# General observations

- Confirmation of the juridical autonomy (CO 15 +16)
- Demand for a real autonomy of life (CO 18)
  
- Means to prevent difficult situations or to help in difficult situations:
  - CO 43: Responsibility of the President of the Federation, to inform the Holy See, when a monastery lacks autonomy of life → ad hoc commission
  - Co 45: **Loss of the right to elect an Abbess/Prioress** if the number of solemn professed nuns reaches 5
  - **Ad hoc commission** (VDQ Art. 8 § 2; CO 43; 56; 69)
  - **Affiliation** (VDQ Art. 8 § 3; CO 54-64)

# Ad hoc commission

WHO: Ordinary, President of the Federation, Federal Assistant (*Assistens religiosus*), Abbess/Prioress of the monastery

WHO APPOINTs? Holy See

WHEN: if the real autonomy of life is threatened or lacking

CO 43: President of the Federation and her responsibility to inform the Holy See

CO 56: deliberation/preparation in view of an affiliation

CO 69: Preparation/implementation of a suppression

# Affiliation Cor Orans 54-64

“ 55 Affiliation is configured as a juridical support that must assess whether the inability to manage the life of the autonomous monastery in all its dimensions is only temporary or is irreversible, helping the community of the affiliated monastery to overcome difficulties or to put in place what is necessary to bring about the suppression of this monastery.”

- WHAT:** suspension of the status of autonomous monastery – at the same time rendering it a dependent house of another monastery or the Federation (CO 57)
- BY WHOM?** Holy See (CO 56 + 57)
- AIM?** stabilization or suppression (CO 55)
- CONCRETE:** Abbess of the affiliating monastery/President of the Federation = higher Superior of the affiliated monastery; no chapter, no Council (CO 58; 64)

# autonomous monastery: new demand in Vultum Dei Quaerere

## **Art. 9 §1. Initially, all monasteries are to be part of a federation.**

If, for some special reason, a monastery cannot join a federation, after the vote of the chapter, permission to allow the monastery to remain outside a federation is to be sought from the Holy See, which is competent to study and decide the question.

# new demand implemented in *Cor Orans* final dispositions

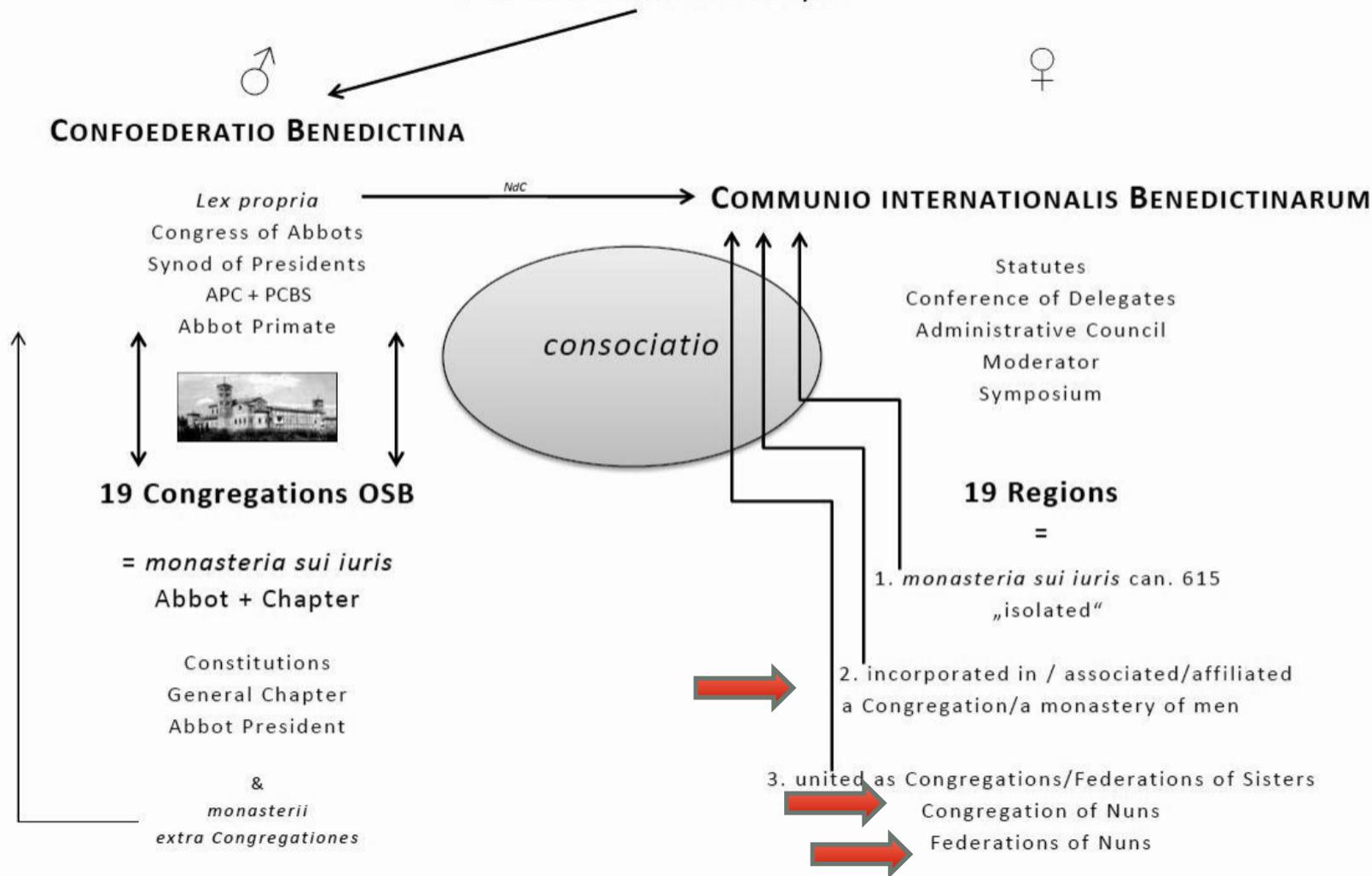
1. Confirmation of the obligation to enter a **Federation**  
= favorite way of CO
  
2. But there are other possibilities:
  - **Association of female monasteries**
  - **Conference of monasteries**
  - **Association with (incorporation in) a male institute**
  - **autonomous monastic congregation of women.**
  
3. One year time – otherwise, the CIVCSVA assigns to a Federation or other existing structure of communion

# Who is who? Cor Orans 7-12

name	what	who	aim
FEDERATION (CO 7)	structure of communion	autonomous monasteries of the same institute	overcome isolation; promote regular observance & contemplative life
ASSOCIATION (CO 8)	structure of communion	autonomous monasteries of the same institute	collaboration
CONFERENCE (CO 9)	structure of communion	autonomous monasteries belonging to diverse institutes in one region	promoting contemplative life; favoring collaboration
MONASTIC CONGREGATION (CO 12)	structure of government	autonomous monasteries of the same institute	President = major superior General chapter = supreme authority
associated with a male institute	structure of government according to cann. 614 + 615 CIC	autonomous monasteries of the same institute ♀♂	major superior of the male institute = major superior of the female monastery, called: religious ordinary CO 81, 2

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# ecclesial vigilance: Visitation CO 81

name	what	Visitor	
<b>FEDERATION</b> (CO 7)	structure of communion	Bishop & President of the Federation as Covisitor	
<b>MONASTIC CONGREGATION</b> (CO 12)	structure of government	President	
associated with a male institute	structure of government according to cann. 614 + 615 CIC	Religious ordinary = President of the Congregation of monks	

# comparison

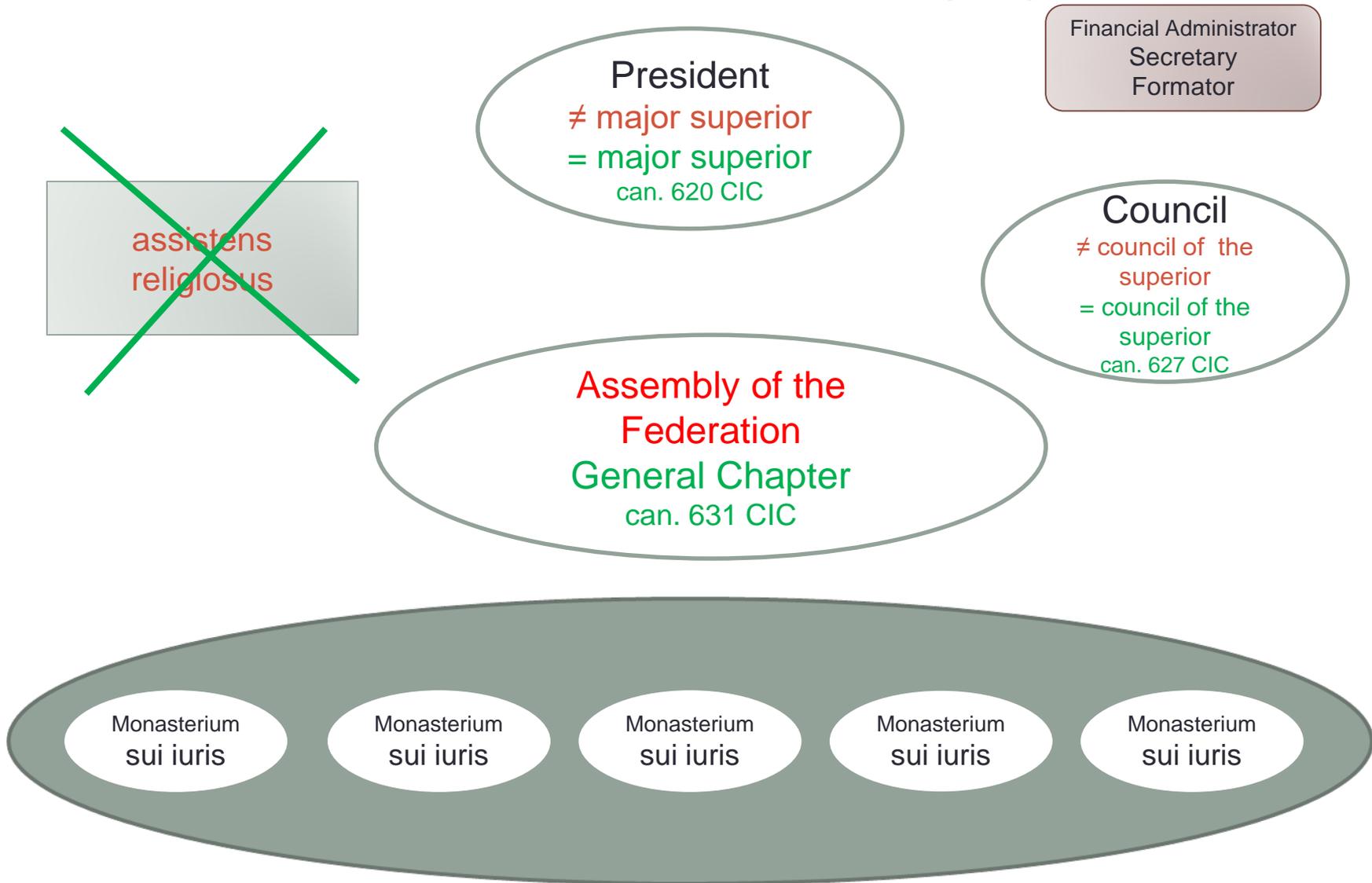
## Federation

- structure of communion
- autonomous monasteries according can. 615 CIC
- President ≠ major superior
- council ≠ council of the superior can. 627 CIC
- assembly of the Federation = sign of unity and charity; ≠ supreme authority; ≠ representing the entire institute
- federal Assistant (*assistens religiosus*)

## monastic congregation

- structure of government
- autonomous monasteries can. 613 CIC; ≠ can. 615 CIC
- President = major superior can. 620 2<sup>nd</sup> phrase CIC
- council = council of the superior can. 627 CIC
- general chapter = supreme authority; represents the entire institute
- ~~federal Assistant (*assistens religiosus*)~~

# Federation – monastic Congregation



# Federation in *Cor Orans*

**Definition CO 7:** “*Federation of monasteries* means a structure of communion among some autonomous monasteries of the same Institute, erected by the Holy See that approves the Statutes, so that in sharing the same charism, the federated monasteries overcome isolation and promote regular observance and contemplative life.

## Table of contents

- I. Nature and End (CO 86-109)
- II. The Federal President (CO 110-122)
- III. The Federal Council (CO 123-132)
- IV. The Federal Assembly (CO 133-141)
- V. Federal Offices (CO 142-155)

# President: authority & duties

## Federation

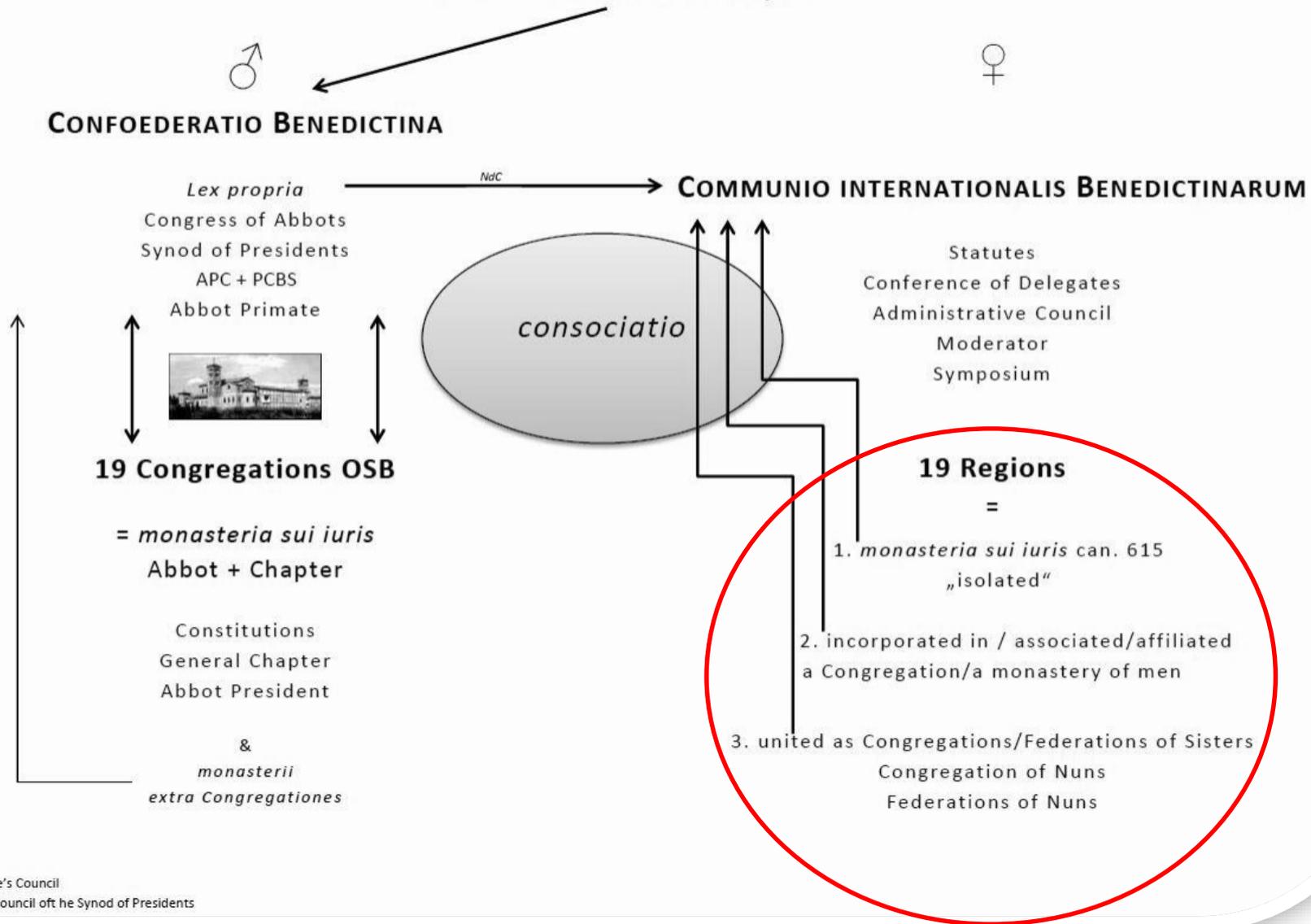
- **≠ major superior; acts on the strength of what CO attributes to her (CO 110)**
- **Covisitor of the Bishop during regular visitation; writes report (CO 111; 115)**
- **Visitor in extraordinary visitation (CO 113)**
- **Supervision / care for formation at all levels (CO 117-120)**
- **reports to the Holy See, if a monastery does no longer possess a real autonomy of life (CO 120)**
- **always part of the ad hoc commission (CO 43; 45; 56; 69);**
- **Election for 6 years (CO 110)**
- **Federal Assembly: convening and presiding (CO 118)**
- **Informs the Holy See about problems in connection with the transfer of a nun (CO 122)**

## monastic Congregation

- **= major superior**
- **acts according to the general law and what the Constitutions assign to her**
- **Visitor (CIC 628 § 1; CO 75 (1))**
- **presides the election of the abbesses in the individual monasteries**
- **elected for the time set out in the Constitutions**
- **accepts the resignation of an abbess**
- **General Chapter: convening and presiding**

### Structure of the Confoederatio Benedictina (OSB)

1893 Leo XIII. *Summum semper*



APC = Abbot Primate's Council  
PCBS = Permanent Council of the Synod of Presidents

# Situation of the Benedictine Women

(All information without guarantee)

## 37 Federation/Congregations of *sorores*

### 5 Congregations of *moniales*:

(1) Vita et Pax p.51

(2) ? Congregatio Filiarum Ecclesiae p. 175

(3) Regina Apostolorum [„Congregation des Moniales Benedictines de la Reine des Apôtres] p. 301

(4) *Immaculae Conceptionis B.M.V. in Polonia* p. 383

(5) *Dominae Nostrae a Calvario* p. 726

## 20 Federations of *moniales* (125 monasteries?)

- 6 Ab Adoratione Perpetua Ss.mi Sacramenti p. 7
- Foederatio Immaculati Cordis Maria (France) p. 503
- 5 Foederationes Monialium in Italia p. 515
- 4 Foederatio in Hispania p. 575

- Foederatio Benectinarum Caelestinarum (Italy) p. 638
- Foederatio Helvetica p. 649
- Foederatio OSB in Bavaria p. 676
- Foederatio Croatica p. 719

## 72 monasteries of *moniales*, which are incorporated (43?) or affiliated (29?) to a Monks Congregation:

(1) Congregatio Angliae p.1

(2) Solesmes p. 72

(3) Annuntiatio p. 174

(4) Congregatio Beuronensis p. 194

(5) Congregatio Sublacensis/Cassinensis p. 207

(6) Monasteria Olivetanarum p. 609

(7) Monasteria Camaldulensium p. 615

(8) Congregatio Cono Sur p. 709

(9) Congregatio Brasiliensis p. 731

## 64 *Monasteria extra Instituta et singularia*: 6 *sorores*, 58 *moniales* p. 752 ff.

# Situation of the Benedictine Women

(All information without guarantee)

For the moment beyond our interest; some have the structure of a monastic Congregation.

## 37 Federation/Congregations of *sorores*

### 5 Congregations of *moniales*:

They are OK!  
some changes

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modification in the present statutes  
some are changing into monastic congregations

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## 72 monasteries of *moniales*, which are incorporated (43?) or affiliated (29?) to a Monks Congregation:

it depends: incorporated monasteries: some changes;  
affiliated monasteries: have to act

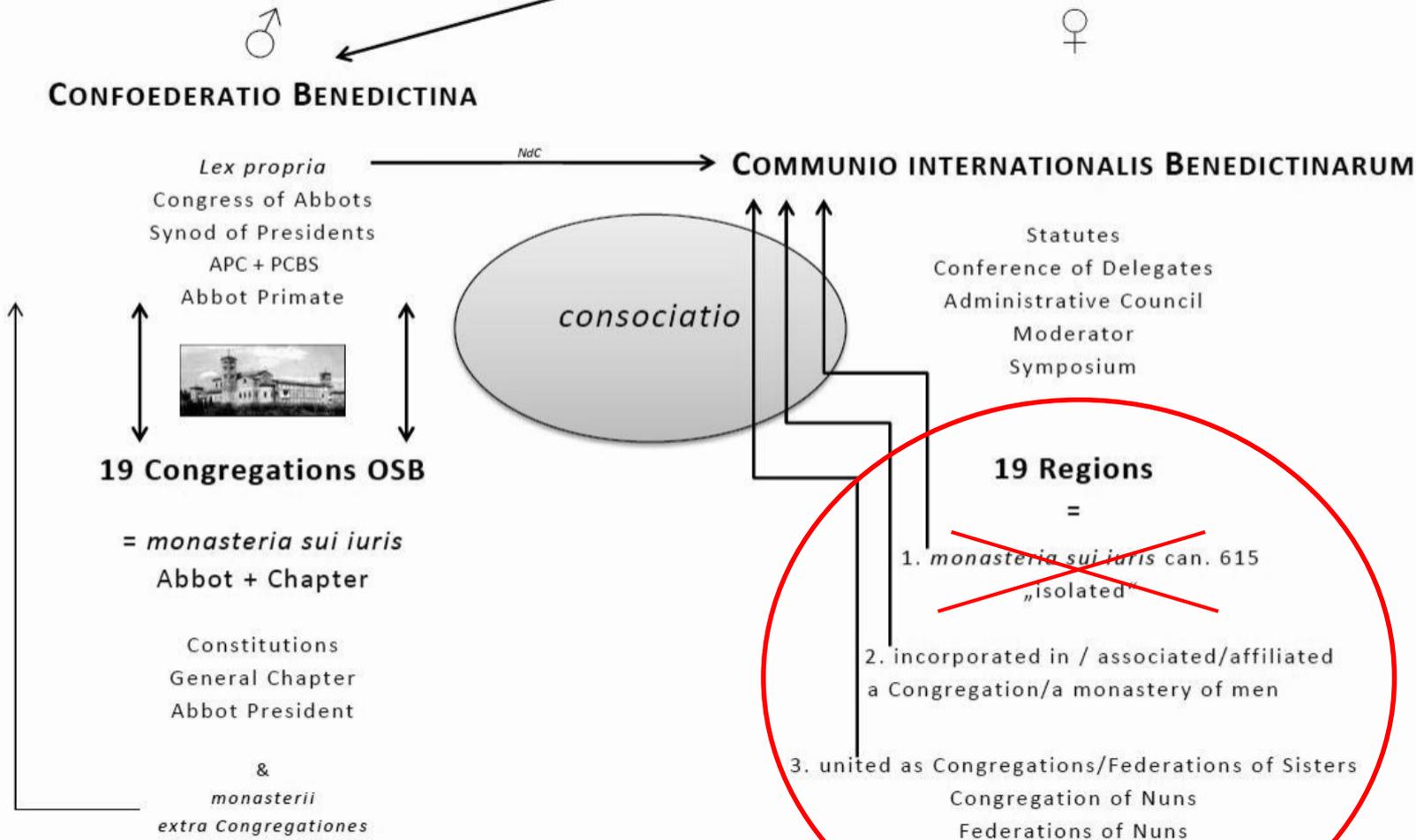
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They have to act!

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**And may He bring us all together to life everlasting!**

RB 72, 12



*Thank you for your attention!*

