

INSTITUTIONAL RELATIONSHIPS: RELIGIOUS LIFE IN THE CHURCH

By MARY ELLEN SHEEHAN

TO REFLECT on religious life in transition from the aspect of its relationship to the papacy and to bishops in local Churches is an arduous work. Each of the terms in such a reflection—*religious life, the papacy and bishops in local Churches*—is laden with historical, cultural and juridical meaning. Further, these realities co-relate in the Roman Catholic Church, itself a complex reality in terms of its origins, history, contemporary multi-cultural expressions and its mission to witness to the gospel of Jesus Christ in today's world.

To say that the Church is in crisis today is a given. Many will say, some regretfully and others happily, that the Second Vatican Council has caused this state of affairs. Most will acknowledge that the ingredients for crisis are equally present in current human history. Our times are both plagued and blessed. Recognizing as background that the Church exists in *these* historical times, this article focuses more narrowly on the relationship of religious life to papal and local episcopal authority. After reviewing briefly some recent universal Church teaching on the subject, attention will centre on the issue as it has surfaced in the United States. Then, in the light of this review, a concluding section will identify dimensions of the topic that promise to be areas of continuing concern.

I. RECENT CONCILIAR AND PAPAL TEACHING ON RELIGIOUS LIFE UNIVERSALLY DIRECTED

From 1964 to 1989, some twenty conciliar, papal and episcopal documents have been published with universal significance for religious life. While all of these documents taken together need

careful study and commentary, only a few shall be highlighted here to set out the dimensions of our topic.¹

Conciliar decrees (1963-1965)

Vatican Council II, in its Decree on the Appropriate Renewal of Religious Life (*Perfectae caritatis*), proclaimed that renewal of religious life entails two simultaneous processes: 1) returning to the sources of Christian life in the scriptures and to the charism of the particular religious institute; 2) adjusting to the changed conditions of the times. The decree states unambiguously that: the gospel is to be considered the supreme law of religious institutes; the unique character and purpose of specific religious institutes is to be respected by the Church; the scriptural, liturgical, doctrinal, pastoral, ecumenical, missionary and social work of the Church is to be embraced fully by religious with as full a knowledge as possible of contemporary cultural conditions; a deep interior renewal of spirit is required to inform the following of Christ and the works of the gospel (*PC*, 2).

Needless to say, this conciliar proclamation continues to have extensive implications for the nature and expression of religious life in the Church. For one, it means the appropriation of other conciliar decrees and declarations where much of the biblical, theological and social foundations for adaptation and renewal are embedded.² Renewal of religious life, in other words, is situated within the wider context of the Church's own call to renew itself.

Ecclesiae sanctae, motu proprio of Paul VI, August, 1966

This papal instruction provided the general norms for the renewal implied in *Perfectae caritatis*. Religious institutes were directed: 1) to hold renewal chapters which were not to be limited to legislative matters but rather to be thorough-going intellectual, spiritual and apostolic renewal events; 2) to revise their constitutions in such a way as to eliminate outmoded practices and properly fuse biblical, theological and historical principles with juridical elements; 3) to engender governing procedures rooted in participation and subsidiarity as values; 4) to show a clear commitment to the teaching of Vatican Council II; 5) to enter into a period of experimentation.³

Mutuae relationes, decree on the relationship between bishops and religious institutes, May, 1978

This document, jointly issued by the Vatican Congregations *On Bishops* and *On Religious and Secular Institutes*, had a three-fold goal:

first, to provide a lengthy and comprehensive review of the Church's teaching on the nature and role of the episcopacy including a clear statement of the hierarchical nature of authority in the Church; secondly, to state as well the autonomy of religious institutes over their own affairs while also asserting their integration into the authority structure of the Church; thirdly, to comment on the necessity of a solid relationship between religious institutes and local episcopal authority for the pastoral good of the Church.

In a sentence that captures very well the tensions inherent in the respective authority of religious institutes and of the papacy and local bishops, the document says:

In order that the relations between bishops and superiors produce increasingly more fruitful results, they must be developed in cordial respect for persons and institutes in the conviction that religious must give witness of docility toward the magisterium and of obedience to their superiors, and with the mutual understanding to act in such a way that neither transgress the limits of the competency of the other.

The relationship is thus described as cooperative but also clearly as one of subordination to hierarchical authority. The document recommends the formation of mixed commissions with representatives from Bishops' Conferences and Major Superiors' Conferences 'for counsel, liaison, communication, study, and reflection'. Further, bishops should create a special commission within their Conferences to deal with issues specific to religious. Liaison is also a goal at the international level. The pope reserves a special role for himself in this regard by virtue of his Petrine ministry which, the document makes clear, he also expresses through the 'various departments of the Roman Curia'.

In short, the document teaches that dialogue and collaboration on various levels must be carried out in mutual trust and respect. The relationship is necessary and important for the pastoral good of the Church, and its nature is collaborative although clearly hierarchically structured. Only with this understanding, states the document, will there be a 'dynamic vitality' and 'organic ecclesial communion'.⁴

The New Code of Canon Law, promulgated January, 1983

Canon Law for Religious Institutes is found in Part III of Book II, *The People of God*, in the New Code.⁵ Canonists point out the

great improvements over the 1917 Code as well as the fact that the New Code draws from Vatican II for its theological vision. They also remind their readers of *the purpose* of the Code as a legal document, indicating both the strengths and limitations so implied, and of the understanding of law operative in the Code and how it differs from other conceptions of law, particularly Anglo-Saxon inspired systems.⁶

Other commentators point to the importance of the viewpoint of the interpreter and as well to tensions inherent in the Code. Rose McDermott, reflecting on Church order which restricts jurisdiction to clerics, makes a challenging point, 'Only when men and women baptized in Christ share a single juridical personality in Church law will it truly reflect the gospel message and conciliar teaching'.⁷

Likewise, Joan Chittister says that the Code is expansive at the level of principle but narrowing at the level of practice and thus leads to mixed results. Regarding authority, for example, she points out that the Code promotes *decentralization* through values of autonomy, participation and subsidiarity. At the same time it also checks these values through *centralization* in a hierarchical clerical authority which excludes women as full participants and is usually paternalistic in attitude, interpretation and juridical practice.⁸ The Code does accent the proper autonomy of religious institutes but also makes clear their submission to episcopal and papal authority. This is perhaps most evident in Canon 590 which states:

Institutes of consecrated life, since they are dedicated in a special way to the service of God and the whole Church, are in a particular manner subject to its supreme authority. The individual members are bound to obey the Supreme Pontiff as their highest superior, by reason of their sacred bond of obedience.⁹

While this canon is substantially the same as Canon 499, 1 of the 1917 Code, it is interesting that the Church now requires its explicit insertion into revised Constitutions as a condition of their approval by the Congregation for Religious and Secular Institutes.

Decree on religious life and the New Code, February, 1984

Following the promulgation of the Code in 1983, CRIS issued a decree requiring that the revised Constitutions of religious institutes be brought in line with the canons of the Code. This

meant either the elimination of anything in the Constitutions in contradiction with the Code or the addition of 'certain other things which must be done by virtue of the Code of Canon Law'.¹⁰

II. RECENT PAPAL DOCUMENTS ON RELIGIOUS LIFE DIRECTED TO THE CHURCH IN THE UNITED STATES

In the last twenty years there have been several conflicts between religious institutes and papal and episcopal authority in the United States. These disputes have included the painful dissolutions of entire religious institutes over discord with the local ordinary, the intervention of the Holy See into governance matters of religious institutes, the forced exclusion of members from their institutes over interpretations of their ministries in public office or of positions they have held regarding Church teaching on various issues, the removal of religious from elected or appointed public office, and the silencing of individual religious from teaching or publishing. In no case are the stories yet told fully, particularly from the point of view of the person or institute involved.¹¹

Whether because of these events or not, religious life in the United States has been the subject of additional attention from the Pope and the Congregation for Religious. Only a summary of this development can be offered here, largely from the viewpoint of published official documents.

Papal letter to the United States bishops, June, 1983

In the context of the Holy Year of 1983 whose special theme was redemption, Pope John Paul II asked the United States Bishops 'to render a special pastoral service' to the religious of their country who 'by their very vocation are intimately linked to the redemption'. The Pope identified several ways for the bishops to carry out this pastoral service: encouragement, preaching, catechizing the entire Church on the religious life, admonition of religious who have departed from the norms of religious life or Church teaching, and analyzing the reasons for the decline in religious vocations. To further these ends, the Pope included a document prepared by CRIS on 'Essential Elements of Religious Life' and he appointed John Quinn, Archbishop of San Francisco to chair a Pontifical Commission.¹²

Essential Elements in Church teaching on religious life, issued by CRIS, May, 1983

This document, prepared by CRIS and approved by the Pope, sets out the essential elements of religious life with particular reference to institutes devoted to apostolic works. It declared that the period of experimentation inaugurated by *Ecclesiae sanctae* is over and it is now time 'to evaluate objectively and humbly the years of experimentation so as to recognize their positive elements and their deviations'.

To this end, the document offered in distilled form a theology of religious life that emphasizes *witness* understood primarily as *consecration through public vows accepted by the Church as the mark of religious life*. The document identified nine essential characteristics of religious life: consecration by public vows, communion in community, evangelical mission, prayer, asceticism, public witness, relation to the Church, formation and government. It also spells out, in eleven categories roughly parallel to the nine essential characteristics, forty-nine fundamental norms rooted in recent Church documents but primarily in the *Code of Canon Law*.¹³

CRIS claimed in the document itself that religious superiors, chapters and bishops had asked for more specific directives and counsel.¹⁴ Canonists have commented on the importance of seeing the document as a synthesis of existing teaching and not new doctrine or laws.¹⁵ Others have observed that *Essential Elements* represents a static, controlling and overly authority-focused way of thinking.¹⁶

The Pontifical Commission on religious life in the United States, June, 1983—November, 1986

In June, 1983, the Pontifical Commission began its two-fold task: to aid the bishops in carrying out their pastoral service to religious and to analyze the reasons for the decline in religious vocations in the U.S. Church. Quinn extended the membership of the Commission to include five religious plus two others to serve as consultants.¹⁷

In August, 1983 Archbishop Quinn addressed the annual assembly of the Leadership Conference of Women Religious (LCWR). Other members of the Commission, including Archbishop Thomas Kelly of Louisville, participated in a panel discussion at the annual meeting of the Conference of Major Superiors of Men (CMSM). The major superiors of both groups expressed

a number of concerns about the Pope's letter and the CRIS document, some of which included: 1) the process was backwards by having the consultation *follow* the issuance of *Essential Elements*; 2) already existing studies were ignored; 3) both groups of major superiors had been bypassed; 4) the real object of the study was U.S. religious *women*; 5) the cultural dimensions of renewal were being seriously minimized; 6) why the Roman concerns on religious life were addressed only to U.S. religious. In short, many felt that the Commission represented 'Roman interventionism'.¹⁸

In view of these misgivings, both Archbishops stressed the importance of seeing the Pope's request and the Commission as an occasion primarily for improving communication between bishops and religious and Rome.¹⁹ Archbishop Quinn asked that this 'moment of tension' be held open to deeper communication. He also explained that the Commission would work with the widest possible form of consultation.

In September, 1983 the Pope spoke to a group of U.S. Bishops in Rome on their pastoral service to religious. He stressed that he viewed it as an application of collegiality. He appealed to the teaching of *Mutuae relationes* and to *Essential Elements* which must serve as guidelines in this task of pastoral service and he emphasized that *consecration* as the *being* of religious has priority over their *doing*. The bishops must also help religious harmonize their lives with the faithful acceptance of the magisterium so that they truly reflect the ecclesial dimension of their consecration.²⁰

In his November, 1983 address to the national assembly of bishops, Archbishop Quinn offered the bishops both a summary of *Mutuae relationes* and the *Code of Canon Law* on the relationship between their pastoral responsibility and the internal autonomy of religious institutes and valuable and interpretative perspectives on *Essential Elements* to prevent a blind or univocal use of the document.

Most importantly, he situated the mandate into the context of dialogue. Referring to *Ecclesiae suae*, Quinn quoted Paul VI on a 'dialogue of salvation' whose characteristics include: careful and clear language; truth-seeking in a manner that is not impositional; trust that welcomes and promotes confidence and friendship; prudence which esteems highly the psychological and moral circumstances and sensitivities of the other. Further Paul VI taught that genuine dialogue implies deep listening, not only to the words of the other, but to the heart.²¹

Following this, the bishops engaged in dialogues with religious in their respective dioceses and the Commission continued its work. In November, 1984 Quinn gave an interim report to the bishops²² and in October, 1986 the final report of the Commission was submitted to the Pope.

In an abbreviated form, made public in November, 1986, Quinn reviewed the mandate, described how it was carried out, and communicated the study's results on the decline in vocations. He also offered reflections on tensions likely to continue concerning ecclesiology, the women's movement and its effects on women in the Church, authority and collegial forms of governance, and issues between the Holy See and some religious. He concluded that 'religious life in the United States is in good condition' though 'there are some groups and some individuals which give cause for concern and do not appear to fulfill the ideals of religious life'.²³

The response of Pope John Paul II, 1987-1989

Pope John Paul II has offered some of his reflections in an address to religious during his 1987 visit to the United States²⁴ and in his February, 1989 letter to the United States bishops.²⁵ His words to the religious included a heartfelt statement of gratitude for their historical contribution to the upbuilding of faith in the United States as well as a clear recognition of their serious response to renewal.

We see a gospel-inspired spirituality, which has led to a deepening of personal and liturgical prayer; a clearer sense of the Church as a communion of faith and love in which the grace and responsibility entrusted to each member are to be respected and encouraged; a new appreciation of the legacy of your founders and foundresses so that the specific charism of each congregation stands out more clearly; a heightened awareness of the urgent needs of the modern world where religious, in close union with the bishops and in close collaboration with the whole Church, seek to carry on the work of the Good Shepherd, the good Samaritan and the good Teacher.

He also acknowledged the special response that religious have given to the cries of the poor and all marginalized persons and groups both in the United States and in other parts of the world.

At the same time he noted challenges which must continue to engage religious: the reality of decline in their numbers; the need for a better apprehension of the ecclesial nature of their vocation

with the accent put more on the *consecration* and *witness* character of that vocation than on the works; the need to balance better the cultural and political values of the United States with the Christian understanding 'of the common good, of virtue and conscience, of liberty and justice'. And he reminds the religious that this requires *discernment*, in which 'adherence to the magisterium is an indispensable condition for a correct reading of "the signs of the times" '.

The same themes appeared in his letter to the bishops but with more detailed comment around particular problems: the *consecration-mission* tension; theology of religious life and of the Church; participatory authority structures; the influence of the women's movement, especially with regard to what he calls *radical feminism*; the processes of the national conferences of religious in terms of resolving what he terms *polarization* issues; and the need for a theological analysis of the decline of vocations in terms of the *identity* and *mission* of religious institutes.

The Pope encouraged them to continue pastoral service to religious, especially by meeting regularly with major superiors. He also called them to dispel some of the above-mentioned tensions 'by a clear and unambiguous theology of the Church' as well as by promoting a 'sound theology of religious life'.

In short, six years after the Pope's mandate to the United States bishops concerning religious life, all agree that religious institutes in the United States have engaged in a serious and deep renewal in terms of the conciliar call. There is also probably widespread agreement on the areas of friction identified in the Commission process and by the Pope. Agreement on the *interpretation* of these tensions promises to be a matter of ongoing dialogue and discernment.

III. SUMMARY REFLECTIONS

What can be said now about the relationship of active religious institutes to authority in the Church? First, recent Church teaching, legislation and processes confirm Vatican II's call to radical renewal of religious life. The gospel is the supreme law, charisms of religious institutes are unique gifts to the Church, and encounter with contemporary culture is essential to the full proclamation of the gospel, especially to the poor and all others excluded from equality and justice.

Secondly, the Pope in exercising his Petrine ministry has called the episcopacy and religious institutes into an experience of collegiality by encouraging them to engage in mutual understanding and collaboration with each other and with his office as Supreme Head for the pastoral good of the Church.

At times, however, this relationship may be strained due to the balance that must be maintained between proper autonomy and hierarchical authority. Requiring Canon 590 to be in the Constitutions of religious institutes as a condition of their approval may be an example of such a tension. There is also an ongoing tension in the conciliar call for a better balance between the universality of the Petrine ministry and the necessity for effective episcopal leadership to be exercised in local contexts. At best, this dynamic works as 'an organic ecclesial communion' and at worst it polarizes into a controlling centrist tendency in tension with the genuine exercise of contextualized local episcopal ministry.

Related to the second point, there is thirdly the 'healthy and continual dialectic that is always at work in the Church between the gospel and culture, authority and prophecy, the unity of the Church and its specific cultural contexts' (Quinn) or the principle of 'discernment', as 'the work of the whole Church' (John Paul II). While the Pope declares that the magisterium is the deciding factor, it is equally true that aspects of the magisterium itself are reformable.²⁶

It could be, for instance, that some present frictions are *proper* tensions, that is, groanings of the Church as the people of God and inheritors of the Spirit working toward a fuller expression of the gospel of Jesus Christ as the supreme law for *all* members of the Church. While some aspects of 'radical feminism', for example, indeed may not be fruits of the Spirit, other aspects of feminism are perhaps too radical *precisely because* they challenge, in part from the Church's own teaching on justice, the exclusionary character of present Church order and jurisdiction.

The 'separate but equal' interpretation of *complementarity* is indeed under suspicion by many United States religious women and men as well as many other men and women in the Church internationally. Could it not be that the current resistance to this cultural idea, so devastatingly operative in United States history and still blatantly used in many regions of our world to justify racism and sexism, is a prophetic gift of critical consciousness to the Church? Most understandings of complementarity operative in

the Church are in fact muted, thinly disguised subordinate forms of inequality, which reveal the persistence of patriarchy in attitude, teaching and law in the Church. We are beginning to know today from many sources in experience and reflection that the 'dialogue of salvation' (Paul VI) requires partners who are fully equal.

Fourthly, there is the Pope's challenge to the United States bishops, and perhaps to others in the world, to teach 'a clear and unambiguous theology of the Church' as a way of removing many current strains. Presumably the Pope is not speaking here of a reductionist ecclesiology, but rather one that is dynamic, inclusivist and aware too of *ecclesia semper reformanda*. The Church, Canadian Bishop Bernard Hubert recalls, is the sacrament of salvation. It is 'in the world to seek God in it and to reveal [God's] liberating action' and 'fortunately, [it] has all the freedom it needs to call itself into question again and again. Through all the changes of this world, it seeks and finds its Saviour.'²⁷

It is within this dynamic understanding of the Church that a refined theology of religious life will emerge, particularly for those forms dedicated to active ministry in our world. The notions of *witness* and *ecclesial sign*, the relationship of *consecration* and *mission*, patterns of participatory governance internally and collegiality externally will continue most likely to be interpreted multifariously for some time to come²⁸ as the whole Church continues to receive and respond fully to the Second Vatican Council. Thus, while the period of experimentation has been declared over, the effects of a changed ecclesial consciousness are not.

NOTES

¹ In addition to those cited in this article, see: *Renovationis causam*, CRIS, Jan., 1969; *Evangelica testificatio*, Apostolic Exhortation of Paul VI, Jan., 1969; *Evangelii nuntiandi*, 1975; *Religious and Human Perfection*, CRIS, Jan. 1981; *The Contemplative Dimension of Religious Life*, CRIS, Jan., 1981; *Redemptionis donum*, Apostolic Exhortation of John Paul II, Mar., 1984.

² Abbot, Walter, ed: *The Documents of Vatican II* (New York, 1966).

³ *Ecclesiae sanctae*, translation and commentary by James Walsh, *Supplement to the Way*, 4 (1967), pp 3-44.

⁴ *Mutual relations*, On the relationship of bishops and religious institutes, *Origins*, 8 (1978), pp 161-175.

⁵ Coriden, James, et al., eds: *The Code of Canon Law: a text and commentary* (New York, 1985).

⁶ Beyer, Jean: 'Vie consacrée et vie religieuse de Vatican II au Code de Droit canonique', *Nouvelle Revue Théologique* 110 (1988), pp 74-96; Holland, Sharon: 'The New Code and religious', *Jurist* 44 (1984), pp 67-80; McDonough, Elizabeth: 'Canonical considerations of autonomy and hierarchical structure', *Review for Religious* 45 (1986), pp 669-690 and 'The

protection of rights in religious institutes', *The Jurist* 46 (1986), pp 164-204; O'Hara, Ellen: 'Norms common to all institutes of consecrated life', in *A handbook on Canons 573-746*, edited by J. Hite, et al., (Collegeville, MN, 1985), pp 31-57.

⁷ McDermott, Rose: 'Women in the New Code', *Supplement to the Way*, 50 (1984), pp 27-37.

⁸ Chittister, Joan: 'The New Code and the development of religious life', *Supplement to the Way* 50 (1984), pp 113-121. See also: Thomas, Barbara: 'Canon Law and the constitutions of religious congregations' *Supplement to the Way*, 50 (1984), pp 47-60.

⁹ Coriden, James, et al., eds., *op cit.*

¹⁰ 'Decree on religious life and the New Code', *Origins* 13 (1984), p 602.

¹¹ A case in point is that of Mary Agnes Monsour of Detroit, forcibly removed from the Sisters of Mercy in 1983 in a dispute over her appointment to public office by the Governor of Michigan. See statements by her and others involved in *Origins* 13 (1983), pp 33ff; 197-206. See also, the following valuable reflections on her case: Cardmann, Francine: 'Religious and lay statuses in the Church', *Sisters Today* 55 (1984), pp 457-461; McCormick, Richard: 'The Magisterium', *Sisters Today* 55 (1984), pp 462-465; Ruether, Rosemary: 'The Vatican and the Sisters of Mercy: differing views of the Church', *New Blackfriars* 66 (1985), pp 392-401.

¹² 'Letter of Pope John Paul II to the United States Bishops on Religious Life', in Daly, Robert et al., eds., *Religious life in the U.S. Church: the new dialogue* (New York, 1984), pp 3-8.

¹³ 'Essential elements in Church teaching on religious life from the Vatican Congregation for Religious and for Secular Institutes', in Daly, *ibid.*, pp 311-342.

¹⁴ *ibid.*, pp 311-312.

¹⁵ See, for example, two articles by Sharon Holland: 'The Code and Essential elements', *Jurist* 44 (1984), pp 304-338: 'A canonical analysis of Essential elements in the light of the 1983 Code of Canon Law', *Jurist* 45 (1985), pp 438-450.

¹⁶ A panel discussion on Essential Elements: Margaret Brennan, 'The experience of the Essential Elements in the lives of U.S. religious'; James Gaffney, 'The religious brother in the life of the Church'; Richard Rohr, 'The experience of a priest brother', in Daly, *op cit.*, pp 134-151. See also Joan Chittister, 'Rome and religious life', *Ecumenist* 23 (1985), pp 72-76.

¹⁷ 'An interview with Archbishop Quinn on the Commission on Religious Life', in Daly, *op. cit.*, pp 11-22.

¹⁸ 'Archbishop Quinn's address to the LCWR', and 'Notes on the CMSM Panel', *Origins* 13 (1983), pp 213-221. See also, Bette Moslander, 'Address to the US Bishops' Conference on the Bishops and religious life', *Origins* 13 (1983), pp 430-431.

¹⁹ Quinn, *ibid.*, p 220.

²⁰ 'John Paul II's comments to the U.S. Bishops, September 19, 1983', *Origins* 13 (1983), pp 318-320.

²¹ Quinn, Archbishop John: 'Dialogue and the Bishop's pastoral service to religious', *Origins* 13 (1983), pp 426-429.

²² Quinn, Archbishop John: 'The next step: dialogue with religious', *Origins* 14 (1984), pp 391-393.

²³ Quinn, Archbishop John: 'A Summary Report of the Pontifical Commission on Religious Life in the United States', *Origins* 16 (1986), pp 467-470.

²⁴ 'The Pope's Address to Religious', *Origins* 17 (1987), pp 317-319.

²⁵ 'The Pope's Letter to United States Bishops', *Origins* 18 (1989), pp 745-750.

²⁶ The Spirit of God is patiently and creatively present in 'the Church as a communion of faith and love in which the grace and responsibility entrusted to each member are to be respected and encouraged'. John Paul II, note 24 above.

²⁷ Hubert, Bishop Bernard: 'A Pastoral Letter on the status of women to the people of the Diocese of Saint-Jean-Longueuil', Dec. 7, 1984.

²⁸ See, for example, the theology of religious life operative in the addresses to Pope John Paul II during his 1987 visit to the United States by Helen Garvey and Stephen Tutas, *Origins* 17 (1987), pp 314-317.