

THE DIFFICULTIES OF REVISION

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IN THE years immediately following Vatican Council II, the Holy See produced a whole series of documents, in the form of Apostolic Letters issued by Pope Paul VI himself, or of Instructions published by the various Sacred Congregations and special post-conciliar secretariates and commissions set up by the Pope. The aim of all these letters and directives was to set out in detail the manner of implementing the various Constitutions and Decrees of the Council, and in some cases to specify the time and the conditions of practical experimentation concerning its directives. Such was the case with the *Motu Proprio Ecclesiae Sanctae* (6 August 1966), which stipulated that the principal means for achieving the 'renewal of religious life best suited to our times was to be through a series of experiments set on foot by an extraordinary general chapter. These 'lived experiences' were to lead eventually to a thorough revision of the Constitutions or principal statutes of each religious Institute (or its equivalent). They were to be written or re-written according to the principles set out in *Perfectae Caritatis* (2); and though they were to be inspirational in tone and temper, they were to be framed in the context of the common law applying to all Institutes of the Life consecrated to God according to the profession of the evangelical counsels (the title now in common use in place of the traditional 'religious life', 'religious Institute'):

The general laws of every Institute usually consist of the following elements:

- (a) Principles drawn from the gospels and the theology of the religious life and its union with the Church, together with statements calculated to reveal and preserve the founder's spirit and special aims, and also the sound tradition of the Institute; for all this constitutes the inheritance of the Institute (*Perfectae Caritatis*, 2b).

(b) Juridical norms necessary for the clear definition of the character, end and means of the; Institute though the numbers of these is to be moderate, they always need to be formulated articulately.¹

PERIOD OF EXPERIMENTATION: DEFINITIVE REVISION

Canonically speaking, the first special chapter was to have been held before October 1969 (that is, 'within two or three years at the most' of the promulgation of *Ecclesiae Sanctae*²) and the document envisaged that a reasonable measure of time — about ten years — be allowed, in order to enable each Institute to discover again the purpose and circumstances of its origins, to reflect on its history, and to decide whether and how it was truly meeting the wants of the age in Church and world.³ Wide latitude was given to change, by way of experiment, ordinances of the [existing] Constitutions, granted that the purpose, nature and true character of the Institute suffered no harm.⁴ Particular emphasis was laid on the principles of renewal enunciated in *Perfectae Caritatis* (2), and means were to be devised, not only to achieve the interior renewal of the Institute's members, but to ensure that each and every member of the Institute should be drawn into the renewal process, which was 'for the well-being of the whole community, and that they should be given a truly efficacious role in electing councillors and chapter-delegates'.⁵ Furthermore, the *Motu Proprio* envisaged that one of the principal areas in which experimentation was necessary was that of authority/obedience. It spoke of a 'more effective and streamlined exercise of authority, in accordance with the needs of modern times', and insisted by implication on the continuous application of the principle of subsidiarity.⁶

The date for the presentation of definitive constitutions

It was soon observed by canon lawyers that the provisions made in *Ecclesiae Sanctae* for the measurement of the period of experi-

¹ *Ecclesiae Sanctae*, 12. There are numerous apostolic congregations of women, in some way inspired by or affiliated to the older orders of men religious, whether monastic or mendicant — but the way in which rules were adapted to fit the circumstances and especially the apostolic ideals of such communities are, to say the least, inadequate. But there are also many, particularly of recent foundation, who have little else than 'juridical norms. . . .'

² *Ibid.*, 3.

³ Cf *Perfectae Caritatis*, 2.

⁴ *Ecclesiae Sanctae*, 6.

⁵ *Ibid.*, 18.

⁶ *Ibid.*

mentation, and the subsequent presentation of revised constitutions, were extremely ambiguous. In the vast majority of Institutes, general chapters had hitherto been convoked only for the election of a new superior general — who would in the first instance, according to the provisions of the Code of Canon Law, govern for six years, but could be re-elected for a second six-year term. Rarely was any other aspect of the life and well-being of the Institute reflected on at any depth; whilst the delegates at such chapters represented only the 'superior class'. Hence very few Institutes had any experience of general chapters in which the life, the growth, the mission and the well-being of the members were considered in any detail. Consequently, the composition and the *modus procedendi* of the special chapters became very difficult to anticipate, much less to categorize. For some Institutes, the special chapter imposed by *Ecclesiae Sanctae* happened to coincide with their ordinary chapters of Election. Some of these were held according to the old pattern, and it was left to the new Superior General and Council to initiate (it seemed to them) the rather arbitrary prescriptions of the *Motu Proprio*. Others, moved by a spirit of diffidence, called in 'experts' from outside the Institutes: theologians, canonists, and particularly sociologists. Others again elected the more vocal and better-educated amongst their members: pressure-groups were formed; legislation for experimentation whose consequences could not possibly be foreseen was 'rushed through'. Others, more cautious, delayed the convocation of the special chapter beyond the time stipulated. Some congregations, anxious to experiment with new forms of government, legislated for more frequent chapters, and for a shorter term in office of the Superior General (three or four years). Others again instituted triennial 'chapters of affairs' which were non-elective. Not to mince matters, the results have been chaotic. The apparently straightforward provisions of *Ecclesiae Sanctae*, with their prognosis of an eight to ten-year period of experiment, followed by the presentation of definitive constitutions, were taken by most canonists, by the middle 'seventies, to be wholly impractical. Until, that is, Fr Michel Dortel-Clodot, a highly respected french canonist and spiritual theologian, began, in 1977, to give a series of lectures entitled: *Que mettre dans les nouvelles Constitutions, règles de vie ou normes des Congregations religieuses* (What should go into the new constitutions, rules of life or norms of religious Congregations?). In the notes which he published for the use of the participants in his classes, at the Centre Rue des Sèvres in Paris and elsewhere during 1977-78, he pro-

duced a very complex calendar, relating the date of the original extraordinary chapter held by Institutes, according to the original directives of *Ecclesiae Sanctae*, with the date when any particular Institute must hold the chapter which would present their revised Constitutions for definitive approval to the 'competent authority'.⁷

By this time, of course, confusion has been worse confounded. As has been noticed, many Institutes have multiplied general chapters; some experiments have become what seem to be irrevocable changes, and there have been other experiments about experiments. Much of this has taken place in the confident expectation of prominent canonists that this particular prescription about dates would be abrogated. Many Institutes have presented revisions over-hastily and have not yet received the necessary approval, whilst others have sought in vain to identify and crystallize, for the purpose of the written word, their 'special character and function', and 'faithfully to acknowledge as its own and preserve its founder's spirit and special aims, and also its sound traditions',⁸ but with varying degrees of indifferent success. At the end of 1976, however, the Sacred Congregation of Religious and Secular Institutes, through their General Secretary, pointed out that the particular prescriptions of *Ecclesiae Sanctae* had not been abrogated, in spite of the fact that the promised revision of Canon Law for 'Institutes of Consecrated Life according to the Profession of the Evangelical Counsels' has not yet been promulgated.⁹ A rescript was also issued, in which it was stated that all Congregations must present revised Constitutions consequent on an extraordinary chapter called for this purpose in 1980-81.¹⁰ However, in 1978, we all lived through the 'year of three popes', and it is clear enough from information coming in from several quarters, that the Sacred Congregation is realizing that no legislation can be applied uniformly, if it is to have any more than the effect of a dead-letter.

⁷ The appropriate passage of *Ecclesiae Sanctae*, speaking of the experiments which are to lead to the revision, reads as follows: 'These experiments may be continued until the next ordinary general chapter, which will have authority to prolong them even further, though not beyond the general chapter immediately following' (6).

⁸ *Perfectae Caritatis*, 2 (b).

⁹ For the alteration of the title 'Religious Institutes' to 'Institutes of Consecrated Life', cf the draft of the new canon law intended to replace the current *De Religiosis* of the Code of Canon Law, in *Supplement to the Way*, 33 (Spring, 1978), pp 13-14.

¹⁰ That is, this chapter must be convoked for 1980, but it may be held in two sessions, as long as the second session is held in 1981. Cf P. Michel Dortel-Clodot, *Que mettre dans les nouvelles Constitutions*. . . (Paris, 1977).

RELUCTANCE FOR DEFINITIVE REVISION

Many Congregations, oppressed by the weight of change in Church and world alike, lack the individual and collective assurance which they may have had before Vatican Council II. As it was stated at the Congress of the International Union of Superiors General in 1976:

There are several Congregations who wish for nothing more than to continue to live in a spirit of searching and adaptation which is evolving all the time. For this reason they lack any desire for definitive Constitutions.

Some will take this as a 'fear of the definitive', of being tied to the 'once and for all' canonical statements that 'papal approbation' of rule or constitution at the turn of the century carried with them a note of eternal permanence: words blessed for ever, 'all things said to the contrary notwithstanding', and other such formula which appeared to carry more than a hint of menace to those unaccustomed to the solemnities of curial language and the seemingly incurable tendencies of canonists of the period to write in indelible letters. It is also emphasized that the majority of religious who today remain faithful to their commitment recall the detailed prescriptions of past 'Rules', with their attempts to legislate for every and any eventuality. They recognize through sorrowful experience that written law, in their past religious experience, was, as Plato put it:

Like a stubborn and ignorant man who allows no one to do anything contrary to his command, or even to ask a question, not even if something new occurs to someone which is better than the rule that he himself has ordained.¹¹

Religious rule and custom, before Vatican Council II, did indeed attempt to cover every eventuality. So many Superiors ruled 'by the book'. The utterances of the great Church lawyers of the past, such as Robert Grosseteste, Bishop of Lincoln, and St Albert the Great, was foreign to their thinking:

One must respect the continual variability of the real, and not attempt to locate all human actions under one and the same universal rule. The real must not be bent to the rule, but the rule must be adapted to the real.¹²

¹¹ Plato, *Politicus* 294c, cited by J. Mahoney, 'Obedience: consent or conformity', in *Supplement to the Way*, 6 (May 1968), pp 5-6.

¹² *Ibid.*, p 7.

Why bind ourselves again, they say, to this sort of wooden application of rule and constitution, in a world which is changing so rapidly in every sphere that the present moment, far from being the venerated 'sacrament' so treasured by Père de Caussade and his many admirers, has become the notorious 'future shock' of Alvin Toffler? Small wonder that they fear to be shocked all over again as they were in the first years of commitment, when the rule was presented to them as the detailed prescription of the will of God for them, and which was supposed to bring them to a real participation in the freedom of God's children, but so often ended up as a whip, a 'discipline' wielded by an impersonal hand.

There are, however, other reasons for this reluctance, stated for some with translucent clarity in what was, in its day, a revolutionary apostolic context, The Constitutions of the Society of Jesus, as written by St Ignatius Loyola:

. . . it must be the supreme wisdom and goodness of God our Creator and Lord which will preserve, direct and carry forward in his divine service this least Society of Jesus, just as he has deigned to begin it; and . . . what helps most on our part towards this end must be, more than any exterior Constitution, the interior law of charity and love which the Holy Spirit writes and engraves upon hearts. . . .¹³

The phrase 'interior law of charity and love' recalls the strong statement of the Council:

What calls for the most serious consideration is this, that the main purpose of religious life is that religious should follow Christ and find union with God through the profession of the evangelical counsels. . . .¹⁴

Many religious are mindful that their first Constitutions, apart from insertions from the 'Directory' of St Francis de Sales for his *Visitandines* (itself an adaptation from the 'Rule of St Augustine' which is still an enigma in terms of dating for the ecclesiastical historian), or from the 'Summary of Constitutions' of the Society of Jesus, were almost entirely juridical in form and content. They suspect that their 'revised' Constitutions, will be nothing more than a tinkering with a series of prescriptions in nineteenth-century French or English, piously padded out with citations from Scripture, *Lumen Gentium* or *Perfectae Caritatis*, revealing nothing of the personality of the Founder, or his or her positive evangelical spirit.

¹³ Proemium to *The Constitutions of the Society of Jesus*, ed. and trans. G. Ganss (St Louis, 1970), p 96.

¹⁴ *Perfectae Caritatis*, 2 (e).

Again, there are those chosen to form part of a 'Commission for the Revision of the Constitutions', who, in a spirit of resignation or despondency, are wondering for whom they are being asked to legislate afresh. They see their traditional works languishing or being abandoned, their yet vigorous companions overburdened or 'opting out', and their old and retired sisters quite content with the 'old rule'. They have seen many recent chapter-directives, originally launched as experiments, but now the permanent substitutes for old and often valued custom; they are only too aware that those who pressed most vehemently for the dismantling of prayer-structures, or for expanding the democratic bases of community, have left the Institute: not to put too fine a point on it, like rats leaving a sinking ship. And it often seems to them that those who remain are engaged in occupations reminiscent of re-arranging the deck-chairs on the S.S. *Titanic*.

There is, too, the fear of composing fine paragraphs intellectually pleasing, but in no way truly integrated into the lives of those who make up the Community — not even as ideals. In the last dozen years there has been much adaptation, but the questions appertaining to honest spiritual and apostolic renewal are only just now beginning to be asked, let alone answered. Only as the answers begin to emerge and to be truly appropriated will they become sufficiently clear and 'owned', so that they can, with decency, be incorporated into Constitutions. Such questions, to name but a few, concern real as opposed to notional consensus about patterns of authority/obedience at every level, the reality of mission, the approach to poverty-situations which are no longer dictated by middle-class guilt, and the feasibility of associate-membership in a celibate single-sexed congregation. Most communities have lived too enclosed and protected a life for too long, to approach these questions, let alone formulate answers, with a God-given serenity. Unless we try at this point to incorporate these realities of modern missions into new Constitutions, the result will be, as one Superior General expressed it, '... to cut off initiative and growth, to present something which may satisfy the competent authority, but which will have little practical impact on, or real resonance in the lives of the community'.

The difficulty of uniform legislation

In recent years, there has been much discussion and experimentation concerning pluriformity and even plurality in Apostolic Institutes. 'Constitutions', in the minds of most, speak uniformity; whereas

many are honestly seeking a unity that may truly express itself in the midst of diversity. This phenomenon is to be observed most clearly in International Congregations, which find their 'lines of communication' currently stretched to near breaking-point. It is proving all too true in those Institutes which have already received definitive approval of their revision, or who are moving, on tip-toe as it were, to such revision, that the spectrum between what might be called literal exegesis and flexible hermeneutics is very broad. (We have the doleful example of congregations literally breaking up into factions: it would be odious, as well as otiose, to name them). It would be reasonably close to the truth to assert that some international Communities are taking on the appearance of a loose federation of provinces, in which the central government has little or no say in what is happening at local level. It is true that much of this is inevitable. Many congregations are finding that some of their provinces or regions are willy-nilly involved in the politics surrounding guerrilla warfare and its violence, in which any kind of stability of living conditions, let alone 'religious order', is nothing more than a cherished *desideratum*. In such situations, it is neither possible nor desirable to spend time in deliberating where, in the abstract, true unity is to be found.

The Holy See itself, in an instruction promulgated in 1969 by the Sacred Congregation of Religious and Secular Institutes on bringing up to date formation for apostolic religious life, *Renovationis Causam*, clearly recognizes the need for pluriformity, and with it a very flexible variety of interpretation of prescriptions which will suit differences of time and place, and constantly shifting apostolic circumstances and living conditions. Yet even here, it has proved extremely difficult for the framers of the Instruction to pull away from the minutiae of canonical legislation.¹⁵ Nevertheless, in commenting on the conciliar statement that 'the renewal best suited to our times depends most of all on the formation of the Institute's members',¹⁶ the need for a flexible and reasonable hermeneutic is emphasized:

Clearly, new regulations of a binding and definitive character cannot be framed without taking into account reasonably protracted experiments conducted over a sufficiently wide area, and the factual judgments based on them. This is undoubtedly true, since the complexity of

¹⁵ For example, in the calculations concerning the 'canonical year'; cf *Supplement to The Way*, 8 (November 1969), p 142 and references.

¹⁶ *Perfectae Caritatis*, 8.

modern conditions, which vary so much from place to place and change with such frequent rapidity, does not permit *a priori* assertions about the best means of formation on the part of those who are responsible in our time for the training of young people for genuinely religious living.¹⁷

The problem of the Charism

The word 'charism' suddenly entered religious life in the first enthusiastic response of many Institutes — particularly apostolic congregations of women religious — to the Council's call to renewal.¹⁸ It was first employed by the theological commentators on *Perfectae Caritatis*, as a kind of shorthand to express the principle of renewal set out in that Decree:

It is precisely for the good of the Church that an Institute has its own special character and function; and . . . must faithfully acknowledge as its own and preserve its founder's spirit and special aims, and also its sound traditions: for all this constitutes the inheritance of an Institute (2[b]).

It is likely enough that the concept was first applied in a definitive way to a religious Institute by Jerome Nadal, one of the first Fathers of the Society of Jesus, when he spoke of the special grace or graces accorded to St Ignatius Loyola for the founding of the Order, graces in which each member will participate in the contexts of his own spiritual gifts and apostolic potential. But it is not easy to find Nadal applying the term with any consistency. At one time, Ignatius's special grace is what he himself called 'devotion' — 'a certain facility for finding God in all things', which he expected to be developed to a high degree in the scholastics — those studying for the priesthood in the Society, precisely because the intellectual effort demanded by study would prevent the student from spending the longer time in formal prayer, which, in Ignatius's general view, had for its

¹⁷ *Renovationis Causam*, Introduction, in *Supplement to the Way*, 7 (June 1969), p 5.

¹⁸ The word is not used in the document specifically addressed to religious — *Perfectae Caritatis*, nor in *Lumen Gentium*, ch VI. There are, however, references to 'charismatic gifts' (*charismata*), in other documents, e.g. in *Lumen Gentium*, 12, in an extended reference to 1 Cor 12, in the chapter on 'The People of God'; and in *Apostolicam Actuositatem*, 3 and 30, in the same pauline context. In the second of these references in the Decree on the Laity, the Council speaks of the lay-person exercising 'more effectively those charismatic gifts which the Holy Spirit has bestowed on him for the good of his brothers' — in other words, *gratiae gratis datae*.

object a growth, predominantly affective, in that relationship of the individual member with Jesus Christ, without which truly apostolic commitment would be impossible. Thus, at other times, Nadal would describe this special grace of Founder and members as 'being contemplative in action', or 'as far as action'; whilst others after him would speak of this special grace as identical with the end and purpose of the Society: 'To serve the Lord and his bride the Church under the direction of the Sovereign Pontiff, his Vicar on Earth'.¹⁹

Manifold studies by a multitude of Institutes, on 'the charism of the founder', whilst they have been undertaken according to the directives of the Council, have not always been of a uniform consistency; nor have they always produced the desired results. The first temptation was to identify the charism in terms of the traditional works initiated by the founder or foundress; or again, to reduce it to an indefinable quality which differentiated two congregations founded at more or less the same time and for the same purposes (usually the educational service of the poor). Many theologians who have made religious life the special object of their study and reflection have usually begun by asking whether 'charism' can be identified; and if so, can it be properly expressed verbally. They have then gone on to insist that if it is truly a gift of the Spirit, which is given to the founder as an endowment integral to the spiritual heritage of an Institute, then, like the gospels themselves, it must be communicable. More than this, it must of necessity be capable of being committed to writing, so that it can be handed on from generation to generation. Indeed the framers of the draft of the revised common law for Institutes of the Consecrated Life conceived it as part of their task to 'help Institutes to discover or re-discover their charism'. The implication is, of course, that some Congregations have never known it, whilst others, in the course of time, have lost it, or deviated from it: which raises serious questions when we recall that the concept is intrinsically related to the spirit of the Founder and the spiritual patrimony of the Institute.

It is clear enough that the grace, or complex of graces, of a founder, is, in traditional language, a divine gift to a human person demanding

¹⁹ The latest to speak of the charisms of the Society of Jesus in this way — as a gift of service in the Church and of the Church, is its present Superior-General, Fr Pedro Arrupe; cf 'To serve the same Lord', in *The Way* 19 (April 1979), pp 87ff. The phrase is taken from what is known as the formula of the Institute inscribed in the Bull of approval of the Society, *Exposcit debitum*, published by Pope Julius III.

the presence of the Giver. It can have no lived existence in constitutions or other historical documents expressing a past reality. It cannot therefore be expressed in terms which apply to the historical life of the community as a whole; it is personal to the individual and circumscribed by his interior capacities and external circumstances. This has led some theologians to speak of the religious charism 'analogically', without being too precise about the logical or metaphysical categories of such analogies. It seems enough to say that the authentic member of the Institute, in his time and place, subject to his own interior psychological and spiritual capacities, or the lack of them, is possessed of or endowed with a complex of graces. Thus his graced response to God's call in Christ in this Institute is a charism of vocation, analogous to the graces granted to the Founder or Foundress: the charism which set in motion, under the power of the Spirit, this Community of consecrated life according to the evangelical counsels. Such a Community would be eventually approved by the hierarchical Church as contributing to the vigour of her life and mission. There will be special times, others point out, when this charism is communicated, God knows how, from one member of an Institute to another. And some have gone so far as to say that Constitutions themselves provide one of these 'moments of charism', when the dream becomes a reality. However this may be, there can be no doubt that Constitutions unable to spell out clearly the relation between the charism of the founder and that of each dedicated member of the Institute, which sets up an experiential 'resonance' amongst those to whom and for whom the Constitutions are re-written, will hardly make their mark. And this is asking, in ordinary language, for a deal of careful research into the origins and the life-history of the Founder and his or her first companions, against the theological, spiritual and social background of the era in which the Founder lived, in all its detail.

Constitutions and the Congregations of Women since the French Revolution

A brief glance at the *Directory*²⁰ of religious Congregations founded in Europe during the nineteenth century and spreading rapidly through the english-speaking world shows that close on a hundred and fifty such communities were established during this period,

²⁰ Cf *Directory of Religious Orders, Congregations and Societies of Great Britain and Ireland* (Glasgow, 1974).

mainly for the education and social needs of a depressed and highly under-privileged catholic population, but whose titles at first sight would leave one to believe that they were *ex professo* contemplatives, or at least primarily contemplative: Assumptionists, Augustinians, Canonesses Regular, Dominicans, and Franciscans — even Carmelites and Benedictines. The foundresses of such groups in most instances began either by helping men religious, or seeking out their help in order to receive ecclesiastical approval for the apostolate which they felt inspired to undertake. Others were just 'chosen' by clerics — bishops or priests — to fulfil such apostolic tasks.

In the majority of cases where a foundress was without the sympathetic patronage of a bishop (or the equivalent — a vicar apostolic), a well-versed theologian or canonist who was on the spot to guide her, or was under the protection of an existing order of men religious who became her personal champion, the translation of her apostolic vision into a written 'rule' for her infant congregation became a labour of nightmare proportions. Suffice it to say that the volume of work of this nature presented to the Sacred Congregation of Propaganda was beyond its scope. All that could be done was that a canonist-consultor of Propaganda, ignorant of the true place and spirit of the Institute, would examine such a rule from the juridical point of view. It would be invidious to name names: but the Constitutions²¹ of one such congregation first presented to Propaganda in 1852, received temporary papal approbation thirty years later. There is a multiplicity of apostolic congregations with dominican affiliations, branching out from a foundation in England around the same time, the substance of whose rule was drawn up by St Raymond of

²¹ The word *Constitutions* has clearly been chosen by the modern Church to designate the primitive law of Institutes of the Consecrated Life: that which, in the vast majority of traditional cases, is the work of the founder, containing the end and purpose of the Institute, the general precepts and spiritual ideals of his foundation. Dortel-Clodot has analysed titles used in a very large number of cases — he has in mind of course that Benedict employed the word 'Rule', whilst Ignatius Loyola used 'Constitutions'. His conclusion is that the Sacred Congregation for Religious and Secular Institutes has now settled that each Institute should have two different 'booklets', and adds:

The first booklet, once it has been approved by the Church . . . cannot be changed by a general chapter. It will be a 'stable text' (one hesitates to use the word 'definitive'). Future general chapters will be able to modify it as time goes on, but only with the permission of the Church.

The second booklet will not be stable. Future general chapters will be able to modify it with freedom and without the permission of the higher authority, though of course, there will be discernment, voting, and also consultation with the Sacred Congregation (*Que mettre . . . p 30*).

Pennafort for Tertiaries;²² whilst many other groups, looking to the jesuit rule for inspiration, were given a summary of the jesuit Constitutions, intended for novices, on which to base their Constitutions.²³ There is the case of another Institute, whose inspiration was wrenched out of its theological context, and re-ordered to suit the wishes of a Congregation of apostolic men religious; and there is more than one example of local bishops writing a rule and imposing it upon the sisters. For Congregations such as these, the labour of distilling their original spirit or their apostolic charism has been a herculean labour, and for whom the prescriptions of *Ecclesiae Sanctae* have proved altogether inadequate.

The Congregation of Propaganda, in the face of its own immense task, had recourse to what was probably the only solution: to propose a set of juridical norms which could be applied, more or less uniformly, to all these apostolic congregations, and to lean heavily upon the past. Church and civic society alike began from the premise that women, as the weaker sex, needed to be protected by a cloister which differed little from that traditionally imposed on monastic women; and that they were unversed in every and any branch of theology, so that their major affairs needed to be conducted, at least in the last instance, by the hierarchy, whether or no their work was confined to a single diocese or not. The problem of the relations between apostolic religious and hierarchy is still with us.²⁴ This is one of several reasons why it seems inopportune to present revised Constitutions for definitive approval to the competent authority, until the revised common law for Institutes of consecrated life through the profession of the evangelical counsels has been promulgated by the Holy See for the whole Church.

²² Cf Bede Jarrett O.P., *The English Dominicans* (London, 1921), pp 211-13.

²³ Cf Caritas McCarthy S.H.C.J., 'Constitutions for Apostolic Religious', in *Supplement to The Way*, 14 (Autumn 1971), pp 33-45.

²⁴ Cf Ladislav Orsy S.J., 'Hierarchy and Religious', in *Supplement to the Way*, 33 (Spring 1978), pp 115-25; also 'The dependence of Institutes on the Ecclesiastical authority' (especially draft canons 22-23), *ibid.*, pp 46-48.