

was also the universal law according to the 1917 code, canons 506 and 535). The 1983 Code clarified the question, as has been said, by restoring exemption to nuns who are attached to an exempt Order.

The 1990 Constitutions, however, reserved the right of confirming the election of abbesses and accepting their resignation to the Abbot General and not to the Father Immediate. On this last point the General Chapter of 2002 made the Chapter the normal authority for accepting the resignation of an abbess, as well as of an abbot. The Abbot General uses his power as vicar of the Chapter to accept a resignation when the Chapter is not in session.

So it is only recently that the Father Immediate has almost the same powers with regard to the monks and to the nuns. At present, the only powers particular to the Father Immediate of a monastery of nuns are:

- He *must* delegate the care of making the Regular Visitation once every six years;
- He presides at solemn professions, which the abbess receives (we must distinguish between the profession received by the Mother Abbess and the monastic blessing given by the celebrant, which is the response of the Church to the monastic gesture of the professed monk or nun between the hands of his abbot or her abbess. Until now the Holy See reserves to a priest the care of giving this “blessing” which is, however, not a sacrament).
- After having consulted the abbess and nuns, in conformity with canons 567 and 630 of the CIC, he should propose to the Ordinary of the place a monk of the Order having the required liturgical and pastoral competence to be chaplain and ordinary confessor.

8.5. THE FORMATION OF THE CONSTITUTIONS OF THE OSCO (1967–1990)

*(Dom Armand Veilleux)*¹¹

The Constitutions of a religious Order are not simply a juridical text regulating its internal functions and its relations with the institutional Church. They are a text in which an Order expresses its perception of its spiritual identity and mission. In approving them, the Holy See acknowledges in an ecclesial way the form of Chris-

¹¹ Dom Armand Veilleux is abbot of Scourmont since 1999, after having been abbot of Mistassini (Canada) from 1969 to 1976, of Conyers (USA) from 1984 to 1990, Procurator of the Order from 1990 to 1998.

tian life being lived within this Order or Institute. The process of the formation of such a text is perhaps as important as the text itself.

The way that our Order developed its Constitutions from 1965 to 1990 is an exceptional case of the participation of the entire membership of an Order in the development of a text expressing its own charism. It will be worth the trouble to recount this history. And, to highlight the particular characteristics of this undertaking, it will be useful to say a few words about its prehistory.

8.5.1. The Constitutions between 1893 and 1925

At the time of the “Chapter of Union” of 1892, the three principal congregations issuing from La Trappe decided not only to unite in one body, but also to constitute themselves into an autonomous monastic Order. It was decided at the same time immediately to draw up Constitutions. These were finalized the next year, at the Chapter of 1893, held at Sept-Fons, and approved by the Holy See on August 25, 1894. The outline of these Constitutions is very revealing of the ecclesiology of the time. A first section deals with the government of the Order—the General Chapter, Abbot General, Definitors, Procurator General, Fathers Immediate, Abbots or Titular Priors, etc. The second section deals with observances, and finally the third section with entry into the Order. Our Constitutions of 1990 reversed this pyramid, much as Vatican II had done in the constitution *Lumen Gentium* for the Church.

This decision by the capitulants of 1892 to finalize the Constitutions immediately was of utmost importance for the subsequent evolution of the Order. These Constitutions gave a clear and strong sense of identity to the Order, an identity which helped it pass without too much difficulty through the challenge of two world wars, and allowed it to launch, with tremendous energy, into a vast program of foundations to the four corners of the earth. This clear identity also allowed the Order to transform itself, from an essentially European, and predominantly French, Order to an international and multicultural Order without losing its spiritual identity.

After the publication of the Code of Canon Law in 1917, our Order immediately began the task of revising its Constitutions. This new version, prepared at the General Chapters meeting at Cîteaux in 1920 and 1921—the first General Chapters after World War I—was approved by the Holy See in 1924. As for the Constitutions of the nuns, which had not been affected by the union of the Congregations in 1892, they were also reviewed after the publication of the Code of Canon Law and received the approval of Rome in 1926.

8.5.2. Vatican II and the Search for a Working Method

During the fourth session of the Second Vatican Council, in October 1965, the decree *Perfectae Caritatis* was published, in which all the religious institutes were invited to review their legislation. Paul VI's Apostolic Letter, *Ecclesiae Sanctae*, of August 6, 1966, offered a number of indicators of the way in which it would be necessary to make this revision and, in a very general way, to set about the renewal of the religious orders.

When the Central Commission met at Rome some months later, in October 1966, to prepare the chapter of 1967, how to proceed with the revision of the Constitutions was discussed at length. Finally, a provisional commission was named, whose mandate only extended until the General Chapter, charged with consulting a large number of experts on various subjects. The members of this commission were Fr. Charles Dumont of Scourmont for the section on spirituality, Fr. Edmond Mikkers of Achel for the historical section, and Fr. Basil Pennington for the juridical section. Fr. Basil was the coordinator of this task. Among the directives which the Central Commission gave to this provisional commission, were "to prepare a draft of the outline of the Constitutions," and "to prepare a plan for the organization of the work and to define the method of the approach."¹²

At the Chapter of 1967, the capitulants, after having heard the advice of Frs. Edmond and Basil, both present at the Chapter, decided to create a new commission, giving it the mission "to begin immediately the revision of our Constitutions according to the norms given in nn. 12–15 of *Ecclesiae Sanctae*, and first of all with regard to with the scriptural and theological bases of the Cistercian life." It seems that they envisaged a single text for monks and for nuns.

After some trial and error and a few changes in its membership, the commission delivered a document called *A New Charter of Charity*, which was communicated to the whole Order over the year 1968. It was given a cool reception. The commission courageously set to work again, and offered a series of seven documents to the Chapter of 1969. These documents comprised, among other things, a chronological report of work accomplished, a draft of modifications to the current constitutions of the monks and nuns to conform them to new legislation while waiting for the new Constitutions, and a general draft of the new Constitutions themselves.

¹² Minutes, pp. 43–44.

8.5.3. From 1969 to 1990: The Painful Genesis of a Text

The 1969 General Chapter, which ended in great unanimity, opened in an atmosphere of tension. This tension was due, at least in part, to dissatisfaction with the draft of the commission charged with preparing the revision of the Constitutions, including the last documents sent to the capitulants just before the General Chapter. With the object of overcoming what seemed an impasse, Dom Vincent Hermans had developed another plan just before the Chapter—a counter-plan so to speak. For him, there was no real need to draw up Constitutions. *Ecclesiae Sanctae* distinguished between the “fundamental law” of institutions, the revision of which required the approval of the Holy See, and “statutes” proper to an Order, which could be approved by the Order itself. Could we not consider, then, that our fundamental law was the *Rule of St. Benedict* and the *Charter of Charity*? It would be enough to draw up some declarations on the *Rule* and on the *Charter of Charity*.

A canon lawyer, Fr. Beyer, SJ, who had been invited to the Chapter as an expert, agreed completely with this understanding. He invited us in particular not to hurry. We could take all the time we needed to review important aspects of our monastic life, and make a compilation of legislation later. It is true that the General Chapter of 1967 had already been declared the “Chapter of renewal” to which special powers had been granted, but nothing prevented considering the Chapter of 1969 as simply the first part of the second session of this special General Chapter.¹³ Fr. Beyer spoke in terms of a period of 10 to 15 years. No one thought then that twenty years or more would be spent in this task.

Pleased with this line of reasoning, the Chapter decided: a) to consider the *Rule of St. Benedict* and the *Charter of Charity* as our first and fundamental legislation; b) to prepare secondary legislation which would be a compromise between the simple declaration on the *Rule* and the *Charter of Charity* and the outline proposed by the commission for the revision of the constitutions.; and c) progressively to develop this legislation over the course of the following years.

This decision of the General Chapter of 1969 was certainly the most felicitous one and also one that had the most consequence for the future of the Order. It renounced a hasty drafting of new legislation. Opting instead for legislation that above all followed the life, the Order threw itself into a vast effort of renewal, which could be translated into new legislation later if necessary. In the meantime, the Law Commission made a revision of the current Constitutions to bring them into conformity with the current legislation of the Church.

¹³ Dom Ignace, in his closing remarks, spoke of the General Chapter “ad tempus indefinitum” (Minutes, p 246).

In reality, at the same time as the preparation of the texts of the future Constitutions had been painfully set in motion, the Order had already thrown itself into a vast effort of spiritual renewal, as much from a new awareness of its identity as from the new structures which had been put in place. Therefore, the Regional Conferences, which had existed since the last years of the 1950s, took on more and more importance in the working of the Order and of the Central Commission. The Central Commission, which had its first meeting in 1964 and which became the *Consilium Generale* in 1967, had already become an important organ in the government of the Order.

Already, at this Chapter of 1969, some important decisions had been made. To begin with, completing a task begun long before at the regional level and by the *Consilium Generale*,¹⁴ a *Declaration on the Cistercian Life* was drawn up, which served as inspiration for the life of the Order from that time on, and for all subsequent legislation as well. Along with this *Declaration*, the Chapter passed a *Decree on Unity and Pluralism*, which was already in itself an important piece of legislation. In the course of the same Chapter, the *ad vitam* abbatial term was replaced by the *ad tempus* abbatial term (*ad tempus non definitum*, to which was added in the Chapter of 1974 the possibility of *ad tempus definitum*).

Over the course of the years and even the decades which followed, the Order at the regional level as well as at the level of the General Chapter, while continuing its spiritual renewal, made an important effort to reflect on the fundamental structures of the Order and on its mode of functioning. The General Chapter of 1971 published two documents on "Spiritual Renewal," and each of the following Chapters dealt with one or several important spiritual themes. Gradually, the General Chapter was transformed from an organ of control into an organ of communion, and provided itself with new working procedures. The Vigilance Commission was transformed into the Pastoral Commission. A new statute for "simplified foundations" appeared, which was eventually merged into a new *Statute of Foundations*. The question of the relation between the two branches of the Order occupied many Regional Conferences and more than one General Chapter before the concept of one Order with two General Chapters was arrived at, with the possibility that Abbots and Abbesses together could elect the Abbot General. There were frequent and heated discussions about "collegiality." The reality of collegiality was inscribed more and more into the life of the Order, even if the word itself continued to inspire fear until the final redaction of our Constitutions.

It is important to remember that, parallel with this vast enterprise of spiritual

14 And more precisely from the reflection of the abbesses during their meeting at Citeaux in June, 1968.

renewal and the transformation of the structures of the Order to which it led, a tentative search was going on for a literary form to give to our future Constitutions.

In fact, the mission given to the Law Commission by the General Chapter of 1969 (and the Chapters which followed) was to determine what “form” to give to our Constitutions. In 1971, despite a variety of opinions, the Chapter felt that it was still premature to think of drafting a new text. Too many experiments were underway the results of which could not yet be evaluated. The president of the Law Commission, Dom Guerric Baudet of Scourmont, repeated over and over that this work was premature and, like a good scholastic, that there could be no form without matter. Nonetheless, the Chapter of Abbots in 1974 voted to “begin without delay editing a new set of Constitutions,” and entrusted the work to the Law Commission, which led its president to resign in 1976.

Under a new president, the Law Commission drew up a preliminary draft for the new Constitutions which was distributed to the capitulants before the 1980 Chapter. It was decided that the new text would be sent to all the communities (of monks) of the Order so that a regional synthesis could be made of remarks and suggestions. This would be sent to the Law Commission, which in turn would submit it to the *Consilium Generale*.¹⁵ An identical decision was made by the Abesses the following year.

This text, called *Project I*, kept for the most part the outline and style of the *Constitutions* of 1924 and 1926 and did not take into account the decisions taken by the General Chapters of 1967 and 1969. A post-conciliar vision of the renewal of the Cistercian monastic vocation was lacking. It was no surprise, then, that this preliminary project received an overwhelmingly negative response from the Order. In any case, it caused a great stir of interest. It was calculated that the responses to the survey totalled over 20 pounds of paper! It is very possible that the main fruit of this preliminary project, as it was for the second, was to cause all the communities and regions of the Order to undertake a vast communal reflection.

When the *Consilium Generale* met at Neiges in November 1982, it had some difficult decisions to make on this subject. It was clear that a new draft, very different from the first, was necessary. But should it be entrusted again to the Law Commission or, as certain regions wanted, to a totally different group? The *Consilium* opted for a Solomonic solution. The Law Commission would do the work, but the project would be submitted to an evaluation group composed of three monks and a nun, and the report of this group would be sent to the communities at the same time as the project itself. It should be mentioned that, since 1981, the Law Commission was mixed (until then it used “correspondent” nuns). Overall,

¹⁵ Minutes, p 27–28; 196–199 and 211–12.

it might be said that the nuns were probably more active in the work on the new Constitutions than the monks.

Project II certainly showed a clear improvement over *Project I*, but it still seemed unsatisfactory, both to the evaluation group and to the communities of the Order. It was found to lack a spiritual character and a fundamental doctrine able to guide the Order in the pursuit of its effort of renewal.

At the *Consilium Generale* at Phare in September 1983,¹⁶ it was decided that *Project III*, which would serve as the basis for the work of the next General Chapter, should be drafted by one individual. The time had come to draw up and have approved by the Holy See an overall legislation that would integrate everything that had been decided on in previous years and would clarify that which still needed clarification. This work was entrusted to a member of the evaluation group, Michael Casey,¹⁷ whose talents, already well-known and well-utilized in all the Australian monasteries of the extended Benedictine family became familiar to the whole Order.

Fr. Michael's text had the advantage of being very well structured and of having an important spiritual and theological character. This spiritual dimension was found not in pious texts on the fringes of texts that were coldly juridical (as is the case for many Constitutions of Institutes and Congregations), but in the structure of the whole. The fundamental idea is that the heart of the Order is found in the local community, that the monk or the nun is found at the heart of the local community, and that Christ is found in the heart of the monk or the nun. The text began, therefore, by speaking of the call to the monastic life and the response to that call in monastic consecration. It then spoke of the spiritual life of the local community, then of its government, and then of entrance-formation. Because certain communities give rise to others, the text then turned to discuss the relations between communities, and finally to speak of that community of communities which is the Order. It is immediately clear that the order of contents is the inverse of the 1893 and 1927 *Constitutions*.

The General Chapter of monks at Holyoke in 1984 and of nuns at El Escorial in 1985 were dedicated almost entirely to the study, article by article, paragraph by paragraph, and nearly line by line, of the draft. It was greatly modified, but its spirit remained. A special commission, called COCO (Commission on the Constitution) ensured a link between work in the commissions and work of the plenary sessions, compiling hundreds if not thousands of amendments suggested by the commissions and individuals and sending them to the assembly for voting. The Holy Spirit was certainly a help in this: the entire assembly (a hundred at

¹⁶ The new Code of Canon Law had been published at the beginning of the year.

¹⁷ Monk of Tarrawarra (Australia).

Holyoke, including delegates, and around eighty at El Escorial) drafted the text and passed it unanimously at the end of each of the two chapters (there was only one abstention at Holyoke).

The very first “Mixed General Meeting” was held at Rome in 1987, during which the texts of 1984 and 1985 were reviewed and voted on in parallel, resulting in two texts practically identical except for questions that concerned only monks or nuns respectively.

This text was transmitted on 26 January 1988 to the Congregation of Religious, which, having assigned various experts to study it according to normal procedure, gave its response on 30 March 1989, suggesting a little over 100 modifications. These were studied by the Regional Conferences and analysed by the Law Commission before being submitted to the Central Commissions¹⁸ at Ariccia in November 1989. A good number of these modifications were small improvements, and others could be accepted without problems. On points where it seemed necessary to assert our own point of view, we made our case and Rome accepted our explanations in nearly every situation.

When the approval of our Constitutions was given by Rome, bearing the official date of Pentecost 1990 (a date suggested by Dom Ambrose), a wonderful adventure of nearly 25 years was completed, during which time the entire Order lived in great unity, despite differences of opinion, sometimes major, on this or that question, and with a true enthusiasm.

In fact, the work of legislation has not ended. Several aspects of our Cistercian monastic life on which the Constitutions do not touch except in broad outline, must be developed in a more detailed manner in many Statutes. In this light, the *Ratio Institutionis*, or *Document on Formation*, was approved by the General Chapter in 1990, the *Statute on the Regular Visitation* (using a precedent from the twelfth century) was approved in 1996, and the *Statute on Temporal Administration* in 1999. Over the course of the same years, the *Statute on Foundations*, which had been approved in a new formulation at the 1987 Chapter, received constant modification to respond to the changing needs of new foundations.

All these documents, despite their great diversity, are marked by a great unanimity, and it would be easy to trace several major themes that may be found in each one, from the *Declaration on Cistercian Life* in 1969 to the *Statute on Temporal Administration*. One of these major themes is the central importance of the community in the spirituality of our Order.

If I may, I would like to close on a personal note. I entered the Order seven years prior to Vatican II, which responded to hopes that never ceased to grow in

¹⁸ The *Consilium Generale* of monks once again became the “Central Commission” in 1987. The Commission for the Preparation of the Chapter for Abbesses had also, on the same date, taken the name “Central Commission.”

me during the first years of my monastic life. Having been given the grace to be a student in Rome through the entire duration of the Council has left an impression on me in a very special way. From my novice master (still living, with 65 years of monastic profession), I received a great love of the Order. I consider it a grace to have been able to carry my small part in all the steps described in this brief historical essay.¹⁹ And, thanks be to God, the life goes on!

8.6. THE FUNCTION OF THE ABBOT GENERAL

It is difficult to evaluate objectively the way in which, after the Council, the function of the Abbot General evolved. The new Constitutions are not innovative in matters of law. One can only notice that the multiplication of foundations and the development of Regional Conferences doubtless infer new ways for the Abbot General to exercise his role as the “bond of unity within the Order” and to “foster good relations among the communities,” by the visits to monasteries that he is asked to make “sufficiently often, as he judges best, to be aware of the state of the whole Order.” The number of monasteries is constantly increasing, in regions more and more distant from one another. The journeys risk becoming excessive and, yet, how can one know the Order without knowing each community, or by going only to houses that are having problems? The General Chapter of 1987 reflected on the “burden” of the Abbot General and the ways to lighten it. Recommendations were made, and it was recalled that the Father Immediate was the first authority one needed to consult in cases where an external intervention seemed necessary. Too often, perhaps, appeal was made directly to the Abbot General, without respecting the intermediate levels. Certain administrative steps at the Roman Congregations could be made by the councilors, and superiors are asked to remind their communities that it might be wise to reduce correspondence with the Abbot General to real necessities.

The Abbot General, like the others living at the Generalate, live outside of their communities. Therefore some think that it is not desirable that their mandates be too long. In 1971, a small majority of abbots was ready to accept that the mandate of the Abbot General be *ad tempus definitum*: 38 to 36, but that was far from the

¹⁹ I might add that it was as far back as 1964 (it's been forty years!), during the first meeting of the Central Commission, that I began to make my small contribution to the renewal of the Order. This meeting was held at Monte Cistello, where I was then a student, and I was invited by the American Abbots who were members of the Commission to draw up for them a certain number of memos, in particular concerning the project “Definition of the Cistercian Life,” which resulted in the Declaration of Cistercian Life at the Chapter of 1969.