

NUNS AND THE NEW CODE OF CANON LAW



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L'auteure, une religieuse, étudie le nouveau code du Droit canon et ses conséquences pour les religieuses. En effet, un grand nombre de règlements les concernant, et des changements dans le vocabulaire vont leur permettre un rôle plus important.

Elle examine les rôles que la Bible a accordés aux femmes et remarque que les premiers chrétiens semblent avoir considéré les femmes comme égales. Cependant, dans le passé, l'idée de service à l'Eglise est de-

venue une idée de pouvoir dans l'Eglise, et la domination des hommes s'en suivit. Lorsque la langue des canons sera comprise, la vie religieuse sera mieux considérée.

Nuns are twice women.

That is a sentence I heard often when I was a young nun. It was a comment from my priest-brother, thirteen years my senior. It was uttered sometimes in jest, sometimes in envy, sometimes in exaspera-

tion, and other times in hope. It could have meant, for instance, that nuns responded twice as fast as other women to directives of Vatican II. It might have meant that nuns can stretch a dollar twice as far as other women. It might even have meant that nuns are twice as devious as other women in their planning, and twice as detailed in the execution of those plans.

When I asked my brother what he meant he answered, "Nuns are twice as wilful as other women about doing exactly what they want to do, and manufacture twice as many excuses after the fact for having done what they did."

The new code that canon lawyers have articulated has as many regulations for nuns as for any other single group. Definitions include particulars on modes of living and modes of dress. However, changes in the code also include positive generalizations: Women are equals to men as members of the faithful and in all the missions of teaching, sanctifying, and serving the faithful. Because of the inclusive language in the new code women now, along with men, may prepare catechumens for baptism and do the baptizing at the end of the preparation. They may prepare couples for marriage and preside at the wedding (if civil law will acknowledge their pastoral role in this regard). They may prepare persons to receive the anointing for the sick and may possibly be permitted to do the anointing. At least the ritual prayers have been written so as not to require the action of an ordained clergyman.

Also because of inclusive language, women may be judges in the ecclesiastical — specifically, marriage — courts (provided they are competent, of course). And women may serve as financial officers in parishes and dioceses. All of these items represent changes from the previous 1917 code. For all of this liberation, women generally are grateful even as they say, "It is about time!"

Although women have been created equal to men as helpmates, according to Genesis 2:18, over the

centuries women came to be, because of custom and law, regarded almost as chattels or slaves. Jesus challenged this attitude, as we learn from the Gospels: Jesus and the Samaritan woman at the well (John 4:7-27); the Canaanite woman (Matthew 15:24-34); his friends Mary and Martha (Luke 10:38-42); the woman with an alabaster jar of ointment (Matthew 26:7-13); and finally Mary Magdalen called to announce the Resurrection (John 20:1-18).

The early Church granted equality to women, if we can judge from Paul's epistle to the Galatians (3:28), "For those baptized in Christ, there is neither male nor female." The Acts of the Apostles cite illustrious women by name — Lydia (16:14), Damaris (17:34), Priscilla (18:2), Drusilla (24:24) — and mentions groups of women as participants in teaching, sanctifying, and serving in other texts: 1:14, 5:14, 8:3, 9:2, 17:4, 17:12, 22:4.

Other relationships of equality exist in well-documented reports, for instance, Saint Jerome and Saint Paula; Saint Benedict and Saint Scholastica; the role of Hilda as abbess in a double monastery (monks-nuns) in Whitby; and, later, Francis and Clare.

In the prophetic role of sanctification, outstanding women mystics emerged at more-or-less regular intervals in various countries: Julian of Norwich in England; Gertrude and Mechtilde in Germany; Catherine of Sienna in Italy; Teresa of Avila in Spain; and Therese of Lisieux in France.

However, in the past, too, the idea of *service* in the Church degenerated into an idea of *power* in the Church. The change may have begun about the time that celibacy was demanded of the diocesan clergy in the Roman church, instead of being sought by them as a religious dedication. At any rate, domination by male celibates developed. Men founded women's institutes, drew up their constitutions, presided at their chapters, and presented their reports at Rome. Canon law, 1917, enshrined this custom to some degree. Often the legislation by men for women

showed little understanding of the women's situations and included an over-supply of the arbitrary. Early drafts of the new code still exhibited many such items, but succeeding revisions have eliminated many of them.

Rev. Frank Morrissey, O.M.I., Dean of Canon Law at Saint Paul's University, Ottawa, an illustrious and indefatigable lecturer, holds strongly with Pope Paul VI: "Canon Law is an instrument of grace," and with the centuries-old cliché, "The Supreme Law of the Church is the Salvation of Souls." To that end, he has addressed many groups of nuns in both Canada and the United States, as well as other groups in other countries. In an amiable and careful manner, Father Morrissey insists that the code is not to be read as an isolated document. Instead, it must be read against the backdrop of all the documents of Vatican II, as well as the papers from subsequent synods at Rome, from national conferences of bishops, from diocesan synods, and from meetings of major superiors of women religious.

Father Morrissey points out that canons, like rules of the road, help us to reach our destinations more surely, more quickly, more painlessly because of fewer mishaps. He cautions those sisters who, for whatever reasons, prefer to go non-canonical to consider that without canons, there is nothing to prevent or correct the injustice of the arbitrary when differences arise. He cites that at the present time, religious congregations are disappearing at the rate of one a month; few last more than 200 years.

The classification of Consecrated Life in the new Code includes the following:

1. Religious with public vows of poverty, chastity, and obedience, who live (generally) a common life and give apostolic witness by "some external identifying sign."

2. Members of Secular Institutes, who take private vows, live alone, carry out an apostolate from within, and have "no external identifying sign."

3. Consecrated Virgins, in some way analogous to diocesan clergy, under vows to a local bishop.

4. Hermits, similar to Consecrated Virgins.

5. Societies of Apostolic Life, who make vows for limited periods (usually one year at a time), such as the Daughters of the Charity of Saint Vincent de Paul.

At the American Leadership Conference of Women Religious, where 90 per cent of all religious women in the United States were represented, the "external identifying sign" was a source of concern. Sister of Charity, Helen Flaherty, outgoing president, said "public witness" — not wearing the religious habit — is the "essential" sought by sisters in the United States. "Ministry to the needy, the oppressed, the sick, the ill-housed and uneducated is 'what we are about' and the garb is not necessarily part of those experiences for American religious" (*National Catholic Reporter*, August 26, 1983).

Father Morrissey says that while it is well known that Pope John Paul II favours a "habit" for nuns, the canons call only for some unspecified difference from secular clothes, "poor and simple, modest and becoming." There is no suggestion that it be "uniform." A further technical language of the canons is understood by Catholic apostolate so require, the superior general may authorize the wearing of secular dress for as long as the circumstances require."

So, given the well-known liberty and generosity of spirit of Canadian women, plus their large fund of common sense, dedication, and perseverance, it is not likely that Religious Life will disappear from the Canadian scene. In fact, after the technical language of the canons is understood by Catholic women of this country, there will be greater appreciation of the Religious Life — the Apostolic Life.

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