

O.C.S.O. Decentralization and the Search for Identity: 1946-1985

A Review Essay

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On July 6, 1987, Sister Colette Friedlander, a Cistercian nun from the monastery of Laval, France, brilliantly defended her doctoral dissertation in Canon Law at the Institut Catholique of Paris. The title was "The Constitution of the Cistercians of the Strict Observance from 1946 to 1985: Legislative Evolution and Functioning of the Institutions". The present publication is a photostatic reproduction of the manuscript of the dissertation.

It is a pity that the defense of that thesis was only a few months before the Mixed General Meeting (meeting of all the abbots and abbesses) of the Cistercian Order of the S.O. that was held in Rome in December of 1987, and that brought to completion the long work of the revision of the Constitutions of the Order. If Sister Colette's work had been published before that meeting, her clear historical presentation and her elaborate juridical analysis would have been extremely useful to all the Capitulants. On the other hand it can be regretted that her work could not have been completed a year later and include the study of the decisions of that Meeting which concluded twenty years of legislative work.

Sister Colette's study covers the period from 1946 to 1985 and is divided into two main sections. The first one, studying the period of 1946 to 1969, is called "Towards Decentralization". The second one, studying the period of 1969 to 1985, is called "Institutions in Search of their Identity". The choice of 1969 as the watershed date is understandable and almost seems obvious, due to the importance of the decisions made at that Chapter and of the documents published, in particular the *Declaration on Cistercian Life* and the *Statute on Unity and Pluralism*. One may wonder, however, if 1967 would not have been as adequate, or perhaps more so, since it was in 1967 that the process for the renewal of the Constitutions began. The year 1946 has been chosen as point because it was the date at which the General Chapters

were resumed after World War II, and also the time when desires for decentralization began to be expressed. The year 1985 was obviously imposed as point *ad quem* by the time when the dissertation was finished and presented. By that time the large effort of renewal of the Constitutions, begun in 1967, was brought almost to an end by the General Chapters of Holyoke (1984) and El Escorial (1985); but, as I have mentioned above, the final touch of the Constitutions of both men and women was made by the Mixed General Meeting at Rome in 1987 and sent to the Holy See for approval. A first response received from the Holy See let us foresee that a definitive approval will be given soon.

A little intellectual gymnastics is required to follow the structure of the first part that describes the evolution from 1946 to 1969. It is divided into three sections: the first one (pages 25 to 104) is called "The Juridical Status Quo in 1946". It begins with a short presentation of the original Cistercian legislation as found in the *Carta Caritatis*. Then comes a short history of the Constitutions of 1924 (monks) and 1926 (nuns), and a presentation of three Constitutions. The second section is a short description of the life of the Order from 1926 to 1969: under three suggestive subtitles: a) Expansion and Internationalization; b) Renewal of Cistercian Spirituality and Cistercian Studies; c) Cultural Changes and Evolution of Mentalities. The third section (pages 117 to 369) is called "Institutional Reaction" and is obviously the central piece of the first part of the dissertation. The author now divides this period in three parts (leaving aside 1926-1929): 1) 1930-1951: "burying one's head in the Band" (*la politique de l'autruche*), corresponding to the generalates of Dom Herman Joseph Smets and Dom Dominique Nogues; 2) 1951-1964: "renovation vs. novelty", corresponding to the generalate of Dom Gabriel Sortais; 3) 1964-1969: "to decentralize in order to unite": corresponding to the first years of Dom Ignace Gillet's generalate.

All the aspects of Cistercian law during that period are studied, especially the system of filiations and the power of the Abbot General. A general conclusion is that there has been in the Order during this period a profound movement of decentralization, although no significant changes were made to the structures of the Order. The changes were more of an ideological order, consisting in a re-interpretation of the principle of unity of observances. That decentralization was in favor of the local communities rather than Regions (in any case, the Regional Conferences came into existence only at the very end of this period, and no doubt as a result of that movement of decentralization). The author thinks that some changes had a more serious juridical consequence, those concerning the General Chapter and its "Vicar", the Abbot General. She sees a departure from the juridical fiction that had kept the Abbot General as abbot of

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Cîteaux, and in the fact that the General Chapters were no longer held at the Abbey of Cîteaux.

In the first part was mainly a description of a juridical situation (following the plan of the Constitutions), the second part is a description of a situation in continuous evolution. For this reason, it is almost as much a description of the life of the Order as it is an analysis of the evolution of its law. And, of course, it was a little early to write that history. If the official documents are sufficient to write a history of the evolution of the laws and structures of the Order, they cannot alone be a foundation for an understanding of the evolution that these laws and structures represent on a deeper level. When the history of the Order during that period is written—certainly not before a few decades—many sources other than the official documents will have to be used. In this section, the interpretation of why this or that orientation was chosen and what influence it had on the Order is, therefore, necessarily more subjective, although it is always presented with care and discretion.

It is very significant that the author begins this second part with a section on "The Unity of the Order". This, indeed, has been a constant preoccupation of everyone in the Order during those years, even when quite opposite proposals were put forward and contradicting solutions were presented to the same situations. This section on the Unity of the Order concentrates rightly on the General Chapter of 1969, and analyzes well the dynamics that led to the elaboration of the two documents, *Declaration on Cistercian Life* and *Statute on Unity and Pluralism*. The rest of this second part (pages 451 to 662) studies the functioning of the institutions of the Order during that period. In presenting these, the author has chosen to follow the order that corresponds to her basic thesis: that is, that the system of *filiation* is the fundamental structure of the Order. She therefore studies (in the following order) what happened to the local autonomy, the filiation, the regions, the General Chapters, the permanent commissions of the Order, and the Abbot General. Interestingly enough, the subsection on filiation includes the treatment of foundations, incorporations, changes of paternity, role of the Father Immediate, Regular Visitations, administration *sede vacante*, election and resignation of titular superiors, change of status of a *sui juris* house, all the questions relative to the Father Immediate of Nuns, including the effects of the rescript of 1979 and the Code [of Canon Law] of 1983, participation of the abbots of daughter-houses in the election in the mother-house, help to daughter-houses and transfers, plus a few other things. Although regrouping so many questions under the topic of the *filiation* seems to reinforce the thesis of the primordial importance of that institution in the juridical tradition of the Order, some other order of presentation

might probably have made things clearer.

Somewhere in her dissertation Sister Colette says that the influence of canonists at a meeting is in inverse ratio to their number! A good example of that was the overwhelming influence of Father Jean Beyer, S.J., at the General Chapter of 1969. He explained to us that the *Rule of St Benedict* and our *Charter of Charity* could be considered our primary legislation and that our secondary legislation could consist of the declarations on those documents. He also thought there would probably be no need for presenting to the Holy See our secondary legislation, and if they asked for it someday, we could simply present a compilation of the decisions (or declarations) made over the years. That seemed attractive, and it is why we chose at that Chapter not to rush into constitutional work, but to deal at each subsequent Chapter with the questions that would appear more urgent at the time. This explains why the Commission for the Constitutions did not do much work for several years, since the mandate given to it was at first simply to decide about the format in which the Constitutions would be written later on. It also explains why the writing of our Constitutions beginning with Project I in 1980 was largely a compilation of legislation already voted on. Of course, need for new decisions arose when time came to make a final formulation. In the light of all this it might have been more revealing of the real evolution in the life of the Order if the evolution of the legislation in the Order had been presented following the order in which the various questions were raised at successive General Chapters.

In comparison with the extensive and detailed character of Sister Colette's work as a whole, the treatment of the new Constitutions seems rather brief. Of course, it can be explained by the fact that their final redaction was not yet voted on at the time of her presentation of the dissertation. Nevertheless, it seems to me that the General Chapters of Holyoke and El Escorial were so important in the history of the Order during these past few years that they would have deserved a treatment as detailed as the one given to the Chapter of 1969.

In the final preparation of the Constitutions, at the time of Holyoke and after, several points on which there was a great diversity of opinions in the Order were called "hot points" (*les points chauds*). Sister Colette has singled out one of them for special treatment at the end of her book: *collegiality*. It is difficult to know exactly why, of all the hot points, this one was chosen. Her presentation of the various positions is fair enough, but it was much too early to write a history of how that question surfaced in the Order, how and why it generated so much interest and heat, how it was that a very sober formulation of the principle of collegiality was

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voted almost unanimously at the two Chapters of Holyoke and El Escorial only to be strongly debated again during the following years. A huge amount of documents (position papers, minutes of Regional Meetings, private correspondence, etc.) will have to be carefully studied. And, most of all, the ashes still need to cool a little more!

The book ends with a useful glossary of monastic terms, but unfortunately there is no analytical table [index]. A very detailed Table of Contents helps us, however, to find our way through this monumental work that is an extremely valuable contribution to the history of the Order, and especially to the history of its law during the last four decades.

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