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Reflections on the Document "Essential Elements..."

by

Michael J. Buckley, S.J.

On June 22, 1983, a letter from the Holy Father to the American Bishops was made public. The letter, dated April 3, 1983, called upon the American Bishops to put themselves at the service of religious life in the United States, to encourage and strengthen it during this period of unprecedented numerical decline. The Pope lists seven ways in which bishops are to accomplish this ministry, ranging from general preaching or teaching throughout the church on the nature of religious life, to direct engagement with religious in Eucharist, preaching, discernment, consultation, and in the "church's universal call to conversion, spiritual renewal, and holiness." In order to facilitate and support this ministry, the papal letter enclosed for the bishops a much longer document entitled, "The Essential Elements in the Church's Teaching on Religious Life as Applied to Institutes Dedicated to Works of the Apostolate."[1] This document was dated much later than the papal letter, May 31, 1983, and the Pope variously described it as "a document of guidelines which the Congregation (SCRIS) is making available to (the bishops)," and "the document on the salient points of the church's teaching on religious life prepared by the Sacred Congregation for Religious and Secular Institutes."[2] The Holy Father described this document once again--this time in his Allocutio to a group of American Bishops on September 19, 1983--in the following way: "As guidelines for both the Commission and yourselves in this important work, I approved a summary of the salient points of the Church's teaching on religious life prepared by the Sacred Congregation for Religious and Secular Institutes."[3]

It is this document that I shall reflect upon in this essay. Obviously, I cannot cover each of its subjects, but I should like to divide my remarks into two major sections:

First: The nature of this document in terms of five questions:

1. To whom was it sent?

2. What was sent—what kind of document is it?
3. What is its authority?

4. What is its theological qualification—a precision on its authority?

5. How is it to be received?

Second: The content and assessment of some of its components.

Finally: Some concluding remarks on its use in the discussion now underway between American religious and the bishops of the United States.

There are two prenotes which I should like to frame before beginning:

First: Although I have been appointed theological consultant to the Pontifical Commission on Religious life, in these reflections I am offering an analysis and assessment that is merely my own. I speak for no one on the Commission, and I assume the full responsibility for these remarks.

Secondly: As the schematic outline of my remarks suggests, I have drawn a very limited focus for this essay. I propose to offer something of an analysis of the text of Essential Elements itself, not an extended commentary on the history of religious life which stretches out from the Second Vatican Council until the present nor an identification of each of the sources of friction which have emerged during this period, nor even an exegesis and evaluation of each paragraph of the text itself. All of these are important considerations, but so also is an actual analysis of what this single document means and what intrinsic authority it possesses. There is always the danger that one reads a particular set of experiences into the document itself and makes it say what it does not say or assume an importance which it does not claim. I have specified the questions that I want to treat. There are other serious questions which present themselves with equal urgency, but some division of labor is imperative if these reflections are to concentrate upon the document as a whole. Since a more extended outline of this essay might be of some service to its interpretation, I have constructed one and appended it at the end.

Now let us consider the document whose title we have shortened to Essential Elements.
Part I

1. To whom was it sent?

As a beginning, I should like to call your attention to the following point: This "summary document on the salient points on religious life" was not sent officially to the religious, not to their general houses nor to their provincial offices nor to their individual residences. It was sent only to the American Bishops. Many religious resented this procedure, but the resentment misses the essential papal point. The events of recent history easily explain how such a misapprehension could have occurred, and why time was inevitably needed to assess the actual import of this document. The document did not deliver new legislation for religious. It provided a shorthand for bishops, to aid them in their ministry of support and encouragement of religious life in the United States. The religious already have Lumen gentium and Perfectae caritatis from Vatican II, the Apostolic Letter, Ecclesiae sanctae, and the Apostolic Exhortations, Evangelica testificatio, of Paul VI, soon to be followed in 1984 by Redemptionis donum of John Paul II. They have had a continual stream of documents from the Sacred Congregation for Religious and Secular Institutes: From Renovationis causam of 1969, Dum canonica rum and Sacris religionis vinculis of 1970 to Mutuae relationes of 1978, La plenaria and Le scelte evang eliche of 1981. Add to this the documents formative of each institute, documents that express its foundational charism and embody the evolution of a unique religious tradition, and then top all of these off with the Revised Code of Canon Law, and I think it becomes obvious even to the most sanguine aficionado of Roman prose, American religious do not need another new document from Rome. The pile that confronts them already looms formidable and challenging enough.

By the same token, however, the bishops do need some such a compendium. The prospect that each ordinary should take out the time to assimilate and to master the writings directed to religious could present even the bravest bishop with a disheartening demand. The fact of the matter is that the religious have a history of important documentation that stretches back into the centuries, and the bishops have neither the experience nor the opportunity to gain much command of it. Yet the bishops have been commissioned, papally commissioned, to support and encourage religious life by every means available.
Although there are two places within *Essential Elements* which could indicate that the document was originally drafted to be sent to bishops throughout the world or to religious universally in the church, this is not what happened. It might be helpful to chart what did happen:

(1) *Essential Elements* claims to be a response to the requests of religious superiors, chapters, and bishops for directives, and--even further: "In this present text addressed to institutes dedicated to apostolic works, this Sacred Congregation confines itself to a clarification and restatement of these essential elements." Finally: "In drawing up this text, which the Holy Father has approved, the Sacred Congregation for Religious and Secular Institutes wishes to help those institutes to assimilate the church's revised provision for them and to put it in its doctrinal context."[4]

(2) Thus, if one simply reads *Essential Elements*, one would get the impression that it were directed as a response to requests from bishops and religious throughout the church. There is nothing in *Essential Elements* that indicates that it is directed to American religious in particular or even to the bishops of the United States. If it had been signed by the Cardinal Prefect of SCRIS and published in *Acta Apostolicae Sedis*, it would have been promulgated by the congregation to the church in general.

(3) But--and this is critical to note--it was not signed by the prefect and consequently not sent by the authority of the congregation as such. It was taken by the Holy Father and approved to be sent to the American bishops and the Pontifical Commission as "guidelines" or as a "Summary of the salient points of religious life." Naturally LCWR and CMSM received copies of both *Essential Elements* and of the papal letter. But neither the papal letter nor its enclosure, *Essential Elements*, was officially directed to them. Neither leadership conference possesses an authority relationship with its members. If SCRIS were going to address them officially in a document sent to this or that religious community, it would have delivered *Essential Elements* to their general superiors and had them communicate it as an official document sent authoritatively to them. This did not happen. What was this communication to them? It was information about an action of the Holy Father that obviously concerned them.

(4) What seems clear is that the congregation composed a document which attempted to summarize the fundamental points
of previous church teaching on religious life. In this sense, one can understand that it was "addressed to institutes dedicated to apostolic works," but in this same sense also, it would have been addressed to religious throughout the world. Now no one, to my knowledge, suggests that Essential Elements was actually sent to religious throughout the world. The fact of the matter is that the congregation neither took official responsibility for this document by the signature of its Cardinal Prefect nor sent it to anyone. It submitted it to the Holy Father who in turn sent it to the American bishops and the U.S. Pontifical Commission on Religious Life.

(5) Obviously the document has religious life in general in mind, and not exclusively American religious life. The pope is using this document for the purpose which he indicated when he sent it, i.e., of aiding the American bishops to achieve the mandate he had given them: "to render special pastoral service to the religious of your diocese and your country."[5]

2. What was sent?

Placed within this context, the scope of the document Essential Elements becomes considerably clearer. It is directed immediately only to the bishops, and it possesses the value that such a summary can obtain. Let me put this as clearly as I can. This document, issued by SCRIS for the American Bishops at the direction of the Holy Father, was intended only as a summary or compendium of the conciliar and papal teaching found in documents such as Lumen gentium, and Evangelica testificatio, and of the Revised Code of Canon Law. The pope obviously approved the final product, i.e., he found it adequate for the task envisaged—to give the American bishops an authentic overview of consecrated religious life, amply treated only in the source materials from which this compendium was drawn.

It is imperative, then, to recognize that the Sacred Congregation for Religious and Secular Institutes has done something both necessary and very difficult. Such a document was necessary if the American Bishops are to possess a compendium statement of the features or traits that characterize religious life. It is equally difficult because the divergent histories of religious orders, from the uniqueness of their founding gifts to their present pluralism and the nuance involved in their form of Christian life, indicate a living reality that inhibits the precision and distinctions of an abstract index. The insistence or recognition that religious life possesses its own identity
dictated that such a document be issued from the Holy See. As Lumen gentium taught: "Church authority has the duty, under the inspiration of the Holy Spirit, of interpreting these evangelical counsels, of regulating their practice, and finally of establishing stable forms of living according to them."[6] Without this kind of insistence upon identity, religious life would scatter and drift rather than develop. If the American Bishops are to encourage this life, they must understand something of its generic identity.

On the other hand, the fluidity and diversity of religious life over the centuries in which it has evolved, the special character of each religious community, and the "sound traditions" which arose in its growth disrupt any attempt at elaborate or particularized definition. The church in describing religious life is not dealing with an "essence" or a "substance" in any but the most metaphorical sense. She is dealing with a series of relationships, a network of overlapping and criss-crossing similarities between distinct communities which bear to one another what Ludwig Wittgenstein, in his Philosophical Investigations, called "family resemblances."[7] One religious institute resembles rather than repeats another, as one member of a family will carry something of the build, the features, the color of eyes, the gait, the temperament, and the thousand characteristics that mark brothers and sisters. No one will carry them all, but there will be enough to characterize them all, enough to show a common bond. I think that it is this that the congregation has attempted in its listing of the "essential elements." Essential Elements is not a definition through genus and differentia; it is a collocation of characteristics realized in highly analogical ways that mark the commonality among religious institutes.

The identity of religious communities makes it necessary to attempt this description of what constitutes their character. The multiform history and contemporary application of the word "religious life" demands that we attend to this developing meaning as in the spinning of a thread, one fiber is progressively added to another. The identity of the thread does not consist in a single fiber running all the way through, unaltered in the process, but in the continuity and in the overlapping of many additional threads, one on top of another as fiber is twisted on fiber.[8] This has been the evolution of "religious life" in the church, from the desert communities to the contemporary American convent. Even the term "religious life" has had a long history. Only recently has it become a sub-set of "consecrated life" and
distinguished from "secular institutes." These are critical distinctions, and this document notes the recent advancements of the Code of Canon Law in their registration.

This process of the development of more and more divergent forms of religious life will continue. Periodically there have been attempts of the highest religious authorities in the church to curb this abundance, but to little avail. The thirteenth canon of the Fourth Lateran Council in 1215 absolutely forbade any more of them: "Firmiter prohibemus ne quis de cetero novam religionem inveniat."[9] This prohibition was even more elaborately and insistently repeated at the Second Council of Lyons. Yet shortly after Fourth Lateran, Honorius III approved the new Rule of the Friars Minor on November 29, 1223. Again at the time of Ignatius of Loyola, Cardinal Guidiccioni strongly recommended against the foundation of the Society of Jesus, basing his opposition upon the decrees of these councils condemning the "excessive diversity of religious orders"[10] Alas! In the end neither councils nor curia were able to stem more forms of religious life as clerics regular were followed by the extraordinary growth in the active religious orders of women. Mary Ward might spend some time in the inquisitorial prison or the Visitandines be monasticized, but their initial apostolic inspiration would eventually prevail as through trial and steadfastness this evolving movement disclosed the Spirit which lay as its source and inspiration. So also in our time and in the future! Canon law recognizes that the church will develop more forms within religious life and secular institutes and perhaps even other types of consecrated life to meet the religious needs of the Kingdom of God.[11] This document, then, makes no claim to be a compendium definitive for all times, but to express a contemporary synthesis.

3. What is the authority of this document?

Essential Elements is not legislation, and so does not possess the independent directive authority that goes with the legislation of the church. Even more, it is directed not to religious but to bishops, and its purpose is not to command them but to inform them. What authority does it have as teaching, then, if it has none as legislation?

Since it purports to be a summary, it has the authority derived from the documents which it summarizes. As such a summary it possesses also the authority of the papal approval. Please note, however, that it is not the Pope's document. He sends it, approves it, and recommends it, but does not make it
his own, either as an apostolic exhortation or motu proprio. Even further, it is not strictly speaking a document of the congregation. It remains unsigned by the cardinal prefect. It comes from the congregation, but without the affirmation of ownership that only his signature would have authorized. It possesses the character of an instruction, but one that merely highlights what is in other documents, a summary which is "prepared" and "made available" to the American bishops by the SCRIS.

What is the value of such a document? It is twofold, in my opinion: For the American bishops it gives an overview of the more authoritative documents on religious life to which it refers. It is not a comprehensive treatment of religious life. Like any summary, it is uneven and bears the mark and the theology of those who selected its components and gave them their order. It indicates their present concerns and mindsets, both in the way in which it reports previous legislation or teaching and in the elements which it chooses to highlight. For just as there are models by which we understand the church and revelation, so there are variant models by which we understand religious life—each of them a helpful perspective from which to view the elements which enter into religious life, but none of them adequate to its mystery. But what is offered to the bishops for their information is neither the theology of religious life that lies behind this selection nor the implicit model by which these elements are united, nor a closure in understanding set by its limits. What is offered to the bishops are the elements that are contained, the "essential elements" which should identify this pattern of life in the church. Secondly, for religious it possesses the additional value of disclosure. I should like to underline this point: **Essential Elements** is as much a statement about the expectations of the Congregation for Religious and Secular Institutes as it is a statement about religious life. It indicates certain constants which this congregation expects to find in religious institutes submitting constitutions for its scrutiny and approval. This is also a major service. It is a very serious act for the church to approve or to endorse a common way of life. This approval means that the church recommends this manner of living as a peculiarly efficacious way of living the Christian life, of moving to the perfection of that charity which is identifiable with holiness. This document sketches in broad brush strokes what the congregation looks for in a religious rule which it could in conscience recommend to the Holy Father for all of the Christian faithful.
4. What is its theological qualification?

In light of the foregoing discussion, we can see that this is a very difficult and delicate question. Essential Elements carries both the weight of the documents it summarizes—and is to be judged by the accuracy with which it does this—and also the weight of the general papal approval of its adequacy as a summary of salient points, an approval given without making it a papal statement. In no way does it claim to be an addition to the material it summarizes, let alone a definitional teaching of the church about the dogmatic mystery of religious life. It makes no claim to be in principle irreformable. That is to say, Essential Elements cannot a priori be said to be without error, misstatement or theological inadequacy, and like any statement—even a solemn definition—it is limited and historically conditioned.

Perhaps to relieve the formal consideration of these reflections, I might be able to give some examples of the comparative work that must be done before any assertion of Essential Elements can be given its theological qualification.

"Separation from the world" is a classic concept in Christian spirituality, and it denotes the abiding state of election and separation true of all discipleship: "If you belonged to the world, the world would love its own; but the reason that the world hates you is that you do not belong to the world, for I chose you out of the world."[12] If there is any value in religious life it is not that it adds to this basic Christian stance. It is rather that it is a particularly efficacious way of living it out. The monastic life will do it in one way; the apostolic religious life, in another. The Code of Canon Law recognizes this analogy in its legislation for religious: Religious give public witness to Christ and to the church through "the separation from the world (mundo) which is proper to the character and to the purpose of each single institute."[13] If you read this section in Essential Elements, this analogous realization is dropped. Religious life is contrasted with Secular Institutes in these terms: The members of a secular institute are not separated from the world because "of themselves, the counsels do not necessarily separate people from the world," and these secular institutes are "to communicate the love of Christ through their presence in the world and through its sanctification from within." In contrast: "such is not the case, however, with those whose consecration by profession of the counsels constitutes them as religious."[14] Religious, presumably, are to communicate this same love by their absence
from the world and from without! Certainly, the authors of this document would not want so stark, even unreal, a contrast to be drawn between religious communities and secular institutes, but it is not forcing the paragraphs to read them in this manner. A comparison with the documents that Essential Elements is attempting to summarize, however, would obviate this reading as would attention to the later description of the mission of the religious as evangelization. Essential Elements, citing Evangelii nuntiandi, describes evangelization as: "to help bring the good news to all the strata of humanity and through it to transform humanity itself from within."[15] Balanced in terms of its sources and in terms of its later statements, various propositions which might seem exaggerated or positively erroneous often take on a reasonableness that first glance seemed to deny.

Part of this difficulty is linguistic. The English word, "world," translates two different Latin words: "saeculum" and "mundus." The Secular Institutes are called by Primo Feliciter to live "in saeculo" and so to sanctify the world "veluti ex saeculo."[16] The Revised Code speaks of these institutes, therefore, in this way: "Ad mundi sanctificationem praesertim ab intus conferre student."[17] Now, "veluti ex saeculo" is not universal to secular institutes, since it does not apply to those which are clerical or to the clerical members of mixed secular institutes. The hallmark, common to all members, is that they are living"in saeculo." Canon 714 specifies the meaning of this "in saeculo" with the phrase "in ordinaris mundi condicionibus." This in turn specifies "ab intus" of Can. 710, a phrase that John Paul II has used a number of times. The "ab intus" means that the members of a secular institute sanctify the world (mundus) through living in the ordinary conditions of the world (mundi) as opposed to the public witness and fraternal (sisterly) common life and separation from the world (mundo) that is typical of religious. This does not mean that religious live outside of the world or attempt to sanctify it by their absence. It means, very simply, that religious live a kind of life that is publically different from the pattern in which it is ordinarily lived (saeculum). The primitive state of the theology which must draw a clearer distinction between secular institutes and religious is far more responsible for the confusion in these paragraphs of Essential Elements than are its authors. But one cannot extol the evolution of forms of theological transition and development. Suffice to say that the reaction to these paragraphs indicates that much remains to be done on the theology of consecrated life and on the prophetic involvement of religious in the world.
Another example might help clarify this further. Essential Elements asserts about the teaching of the Church on religious life: "Most, recently, its doctrinal richness has been distilled and reflected in the revised Code of Canon Law."[18] The papal letter, dated almost two months before, is more modest and, hence, more promising: "Most recently still, much of this doctrinal richness has been distilled and reflected in the revised Code of Canon Law."[19] Note that Essential Elements speaks absolutely, but the omitted qualification from the papal letter is important in any consideration of the adequacy of the new legislation of the church to express the lived experience of religious. The pope claims considerably less for the Code of Canon Law than the document from the congregation.

For a third example: It is interesting also to compare the papal list of essential elements with that from the Congregation. The fourth essential listed by the Holy Father is "fidelity to a specific founding gift and sound tradition." This generic sense of origins and historical developments is placed in the listing of Essential Elements under the corporate apostolate, and the document develops only the fidelity to a specific founding gift extensively.[20] If a similar individual attention had been given to the nature of "sound tradition" as a distinct heading might have elicited, Essential Elements might have been able to obviate what has become one of the strongest and consistent criticisms of the document: A static treatment of religious life which fails both to situate its principles within an historical context and to assimilate the development of religious life and mission over the centuries and especially over the past twenty years. The papal underlining of sound tradition is not new. It is a direct citation from Perfectae caritatis which maintains that the patrimony of any religious institute is both the spirit and aim of its founder and "each institute's sound traditions."[21]

Further: one might compare paragraph 52 with the two sources it cites, Perfectae caritatis 14 and Evangelica testificatio 25, to realize how critically important this continual return to more authoritative documents is for a proper interpretation of Essential Elements. Or compare the statement in paragraph 51 that "supreme authority in an institute is also exercised, though in an extraordinary manner, by a general chapter while it is session," with Canon 631 which attributes supreme authority only to the general chapter.
These examples could be multiplied any number of times, but they should serve not to discredit the document but to underline its nature and give it nuance and above all to suggest a method of interpretation. It is only a "summary document on the salient points of religious life." Where it offers questions, presents problems, or seems to be inaccurate, the documents from which it draws should be checked. To expect it to be more, to expect (for example) that it would provide a theology of religious life as an encyclical might, or to be a scale against which the particular usages of a religious order would be adequately gauged, would be to place a burden upon it that no such summary can bear. My suspicion is that some of the anger and resentment which Essential Elements has occasioned lies with this failure to understand its summary nature and its very limited primary audience, the American bishops in their work with religious.

5. How is it to be received?

If used for the purpose for which it was written, Essential Elements can prove useful to encourage religious life, to reawaken interest in the more important documents which it is to summarize, and to provide an occasion for religious in the United States to enter into serious conversation with their bishops and the church in the United States. As a matter of fact, this is actually what seems to be taking place. A clearer understanding of its purpose might also make its reception considerably more graceful. How is it to be accepted? By religious? Strictly speaking, this is not a question—it was never officially sent to religious in the first place. What it possesses of the discipline of the church has come to them from many other sources. By the American bishops? Obviously with religious reverence, even though there is no question of the absolute assent of faith, with that fundamental openness and respect due to the Holy See and its congregations and with the attempt to understand it as positively as possible in accordance with the purposes it is to serve. Again, there is nothing remarkable here. This kind of openness and attempt at sympathetic understanding is the condition for any Christian interchange. Four hundred years ago, this primary hermeneutical principle was put as the presupposition for making the Spiritual Exercises: "Let it be presupposed that every good Christian is more ready to save his or her neighbor's proposition than to condemn it. If they cannot save it, let them inquire how it is meant; and if it is actually meant erroneously, let them correct it with charity."[22] Many false battles that have riddled religious
histories could have been obviated if this presupposition had been followed. One expects soundness and accuracy, and one attempts to understand another in these terms. But this expectation yields to the actual examination of the text, its purpose, its sources and its general context. Where the document is found faulty, these ongoing discussions can advance their corrections or modifications in love. It is a little silly to savage one another over the best way to live the gospel and the call to the perfection of charity.

Part II

With those general reflections upon the nature of the document, let us spend a bit of time looking at its content, both for an analysis of its structure and an occasional assessment of its statements. Time does not allow more.

Essential Elements is divided into four sections: The Introduction of four paragraphs indicates the sources and purpose of the document and leads into a list of the "essential elements," nine characteristics to be found in those apostolic institutes recognized by the church as religious in the technical or canonical sense of that word. The second section moves progressively toward a definition of apostolic religious life through the successive delimitations of the governing concept of "consecration." The third section takes each of those elements termed "essential" and submits it to a process of "clarification and restatement." The last section reduces these reflections to a set of norms to provide "a comprehensive synthesis of the church's provisions." I think that this division of the text is an important step towards understanding it.

What are the "essential elements," that is, what are those traits and practices which the congregation judges characteristic of religious life and necessarily present if it is to recommend it as a way towards the perfect realization of Christian charity? Certainly, it is not each item in the document. There are a number of things here which religious founders have explicitly excluded in their legislation, whether it be the communitarian Liturgy of the Hours with the Jesuits or a fixed garb with the founders of religious communities from Don Bosco all the way back to the days of early monasticism in the church. All of these particulars occur in the third section, the section which deals with "clarifying the essential elements of religious life through a cluster of instances and practices through which a particular
characteristic is realized. The "essential elements" are those listed with some significant variance both in the papal letter and in paragraph 4, the climax of the first section of Essential Elements: "The call of God and consecration to Him through profession of the evangelical counsels by public vows; a stable form of community life; for institutes dedicated to apostolic works, a sharing in Christ's mission by a corporate apostolate faithful to a specific founding gift and sound tradition; personal and community prayer; asceticism; public witness; a specific relation to the Church; a life-long formation; and a form of government calling for religious authority based on faith." These are the elements thought essential to religious life, components which must be present and "without which religious life loses its identity."[23]

I doubt if very many religious would be disposed to quarrel with this list, a modification here and there perhaps. Jesuits might mention that their Constitutions forbid obligatory community prayer and Franciscans would add that their order has never had "corporate apostolate faithful to a specific founding gift," but in general this list meets the requirements of "family resemblances." Religious congregations have manifested these traits over centuries, each in its own way, and their likeness to one another consists in their incorporation of these attributes. I say "each in its own way," because, as the Holy Father indicated, these "essential elements are lived in different ways from one institute to another."[24] The abstract index would be profoundly misleading if it led to expectations of its univocal realization. The founding gifts and the rich tradition of each religious order will particularize a form of community life, the nature of their apostolate, the contours of their practice of prayer. While community, apostolate, and prayer will be common to them all, they will only be analogically common. The Dominican sister will be like the Passionist in that they both pray, but the Dominican and the Passionist will realize the distinctive nature of their charisms in that they may pray in very different ways. Analogy here is not so difficult a concept. A few years ago a popular song expressed the kind of analogy appropriate to the essential elements: "Everything is beautiful in its own way." So also of religious institutes, and "their own way" is that pattern of life that gives them identity and makes their presence within the church unique.

The second section moves to a definition of religious life, and it moves to this definition very much as the sixth chapter of Aristotle's Poetics moved to a definition of
tragedy, i.e., by "gathering up a definition," from those elements that progressively delimit a central concept.[25] Here the central concept, taken from Lumen gentium, is that of consecration: "Christians who pledge themselves to this kind of life (religious life) bind themselves to the practice of the three evangelical counsels by vows or by other sacred ties of a similar nature. They are consecrated wholly to God, to His supreme love."[26] This choice of "consecration" rather than discipleship, the governing concept of Perfectae Caritatis, will tell significantly upon the rest of Essential Elements. There are apostolic religious orders for whom the central concept is not consecration, but mission and discipleship—the sense of call by God comes to them through the religious needs within the world and the community which they constitute is one composed of those who share this sense of mission. Mission literally informs their identity, specifying both discipleship and consecration. In choosing consecration as the fundamental and governing meaning, Essential Elements is following one of the current usages in the church, and this choice will articulate a corresponding model of religious life.

The Revised Code of Canon Law uses "consecrated life" as a general designation for life under evangelical vows or other sacred bonds whether these are private as in a secular institute or public as in religious life. Essential Elements follows this pattern in distinguishing religious life from that of secular institutes. But in the course of this distinction, Essential Elements expands considerably the stipulations of the common law of the church. Canon 607 gives three marks which distinguish religious from members of a secular institute: public vows, fraternal (sisterly) life in common, and that separation from the world proper to the institute of each. In Essential Elements, public vows become one of the forms through which public witness of consecration is given, and this public witness takes a priority in the definition of the religious. This in turn is identified with separation from the world in contrast with secular institutes along the lines previously indicated. Under public witness/separation from the world are clustered (a) public vows, (b) a manifest form of community life, (c) separation from family and career, etc. d) corporate apostolate, and (e).visibility of presence through distinctive ways of acting, attire, and style of life.[27] When apostolic religious criticize the mindset from which this document comes as monastic, the understanding and pivotal place of "separation from the world" is what is under attack. By equating it with public witness and specifying this witness in such tangible,
externally visible detail as it does, Essential Elements is suggesting a physical and cultural separation from the world that many contemporary American religious would understand as more monastic than as descriptive of their lives.

After religious life has been defined in general and the "special founding gifts" and unique spirituality of each has been noted,—only then does Essential Elements introduce the apostolic dimension, and it does so as "a further note." The difficulty inherent in such a procedure is enormous. Religious life seems to be adequately defined, and then over and above this for apostolic religious one adds a further modification: "the participation in Christ's mission is specific and concrete."[28] How can such a procedure carry the dynamism of that solemn statement of Perfectae Caritatis which is cited here, namely that "the entire religious life of such religious should be imbued with an apostolic spirit, and their apostolic activity with a religious spirit."[29] Mission is not something added to the meaning of apostolic religious, as if this form of religious life were basically the same as the monastic or contemplative orders with this additional proviso: that they are required to engage in "apostolic activity and charitable services."[30] As a summary document for use by the bishops, such an understanding of Essential Elements might not be damaging; but as a theoretical statement of the nature of apostolic religious life, it will not do. And it leads to such astonishing assertions as the statement that the local community is "the place where religious life is primarily lived."[31] For the apostolic religious that is simply not true. Religious life is lived as much and as intensely in teaching students in the classroom or in the works of social justice or in sacramental ministry as it is in the domestic life of a religious community. Even more: It is often the case that an apostolic religious is united consciously and affectively with God during these times of religious involvement with the lives of others. Genuine apostolic work often gives this religious a privileged access to God, a conscious union with him, that is only available to him or her at this time.

Let me underline this: I think that it is often the case that an apostolic religious comes into a heightened awareness and love for God precisely within the apostolic activity itself. There is nothing particularly novel about this insistence. The Constitutions of the Society of Jesus, solemnly approved by a succession of popes, stipulate that the general is to be "familiar with God both in his prayer and in all of his activities."[32] The present pope in his address
of February 27, 1982, put it very well: "There should be no separation between the interior life and the apostolate. These are the two essential and constitutive elements of the (apostolic) life: They are inseparable and they mutually influence and compenetrate each other."[33]

I pause on this point because it seems to me one of enormous theoretical importance, and the definitional procedures here might lead one to envisage the religious needs of others as something in addition to religious consecration. That is simply not true, nor—and this is important to emphasize—would this document wish to assert this. On the contrary, if you turn to paragraph 23, you will find a statement that attempts to see in a more integrated manner the relationship between consecration and mission: "The choice of a person by God is for the sake of others: The consecrated person is one who is sent to do the work of God in the power of God."[34] Then why spend so much time over the movement towards definition? Because the actual method used to articulate the self-understanding of religious life could mislead one as if a general interpretation of the document would find it idealizing monastic life. The congregation has been insistent subsequent to the publication of this document that this was not its intention, and it seems important to face this objection, to articulate it, and to indicate that it is contrary to the purpose of the authors of Essential Elements.

In the third section, the document takes up each one of the elements previously singled out as "essential." We do not have the time to take each one of them and estimate its meaning and force. A much more important issue is how to interpret this section in general. Many of its subdivisions are filled with ways in which a general "element" can be realized. Is the document asserting that each of these realizations is "essential," that without it "religious life loses its identity"? What are the Franciscans to say about the provisions about stable community life when their spirit essentially embraces the notion of itineracy, or how would the great Jesuit authority on the Constitutions, Jerome Nadal, respond, when he maintained that there were four houses of the Society: Houses of probation, colleges, professed residences and above all the road. "There are the houses of the professed, where the ministries of the Society for the help of souls are exercised. Is there more? Yes, the best: the 'missions' on which the pope or superior sends us, so that for the Society, the whole world will become its house; and thus it will be with the divine grace." There was, for Nadal, a
priority among these residences for Jesuits: "The principal and most characteristic dwelling for Jesuits is not in the professed houses, but in journeyings." [35] For the Franciscans before them and for the Jesuits who tried to follow in their footsteps, this was to imitate Christ who had nowhere to lay his head. Further, while there are many insightful, challenging, and even beautiful statements about religious life, there are really quite serious questions to be raised about the theological adequacy of a number of items in Essential Elements: The assertion or presumption that the hierarchy is a model for all religious authority (49), that there must be "personal, religious authority on all levels" as opposed to that shared authority already in practice for centuries in some religious communities (50-52), that the relationship with the Church is to be understood primarily as a relationship with the hierarchy (40-43), that religious garb is worn by all religious (34), that a "common and constant apostolate" previously recognized by the Church cannot be changed without damage to the identity of an institute (25), that community is to be structured in conventual details (19-20), etc.

I think that some of these problems might be softened with a different reading of the third section of the document. Many of these criticisms are leveled at the third section—whether from historians or theologians or from religious themselves—as if the third section was a further listing of essential elements, rather than an attempt to clarify what had been stated in the first section. In reading this section, it is pivotal to understand what function it is to perform. And that purpose is not a listing of a hundred more essentials! This third section seeks for clarification of what has been cited before. The list in the first section was an abstract index; it needs concretion through examples, instances, and explicitation. Each of these nine elements is analogically essential to religious life, granted the modification mentioned above. Each is a component element which must be found in religious communities, but each of these is found in a different way according to the character of the religious institute. Often to indicate ways in which each of these will be realized in a religious community and so to clarify its meaning, the third section gives a series of sub-listings in which each general, abstract topic is concretized. In attempting to explain or to exemplify each "essential element," the document clusters together a number of instructions, laws, and particular usages by which this more general unit is given concretion and embodiment. Many of the "essential elements" are treated here, then, as a
"cluster-concept," that is, as a concept composed of notes the majority—but not necessarily all—of which will be realized in each case.

Let me give an example. Religious garb is mentioned twice. In paragraph 34, it is one of the seven ways in which the public witness of religious can be given. In the norms under paragraph 37, it figures as a means of witnessing public consecration and the vow of poverty. For the first: What is essential to religious life is public witness. In general, this is not negotiable for religious—except, presumably, in those lands where the political climate is permeated by the persecution of the church. Religious garb is one way of realizing this public character, and Canon Law states that religious should wear the religious garb of their institute. It does not say that each institute should have a distinctive religious garb. Just the contrary. The very next section in the same canon allows for the case in which an order of priests would not have such a distinctive garb; they should wear what the diocesan priests wear.[36] The most obvious next stage would be the question: how about the communities of sisters and brothers who have no distinctive garb? The order of the canon calls for this question, and any knowledge of the history of religious congregations would suggest it. Many religious orders were founded with no provision for such a special mode of dressing. Canon Law does not forbid this, it merely states that the religious should wear the garb prescribed by its proper law. Where their proper law is silent on this, there is no statement from the common law of the Church that additional provision should be made. Essential Elements makes no attempt to impose additional obligations.

There are religious institutes in which the religious garb is so bound up with a graceful history and with the charism of their presence in the Church, that we would all be the poorer if this were to be simply abandoned. There are others, however, who adopted the clothing either of the poor of the time or of the women of the time or of the priests of the time because this enabled a presence or a witness or a mission which would have been otherwise inhibited. Many of these religious congregations have decided that a uniform or a singular mode of dress would be counterproductive. Both decisions have been honored in the Church.[37] As Paul VI put this in Evangelica testificatio: "We recognize that certain situations can justify the abandonment of a religious style of dress. We cannot forget, however, how fitting it is that the dress of religious men and women should be, as the Council
wishes, a sign of their consecration, and that it should be in some way (in qualche modo) distinguished from forms that are clearly secular."[38] How then should the presence and value of religious garb be explained? It is one way of realizing what is essential: public witness.

Another example is prayer: The fourth part of the third Section begins with the statement: "Religious life cannot be sustained without a deep life of prayer, individual, communal, and liturgical."[39] But certainly the authors of this document know that the constitutions of the Society of Jesus forbid any obligatory community prayer, and specifically the office in choir.[40] This does not rule out the contemplative dimension from Jesuit life, but it will be realized in another way rather than through the Liturgy of the Hours in common. On the other hand, Essential Elements makes no mention of the Spiritual Exercises of Saint Ignatius, which lie at the heart of the Jesuit's life of prayer. This failure to attend to the prayer characteristic of a particular religious order says nothing against this document, any more than does the inclusion of forms that are foreign to a particular institute. It is an inevitability in the kind of document which this claims to be and an index of the level of generalization of its statements and of their variant realizations.

I stressed at the beginning of these reflections that there was no reason to believe a priori that this summary was necessarily free from error. I do not retract that statement now. But I think that two hermeneutical principles may modify some of the manifold and consistent criticisms leveled against it. In the first section, the principle of analogy: that each of these general principles will be realized by each institute in its own way; in the third section, the understanding of a "cluster-concept," that often the sublisting is an attempt to clarify an essential element with a series of "for instances." The majority of these will obtain in each religious institute but not necessarily all.[41]

There is a third hermeneutical principle fairly constant in the church regarding law and even more appropriate for a document which only attempts to summarize both doctrine and legislation in its guidelines. This document, like any document from the Holy See, enjoys the antecedent reception of good will and the positive interpretation of its statements. If it should happen, however, that a particular factor is included which actually militates against the fidelity to the charism of a particular religious order or which is de facto
injurious to its religious life, especially in its mission, recourse can be had to the Holy See and the principles of epikeia followed. This is a normal part of the interchanges with legitimate authority in the Church. The lengthy conversations which the papal intervention has initiated between the bishops of the United States and the religious of their diocese provide an excellent opportunity for such a representation. Nor should such a moment be a priori ruled out. No one put this better than Saint Thomas: "Human acts—which are the subject of laws—consist in individual occurrences which can vary in an infinite number of ways. There is no possibility of laying down a rule of law that would cover every case. Legislators, however, attend to that which happens in most cases and formulate a law accordingly. But in some cases, keeping this law is contrary to the rectitude of justice and to the common good which the law intends... In these and similar cases, it is evil to follow the law as it is laid down. It is good, however, letting the letter of the law to be set aside, to follow that which the nature of justice and the general utility demand."[42]

Further: Some understanding of the enormously difficult task which the congregation has set for itself might soften some of the theological criticism. Religious life emerges from the Holy Spirit, inspiring individual persons to live in a particular way and to gather those men or women into a community who experience the same movement and direction by the Spirit. It belongs to the hierarchy to discern or to recognize in time that such an authentic inspiration has taken place, that new life has emerged in the church, and to confirm as evangelical the way of life in which this inspiration has already been embodied. Church authority, then, has the responsibility of endorsing a way of life as in accord with the gospels and of recommending it as such to the consideration of Catholics. But the difference, the nuance, the particularities of each of these forms of life are almost infinite. The pope has called the American bishops to the support of religious life, and asked the Congregation for Religious and Secular Institutes to give these bishops a general overview of apostolic religious life. The task was extraordinarily difficult.

The American bishops have used the document in exactly the manner in which it was intended, as a set of guidelines with which to enter into conversations with the religious in their diocese. Where the document is too summary or where its theology falters, it can be supplemented with other more authoritative documents which are either its sources or its
complements. The concrete result has been that discussion about religious life—so long sustained only within a religious order or among religious congregations—have been opened to the entire diocese. In the last year, there has been a greater depth and greater breadth in the discussion of religious life throughout the church in the United States than—very probably—at any other time in our history. And the document, Essential Elements, has contributed substantially to this discussion and to its challenge by giving it a focus upon the characteristics of religious life and a manageable order.

For the difficulty in reading such a document as Essential Elements is that one tends to ask too little or too much from it: too little, in that one fails to comprehend the seriousness with which these "essential elements" are declared or the concrete and grave problems they are addressing; too much, in that one expects a level of theological completeness or immunity from error or concrete precisions that cannot be forthcoming. Of course the document could be considerably better; but it is possible to live profitably with it now if its purpose, nature, individual provisions and inherent limitations are understood. In two ways, the efficacy of this essay of SCRIS could be impaired: either by trivializing its bearing upon contemporary religious life or by exaggerating its provisions into a quasi-infallibility.

Essential Elements is not a ruler to be laid against every religious institute to calibrate its authenticity. That would be to falsify its value, as well as to threaten significant injury to various religious communities and to their foundational charism. For the last time, I repeat: Essential Elements was not sent to religious. But it obviously deals with the life of apostolic religious. It is a strong statement of the elements which are essential to every religious community. As such it can provide a useful instrument by which these communities can continue and even further their own objective evaluation of this period of special experimentation, and widen their dialogue with the church in the United States. Further, it can provide the American bishops with a summary statement on the nature of religious life as background for their encouragement of this life within the church in the United States. Certainly this is the purpose for which it is intended: Not as a theoretical treatise on religious life, but as a compendium to make other teaching available. It is true that one will need both good will and the willingness to consult its sources to employ this summary as a practical tool for the encouragement of religious
life and for dealing with the manifold objections to which it is liable. But that is true of many documents, and good will should not be that hard to discover in the church of Christ.

NOTES

1. The papal letter to the American Bishops and the accompanying document, Essential Elements in the Church's Teaching on Religious Life as Applied to Institutes Dedicated to the Works of the Apostolate will be cited by paragraph numbers from text published in Origins: N.C. Documentary Service 13:8 (July 7, 1983) 130-142. The papal letter will be abbreviated to PL and the accompanying document to EE.

2. PL 4.


4. EE 2, 4, and Conclusion.

5. PL 3. This reading of the intended audience for Essential Elements is confirmed by the following communication from Sister Helen Flaherty, one of the three American delegates to the IUSG: At the annual meeting of the General Council of IUSG (International Union of Superior Generals) in Rome, May 13-17, 1984, the Reverend Basil Heiser, O.F.M. Conv. (Undersecretary of the Sacred Congregation for Religious and Secular Institutes) replied to the question from one of the delegates: "Who wrote the document, Essential Elements? For whom was it written and why?" Father Heiser's answer was: "The Document was written by members of SCRIS. It was meant to be a document of information and clarification for the American Hierarchy, as they began to implement the directive of the Holy Father to study religious life in the United States."


11. Canon 605.


13. Canon 607, No. 3.

14. EE 9-10.

15. EE 26.


17. Canon 710.

18. EE 3.


22. Ignatius of Loyola, Spiritual Exercises, 22.

(Grammar slightly altered to avoid sexist language.)

23. EE 4.

24. PL 3.

25. Aristotle, Poetics VI. 1449b22.

26. Lumen gentium 44.

27. EE 10.

28. EE 12. "Apostolic" is used in this essay as a shorthand to designate those institutes dedicated to or engaged in the works of the apostolate. As Canons 673 and 674 suggest, all forms of religious life are apostolic in some way, as indeed are all forms of Christian spirituality.

29. Perfectae caritatis 8.

30. EE 12.

31. EE 20.

32. Constitutions of the Society of Jesus, translated and edited by George Ganss, S.J. (St. Louis: The Institute of Jesuit Sources, 1970) IX 2. No. 723. Nadal records that Ignatius made this compenetration of prayer and activity the focus of apostolic development: "In all things, activities, and conversations, he felt and contemplated the presence of God and the attraction of spiritual things. He was contemplative during the same time that he was involved in activity (simul in actione contemplativus), something which he expressed habitually with the words: we must find God in all things." Monumenta Historica Societatis Iesu, Epistolae P. Hieronymi Nadal (ed. F. Cervos; Madrid: Typis Gabriellis Lopez del Horno, 1905) IV 651.

34. EE 23. The metaphor of two distinct facets of a single reality, however, still does not do justice to the dynamic identity of mission and consecration for apostolic religious.


36. Canon 669.


38. Evangelica testificatio, No. 22 (Translation mine).

39. EE 28.

40. Constitutions of the Society of Jesus VI. 3.No. 586. Also in contrast to an unnuanced reading of EE would be: "In what pertains to prayer, meditation, and study and also in regard to the bodily practices of fast, vigils, and other austerities or penances, it does not seem expedient to give them (those in last vows) any other rule than that which discrete charity dictates to them." Ibid. No. 582.

41. The following paragraphs in the third section seem most open to this interpretation: Community (19-20), Mission (24-25), Prayer (28-30), Public Witness (34-37), and Relation to the Church (40).

42. Thomas Aquinas, Summa theologiae II-II. 120. 1.

OUTLINE

I. Introduction


B. Two Prenotes.

II. Nature of the Document in terms of Five Questions:

1. To whom was it sent? American bishops and Pontifical Commission on Religious Life.

2. What was sent? A summary of the salient points of the Church's Teaching on religious life.

   a. Necessity: For the work of the bishops and the Pontifical Commission "to render special pastoral service to the religious . . ."
b. Difficulty: The fluidity and vastly different forms of religious life.

3. What is the authority of this document?
   b. A "quasi-instructio" for the American bishops.
   c. Source of its authority:
      1) The instructional and directive documents which it summarizes.
      2) The papal approval of Essential Elements as a summary.
   d. Twofold value:
      1) For bishops: Documentary summary of salient points of religious life.
      2) For religious: Criteriology of SCRIS.

4. What is the theological qualification of its statements?
   a. Abstract
   b. Concrete: Three cases as examples
      1) "Separation from the world"
      2) Doctrinal richness of canon law
      3) List of essential elements in papal letter and in Essential Elements
      4) Comparison of nos. 51 and 52 with their sources.
   c. When problems arise

5. How is it to be received? By religious and by bishops.
III. Content and Assessment of Some Components:

A. In General: Outline of the four sections

B. In Particular:

1. Section I (1-4): What are the "essential elements?" Analogy of interpretation. Assessment.

2. Section II (5-12): How is "religious life" defined? Assessment. How is "apostolic" religious life defined? Assessment.

3. Section III (13-53): How is this section to be interpreted? Clarification through "cluster-concepts."
   a. Abstract
   b. Concrete--Two cases as examples: religious garb and prayer.

IV. Concluding Remarks on the Use of the Document:

A. Four hermeneutical principles.

B. Difficulties of the task.

C. Use by American bishops.

D. Asking too much or too little.