<div align="center">**Harmonisation of the monks' and nuns' Constitutions**</div>

The Central Commission of 2024 took the following vote:

Vote 75
We place on the agenda of the General Chapter of 2025 the following points for harmonizing the Constitutions of the monks and nuns: C. 39.1, 39.1.A, 39.2, and 39.3.b. These points are already discussed in the working paper on Mothers Immediate.

PLACET 22 NON PLACET ABSTENTIO 1 **Proposition Accepted**

The following are the points in question:

(I)   C. 39.1 – What happens when a monastery is *sede vacante*

Our current monks' legislation says, "The Father Immediate assumes responsibility for all things when a daughter-house is without an abbot" (C. 39.1 m).

The current nuns' legislation says, "When a monastery is without an abbess, the governance is assumed by the prioress. She, however is to make no change or to take any important decision except in a grave and urgent situation. In that case she is strictly bound to listen to the conventual chapter and, if possible, the Father Immediate" (C. 39.1 f)

In both cases it is a matter of someone who takes care of current matters, not a superior in the canonical sense. The community is truly *sede vacante*.

It is desirable that our legislation on this point be harmonised. We propose that the monks' Constitution 39.1 be adapted to conform to the nuns', so that the prior assumes the governance while a monastery of monks is *sede vacante*.

Points in favour of this change:

- it harmonises our legislation
- it indicates more clearly that the Father Immediate of monks is not a "canonical superior" during the *sede vacante* period
- it gives the prior the same standing as a prioress (this is the only place in our Constitutions where the prioress is mentioned; the prior is currently not mentioned at all)

Points against this change:

- it is not strictly necessary

Proposed vote:

We agree to change Cst 39.1 of the monks' Constitutions to read "When a monastery is without an abbot, the governance is assumed by the prior. He, however, is to make no change or to take any important decision except in a grave and urgent situation. In that case he is strictly bound to listen to the conventual chapter and, if possible, the Father Immediate."

(II)   ST. 39.1.A – Responsibility for the daughter houses of a monastery which is *sede vacante*

It is not written in our legislation but it is a custom that if the community which is *sede vacante* has daughter houses, the Father Immediate of the community which is *sede vacante* acts as Father Immediate to those daughter houses if need arises.

We suggest that this be incorporated into our proper law, e.g. by adding a St. 39.1.A "When a community which is *sede vacante* has daughter houses, the Father Immediate of the community which is *sede vacante* acts as Father Immediate to those daughter houses when necessary."

Points in favour of this change:

- It incorporates into our legislation a longstanding custom in the Order
- It makes clear to communities whose "mother house" is *sede vacante* whom they should look to if they need the service of a Father Immediate during that time
- If we change the existing C.39.1 as suggested above (so that the prior, not the Father Immediate, assumes the governance *sede vacante*) it makes clearer the roles of both the prior and the Father Immediate

Points against this change

- The situation described is rare, and it is not necessary to include this in our legislation
- It is potentially confusing

Proposed vote:
We agree that the following new ST 39.1.A be added to our Constitutions: "When a community which is *sede vacante* has daughter houses, the Father Immediate of the community which is *sede vacante* acts as Father Immediate to those daughter houses when necessary."

(III)   C. 39.2 – The right of abbots of daughter houses to vote in an abbatial election in the mother house

The current monks' C. 39.2 permits superiors of daughter houses to vote in an abbatial election in the mother house. So an abbot can vote in an abbatial election in the community of his Father Immediate. But the abbesses do not have a vote for their Father Immediate (nor do they have a vote for the abbess of their founding house).

This difference in legislation becomes even more complicated when an abbess has the authority of a Father Immediate. If an abbot has a nun as his "Father" Immediate, he will not have the right to vote for his "Father" Immediate, because the nuns' legislation does not permit superiors of daughter houses to vote in abbatial elections. Therefore, some abbots will have more rights than others.

The simplest way to harmonise the legislation is to suppress the phrase "acting collegially with the superiors of the daughter houses" so that the monks' C.39.2 reads "An abbot is elected by the conventual chapter. The Father Immediate, who presides at the election by right, or his delegate, is to promote among the brothers a spirit of faith and discernment so that they may set a worthy steward over the household of God."

Points in favour of this change:

- Many abbots in practice renounce their right to vote in the mother house; the law would reflect life.
- In small communities with a large number of daughter houses, the vote of those who are not members of the conventual chapter can be enough to determine the outcome of an election, which does not seem right.
- It means that some abbots do not have more rights than others.
- It harmonizes the legislation of the monks and the nuns (who have never had the right to participate in a vote for the one who will be their Father Immediate).

Points against this change:

- It takes away a long-standing right of abbots, closely linked to the structure of filiation.
- Why should an abbot who exercises his right to vote in the mother house be deprived of this right because some other abbots choose to have a Mother Immediate rather than a Father Immediate?

Proposed vote:

We accept the following text for C. 39.2 of the monks: "An abbot is elected by the conventual chapter. The Father Immediate, who presides at the election by right, or his delegate, is to promote among the brothers a spirit of faith and discernment so that they may set a worthy steward over the household of God."

(IV) ST 39.3.B – The passive voice of abbots of daughter houses in an abbatial election in the mother house

The monks' ST 39.3.B says, "Any brother who has made profession in the Order can be elected abbot, including the abbot of a daughter-house if this is necessary, but neither the abbot of any other monastery nor, unless he is a member of the community, a councillor of the Abbot General can be elected."

The nuns' ST 39.3.B says, "Any sister who has made profession in the Order can be elected abbess, but neither the abbess of any other monastery nor, unless she is a member of the community, a councillor of the Abbot General can be elected."

This gives abbots of daughter houses passive voice in a situation where abbesses do not. An abbot can be elected in his mother-house (the house of his Father Immediate); an abbess cannot be elected in her founding house.

This becomes even more important if we choose to have similar structures of filiation for nuns, because an abbess will not have that right in her mother house (the house of her Mother Immediate).

To give abbots and abbesses equal rights, we could either remove the right from the monks, or add it to the nuns.

Proposed votes:

(a) We accept the following text for ST 39.3.B of the monks: "Any brother who has made profession in the Order can be elected abbot, but neither the abbot of any other monastery nor, unless he is a member of the community, a councillor of the Abbot General can be elected."
If this vote is accepted, we do not take vote (b)

(b) We accept the following text for ST 39.3.B of the nuns: "Any sister who has made profession in the Order can be elected abbess, including the abbess of a daughter-house if this is necessary, but neither the abbess of any other monastery nor, unless she is a member of the community, a councillor of the Abbot General can be elected.

Those who wish to have no change vote NO to both (a) and (b)

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