

**PROPOSAL FOR THE HARMONIZATION OF SOME POINTS  
OF THE CONSTITUTIONS OF MONKS AND NUNS**

The Central Commission 2024 in Chile asked the Law Commission (votes 75, 76 and 77) to begin a study on the points that can be harmonized between the constitutions of the monks and the nuns, proposing a list of these, indicating if some require further study.

Some points of divergence are already on the agenda of the General Chapter of 2025. The Law Commission meeting in Rome in December 2024 drew up a list of the other points which could be harmonized, giving some indications concerning the more important ones and briefly listing other minor points.

**MOST IMPORTANT POINTS:**

**ST 38.A**

<b>ST 38.A monks</b> The abbot's council is composed of at least three brothers of whom at least one <b>is elected</b> by the conventual chapter.	<b>ST 38.A nuns</b> The abbess's council is composed of at least three sisters of whom one or more <b>may be elected</b> by the conventual chapter.
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The difference between the wording of the male and female legislation centers on whether or not at least one member of the abbot's or abbess's council **must be** elected by the conventual chapter of the community.

The intention of this statute seems clear, it wants to indicate the benefit of the community itself choosing one or more members of the council of the abbot or abbess. In the case of the monks, it is said that it is obligatory, while in the case of the nuns it is left as an option.

It seems desirable that the legislation be harmonized on this point. We propose that Statute 38.A of the nuns be modified according to that of the monks.

Points in favor of this change:

- Harmonizes our legislation
- It seems to better fulfill the spirit of this statute when it was drafted.
- It is in tune with the mentality of synodality that the Church is living.

Points against:

- It is not essential to make the change.
- The superior is less likely to be able to choose a council that is more in line with her views.

Proposed vote:

*We accept the following text for ST 38.A of the nuns: "The abbess's council is composed of at least three sisters of whom at least one is elected by the conventual chapter."*

**ST 39.4.A**

<p><b>ST 39.4.A monks</b>          When <b>two-thirds</b> of the conventual chapter desire it, the chapter may elect an abbot for a fixed term of six years. In subsequent elections, so long as the community has not reverted to having an abbatial mandate for an unrestricted term, an absolute majority is sufficient for the conventual chapter to elect an abbot for a fixed term of six years.</p>	<p><b>ST 39.4.A nuns</b>          When an <b>absolute majority</b> of the conventual chapter chooses, the chapter can elect an abbess for a fixed term of six years.</p>
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The present statute has its origin in the possibility of electing an abbot for a definite period of time. This arose during the renewal of the Second Vatican Council and was a change with respect to the previous legislation, when only abbots for an indefinite period of time, and even for life, were accepted. To make it easier to reach a consensus so that the figure of an abbot for definite time would be possible, this requirement of two thirds of the votes was introduced. The nuns had always had abbesses for a definite term, so they did not experience the same difficulty of change and maintained the requirement of an absolute majority when electing an abbess for a definite term.

At present, this possibility is very well established and is seen as a matter of course, with both modalities coexisting according to the wishes of each community.

At this time of harmonization of our Constitutions, it seems desirable that the mode of election of an abbot and an abbess be the same, opting for the more equitable formula of the nuns' legislation.

Points in favor of this change:

- It would avoid an unnecessary difference between the legislation of monks and nuns regarding the election of an abbot or abbess.
- Each community may choose, on equal terms, whether it wishes an abbot for an indefinite or a definite period of time.
- It is in tune with the mentality in the Church where there is a tendency for major superiors to be for a definite period of time, although they are eligible for re-election.

Points against:

- The modification is not essential.

- The monastic tradition is generally inclined throughout history towards an abbacy for an indefinite period of time, although this has not always been the case.

Voting proposal:

*We accept the following text for ST 39.4.A of the monks: " When an absolute majority of the conventual chapter chooses, the chapter can elect an abbot for a fixed term of six years".*

**ST 56.3 monks - C 57 nuns**

<p><b>ST 56.3 monks</b> The is the formula of profession: I, Brother <i>N</i>, promise my stability, my fidelity to the monastic way of life, and obedience until death in accordance with the Rule of Saint Benedict, Abbot. I do this before God and all his saints, in this monastery of <i>N</i>. of the Cistercian Order of the Strict Observance, constructed in honour of the Blessed and ever Virgin Mary, Mother of God, and in the presence of Dom <i>N</i>, abbot of this monastery.</p>	<p><b>ST 57 nuns</b> The is the formula of profession: I, Sister <i>N</i>., promise my stability, my fidelity to the monastic way of life, and obedience until death in accordance with the Rule of Saint Benedict, Abbot. I do this before God and all his saints, in this monastery of <i>N</i>. of the Cistercian Order of the Strict Observance, constructed in honour of the Blessed and ever Virgin Mary, Mother of God, and in the presence of <i>N</i>., abbess of this monastery <b>and Dom <i>N</i>., Father Immediate.</b></p>
<p><b>C 74 monks</b> <i>Nothing is said here</i></p>	<p><b>C 74.3 nuns</b> <b>The Father Immediate also presides at solemn professions.</b> As far as possible be available for consultation and advice during the Regular Visitation. He examines the accounts of the monastery during the Regular Visitation.</p>

In the formula of profession of the nuns it is said at the end that it is made in the presence also of the Father Immediate, which is not included in the formula of the monks. Some ask that such a mention be eliminated.

If we ask ourselves the reason for such an inclusion, it seems that it is due to the fact that the C 74.3 of the nuns asks the Father Immediate to preside at the Eucharist of the solemn profession of the sisters, something that does not happen among the monks because the Abbot is a priest. For this reason, he is named after the Abbess. But in the case that he is not present, or is not a priest or, in the future, could be a Mother Immediate, it seems that such a mention would be empty of content, so it could be suppressed.

Points in favor of this change:

- No such mention seems necessary.
- It would avoid the aforementioned absurdities.

- The text would be the same for monks and nuns.

Points against:

- The modification is not essential.

Proposed vote:

*We wish that in the ST 57 of the nuns the mention of the Father Immediate at the end of the formula of profession be suppressed.*

**ST 77.2.A**

<p><b>ST 77.2.A monks</b> Any brother can submit desires or suggestions to the General Chapter. This is done through his abbot or Father Immediate, through the regional conference or the regional delegate, or even directly through the Abbot General.</p>	<p><b>ST 77.2.A nuns</b> Any sister can submit desires or suggestions to the General Chapter. This is done through her abbess, through the regional conference or the regional delegate, or even directly through the Abbot General.</p>
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Our legislation allows any monk or nun of our Order to send suggestions to the General Chapter by several means. But curiously in the legislation of the monks the Father Immediate is mentioned as a possibility, whereas for the nuns that mention is suppressed. It is not easy to understand the elimination of this possibility, which would also affect Mothers Immediate if they are eventually approved; a reason why it seems more logical that this mention is included.

Points in favor of this change:

- The legislation of monks and nuns would be harmonized.
- Given the desire to encourage the General Chapter to be closer to all the communities, there is no reason for the Father Immediate to disappear as a possibility of connection, since he knows the daughter house well.

Points against:

- This is not a really important issue and other avenues can always be used.

Voting proposal:

*We wish that in the ST 77.2.A of the nuns should read: "Any sister can submit desires or suggestions to the General Chapter. This is done through her abbess, the Father Immediate, through the regional conference or the regional delegate, or even directly through the Abbot General".*

## OTHER LESS IMPORTANT DIVERGENT POINTS

<p><b>ST 6.A</b> Among the professed mentioned above are included the lay brothers who made their profession before the <i>Decree of Unification</i> in 1965. These are considered the same as the rest of the brothers in all things, without prejudice to the rights acquired by them.</p>	<p><b>ST 6.A</b> Among the professed mentioned above are included: a. the lay sisters who made their profession before the Decree of Unification in 1965.</p>
<p><b>ST 13.1.B</b> If there are private rooms, their use is determined by the abbot according to local usage. They should be such as to be able to promote the brothers' reading and prayer, if they are used for that purpose, and to safeguard personal dignity. They should not be prejudicial to the common life and be modest in conformity with Cistercian simplicity. The abbot is permitted to visit them.</p>	<p><b>ST 13.1.B</b> If there are private rooms, their use is determined by the abbess according to local usage. They should not be prejudicial to the common life and always be modest in conformity with Cistercian simplicity. The abbess is permitted to visit them.</p>
<p><b>ST 15.2</b> The brothers are to confess their sins each day in prayer to God and frequently approach the sacrament of reconciliation.</p>	<p><b>ST 15.2</b> The sisters are to confess their sins each day in prayer to God and frequently approach the sacrament of reconciliation. The abbess is to facilitate access to the sacrament.</p>
<p><b>ST 21.B</b> <i>It does not say anything</i></p>	<p><b>ST 21.B</b> The scriptorium is the traditional place of <i>lectio divina</i>.</p>
<p><b>ST 40.B bis</b> If because of an infirmity or other reason (such as imprisonment, banishment or exile - cf. Can 412 CIC) it is impossible either physically or psychologically for an abbot to exercise his pastoral function, it is for the Father Immediate, having consulted experts and obtained the consent of the conventual chapter, to investigate and verify the matter. If the impossibility is evident, he immediately informs the Abbot General, who with the consent of his council, can remove the abbot from office.</p>	<p><b>ST 40.B bis</b> If because of any infirmity, it is impossible either physically or psychologically for an abbess to exercise her pastoral function, it is for the Father Immediate, having consulted experts and obtained the consent of the conventual chapter, to investigate and verify the matter. If the impossibility is evident, he immediately informs the Abbot General, who with the consent of his council, can remove the abbess from office. If the reason is different, such as imprisonment, banishment or exile (cf. Can 412 CIC), it is for the Father Immediate, with the consent of the conventual chapter, to ask the Abbot General to suspend, with the consent of his council, the abbess from the exercise of</p>

	her office. The Father Immediate then appoints a superior ad nutum or asks the conventual chapter to choose a temporary superior.
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