

The Consecrated Life in the Philippines: Between the Law and the Expectations

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The *Consecrated Life*, traditionally known as *Religious Life*, has been an integral part of the Church since the early centuries. In the Philippines, its presence has been in continuous *crescendo* from the arrival of the first [religious] missionaries to the present-day Secular Institutes and new Societies.

Consecrated men and women—both clerical and lay—, though a minority in numbers,¹ have always constituted an important group within the People of God; their role played in the building up of the Church and in its saving mission has been indispensable. In the case of the Philippines, history speaks by itself. “It is impossible to think of the Philippines becoming what it is today without their contribution,” the Second Plenary Council of the Philippines (Manila, 1991), publicly acknowledged, referring to the educational institutions either owned or

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¹ The members of the institutes of consecrated life and societies of apostolic life in the whole Catholic Church number more than a million, but they are indeed a minority within the People of God. In statistical terms they amount to only 0.12% of the members of the Church. Of this percentage group women constitute 72.5% of consecrated persons, while 27.5% are men. With the majority of consecrated persons being women and lay brothers, the group is thus made up of 82.2% laity, and 17.8% priests or deacons. Cf. *Instrumentum Laboris: The Consecrated Life and its Role in the Church and in the World*. (Libreria Editrice Vaticana: Vatican City, 1994), n.8, p.11.

run by religious institutes.² The special mention, however, was not exclusively of the schools and universities³, but also of hospitals and health-care centers, equally potent means of evangelization.⁴

The vitality and dynamism of the consecrated life, proceeding from the ever-creating Spirit, has assumed different forms throughout the centuries. The forms presently recognized by the Church and expressly mentioned by the 1983 Code of Canon Law are the following: the eremitic or anchoritic,⁵ the monastic,⁶ the religious institutes, clerical or lay,⁷ the order of virgins,⁸ the secular institutes,⁹ the societies of apostolic life,¹⁰ and other types.¹¹

Today there are, all over the world, approximately 1,423 institutes of women religious of pontifical right and 1,550 of diocesan right. Among the religious institutes for men there are 250 of pontifical right and 242 of diocesan right. There are approximately 165 secular institutes of pontifical right, including those of priests, clerics, or groups of lay women and men. There are also 39 societies of apostolic life of pontifical right. To these we must add a growing number of consecrated virgins, of consecrated widows and widowers, hermits and hermitesses

² Catholic Bishops' Conference of the Philippines, *Acts and Decrees of the Second Plenary Council of the Philippines (20 January - 17 February, 1991)*, Manila, 1992, n.622, p.210.

³ *Ibidem*, n.623, p.211: "Catholic schools, colleges and universities have been making a distinct contribution to the total well-being of our country... They are among the most necessary and potent means of evangelization."

⁴ "Evangelization in the Philippines has made use of these institutions [hospitals] to bring the comfort and healing of Christ to people. Today there are many hospitals either owned or run by the Catholic Church or religious institutes. They witness to the Gospel by their dedicated and compassionate attention and care for the sick." *Ibidem*, n.615, pp.207-208.

⁵ Cf. c.603.

⁶ Cf. cc.609ff.

⁷ Cf. cc.607ff.

⁸ Cf. c.604.

⁹ Cf. cc.710-730.

¹⁰ Cf. cc.731-746.

¹¹ Cf. c.605.

and other groups that have initiated the process of canonical recognition.¹²

The Church, being universal by nature, cannot overlook this broad and complex reality of the consecrated life. In fact, she has always regarded the consecrated life with especial predilection. Proof of it was, for instance, the mere fact that the whole part III of the second book of the Code of Canon Law is devoted to it.

Obviously the Code's intention when dealing with consecrated life¹³ is not primarily to dictate or to define its reality —after all, law follows life, does not create it! Besides, how could universal law possibly delineate the exact nature of every religious institute and society? The most the Code can do was to provide a “legal skeleton,” a solid basis from which those institutes and societies could exist and grow and evolve... while leaving the particular articulations of each one to the proper law (constitutions, rules and directories).¹⁴

In reality the new legislation tried to reflect the *aggiornamento* introduced by the Vatican II Council and reaffirmed during the two decades that followed it. But the process of renewal started with the Council was not yet over when in 1983 the revised Code of Canon Law was promulgated, although by then most of the innovations had already been assimilated into the proper law of the institutes. The Code simply consolidated them and offered a new presentation of their basic implications. “Mission accomplished in a graceful way!” seemed to have been the reaction of most authors and commentators immediately after the promulgation of the Code, by affirming that this section of the Code “exudes a new spirit: one of adulthood in a committed Church.”¹⁵

¹² *Instrumentum Laboris*, n.5, p.8.

¹³ Strictly speaking, Canon Law applies the title “consecrated life” to the religious life and to secular institutes only. However, in these pages the term is used at times in a wider sense to include also the societies of apostolic life. The inclusion is based on the Code of Canon Law, for even though the societies of apostolic life do not strictly belong to the canonical definition of the institutes of consecrated life, they are “comparable” to them (cf. c.731, §1).

¹⁴ Cf. Elisabeth Donough, OP., *Religious in the 1983 Code. New Approaches to the New Law*, Franciscan Herald Press, Chicago, 1983, p.40.

¹⁵ Francis G. Morrissey, “Institutes of the Consecrated Life. Introduction” in J. Hite & D.J. Ward (Ed.), *Readings, Cases, Materials in Canon Law*, The Liturgical Press, St. John's Abbey, Collegeville, MN, (Revised Edition) 1990, p. 314.

But did those directly involved in the revision of this section of the Code actually succeed in their task? Interesting question formulated now, in 1994, almost twelve years after the Code's promulgation (January 1983) and of its coming into effect (November 1983). For in the same way that only the test of time and the weather inclemencies may reveal the presence of leakages in a roof, independently of how perfect it may look, so it may be true with the *new* law: only the test of time and the fruits harvested may tell us whether the [1983] codified legislation on the consecrated life was —and is still— apt to provide for its continual renewal in the line of particular community charisms and missions.¹⁶ In other words, by looking at the present and judging from the results so far obtained we will be in a position to say whether those canonical provisions were or not a suitably adapted instrument of grace capable to bring about the desired results.

I am fully aware that nothing (the Code included!) is perfect and that even a positive answer needs some elaboration. Besides, we are dealing with a reality —the consecrated life in the Church— that keeps itself in continuous evolution and transition with new forms of life, authority, structures and apostolate emerging. Thus, the whole process of renewal is far from over. The call signed on years ago that institutes had to reinterpret and revitalize their charisms in the light of the signs of the times¹⁷ is still valid today.

The latest proof of this vitality and of “the esteem with which the Church regards the men and women religious”¹⁸ has been the recent holding in Rome (October 1994) of the Synod of Bishops in its IX Ordinary General Assembly with the theme *The Consecrated Life and its Role in the Church and in the World*. Although early perhaps to judge, the Synod provided an excellent forum to exchange views on “the pastoral urgency, the universal interest and the timeliness of a reflection on the consecrated life.”¹⁹ Given the enthusiasm with which the Synod was welcomed and the widespread response given to the initial

¹⁶ *Ibidem*, p.301.

¹⁷ Cf. *Perfectae Caritatis*, n. 2; *Evangelica Testificatio* (SCRSI, 29 June, 1971), n. 51; *Ecclesiae Sanctae* (Paul VI, 6 August, 1966), nn.11,16 and many other texts.

¹⁸ *L'Osservatore Romano*, Weekly English Edition, 28 September 1994, p. 1.

¹⁹ *The Consecrated Life and Its Role in the Church and in the World: Lineamenta*. (Vatican City: Libreria Editrice Vaticana, 1992), p.4.

document *Lineamenta* as well as the enormous amount of work taken in its preparation, as reflected in the *Instrumentum Laboris*,²⁰ no doubt that this event will inject new vitality in all the consecrated members and produce fruits of genuine renewal.

At this point, I want to formulate two questions, whose answer will be the object of this present essay. First, *What critical evaluation could we make today —twelve years later— of the canonical provisions on consecrated life promulgated in the 1983 Code of Canon Law?* Second, *Which are the expectations the local Church of the Philippines has from the members of consecrated life?* A tentative answer will force us, for the first question, to go directly to the text of the canons which deal with the *Institutes of Consecrated Life and Societies of Apostolic Life* (cc. 573-746) and briefly analyze their content; and, for the second question, to the *Acts and Decrees* of the Plenary Council of the Philippines (CP-II),²¹ which constitutes a first-hand document to know what the Philippine Catholic Church expects from the *Religious*²² today in this part of the world.

I. The Consecrated Life and the 1983 Code of Canon Law

The entire part III of the second book of the Code (cc.573-746) is devoted to the consecrated life in the Church. Its title is not any more "Religious" —the one used in the previous Code and that was quickly found to be inadequate for the new law²³—, but "Institutes of

²⁰ See the bibliographical reference of the *Lineamenta* in the previous note (n.19) and of the *Instrumentum Laboris* in note 1.

²¹ See its bibliographical reference in note 2.

²² The term "Religious," although it primarily refers to the members of the "religious institutes" properly, is used in the *Acts and Decrees* of the PCP-II in a broad sense, as synonymous of "consecrated men and women" (cf.n.448, p.154), thus including also the members of Secular Institutes and of all other forms of consecrated life. Such is the meaning given to it also in the present pages.

²³ The reason of such inadequacy came with the appearance of the Secular Institutes, formally recognized by Pope Pius XII in 1947 as a true and complete form of consecrated life in the Church. The Vatican II Council spoke little of these institutes, but it did state clearly and significantly the following about their nature: "While it is true that *secular institutes are not religious institutes*, at the same time they involve a true and full profession of the evangelical counsels in the world,

Consecrated Life and Societies of Apostolic Life” instead. Thus it refers inclusively to the institutes of consecrated life of both religious and secular nature.

Accordingly, the structure of the new law reflects this two-fold manifestation of consecrated life in the Church. The first title of Section I contains norms common to all institutes of consecrated life—religious and secular (cc.573-606). The second title deals only with religious institutes (cc. 607-709); and the third, exclusively with secular institutes (cc.710-730). Added to them is Section II that deals with the Societies of Apostolic Life.

This part of the Code has been completely recast. The content is not entirely new but its presentation is indeed new. It had to be attuned with the new spirit of the Vatican II Council, which had brought, among other things, a new Ecclesiology. Consequently, there had to be also some newness of approach in the law for the consecrated men and women in the Church.

In the Spirit of the Vatican II

Everyone was affected by the Council’s newness; the “Religious” even more than others. “No member of any institute remained untouched by the directives and subsequent innovations of Vatican II.”²⁴ The post-conciliar years were indeed times of transition and adjustment; “...an exciting time of bold experimentation and great expectations, for some; a trying time of shattering ancient myths and questioning revered values, for others.”²⁵

Consistent with the new ecclesiology and the teachings of the Vatican II Council on the up-to-date renewal of religious life,²⁶ the Code reaffirmed the truth that “religious life is a distinct form of discipleship” where persons consecrate themselves to living Christ’s life radically;

recognized by the Church.” (*Perfectae Caritatis*, 11) The stress is mine. Cf. J. Ma. Piñero Carrión, *La Ley de la Iglesia*, Vol I, Sociedad de Educación Atenas, Madrid, 1985, p.548.

²⁴ E. McDonough; *op. cit.*, p.46.

²⁵ *Ibidem*, p.45.

²⁶ Cf. mainly *Lumen Gentium* (ch. VI), and *Perfectae Caritatis*.

and that "the evangelical counsels of chaste self-dedication to God, of poverty and obedience" constitute a "gift of God which the Church has received from her Lord and which by his grace she always safeguards."²⁷ Faithfully reflected in the Code is another fundamental teaching of the Council on the consecrated people, namely, that the dedication of their whole lives to the Lord's service "is deeply rooted in their baptismal consecration."²⁸ Finally, since the consecrated people are bound in a special way to the mystery of the Church and have the duty "of working for the implanting and strengthening of the kingdom of Christ,"²⁹ the Code placed also the consecrated life at the center of the Church's mission.

The canons were written with *five guiding principles* in mind.³⁰ Principles that their authors had set for themselves beforehand to make sure that the new discipline revealed the teachings and the spirit of the Vatican II Council: The first element taken into account was the awareness that this law regulated a life which is a divine vocation; consequently, the formulation ought not to be purely juridical, but would have also to reflect the spiritual nature of the life of which it spoke. Secondly, the authors committed themselves to writing a law which would foster knowledge of and fidelity to the inspiration and intentions of the founder/foundress of each institute. Thirdly, as a corollary to this, the universal law had to be written to preserve the broad principles of consecrated life, while leaving more specific matters to the proper law of each institute. The fourth guiding principle was to provide for the Church's call to have religious participate in the governance of their own institutes. Finally, a fifth principle sought to give the greater possible equality of treatment to institutes of men and women.³¹

²⁷ *Lumen Gentium*, 43.

²⁸ *Perfectae Caritatis*, n.5.

²⁹ *Lumen Gentium*, n. 44.

³⁰ These five guiding principles --additional to the ten which the Pontifical Commission for the Revision of the Code of Canon Law had drawn in the revision of the Church's legislation (cf. *Comm 1* [1969] 55-56)-- were adopted specifically for the revision of the law this part of the Code, on institutes of consecrated life and societies of apostolic life.

³¹ Cf. Sharon Holland, "Religious Life" in *The Revised Law of the Church: A Pastoral Guide*. [Reprinted from *Chicago Studies*, 23/1 (April 1984)], pp.80-81; Francis G. Morrissey, "Institutes of...", *op. cit.*, pp. 301-307.

The task was not easy; “arduous” would be the term used to define it.³² Proof of it is the fact that the drafts prepared by the group assigned to the revision of this section of the Code underwent profound modifications during the process (from 1966 to 1980).

The outputs first carried the title *De Religiosis* (1966-1968); then *De Institutis Perfectionis* (1968-1977); still later *De Institutis Vitae Consecratae per Professionem Consiliorum Evangelicorum* (1978-1980).³³ If we add that none of them was finally incorporated into the definitive text of the Code we will have an indication of how struggling must have been the search for a comprehensive integration of all the elements of that vast reality popularly known as “religious life.” And that is not all; I believe that the final solution, although acceptable, has not been yet the ideal. Actually, the *Code of Canons of the Oriental Churches*, published seven years after our Code, “offers a vision of the religious state in which the elements of religious life seem to be better integrated than in ours.”³⁴

Back to the five guiding principles, did the promulgated text of the Code faithfully reflect the content of those principles? Basically, yes. In fact, a quick look at the canons shows that the new legislation respects the gifted nature of consecrated life,³⁵ recognizes the unique character

³² “Coetus Studiorum cui opus arduum recognitionis huius partis iuris concreditum fuit,...” (*Communicationes* 2 [1970] 169). Stress mine.

³³ Cf. *Communicationes* 1 (1969) 31; 2 (1970) 169ff., particularly in pp. 175-176 (new proposed scheme); 5 (1973) 65-67; 7 (1975) 89ff.; 16 (1984) 196ff.; 17 (1985) 114ff., etc. Pontificia Commissio Codici Iuris Canonici Recognoscendo, *Schema Canonum de Institutis vitae consecratae per professionem consiliorum*. Reservatum. Typis Polyglottis Vaticanis, 1977; Id., *Codex Iuris Canonici, Schema Patribus Commissionis Reservatum*, Libreria Editrice Vaticana, 1980, cc. 504-672; J. Beyer, “Le deuxième projet de droit pour la vie consacrée,” in *Studia Canonica* 15 (1981); Ghirlanda, G., “La tipologia degli Istituti di vita consacrata dal Concilio al nuovo Codice,” in *Vita Consacrata*, 21 (1985); Bandera, A., *Institutos de vida consagrada: Derecho Canónico y Teología*. Madrid: Sociedad de Educación Atenas, 1987.

³⁴ Francisco J. Ramos, “Lo stato religioso nel CIC del 1983 e in vista del Sinodo dei Vescovi del 1994,” in *Angelicum*, 71/2 (1994) 257. Title XII of CCEO makes this distinction: *De monachis ceterisque religiosis et de sodalibus aliorum institutorum vitae consecratae*. And then, Chapter I, *De monachis ceterisque religiosis*; Caput II, *De societatibus vitae communis ad instar religiosorum*; Caput III, *De institutis saecularibus*; Caput IV, *De aliis formis vitae consecratae atque de societatibus vitae apostolicae*.

³⁵ The special call to consecration is seen as a gift from God: “Some of Christ’s faithful are specially called by God to this state, so that they may benefit from a special

of each institute,³⁶ provides for flexibility and subsidiarity,³⁷ offers means of promoting the participation of all members in the life and mission of the institute,³⁸ and establishes fundamental equity between the institutes of men and women, by eliminating what could appear to be —and to some extent was— discriminatory between them.³⁹

gift in the life of the Church..." (c.574,§2). And the evangelical counsels, as well: "The evangelical counsels...are a *divine gift* which the Church received from the Lord and that by His grace it preserves always." (c.575) The italicizing is mine.

³⁶ Thus, it refers to the "patrimony" of each institute (cc.578, 586, 631) which comprises the intentions of the founder, the nature, purpose, spirit, and character of the community, and its sound traditions. These elements find their doctrinal basis in the conciliar Decree *Perfectae Caritatis*, 2b.

³⁷ One of the general principles invoked for the revision of the whole Code was that decisions were to be taken at the most appropriate level [*Comm* 1 (1969) 80]. In the commission for religious life, it was decided to apply this principle by providing for flexibility in institutes, without having the general law enter into endless details (reliance on proper law). Expressions of subsidiarity in the Code are, for instance, the fact of assigning to superiors certain powers that were previously delegated to them by indult or special papal dispensation (c.581), like the case of exclaustation, which may now be granted by the supreme moderator with the consent of his or her council (c.686 §1); and the canons that refer to the autonomy of institutes and their relations with the diocesan bishops: c. 586 spells out the general principle of autonomy, especially in matters of internal government. However, institutes are subject to the diocesan bishop in questions of liturgy (c.838, 4), apostolate (cc.675,3;678), particularly of education (cc.801,804) and care of souls (c.678). F. G. Morrissey, "Institutes...", *op. cit.* pp. 304-306.

³⁸ Superiors, "are to listen willingly to their subjects and foster their cooperation for the good of the institute and the Church..." (c.618). The same is true for general chapters: "Not only provinces and local communities, but also any individual member may freely submit their wishes and suggestions to the general chapter." (c.631,§3). The Code also provides for "participatory and consultative bodies" and talks about "participation of all the members for the good of the whole institute or community." (c.633)

³⁹ Canon 606 outlines the principle that "provisions concerning institutes of consecrated life and their members are equally valid in law for both sexes, unless it is otherwise clear from the context or from the nature of things." There are no longer found special norms regarding the confessions of sisters or special examinations of candidates for sisterhood; the visitation rights of the Ordinary are the same for both (c.628), etc. Still, because of the nature of institutes, some differences are unavoidable, like, for instance, the canons concerning monasteries of nuns (cc.609, 614, 667§2). Other differences are based, not precisely on sex, but on the exercise of sacred orders, like the Major Superiors of clerical religious institutes of pontifical right being Ordinaries for their subjects (c.134), while for lay institutes it is the Ordinary of the place where the house is situated. Although the *feminist* theology may bring about

In addition, the new legislation traces a sure path that enables the members of institutes and societies to respond to God's call in fidelity and love. The key is given in c.1752, where the Code ends by saying that the supreme law is *the salvation of souls*. For religious, this is complemented by their supreme rule of life, which consists in *the following of Christ*,⁴⁰ and "in the witness of their consecrated life, which they are bound to foster through prayer and which is fostered by prayer and penance."⁴¹

I suspect that it was almost at the risk of the Code turning here into a handbook of religious spirituality that some of these affirmations were made. Special care, however, was put for this to be avoided, in compliance with the first general principle of the Code's revision, which dictated that the future Code would have to keep its juridical nature, that is, to be a text of law. And this is what it is. Only that being *canon* law, —and therefore at the service of communion—, cannot but embrace also some theological elements.

Notes for a critical evaluation: 'Unresolved' issues

As we read the canons of this part of the Code we immediately notice the presence of a good number of valuable points, which could well be considered as "achievements" of the new legislation. The approach and very presence of "theological" canons in the law is new. The law's expression of the life of consecration —both religious and secular— lived out according to distinct charism is also in itself another manifestation of the Council's newness.

Apart from those "achievements" mentioned so far, such as the change of the old title for a more ample one, and the establishment of equity between the institutes of men and women, many other positive elements of the legislation on the Religious Institutes and Societies of Apostolic Life deserve to be stressed. I mention just three:

more changes on this regard in the future, time alone will tell whether these changes are for the well-being of institutes of women!

⁴⁰ "Religious are to find their supreme rule of life in the following of Christ as proposed in the Gospel and as expressed in the constitutions of their own institute." (c.662).

⁴¹ Canon 673.

a) The beautiful, comprehensive definitions of consecrated life (c.573,1) and of the religious vows: chastity (c.599), poverty (c.600) and obedience (c.601), where theology and law coexist and mutually enrich each other. As an official voice said, "In these paragraphs we are given not only the juridical content of the realities defined but also their mystical background."⁴²

b) The juridico-pastoral approach to the reality of consecrated life⁴³ and the acknowledgment of the unique character of each institute.

c) The stress on the diocesan coordination of all apostolic works and actions, to be fostered among the different institutes, and between them and the secular clergy, under the direction of the Bishop.⁴⁴ This goes beyond the juridical framework of such cooperation to point towards its truly ecclesiological meaning.⁴⁵

Many pages have been written about these and other positive tenets of religious life described by the Code. I do not intend to elaborate here more about them. Rather, in an attempt to be somehow critical, I wish to play here the "devil's advocate" role by stressing "the negative side" of the Code's legislation. For going deeper into the text and the context of the canons it is not difficult to detect a certain ambiguity in phrases, whose meaning or specification has been left, purposely or not, in the penumbra; such canons reflect matters still unresolved or at least in need of clarification. The fact is that the law leaves a number of

⁴² Cf. *Communicationes*, 15 (1983) 65-68 ad cc.526-528. It has been said that the theological elements need to be formulated in juridical concepts in order to be applicable in praxis. *Ibid.*, p.59.

⁴³ "A law that regulates a life which is a divine vocation must not be purely juridical," we said echoing the first of the five directive principles adopted for the revision of this part of the Code. "Partir de que la ley es sólo un medio que ha de servir para la verdadera renovación espiritual; por eso el código evitará la abundancia de normas, ambientará en teología aquellas que parezca oportuno conservar; las dará no sólo en el estricto orden jurídico sino también en las aplicaciones pastorales y dejará al derecho particular el concretar lo que en cada caso se vea conveniente." (J.Ma. Piñero Carrión, *op. cit.*, p.547)

⁴⁴ Canon 680. The meaning of this canon is in line with the document *Mutuae Relationes* of the Sacred Congregation for the Religious and Secular Institutes and the Congregation for Bishops on May 14, 1978 (AAS 70 [1978] 473-506).

⁴⁵ Cf. J. Ma. Piñero Carrión, *op. cit.*, Vol. I, p.570.

questions unanswered. Is it weakness of the law... or rather expression of its very condition? The latter, I believe. Some authors even see in this fact a chance for creativity and an opportunity for future growth.⁴⁶

Be it what may, the following is a list of such "unresolved matters," directly connected with our topic:

a) *The use of the expression "consecrated life."* Although the term "consecrated" was used already by the Vatican II Council, some people think that the designation is not entirely appropriate and even discriminatory, as if to say through its use that the human person is not "sacred" or that other Christians are not "consecrated" in their baptism. Theologically correct as the expression may be, it surely needs some clarification.⁴⁷

b) *The distinction between clergy, religious, and laity.* The Code acknowledges simply the existence of clergy and laity in the Church,

⁴⁶ F. G. Morrissey, "Institutes...", *op. cit.* p.314.

⁴⁷ The term "consecrated" to define the life of some members of the Church cannot be interpreted as predilection of God towards them or to indicate superiority with respect to the rest of the baptized. Much better will it be to interpret that adjective as "special dedication" to stress an important element of Christian existence. I believe, however, that it is not difficult to understand that the terms "consecration" and "consecrated life" are taken in the Code in their precise theological meaning, indicating a life consecrated by means of the evangelical counsels and recognized as such by the Church (cf c.573). According to the Vatican II Council and to the Code, besides the baptismal consecration (reinforced by the Confirmation) there are in the Church three special consecrations, namely, the consecration through the sacrament of Order (*PO* 2;c.1008), through the sacrament of Marriage (*GS* 48b;c.1134) and through the profession of evangelical counsels (*LG* 44; c.573). The three of them presuppose the fundamental and primary baptismal consecration. Cf. J. Aubry, *La consacrazione nella vita religiosa*, in AA.VV., *La teologia della vita consacrata* (Atti del Convegno di studio organizzato dalla CEI: Roma, 5-9 febr.1990), Roma, 1990, p.97. The consecrated life has in turn an analogical structure: a *divine* consecration (God calls a person in a special way, cc. 573,§1, 574,§2), an *objective* consecration (i.e. a state or permanent form of life in the Church, cc.573-574), a *subjective or personal* consecration (both God's call and the consequent state of life are a gift from God, *LG* 44;c.573,§1), and finally a functional (ministerial) consecration diversified by the particular charisms of the institutes (c.577; *PC* 8). Cf. G.Ghirlanda, S.J., "L'*Instrumentum Laboris* per il Sinodo sulla vita consacrata," *Periodica de Re Canonica*, vol. LXXXIII (1994), pp. 444-453. The widespread designation of this terminology must be taken, then, in an analogical sense and according to the proper nature of the diverse forms of life which are included in it.

placing religious in either category according to circumstances.⁴⁸ It couldn't be said that the classification is wrong, since the criterion is exclusively the reception of Orders; but wouldn't it have been better, taking *Lumen gentium* [n.31] as basis,⁴⁹ to have adopted the threefold division: clergy, religious, and laity? The *Code of Canons of the Eastern Churches* has done it by applying the term 'lay persons' to the faithful whose proper and special state is secular and are not in holy orders *nor enrolled in the religious state*⁵⁰ This seems much clearer and might have avoided a number of ambiguities in practice, for instance, the difference between "lay person" and "faithful" in general that creates some confusion when talking about lay institutes, whether religious or secular.⁵¹ Confusion, on the other hand, that has not been solved even

⁴⁸ "By divine institution, there are in the Church sacred ministers, who in law are also called clerics; the others are called lay people."(c.207,§1) "Drawn from both groups are those Christ's faithful who, professing the evangelical counsels through vows or other sacred bonds recognized and approved by the Church, are consecrated to God in their own special way..." (c.207,§2)

⁴⁹ "...The term *laity* is here understood to mean all the faithful except those in Holy Orders and those who belong to a religious state approved by the Church." (LG.,31)

⁵⁰ "Nomine laicorum in hoc Codice intelleguntur christifideles, quibus indoles saecularis propria ac specialis est quique in saeculo viventes missionem Ecclesiae participant neque in ordine sacro constituti *neque statui religioso ascripti sunt.*" (CCEC, c.399) Italicizing is mine.

⁵¹ F.G. Morrissey, "Decimo anno...", On the Tenth Anniversary of the Code of Canon Law," in *Studia Canonica*, 28 (1994), p.118. This was one of the observations made by some sectors to the October 1994 Synod on consecrated life, reacting on the *Lineamenta*. Even though assuming the juridical correctness of the stand adopted by the Code, I still share the opinion that the tripartite distinction of clergy, religious and laity could have avoided in practice a number of ambiguities. For instance, canon 711 declares that "members of secular institutes *do not change their canonical condition, whether it be lay or clerical.*" Commenting on this canon, J. Hervada wrote: "It is clear that this change in canonical condition, which occurs in some institutes of consecrated life and not in others, does not refer to the clerical/lay distinction which proceeds from the sacrament of orders. It must refer to the way of life or, more specifically, to some types of the faithful characterized by their personal canonical status. This will give us the tripartite distinction of secular clerics, religious and laity, which are distinguished by their specific canonical condition. The lay members are neither clerics nor religious. The type of faithful thus designated does not coincide with the term "lay" used in c.207,§1, since in the tripartite distinction the criterion used for division is the specific canonical condition, not the sacrament of orders." (Javier Hervada, "Commentary to canons 204-231" in E.Caparros, M.Theriault, J.Thorn (Ed.), *Code of Canon Law Annotated*. Wilson & Lafleur Limitée, Montréal, 1993, p.189).

by the recently promulgated *Catechism of the Catholic Church*.⁵²

c) *The principle* —previously called *privilege*— of exemption. Its concept and content have undergone considerable changes. Formerly, the exemption was the centerpiece of the canon law on religious —for example, the superiors in exempt clerical religious institutes were the only ones with power of jurisdiction. Exemption in the current legislation is practically restricted to the area of internal governance and is not used as an exclusive criterion for the concession of the power of governance.⁵³ This seems to have created a level of intense coincidence among all the institutes of consecrated life, and corroded such privilege to the point of being at times unpracticable for having become contradictory with not a few of the new universal norms of the Code.⁵⁴

d) *The nature of the authority or power held in lay communities*. What kind of authority do Superiors and Chapters of institutes have over their members? The Code simply says “that which is defined in the universal law and in the constitutions.”⁵⁵ The legislator does not seem to refer here to the power of governance, since in the next paragraph states: “In clerical religious institutes of pontifical rights, Superiors have *in addition* the ecclesiastical power of governance...”⁵⁶ Now, it is clear that power in all the institutes derives from ecclesiastical power, although, like in the present case, it is not called power of governance

⁵² In n.871 the Catechism defines the Christian faithful by reproducing literally c.204,§1 and referring to LG 31, while in n. 897 defines the laity by quoting directly from LG 31. Thus by repeating the same definition, the Catechism either equivocally applies it to two different realities or in fact identifies both of them. Such inaccuracy about the definition of “laity” and “faithful” can lead to some misunderstandings when applied to religious and secular institutes. Cf. G.Ghirlanda, S.J., “Alcuni punti in vista del Sinodo dei Vescovi sulla vita consacrata,” in *Periodica de re canonica*, LXXXIII, fasc.1 (1994), p.68.

⁵³ Cf. Canons 591 [whose source is *Lumen Gentium*, 45] and 596. T.Rincón Pérez, “Commentary to cc.573-746,” in E .Caparros, M.Theriault, J.Thorn (Ed.), *Code of Canon Law Annotated*. Wilson & Lafleur Limitée, Montréal, 1993, pp.418-419.

⁵⁴ Domingo J. Andrés Gutiérrez, “Commentary to cc.330-746,” in A.Benlloch Poveda (Dir.), *Código de Derecho Canónico. Edición bilingüe, fuentes y comentarios de todos los cánones*, EDICEP, Valencia (Spain), 1993, p.287. See c.678, and *Mutuae Relationes*.

⁵⁵ Canon 596,§1.

⁵⁶ Canon 596,§2. The italicizing is mine.

in the strict sense. The corollarium is that a certain ambiguity remains here. Perhaps, as it has been pointed out, “the legislator did not wish to be more specific in this delicate doctrinal area, and has restricted himself to giving practical norms, by virtue of which the exercise of this power —whatever its nature may be— is governed by the same norms as the power of governance, particularly executive power.”⁵⁷

e) *The exercise of power by superiors.* Closely connected with the previous one, there was a controversy created by canon 127, that has been by now properly addressed by the then *Pontifical Commission for the Authentic Interpretation of the Code* —now *Council for the Interpretation of Legislative Texts*. The case was when the universal law or the constitutions or regulations of an institute demanded the consent of the councillors for the superior to take a decision: What if there was a tie vote? Could the superior break the tie with his/her vote, even though he/she is not one of the councillors? And what about the custom of the superior voting together with the council? Does not custom make law?⁵⁸ Some past anomalies needed *sanatio in radice*.

f) *The modalities of common life.* Canon 602 contains a canonical precept, namely, that the fraternal life proper to each institute *is to be defined*. The precept is clearly addressed to the authors of proper law. The specific normative of the different Institutes and Societies contains provisions for the implementation of the common-to-all charismatic and institutional demands of this fundamental precept. But the modalities of such a fraternal life have yet to be determined.⁵⁹

⁵⁷ Cf. Tomás Rincón Pérez, *op. cit.*, p. 420.

⁵⁸ The answer was promulgated on August 1, 1985: *Utrum cum iure statuatur ad actus ponendos Superiorem indigere consensu alicuius Collegii vel personarum caetus, ad normam c.127,§1, ipse Superior ius habeat ferendi suffragium cum aliis, saltem ad paritatem suffragiorum dirimendam. R.-Negative.* (AAS 77 [1985] 771). Regarding the custom making law in this case, the answer is likewise negative. The reason is because for a custom to have the force of law has to be among other things “reasonable.” (c.24,§2) The custom of Superiors voting in the council is not apparently reasonable because it is against the very way of the functioning of a council. Gutiérrez, A., “Superior non habet votum in consiliis neque in ipsis potest dirimere paritatem suffragiorum,” in *Commentarium pro Religiosis et Missionariis*, 62 [1981] 23-26.

⁵⁹ “The fraternal life proper to each institute... is to be so defined (*ita definiatur*) that it proves of mutual assistance for all to fulfil their vocation.” (c.602). Worth noticing is the witty insight of the norm placing fraternal life at the service of the persons and not the other way around, although here in this particular canon the

g) *The juridical status of eremitical life.* The eremitical life is one of the specific forms of non-associated consecrated life publicly and juridically endorsed by the Church. It is not under a proper religious Superior, but under the diocesan Bishop.⁶⁰ The Apostolic Constitution *Pastor Bonus* (1988) has placed it also under the Congregation for Institutes of Consecrated Life and for Societies of Apostolic Life,⁶¹ with the risk of reducing such dependency to practically nothing if the Bishops do not voluntarily inform about them.⁶²

h) *The nature of consecrated virginity and its effects in law.* What was said in the previous paragraph about the hermits or anchorites could be perfectly repeated also here for the virgins.⁶³ Besides, the canon on consecrated virginity raises a number of canonical problems: What is the nature of the “*sanctum propositum*” (pledge, commitment?) mentioned in c.604? Does it constitute an impediment to marriage? How is it dispensed? What obligations does it entails? What is the responsibility of a bishop who accepts to consecrate a lay woman for the service of the diocesan church? A further question can be raised about lay men who wish to consecrate themselves to the service of the diocese: Has any similar rite been proposed for them?⁶⁴

i) *The “residence” when religious are unable to reside in a “house.”* Religious communities are to live in lawfully constituted houses, according to c.608. What about when religious are unable to reside in a house or when, without any grave reasons, systematically live apart or in private houses which do not answer to the characteristics of a true religious house in the sense of the c.608?⁶⁵ The concept of the religious community is then broken!

latter —not the former— is understood. Cf. Domingo J. Andrés, *op. cit.*, p.291. EDICEP, Valencia (Spain), 1993, p.287.

⁶⁰ Cf. canon 603.

⁶¹ Cf. Const. Apost. *Pastor Bonus*, June 28, 1988 (AAS 80[1988] 841-924), n.110.

⁶² Cf. D. J. Andrés Gutiérrez, *op. cit.*, Commentary to cc.603-604, p.291-192.

⁶³ Canon 604.

⁶⁴ F.G.Morrisey, “Institutes...”, *op. cit.* p.310-311.

⁶⁵ A lawfully erected house enjoys, *ipso iure*, public juridical personality (c.634,§1), defined as a *universitas personarum*. For this reason it must be constituted by at least three persons, in accordance with c.115,§2). Tomás Rincón, *op. cit.*, p.426.

j) *The nature of extraordinary administration.* Canon 638, applying in turn the provisions of c.1281, leaves to the statutes—in this case, the proper law of the institute—both the definition of ordinary and special administration and the requirements for the validity of extraordinary administrative acts.⁶⁶

k) *The dependency of exclaustated religious on the local Ordinary.* The exclaustated religious continue to be religious and to be bound by their vows. “They remain dependent on and under the care of their Superiors and, particularly in the case of a cleric, of the local Ordinary...”⁶⁷ This double dependence is nowadays being the source of serious problems: when legal issues arise, for instance, neither the diocesan Bishop nor the respective Order/Congregation wants to be answerable for the exclaustated religious! This is aggravated when the juridical situation of the person is somehow irregular.

l) *The assistance to those who abandoned or were dismissed from their former institutes.* Can they simply be left without any financial support or assistance, even after thirty or forty years of full membership and fruitful ministry? I recently happened to come across a case of a cloister nun whose separation from her Congregation was bordering the scandal, done with very little regard for justice and charity. “Perhaps a clearer statement regarding the rights arising from incorporation into an institute or society should be made from the very beginning.”⁶⁸

⁶⁶ By common law, acts which actually modify or affect the patrimony of the institute—alienation in the broad sense—constitute extraordinary administration (c.638,3). Besides these acts, the proper law may determine which other administration acts (e.g. extraordinary expenses exceeding a certain amount) constitute acts of extraordinary administration. Cf. F. J. Egaña, “Administración de los bienes de los institutos religiosos” en C. C. Salvador (Dir.), *Diccionario de Derecho Canónico*. Univ. Pontificia Comillas, Tecnos, Madrid, 1989, pp.38-39; T. Pazhayampallil, *A Commentary on the new Code of Canon Law*, KJC Publications, Bangalore, India, 1985, pp.444-446. Permission is required from the competent authority for the validity of alienation in the broad sense (c.1295), when the value of what is being alienated exceeds the amount determined by law (c.1,295).

⁶⁷ Canon 687.

⁶⁸ F.G.Morrisey, “*Decimo anno...*,” *op. cit.*, p.119. The case is also applied, for instance, to priests removed from their offices. Certainly there are a number of unanswered questions here that will have to be addressed before too long.

m) *The way in which societies of apostolic life are likened to institutes of consecrated life.* These societies are “like” institutes of consecrated life (*ad instar instituti vitae consecratae*), and “like” religious institutes in particular (*ad instar religiosorum*) with respect to the ends they pursue and with respect to the life in common to which their members commit themselves.⁶⁹ Their similarity, however, is not identification and so, in spite of sharing a large number of common canonical provisions, they are placed in a separated section in the Code.⁷⁰

n) *The granting of public juridical personality.* Many institutions, such as hospitals, homes for the elderly, schools, universities, etc. are under the direction of religious institutes. One problem is that it is not always clear which came first, whether the mentioned institution or the religious house. It would be important to clarify their status, especially regarding the ownership of temporal goods. Besides, who can grant canonical juridical personality to these works? The Code does not clearly determine it.⁷¹ There is no doubt that the diocesan bishop can do so; but can religious Ordinaries or other Major Superiors also do it since they can establish provinces and houses which, by law, have juridical personality? On the other hand, is it possible to have acquired juridical personality by custom, prescription (lapse of time) or by some other means than a formal decree?⁷²

o) *The role of consecrated women as well as lay brothers in “cooperation” in governance.* The Code, in canon 61, states that those who are not in sacred orders —it uses the expression “lay members of Christ’s faithful”— can cooperate in the exercise of this same order in accordance with the law. Apparently, the canon was intentionally left ambiguous in its wording.⁷³ However, as new situations arise, a

⁶⁹ Cf. Canon 731. A noteworthy reference is the one of c.596,§2, by virtue of which the superiors of clerical societies of pontifical right have power of governance. Cf. Tomás Rincón Pérez, *op. cit.*, pp. 488-489.

⁷⁰ Cf. *Communic.* 15 [1983] 81, ad c.675, nn.1-2.

⁷¹ See c. 114, §3.

⁷² Cf. F. Morrissey, “*Decimo anno...*,” *op. cit.*, 110-111.

⁷³ Cf. *Communicationes*, 14 (1982), 146-149.

clarification will have to be made regarding the extent of "cooperation" that is allowed.⁷⁴ "Consecrated women should participate more in the Church's consultations and decision-making, as situations require," we read in the final message of the recently concluded Synod on the consecrated life.

We could make the list longer. But the instances mentioned are enough to help us realize that there are still some unresolved canonical issues that sooner or latter need to be addressed. They are based in the universal law and affect the whole Church; thus these matters necessarily affect also the local Churches, one of them is the Philippine Church, to which I specially refer to in these pages. That is why I mention them here. How shall we be guided on this regard? In some instances common sense, practical experience or the most commonly held position provide the answers to these queries; in others, a technical elaboration is needed. The Catholic Bishops' Conference of the Philippines (CBCP) has issued in the last few years some juridical prescriptions on matters affecting, directly or indirectly, the religious.⁷⁵ More abundant have been the pronouncements on pastoral matters issued also by the PCP-II, some of which we are going to see now in the second part of this work.

⁷⁴ Cf. F. G. Morrissey, *Decimo anno...*, *op. cit.*, p.111. See also J.A. Alesandro, "The Revision of the Code of Canon Law: A Background Study" in *Studia Canonica*, 24 (1990), pp. 91-146. It is obvious that there are rights and obligations exclusively attached to the reception of orders. A distinction, then, has to be made between those members of consecrated life who belong to the clergy and those who do not—a typical example of the latter is the lay brothers. It is not unusual to find reminders on this regard, like the one coming from the Second Plenary Council of the Philippines: "A conscious effort is to be made, especially among orders with clerics and brothers, to distinguish clearly aspects of their common life which are proper to them as religious and which must be distinguished clearly from the ministerial aspects of ordination (cf c. 740)." (PCP-II, *Acts and Decrees*, Art.72,2)

⁷⁵ Cf. Florencio Testera, OP., *Canon Law Digest of the Philippine Catholic Church. A Text and Commentary*. University of Santo Tomas, Manila, 3rd ed., 1994, specially under the words 'Religious' and 'Clergy' (pp. 45-46 and 144-145). Provisions, for instance, regarding the religious attire (SCB, Prot.n.35/84; c.284), the participation of religious on radio and television (CB, Prot.n.35/84), the appointment of a religious to a parish (SC, Prot.n.35/84), relationship between diocesan clergy and religious, the role of religious on politics, extraordinary acts of administration (CB, Prot. n.35/84; c.1277), etc.

II. Within the Philippine Local Church: Prophetism and Integration

The Catholic Church in the Philippines, on the occasion of its Second Plenary Council (January 20 - February 17, 1991), formally acknowledged the presence of *Religious* in this country as well as the above mentioned "indispensable role" that they have played and are still playing "in the evangelizing and liberating mission of the Church" in the Philippines.⁷⁶

Their importance, like we said at the beginning referring to the whole family of consecrated life in the Church, does not come primarily from their number —according to the latest available statistics (1993), there are in the Philippine Archipelago 271 Institutes of Consecrated Life and Societies of Apostolic Life (67 of men, 204 of women), with a grand total of 14,654 members, of which 4,606 men and 10,048 women. All in all hardly the 0.03% of the Catholic Church in the Philippines, whose Catholic population amounts roughly to 49,200,000 (82% of the total population).⁷⁷ Their importance comes rather from their mission and prophetic value.

Such mission and value, stated expressly in the Code,⁷⁸ find their

⁷⁶ Cf. PCP-II, *Acts and Decrees...*, n.448, pp.154-155. See notes 2-4.

⁷⁷ Cf. *The 1993 Catholic Directory of the Philippines*. Some other statistics from the same source:

I. *Institutes of Consecrated life and Societies of Apostolic Life:*

(a) Men: Number of Institutes/Societies, 67; total number of members (novices exclude) is of 4,606; schools Owned or Administered by them, 173; parishes, 349.

(b) Women: Institutes/Societies, 204; total number of members (novices excluded), 10,048; schools Owned or Administered by them, 572; Formation Houses, 222; independent Houses, 859; other Centers/Institutions, 587.

II. *Secular Institutes and Lay Associations*, 11. Total number of members, more than 30,000.

Total number of Filipino Religious Men in foreign missions and on assignment abroad by institutes, 446. Number of Filipino Sisters in foreign missions, 1,226.

⁷⁸ "Life consecrated through profession of the evangelical counsels is a stable form of living, in which the faithful follow Christ more closely under the action of the Holy Spirit, and are totally dedicated to God, who is supremely loved. By a new and special title they are dedicated to seek the perfection of charity in the service of God's Kingdom, for the honor of God, the building of the Church and the salvation of the world. They are a splendid sign in the Church, as they foretell the heavenly glory." (Canon 573, §1).

perfect set up in the local Church, within which they are geographically inserted. That is why the canonical provisions implicitly contain a two-folded request: one addressed to the religious themselves, intimating them to collaborate with the local bishop, clergy and laity, while living their proper charism in the way prescribed by their institutes;⁷⁹ and another, addressed to the dioceses urging them to appreciate (and utilize) the Religious' charism as God's gift to them.⁸⁰

None of these mutual rights and duties were overlooked by the PCP-II, which in its *Acts and Decrees* included a good number of pages describing the expectations that the Catholic Church has from the Religious —both men and women— in this part of the world. Some of these references were later on summarily repeated in the *Philippine National Pastoral Plan Draft* (1992).⁸¹

Which are the specific expectations? Some of the most important ones can be synthesized as follows:

a) *Prophetism*: A prophetism manifested in a radical —personal and communitarian— discipleship, in the way of living the evangelical vows, and in the passion for justice and openness to God's will. "Religious should be a prophetic sign of community life in a society in which a participatory democracy is constantly threatened by the divisions caused by political strife and economic inequality."⁸² The more religious live their vows as a radical discipleship and as a sharing

⁷⁹ Cf for instance, cc.576-578. These and other canons were used by the PCP-II to say that "Religious women and men, consecrated to God by baptism and by the profession of evangelical counsels, shall exercise their duty of building up God's Kingdom on earth in close union with the rest of the Church, in accordance with the charisms of their respective institutes and the law of the Church (cf cc.574, §§1-2; 576; 578; 586, §§1-2; 590, §§1-2; 592, §§1-2; 602; 618; 675, §3; 677, §1; 678, §§1-3 and 680-683)." (PCP-II, *Acts and Decrees*, Title XI, Religious., Art.58, pp.251-257)

⁸⁰ Cf c.674. The PCP-II makes also special mention of the contribution of the lay brothers in the fields of teaching and health, encouraging them to go on with their work: "Vocations to the religious brotherhood and the contribution of religious Brothers in the field of teaching, hospital work, and the like are to be esteemed and encouraged." (*Acts and Decrees*, Art 72, #1, p.256).

⁸¹ Catholic Bishops' Conference of the Philippines (CBCP), *National Pastoral Plan: Draft*. PCP-II Secretariat, Manila, October 1992, pp.29.

⁸² PCPT-II, *Acts and Decrees...*, n. 500, p.172.

in the folly of the Cross, the clearer will other Christians see them as signs of faith, hope and love. "Today in the Philippine church, we see prophetism manifested in the way the vows challenge religious to commit themselves to a more radical discipleship in response to current needs in both church and society."⁸³ Hence religious vows are prophetic in the measure they effectively challenge the obstacles to the arrival of the kingdom: they counter the chief perversions linked with possessions, affectivity, and power.⁸⁴ Finally, passion for justice, compassion and identification with the poor, radical openness to God's word and resolute commitment to his will, are reliable indications of such prophetism, while pilgrims towards the kingdom.⁸⁵ Such prophetic witness of consecration in religious life "can serve to remind Christians continually of a love that bears hope: the love of the Lord who calls us unto himself for the building of his Kingdom and makes all things possible."⁸⁶

b) *Diakonia*: Leadership understood as *diakonia*, "the service it always was in the primitive church." Religious in the Philippines are expected to apply to their relations with the local church what they claim about authority and power as servant-leadership, with its respectfulness, affability, gracious reciprocity and gentleness.⁸⁷

⁸³ *Ibidem*, n. 498, p.171.

⁸⁴ *Ibidem*, n.463, p.159-160: "... Hence in the Philippines as in many parts of the Third World, the vows can acquire particular significance when: Poverty witnesses against the exploitation of material resources, against a greed that leads to the impoverishment of millions, by demonstrating responsible stewardship in a finite universe, by its detachment from material possessions, and its call for simplicity, poverty urges the Church to trust entirely in God and to place all its resources in the service of the Kingdom. Chastity witnesses against a society where sex is divorced from love, commitment and responsibility, where women and children are abused and exploited; it witnesses by its ability to universalize our affectivity, directing it towards all God's people, especially through compassion. Obedience witnesses against a social order characterized by the imposition of will by force and violence, by the domination of the weak by the strong; it witnesses by the openness of consecrated people to the loving will of the Father, by the religious community's commitment to freedom and justice for all."

⁸⁵ Cf. *Ibidem*, n.504, p.174.

⁸⁶ *Ibidem*, n.506, p.174.

⁸⁷ Cf. *Ibidem*, n.484, p.166-167: "Religious in the Philippines would do well to seek new forms of religious leadership intentionally through collegiality and

c) *Inculturation*: The Philippine Local Church's desideratum on this matter is that "...religious institutes of foreign origin must make a continuous effort to adapt to the culture of the Filipinos, as much as possible adopting their lifestyles, languages and customs."⁸⁸ In other words, that "their manner of life, work and prayer should be in harmony with the requirements of our culture (cf PC 3) as well as the socio-economic circumstances that mark our present history."⁸⁹ One privileged area of inculturation is liturgy: the expectation here is that the words and melodies used in the celebrations, besides being worthy of the divine praise, "reflect the soul of our people."⁹⁰ Needless to say, this request to take up the challenges of inculturation and contextualization is extended to all the religious, both Filipino and non-Filipino alike.

d) *Pastoral collaboration*: "Religious shall collaborate with the bishop, clergy and laity in the local Church." Such collaboration has to be done —quoting from the Code— "while preserving the right and obligation to live their proper charism in the way legitimately prescribed by their institutes (cf cc.576-578)."⁹¹ Thus, with the riches of their own charism, they contribute to the renewal of the local church. Experience teaches us, however, that tensions between prophecy and its integration into organized pastoral plans sooner or later appear. Hence the importance of regular dialogue among bishops, religious and local clergy.⁹²

subsidiarity, where leadership is understood as *diakonia*, the service it always was in the primitive church (cf. PC 14-15) Religious should learn to apply to their relations with the local church what they claim about authority and power as servant-leadership, with its respectfulness, affability, gracious reciprocity and gentleness (cf Pc 14; Rom 12:10)."

⁸⁸ *Ibidem*, Art.67,#2, p.255. "Religious should celebrate the liturgy attuned to the Filipino soul..." (NPPD, Sect.2,A,4.1).

⁸⁹ *Ibidem*, n.485, p.167: "Religious life cannot be lived in 'splendid isolation,' estranged from our culture. When religious, both Filipino and non-Filipino, take up the challenges of inculturation and contextualization, they would most profoundly enrich the church."

⁹⁰ *Ibidem*, Art.67,#1, p.255.

⁹¹ *Ibidem*, Art.64,#1, p.254.

⁹² *Ibidem*, n.487, p.167: "Religious contribute to the renewal of dioceses by contributing the riches of their own charism, particularly if integrated into the overall pastoral effort of the local church, and coordinated with diocesan and supradiocesan

Which are the specific *areas of collaboration*? The Plenary Council mentions three, namely, (1) formation, (2) apostolate and (3) manpower. The first one refers to collaboration in programs of formation and affects mainly the schools of theology.⁹³ The second one, concerning apostolate, the collaboration is defined by two crucial words: "consultation" (between bishops and Major religious Superiors) and "communion" among religious, clergy and laity in working together.⁹⁴ Finally, the manpower refers to working together in the achievement of equitable distribution of religious personnel.⁹⁵

The *structures for collaboration* will be basically two: A [functional] Mixed Commission on Mutual Relations between Bishops and Religious; and the office of the Episcopal Vicar for Religious.⁹⁶

organizations and activities. There will always be tension between prophecy and the need of integrating it into the overall, organized pastoral effort of a diocese. Hence the importance of regular dialogue among bishops, religious and local clergy."

⁹³ "Religious congregations, to the extent possible and in accordance with their particular charisms, must collaborate with dioceses and schools of theology in order to develop solid programs of formation for the benefit of the diocese." (*Acts and Decrees*, Art.59,#2, p.252). "Priests, religious and laity should participate in on-going formation and with Seminarians and sisters-in-formation be educated in Church's social teachings and undergo learning processes..." (*NPP*, Sect. 2,A,4.1).

⁹⁴ "In discerning and deciding on the organization of the works of the apostolate of religious, bishops and major religious superiors will proceed after consultation with each other (cf.c.678 §3)." (*Ibidem*, Art.60,#1, p.252). "Religious in their apostolic work, while remaining faithful to their specific charism, must work together with the clergy and laity as a team and in close communion with the bishop (cf c.678)." (*Ibidem*, Art.60,#3, p.253). Cf. *NPP* Sect 2, A, 1.3.

⁹⁵ "Bishops and major religious superiors are to work together to achieve a more equitable distribution of religious personnel in the country giving particular attention to the needs of the poorer dioceses and rural areas." (*Ibidem*, Art.61, p.253). "Religious should work as a team withing the diocesan community and there should be an equitable distribution of religious in the dioceses." (*NPP*, Sect 2, A, 4.2)

⁹⁶ "The Mixed Commission on Mutual Relations between Bishops and Religious must be made functional. Mechanism on the national and the diocesan levels should beset up to promote regular dialogue between religious and planners of pastoral programs in order to promote more fruitful collaboration." (*Ibidem*, Art.62,#1, p.253).

"The office of Episcopal Vicar for Religious...must be established in each diocese with an aim to promote and assist religious life and to further collaboration between religious institutes and bishops (cf *Mutuae Relationes*, 54 and cc.391 §2;478 §§1-2; and 479)." (*Ibidem*, Art.62,#2, p.253).

Some *policies and guidelines* regarding collaboration should be formulated so as to observe the respective competencies of bishops and religious superiors in entering those written agreements required by Church law (cf. cc. 520, §2 and 681). They deal with (1) "the scope and nature of the diocesan or parish apostolate of religious institutes; (2) the process of evaluating the apostolate of religious regarding its relevance to and place in the pastoral program of the diocese or parish; (3) the mechanisms for introducing, terminating or continuing the presence and work of religious in the diocese; and (4) the tenure of religious who are given pastoral care of parishes, so that the eventual turnover of parishes to the diocesan clergy will be acceptable both to parishioners and incoming pastors."⁹⁷

e) *Charismatic expertise*: The history of many religious men and women is also the story of the strength, competence, resourcefulness and natural abilities. The particular charism of religious is a potential that has not only to be not understood properly but also utilized by the dioceses.⁹⁸ There are particular fields in which religious have always shown their excellence; special mention deserve the running of educational institutions and hospitals, two privileged channels of evangelization, compassion and healing for the people.⁹⁹ Institutions that the Plenary Council not only praises, but encourages to be maintained and promoted. There are likewise other fields in which religious are also expected to contribute with their expertise; specifically, in the building of Basic Ecclesial Communities,¹⁰⁰ in the advancement of the status of women,¹⁰¹ in the celebration of liturgy,¹⁰² in the promotion of justice and

⁹⁷ *Ibidem*, Art. 63, §§1-2, p. 253-254.

⁹⁸ *Ibidem*, Art. 64, #2, p. 254. Cf. c. 674.

⁹⁹ See footnotes 1-3.

¹⁰⁰ "Religious with their community experience within their own institutes, are to be at the forefront of pastoral efforts to build strong Basic Ecclesial Communities" (*Acts and Decrees*, Art. 65, p. 254-255). Cf. *NPP*, Sect. 2, A, 3.3. See Rolando N. Oliverio, "The Empowerment of the Lay People According to the Second Plenary Council of the Philippines," *Philippiniana Sacra*, vol. XXIX, 87 (Sept.-Dec., 1994), pp. 463-467.

¹⁰¹ "Religious institutes of women in the Philippines are especially called to use their resources for the authentic advancement of the status of women." (*Ibidem*, Art. 66, p. 255). Cf. *NPP*, Sect. 2, A, 3.3.

¹⁰² See footnote 82. Cf. *NPP*, Sect. 2, A, 4.1.

peace,¹⁰³ and, being attuned with the times, in the evangelization through the media.¹⁰⁴

f) *Ecumenism*: "In the area of faith, justice, peace and development, lay faithful, clergy and religious should be made ever more aware of the true value of ecumenism (cf. cc. 256 §2, 383 §3, and 755 §1)."¹⁰⁵

g) *Fidelity to their own vocation*: "Religious are reminded of the obligation to observe faithfully and completely the evangelical counsels and to live their lives in accordance with the proper rule of their institutes, so as to pursue the perfection of their state (cf. cc. 598-601)."¹⁰⁶ More than an advise, this is a serious reminder for all consecrated people. But it is beautiful to hear from "outside" what we,

¹⁰³ Cf. *Acts and Decrees*, Art. 68, #1, p. 255: "Commitment to the promotion of justice and peace and the love of preference for the poor shall be fostered and integrated as essential elements in the formation programs and apostolates of religious (cf. c. 222 §2)."

"Religious are to prayerfully study and reflect upon their participation in mass actions and other public activities, so as to render their involvement in such actions consistent not only with Church teaching but also with their vocation and charism, and thereby make themselves more effective in the service of God and people." (*Ibid.*, #2)

"Religious must evaluate their work in terms of the Church's love of preference for the poor and show this love also in the schools which they operate." (*Ibid.*, #3)

"Religious are reminded of the obligation to observe faithfully and completely the evangelical counsels and to live their lives in accordance with the proper rule of their institutes, so as to pursue the perfection of their state (cf. cc. 598-601)" (*Ibidem*, #4).

¹⁰⁴ "Religious shall contribute effectively to evangelization through the media (cf. cc. 747, §1; 761, 804 §1, and 822-823)" (*Ibidem*, Art. 69, #1, p. 256). "The study of media is strongly recommended for inclusion in the formation of religious as part of their preparation for their evangelizing task." (*Ibidem*, #2). Cf. NPP, Sect. 2, A, 4.3.

The Code of Canon Law states that the exercise of the ministry of the word by means of radio and television has to be regulated through norms issued by the local Episcopal Conference. The reason is because of the tremendous influence and transcendence of modern media over territorial boundaries. Such directives are binding on all the faithful, laity, religious and clerics (cf. c. 772, §2). The CBCP has legislated that clerics and religious who are invited to organize or participate in radio and television programs may do so only with the permission of the competent authority (Cf. F. Testera, O.P., *Canon Law Digest...*, op. cit., p. 35. See note 75.

¹⁰⁵ *Acts and Decrees...*, Art. 34, p. 243.

¹⁰⁶ *Ibidem*, Art. 68, #4, p. 256.

consecrated persons, are supposed to be, to know and to act upon. Much is at stake here. By virtue of the communion of saints and in order also to attain the desired pastoral results, it is essential that the commitment to observe the evangelical counsels and live in the pursue of the own perfection is faithfully kept. The terms “faithfully and completely” used by the PCP-II —taken literally from c.598,§2— point towards genuineness, authenticity.

h) *Compliance with adopted policies*: There are certain particular prescriptions or policies adopted by the local church that the religious institutions are expected to comply with. Under the so-called “*Ad Intra Concerns*,” the PCP-II mentions two. The first one regarding the recruitment of vocations —a registration card from the National Office of the Directors/Directresses of Vocations in the Philippines should be secured¹⁰⁷. The second one refers to inculturation and the initial formation of the newly arrived congregations —a period of five years required for the proper insertion in the country of the new Congregations.¹⁰⁸

A Challenge in a Time of Change

As we face the 21st century, we have cause to believe that more and more religious are discerning better the demands of discipleship and accepting their implications more authentically if not more radically. Passion for justice, compassion and identification with the poor, radical openness to God's word and resolute commitment to his will, the refusal to rest comfortably on laurels of the past, the restlessness for a better tomorrow — if they are reliable indications and provided that Christ remains central, then our church is taking giant steps in its pilgrimage into the kingdom.

¹⁰⁷ “As a means of achieving a unified and coordinated recruitment program by the dioceses and religious institutes, a registration card form the National Office of the Directors/Directresses of Vocations in the Philippine (DVP) shall be secured by all religious institutes in the country.” *Ibidem*, Art. 70, p. 256.

¹⁰⁸ “New congregations coming to the Philippines shall spend at least five years learning the language and culture of the place before initiating active recruiting of candidates for their congregations. Candidates as a rule should receive their initial formation in the Philippines.” *Ibidem*, Art. 71, p. 256. Cf. *NPP*, Sect. 2, A, 3.3.

These words do not seem to belong to the times in which we are presently living. For many people —consecrated people—, they are too beautiful to be true... To begin with, we are witnessing today an alarming reality: that the scarcity of vocations is putting at stake the very existence of some religious institutes. Besides, we are living moments of confusion: "...the confusion that both the secular institutes and the religious congregations have over their vocation and its exercise within the Church."¹⁰⁹

Yet, those words were subscribed by the PCP-II participants three years ago.¹¹⁰ Were they wrong? Or were the words only the expression of a dream? Neither of them. Granted that they may share the excessive optimism of general statements, we can say that those words are basically true; only that they may find realization (exceptionally?) in the Philippines. Yes, the Filipino Church still sees today with joy the sprouting in its midst of numerous vocations for religious and consecrated life... something indeed unusual in most parts of the world, particularly in the western societies where recent decades have witnessed many defections and an acute decline in vocations.

Certainly the Philippines have not been spared of the presence of some negative aspects or phenomena faced by the other countries. The changes in society and the Church have also here caused disorientation, fears and a lack of balance. There have been divisions within institutes. There has been a lack of formation towards legitimate pluralism and dialogue within communities. Tensions even with the ecclesiastical hierarchy. Lacking is a pedagogy of change —with its roots not only in factors internal to the Church, but also in profound cultural changes— which today has its effects on consecrated life, in a special way the life in common and the threefold evangelical counsel of chastity, poverty and obedience. Cultural changes have started corroding the authentic meaning of sexuality, the idea of the family and the value of celibacy. An aristocratic economy has led to the growing stratification in living conditions resulting in the abandonment of the weak and the poor, of ethnic minorities, and of the sick and elderly. An understandable nationalism and a not always-rightly-understood inculturation has

¹⁰⁹ Jesús Espeja, "El próximo Sínodo," in *Vida Nueva*, n.1,959 (10 Sept, 1994), p.29.

¹¹⁰ *Acts and Decrees*, n.504.

created difficulties affecting the universal missionary activity of the Church, the objective limitations created by law, sacrifice and the mortification of one's own will for the sake of the broader common good... Finally, in spite of the abundance of religious vocations, one can see that there is also a crisis in the idea of a giving one's self in a lifelong manner...

But in the midst of this religious-cultural changes, with lights and shadows, the consecrated life in the Philippines has traveled a path of renewal. No doubt about it. The awareness of baptismal consecration as the root of self-giving to God through the evangelical counsels¹¹¹ has created a better understanding of the ecclesiality of the consecrated life, renewed the sense of communion with the other members of the People of God: bishops, priests, deacons and laity, and has led to a more harmonious and greater engagement of the consecrated life in this particular, young Church. New foundations using a new style of adaptation to the religious values, culture and needs of people attest also to it.

The main task now of the members of the religious institutes and societies in the Philippines should be that of reformulating the fundamental nature of their charismatic origin. In other words, the search for genuineness and the revival of their prophetism, both at the personal and at the institutional levels. This can only be achieved:

(1) *By being critical in attitudes and commitments*: the awareness, for instance, that common life or community cannot be reduced to share the same residence; that obedience is something else than acceptance of an occasional assignment; that authority is not mere ratification of popular opinion; and that cooperation between bishops and major superiors in apostolic activity cannot be reduced to an occasional mutual notification of changes. Ignorance or lack of formation in the members of religious institutes —particularly of women— is another major issue that communities have to creatively address: How many institutes of Sisters, for instance, have among their members some professionally trained theologians and canon lawyers? At least for 'private consumption,' general and provincial chapters, internal on-going formation, retreat teams, etc. Otherwise their dependency on the

¹¹¹ Cf. Vatican II, *Perfectae caritatis*, 5.

clergy is almost absolute! Definitively, engaging in a sheer defense or simple maintenance of the *status quo* is not healthy. "Ossified and deified, the structures of religious life will hinder rather than serve to bring them face to face with the living God."¹¹²

(2) *By keeping the identity of each institute and the exercise of their own vocation*: If the secular institutes assume the defects that have disfigured the religious in other parts of the world, their charismatic contribution in the Church will be impossible. And if the religious allow themselves to be contaminated by secular idolatries, forgetting that above all and in the last instance they must be prophets of a still longed plenitude, perhaps they may work miracles in the society and in the Church, but they won't be offering the service for which they were born by the working of the Holy Spirit.¹¹³

Only then their contribution to the building of the Church will be real and the expectations from them, fulfilled. Expectations basically of *respect, participation* and *fidelity*, as expressed in one of the conclusions of the International Symposium on Canon Law held in Rome in 1993: "*The Institutes of consecrated life as well as the other forms of profession of the evangelical counsels must respect canonical requirements and also participate into the organic life of the Church, in fidelity to the Spirit who has raised the variety of charisms for the building of the one Church.*"¹¹⁴

The same are also the expectations succinctly contained in the present Code of Canon Law, whose provisions have greatly helped and help still, through the flexibility of its prescriptions to attain this task. Of course, the law cannot possibly capture the charism of a particular institute. Charisms live in people, not in codes or constitutions or directories —however finely polished and legally sound.

"Fidelity" is the final appeal of the recently concluded Synod on Consecrated Life. A Synod that has reminded us of a fact we all knew too well, namely, that it is impossible to understand nowadays the

¹¹² PCP-II, *Acts and Decrees*..., n. 472, p. 162.

¹¹³ Cf. Jesús Espeja, "El próximo Sínodo," *a.c.*, p.29.

¹¹⁴ *Ius in vita et in missione Ecclesiae*. Symposium Internationale Iuris Canonici. In civitate Vaticana, 19-24 aprilis 1993, 5th conclusion. *Communicationes*, vol. XXV, 1 (1993) p. 45.

consecrated life, its task and its generous initiatives, without taking a realistic look at the world in which we live. It is a fact that today's emerging culture is secular, i.e., is marked by great technological and scientific progress. This has its consequences: that, while such advances offer great opportunities, we cannot forget that human beings are day by day more aware of being administrators of their own history and reject any divinity or religion that may impede the exercise of their autonomy. They behave "as if God did not exist, as if God were not interested in the world,"¹¹⁵ obsessed only by a blind consumerism and by the immediate pleasure at the expenses of anyone. In this society there is no room for gratuitousness....

But the Church believes that in the intimacy of the persons and as foundation of everything there is a God [*Abba*], unconditionally close and benevolent who always accompanies his creation, bets for the life of his creatures and makes himself present in a very unique way in each human person. Under this theological point of view there is space for gratuitousness, for the service to the other —not for what he/she gives but for what he/she is—, and the self-denial in order that give life to others. It is here where the Institutes of consecrated life, and in particular the Secular Institutes —from within the world and world's professions— may eloquently make present the vocation of the Church: to proclaim that the reign of God is already present and active in the social network as the grain of wheat in the depths of the earth.

Surely, this is a challenge for all the members of consecrated life in the Philippines and in general for the Philippine Church, in whose bosom the consecrated life "lives and moves and has its being," and advances within the borderlines of the law and the expectations.

¹¹⁵ John Paul II, *Crossing the Threshold of Hope*. Ed. by Vittorio Messori (A. Knopf: New York, 1994), p. 53.