

Nuns

I. ORIGIN AND HISTORY

The institution of nuns and sisters, who devote themselves in various religious orders to the practice of a life of perfection, dates from the first ages of the Church, and women may claim with a certain pride that they were the first to embrace the religious state for its own sake, without regard to missionary work and ecclesiastical functions proper to men. St. Paul speaks of widows, who were called to certain kinds of church work (1 Tim., v, 9), and of virgins (1 Cor., vii), whom he praises for their continence and their devotion to the things of the Lord. The virgins were remarkable for their perfect and perpetual chastity which the Catholic Apologists have extolled as a contrast to pagan corruption (St. Justin, "Apol.", I, c. 15; Migne, "P.G.", VI, 350; St. Ambrose, "De Virginibus", Bk. I, C. 4; Migne, "P.L.", XVI, 193). Many also practiced poverty. From the earliest times they were called the spouses of Christ, according to St. Athanasius, the custom of the Church ("Apol. ad Constant.", sec. 33; Migne, "p.G.", XXV, 639). St. Cyprian describes a virgin who had broken her vows as an adulteress ("Ep. 62", Migne, "P.L.", IV, 370). Tertullian distinguishes between those virgins who took the veil publicly in the assembly of the faithful, and others known to God alone; the veil seems to have been simply that of married women. Virgins vowed to the service of God, at first continued to live with their families, but as early as the end of the third century there were community houses known as *partheuones*; and certainly at the beginning of the same century the virgins formed a special class in the Church, receiving Holy Communion before the laity. The office of Good Friday in which the virgins are mentioned after the porters, and the Litany of the Saints, in which they are invoked with the widows, shows traces of this classification. They were sometimes admitted among the deaconesses for the baptism of adult women and to exercise the functions which St. Paul had reserved for widows of sixty years.

When the persecutions of the third century drove many into the desert, the solitary life produced many heroines; and when the monks began to live in monasteries, there were also communities of women. St. Pachomius (292-346) built a convent in which a number of religious women lived with his sister. St. Jerome made famous the monastery of St. Paula at Bethlehem. St. Augustine addressed to the nuns a letter of direction from which subsequently his rule was taken. There were monasteries of virgins or nuns at Rome, throughout Italy, Gaul, Spain, and the West. The great founders or reformers of monastic or more generally religious life, saw their rules adopted by women. The nuns of Egypt and Syria cut their hair, a practice not introduced until later into the West. Monasteries of women were generally situated at a distance from those of men; St. Pachomius insisted on this separation, also St. Benedict. There were, however, common houses, one wing being set apart for women and the other for men, more frequently adjoining houses for the two sexes. Justinian abolished these double houses in the East, placed an old man to look after the temporal affairs of the convent, and appointed a priest and a deacon who were to perform their duties, but not to hold any other communication with the nuns. In the West, such double houses existed among the hospitallers even in the twelfth century. In the eighth and ninth centuries a number of clergy of the principal churches of the West, without being bound by religious profession, chose to live in community and to observe a fixed rule of life. This canonical life was led also by women, who retired from the world, took vows of chastity, dressed modestly in

black, but were not bound to give of their property. Continence and a certain religious profession were required of married women whose husbands were in Sacred Orders, or even received episcopal consecration.

Hence in the ninth century the list of women vowed to the service of God included these various classes: virgins, whose solemn consecration was reserved to the bishop, nuns bound by religious profession, deaconesses engaged in the service of the church, and wives or widows of men in Sacred Orders. The nuns sometimes occupied a special house; the enclosure strictly kept in the East, was not considered indispensable in the West. Other monasteries allowed the nuns to go in and out. In Gaul and Spain the novitiate lasted one year for the cloistered nuns and three years for the others. In early times the nuns gave Christian education to orphans, young girls brought by their parents, and especially girls intending to embrace a religious life. Besides those who took the veil of virgins of their own accord, or decided to embrace the religious life, there were others who were offered by their parents before they were old enough to be consulted. In the West under the discipline in force for several centuries, these oblates were considered as bound for life by the offering made by their parents. The profession itself might be expressed or implied. One who put on the religious habit, and lived for some time among the professed, was herself considered as professed. Besides the taking of the veil and simple profession there was also a solemn consecration of virginity which took place much later, at twenty-five years. In the thirteenth century, the Mendicant Orders appeared characterized by a more rigorous poverty, which excluded not only private property, but also the possession of certain kinds of property in common. Under the direction of St. Francis of Assisi, St. Clare founded in 1212 the Second Order of Franciscans. St. Dominic had given a constitution to nuns, even before instituting his Friars Preachers, approved 22 December, 1216. The Carmelites and the Hermits of St. Augustine also had corresponding orders of women; and the same was the case with the Clerks Regular dating from the sixteenth century, except the Society of Jesus.

From the time of the Mendicant Orders, founded specially for preaching and missionary work, there was a great difference between the orders of men and women, arising from the strict enclosure to which women were subjected. This rigorous enclosure usual in the East, was imposed on all nuns in the West, first by bishops and particular councils, and afterwards by the Holy See. Boniface VII (1294-1309) by his constitution "Periculoso", inserted in Canon Law [c. un, De statu regularium, in VI (III, 16)] made it an inviolable law for all professed nuns; and the Council of Trent (sess. XXV, De Reg. et Mon., c. v) confirmed that constitution. Hence it was impossible for religious to undertake works of charity incompatible with the enclosure. The education of young girls alone was permitted to them, and that under somewhat inconvenient conditions. It was also impossible for them to organize on the lines of the Mendicant Orders, that is to say to have a superior general over several houses and members attached to a province rather than to a monastery. The difficulty was sometimes avoided by having tertiary sisters, bound only by simple vows, and dispensed from the enclosure. The Breviary commemorates the services rendered the Order of Mercy by St. Mary of Cervellione. St. Pius V took more radical measures by his constitution "Circa pastoralis", of 25 May, 1566. Not only did he insist on the observance of the constitution of Boniface VIII, and the decree of the Council of Trent, but compelled the tertiaries to accept the obligation of solemn vows with the pontifical enclosure. For nearly three centuries the Holy See refused all approbation to convents bound by simple vows, and Urban VIII by his constitution "Pastoralis" of 31 May, 1631 abolished an English teaching congregation, founded by Mary Ward in 1609, which had simple vows and a superior general.

This strictness led to the foundation of pious associations called secular because they had no perpetual vows, and leading a common life intended for their own personal sanctification and the practice of charity, e.g. the Daughters of Charity, founded by St. Vincent de Paul. The constitution of St. Pius V was not always strictly observed; communities existed approved by bishops, and soon tolerated by the Holy See, new ones were formed with the sanctions of the diocesan authorities. So great were the services rendered by these new communities to the poor, the sick, the young, and even the missions, that the Holy See expressly confirmed several constitutions, but for a long time refused to confirm the congregations themselves, and the formula of commendation or ratification contained this restriction *citra tamen approbationem conservatorii* (without approbation of the congregation). As political difficulties rendered less easy the observance of solemn vows, especially for women, the Holy See from the end of the eighteenth century declined to approve any new congregations with solemn vows, and even suppressed in certain countries, Belgium and France, all solemn professions in the old orders of women. The constitution of Benedict XVI, "Quamvis justo" of 30 April, 1749, on the subject of the Congregation of English Virgins was the prelude to the legislation of Leo XIII, who by his constitution "Conditae" of 8 December, 1900, laid down the laws common to congregations with simple vows, dividing these into two great classes, congregations under diocesan authority, subject to the bishops, and those under pontifical law.

II. VARIOUS KINDS OF NUNS

(1) As regards their object they may be purely contemplative, seeking personal perfection by close union with God; such are most of the strictly enclosed congregations, as Premonstratensian Canonesses, Carmelites, Poor Clares, Collettines, Redemptoristines; or they may combine this with the practice of works of charity, foreign missions, like the White Sisters of Cardinal Lavignerie, and certain Franciscan Tertiaries; the education of young girls, like the Ursulines and Visitandines; the care of the sick, orphans, lunatics, and aged persons, like many of the congregations called Hospitallers, Sisters of Charity, Daughters of St. Vincent de Paul, and Little Sisters of the Poor. When the works of mercy are corporal, and above all carried on outside the convent, the congregations are called active. Teaching communities are classed rather among those leading a mixed life, devoting themselves to works which in themselves require union with God and contemplation. The constitution "Conditae" of Leo XIII (8 December, 1900) charges bishops not to permit sisters to open houses as hotels for the entertainment of strangers of both sexes, and to be extremely careful in authorizing congregations which live on alms, or nurse sick persons at their homes, or maintain infirmaries for the reception of infirm persons of both sexes, or sick priests. The Holy See, by its Regulations (*Normæ*) of 28 June, 1901, declares that it does not approve of congregations whose object is to render certain services in seminaries or colleges for male pupils, or to teach children or young people of both sexes; and it disapproves their undertaking the direct care of young infants, or lying-in women. These services should be given only in exceptional circumstances.

(2) As regards their origin, congregations are either connected with a first order or congregation of men, as in the case of most of the older congregations, Carmelites, Poor Clares, Dominicans, Reformed Cistercians of La Trappe, Redemptoristines etc., or are founded independently, like the Ursulines, Visitandines, and recent institution. In the regulations of 28 June, 1901, Art. 19,52, the Holy See no longer approves of double foundations, which establish a certain subordination of the sisters to similar congregations of men.

(3) As regards their juridical condition, we distinguish (a) nuns properly so-called, having solemn vows with papal enclosure, whose homes are monasteries; (b) nuns belonging to the old approved orders with solemn vows, but taking only simple vows by special dispensation of the Holy See; (c) sisters with simple vows dependent on the Holy See; (d) sisters under diocesan government. The house of sisters under simple vows, and the congregations themselves are canonically called *conservatoria*. These do not always fulfil all the essential conditions of the religious state. Those which do are more correctly called religious congregations than the others, which are called *piae congregationes*, *piae societates* (pious congregations or pious societies.) Nuns of the Latin Church only are considered here.

III. NUNS PROPERLY SO CALLED

Nuns properly so-called have solemn vows with a strict enclosure, regulated by pontifical law which prevents the religious from going out (except in very rare cases, approved by the regular superior and the bishop), and also the entrance of strangers, even females, under pain of excommunication. Even admission to the grated parlor is not free, and interviews with regulars are subject to stringent rules. Though some mitigations have been introduced partly by local usage, partly (in the case of certain convents in America) by express concession of the Holy See. The building should be so arranged that the inner courts and gardens cannot be overlooked from outside, and the windows should not open on the public road. By the fact of their enclosure, these monasteries are independent of one another. At the head of the community is a superior often called the abbess, appointed for life by the chapter, at least outside Italy, for in Italy, and especially in the two Sicilies, the constitution "Exposcit debitum" (1 January, 1583) of Gregory XIII requires that they should be re-elected every three years (see "Periodica de Religiosis", n. 420, vol. 4, 158). The election must be confirmed by the prelate to whom the monastery is subject, the pope, the bishop, or the regular prelate. The bishop presides over the ballot, except in the case of nuns subject to regulars, and he has always the right to be present at the election. The president collects the votes at the grating. Without having jurisdiction, the abbess exercises authority over all in the house, and commands in virtue of their vows. Monasteries not exempt are subject to the jurisdiction of the bishop; exempt monasteries are placed, some under the immediate authority of the Holy See, others under that of a regular First Order. In the absence of any other formal direction, the Holy See is understood to delegate to the bishop the annual visitation of monasteries immediately subject to the pope, to the exclusion of other superiors. This visitation is made by the regular prelate in the case of monasteries dependent on a First Order; but the bishop has in all cases authority to insist on the maintenance of the enclosure, and to control the temporal administration; he also approves the confessors.

The erection of a monastery requires the consent of the bishop, and (at least in practice nowadays) of the Holy See. The bishop, by himself, or in consultation with the regular superior, determines the number of nuns who can be received according to the amount of their ordinary revenues. The recent Council of Bishops of Latin America, at Rome in 1899, required that the number should not be less than twelve. It is sometimes permitted to receive a certain number of supernumeraries who pay a double dowry, never less than four hundred crowns, and remain supernumeraries all their lives. According to the decree of 23 May, 1659, candidates must be at least fifteen years old. The decree "Sanctissimus" of 4 January, 1910, annuls the admission to the novitiate or to any vows, if granted without the consent of the Holy See, of pupils expelled for any grave reason from a secular school, or for any reason whatever from any institution pre-

paratory to the religious life, or of former novices or professed sisters expelled from their convents. Professed sisters dispensed from their vows cannot, without the consent of the Holy See, enter any congregation, but the one they have quitted (see *NOVICE*; *POSTULANT*; “*Periodica de Religiosis*”, n. 368, vol. 5, 98). The admission is made by the chapter, but, before the clothing, and also before the solemn profession, it is the duty of the bishop, by himself or (if he is prevented) by his vicar-general or some person delegated by either of them, to inquire into the question of the candidate’s religious vocation, and especially as to her freedom of choice. The candidate must provide a dowry of at least two hundred crowns unless the founder consents to accept a smaller sum. With certain exceptions, the dowry of choir sisters cannot be dispensed with; it must be paid before the clothing, and invested in some safe and profitable manner. On solemn profession, it becomes the property of the convent, which has, however, no right of alienation; it is returned as a matter of equity to a religious who enters another order, or to one who returns to the world and is in want.

After the novitiate the religious cannot at first, according to the decree “*Perpensis*” of 3 May, 1902, take any but simple vows whether perpetual or for a year only, if it is customary to take annual vows. The admission to vows is made by the chapter, with the consent of the regular superior or the bishop. Some writers hold that the bishop is bound, before this profession, to make a fresh inquiry into the vocation of the novice, and this inquiry does not dispense from that which the Council of Trent prescribes before solemn profession (see the answer of 19 January, 1909; “*Periodica de Religiosis*”, n. 317, vol. 4, 341.) This period of simple vows ordinarily lasts for three years, but the bishop or the regular prelate may prolong it in the case of nuns who are under twenty-five years. During this period, the religious keeps her property, but makes over the administration of it to any one she may choose. She is bound to the rules and the choir, but not to the private recitation of the Divine Office; she can take part in chapters, except in those in which others are admitted to vows; she cannot be elected superior, mother-vicess, mistress of novices, assistant, counsellor, or treasurer. She participates in all the indulgences and spiritual privileges of those who have taken their solemn vows; and although the solemnly professed take precedence, once the solemn profession is made, the seniority is regulated by the date of simple profession, without regard to any delay in proceeding to solemn profession. The dispensation of vows and dismissal of nuns are reserved to the Holy See. The outward solemnity of profession takes place at the first simple profession, the other takes place without any solemnity. Only the prelate or the ordinary can admit to the latter, but a consultative chapter is held, whose decision is announced by the superior. Solemn profession carries with it the inability to possess property (except in case of a papal indult such as that enjoyed by Belgium and perhaps Holland), annuls a marriage previously contracted but not consummated, and creates a diriment impediment to any subsequent marriage. Nuns are generally obliged to recite the Divine office, like religious orders of men; but the Visitandines and some monasteries of Ursulines recite only the Little Office of the Blessed Virgin, even in choir. The obligation of this office, even choral, does not bind under pain of mortal sin, as the Holy See has declared for the Ursulines; whether it can be omitted without venial sin depends apparently upon the constitutions.

The bishop appoints the ordinary confessor, also the extraordinary or additional confessors of monasteries subject to him, and approves the confessor nominated by the regular prelate of a monastery subject to a First Order. The approbation for one monastery is not valid for another. As a rule there should be only one ordinary confessor, who should be changed every three years. Since the Council of Trent (Sess. XXV De Reg., c. x), a confessor extraordinary should visit the

monastery two or three times a year. Benedict XIV, by his Bull "Pastoralis" of 5 August, 1748, insisted on the appointment of a confessor extraordinary, and also on the provision of facilities for sick nuns. More recently, the decree "Quem ad modum" of 17 October, 1890, ordains that, without asking for any reason, a superior shall allow her subjects to confess to any priest among those authorized by the bishops, as often as they think it necessary for their spiritual necessities. Besides the ordinary or extraordinary confessors, there are additional confessors, of whom the bishop must appoint a sufficient number. The ordinary confessor cannot be a religious except for monasteries of the same order as himself; and in that case the extraordinary confessor cannot belong to the same order. The same decree gives to confessors the exclusive right of regulating the communions of the nuns, who have the privilege of communicating daily since the decree "Sacra Tridentina" of 20 December, 1905 (see "Periodica de Religiosis", n 110, vol. 2, 66), and it forbids superiors to interfere unasked in questions of conscience. The subjects are free to open their minds to their superiors but the latter must not, directly or indirectly, demand or invite such confidence.

IV. NUNS OF THE OLD ORDERS WITHOUT SOLEMN VOWS

Since the French Revolution, various answers of the Holy See have gradually made it clear that neither in Belgium nor in France are there any longer monasteries of women subject to papal enclosure, or bound by solemn vows. (Cf. for France the reply of the Penitentiary of 23 December, 1835; for Belgium the declaration of the Apostolic visitor Corselis of 1836; Bizzarri, "Collectanea, 1st ed., p. 504, note; Bouix, "De regularibus", vol. 2, 123 sq.). After long deliberation, the Sacred Congregation of Bishops and Regulars decided (cf. letter of 2 September, 1864, to the Archbishop of Baltimore) that in the United States nuns were under simple vows only, except the Visitandines of Georgetown, Mobile, Kaskaskia, St. Louis, and Baltimore, who made solemn profession by virtue of special rescripts. It added that without special indult the vows should be simple in all convents erected in the future. Since then the monastery of Kaskaskia has been suppressed. The Holy See permitted the erection of a monastery of Visitandines with solemn vows at Springfield (Missouri). According to the same letter, the Visitandines with solemn vows must pass five years of simple vows before proceeding to solemn profession (Bizzarri, "Collectanea", 1st ed., 778-91). Except in the case of a pontifical indult placing them in subjection to a first order these nuns are bound by the following rules: (a) The bishop has full jurisdiction over them; he may dispense from all constitutions not reserved to the Holy See, and from particular impediments to admission, but may not modify the constitutions. The vows are reserved to the Holy See, but the French bishops have received power to dispense from all vows except that of chastity. The bishop presides and confirms all elections, and has the right to require an account of the temporal administration. (b) The superior retains such power as is adapted to the vows and the necessities of community life. (c) The obligation of the Divine Office is such as imposed by the rule; the enclosure is of episcopal law. (d) The vow of poverty does not prevent the possession of property. As a rule, disposition of property "inter vivos" and by will cannot be licitly made without the consent of the superior or the bishop. Unless forbidden by the bishop, the superior may permit the execution of such instruments as are necessary for the purpose. (e) Indulgences and spiritual privileges (among which may be reckoned the use of a special calendar) remain intact. (f) In principle, the prelate of the First Order is without authority over the nuns.

V. RELIGIOUS CONGREGATIONS AND PIOUS SOCIETIES UNDER PONTIFICAL AUTHORITY

(a) Congregations

Since the constitution “*Conditæ*” of 8 December, 1900, and the Regulations of 28 June, 1901, we possess precise rules by which to distinguish the congregations governed by pontifical law. Before formally approving a congregation and its constitutions, the Holy See is accustomed to give its commendation first to the intentions of its founders and the purpose of the foundation, and then to the congregation itself. The second decree of commendation has the effect of bringing the congregation into the number of those which are governed by pontifical law, and especially by the second part of the constitution “*Conditæ*”. Bizzarri in his “*Collectanea*” gives a list of congregations so commended up to 1864 (1st ed., 864 sqq.). This approbation is not usually granted until the congregation has existed for some time under the authority of the bishop. The congregations are constituted on the model of the newer religious orders, that is to say they group several houses, each governed by a local superior, under the indirect authority of a superior general; many, but not all, are divided into provinces. Many form communities of tertiaries, who as such have a share in the spiritual privileges of the order to which they are affiliated. Except in the case of a special privilege, like that which places the Daughters of Charity under the Superior General of the Priests of the Mission (see decree of 25 May, 1888) the Holy See no longer permits a bishop, or the delegate of a bishop, or the superior general of a congregation of men to be superior over a congregation of sisters. Before the regulations of 1901 the rules of new congregations differed in many respects. The details of internal government which follow apply to newly established congregations rather than to older ones, like the Ladies of the Sacred Heart.

The government of the congregations is vested in the general chapter, and in the superior general assisted by a council with certain rights reserved to the bishops, under protection and supreme direction of the Sacred Congregation of Religious. This is the only competent Congregation since the reform of the Roman Curia by the constitution “*Sapienti*” of 29 June, 1908. The general chapter includes in all cases the superior general, her counsellors, the secretary general, the treasurer general, and if the congregation is divided into provinces, the provincial superiors, and two delegates from each province, elected by the provincial chapter. If there are no provinces, the general chapter includes (besides those mentioned above) all superiors of houses containing more than twelve nuns, accompanied by one religious under perpetual vows elected by all the professed sisters (including those under temporary vows) of such houses. The less important houses are grouped among themselves for this election, or annexed to a principal house. This chapter ordinarily meets every six or twelve years, being summoned by the superior general or mother vicaress; but an extraordinary meeting may be called on the occurrence in the vacancy in the office of superior, or for any other grave reason approved by the Holy See. The general chapter elects by an absolute majority of votes in secret ballot the superior general, the counsellors or assistants general, the secretary general, and the treasurer general, and deliberates on important matters affecting the congregation. In many cases especially when there is a question of modifying the constitutions, the permission and confirmation of the Holy See are required. The capitular decrees remain in force till the next chapter. The bishop as delegate of the Holy See, presides over the elections in person or by his representative. After the ballot he declares the election valid, and announces the result. The provincial chapter, composed of the provincial, the superiors of houses containing at least twelve nuns, and a delegate from each provincial house

(as above) has no office, according to common law, but to depute two sisters to the general chapter.

The superior general is elected for six or twelve years; in the former case she may be re-elected but for a third consecutive term of six years, or a second of twelve years, she must receive two-thirds of the votes, and the consent of the Holy See. She may not resign her office except with the consent of the Sacred Congregation, which has the power to depose her. The house in which she resides is considered the mother-house, and the permission of the Holy See is necessary for a change of residence. She governs the congregation according to the approved constitutions, and is bound to make a visitation either personally or by a deputy, to exercise a general control over the temporal administration, and to submit to the Sacred Congregation an official report countersigned by the ordinary of the principal house. (See the instruction accompanying the decree of 16 July, 1906, "Periodica de Religiosis", n. 124, vol. 2, 128 sqq.). The superior general nominates to the different non-elective offices, and decides the place of residence of all her subjects. The counsellors general assist the superior general with their advice, and in many matters the consent of the majority is required. Two of them must live with the superior general, and the rest must be accessible. According to the regulations of 1901, the approval of the general council is required for the erection and suppression of houses, the erection and transfer of novitiates, the erection of new provinces, the principal nominations, the retention of a local superior for longer than the usual term of office, the dismissal of a sister or novice, the deposition of a superior, mistress of novices or counsellor, the provisional appointment of a counsellor deceased or deprived of office, the nomination of a visitor not a member of the council, the choice of a meeting place of the general chapter, the change of residence of the superior general, the execution of all contracts, the auditing of accounts, all pecuniary engagements, the sale or mortgage of immovable property, and the sale of moveable property of great value. For an election there must be a full meeting of the council, and provision must be made to replace any members who are prevented from attending. In case of a tie, the superior has a casting vote.

The secretary general keeps the minutes of proceedings, and has charge of the archives. The treasurer general administers the property of the whole congregation. The provinces and the houses have also their own property. The Holy See insists that the safes containing valuables shall have three locks, the keys of which shall be kept by the superior, the treasurer, and the oldest of the counsellors. In her administration the treasurer must be guided by the complicated rules of the recent instruction "inter ca" of 30 July, 1909, which refer especially to pecuniary engagements. The consent of the Holy See is required before any liability can be incurred exceeding ten thousand francs, and in case of smaller liabilities than this but still of any considerable amount, the superiors must take the advice of their councils. A council should at once be appointed if there is none already existing (cf. "Periodica de Religiosis", n. 331, vol. 5, 11 sqq.). The bishop must test the vocation of postulants before they take the veil, and before profession; he presides over chapters of election, permits or forbids collections from door to door; is responsible for the observance of partial enclosure, such as is compatible with the objects of the congregation. No house can be established without his consent. To him also belongs the supreme spiritual direction of the communities, and the nomination of the chaplain and confessors. The Holy See reserves to itself the vows, even temporary ones. The dismissal of a professed sister under perpetual vows must be ratified by the Holy See. The dismissal of a novice or of a professed sister under temporary vows is within the power of the general council, if justified by grave reasons; but this dismissal does not relieve from vows for which recourse must be had to the Holy See. The Holy See

alone can authorize the suppression of houses, the erection or transfer of a novitiate, the erection of a province, the transfer of a mother-house, and any important alienations of property, and borrowings above a certain sum.

The Holy See permits, though it does not make obligatory, the division of a community into choir sisters or teaching sisters, and lay sisters. Though not opposed to the formation of associations which help the work of the congregation and have a share in its merits, it forbids the establishment of new third orders. A period of temporary vows should precede the taking of perpetual vows. Such is the general law. At the expiration of the term, temporary vows must be renewed. The vow of poverty does not generally forbid the acquisition and retention of rights over property, but only its free use and disposal. A dowry is generally required, of which the community receives the income only, until the death of the sister, and the fruits of their labours belong entirely to the congregation. The vow of chastity creates only a prohibitory impediment to marriage. The bishops generally regulate the confessions of the religious under simple vows, by the same rules as those of nuns in strict enclosure; but in public churches sisters may go to any approved confessor. In all that concerns communions and direction of conscience, the decrees "Quem ad modum" and "Sacra Tridentina" apply to these congregations as well as to monasteries of nuns. These religious congregations have not generally any obligation of choir, but recite the Little Office of the Blessed Virgin and other prayers. They are bound to make a daily meditation of at least half an hour in the morning, sometimes of another half hour in the evening, and an annual retreat of eight days.

(b) Pious societies which can only be called congregations by a wide extension of the word, are those which have no perpetual vows, such as the Daughters of Charity, who are free for one day in each year, or those which, if they have perpetual vows, have no outward sign by which they can be recognized: this single fact is sufficient to deprive them of the character of religious congregations (see answer of 11 August, 1889, "De Religiosis Institutis", vol. 2, n. 13).

VI. DIOCESAN CONGREGATIONS

For a long time the bishops had great latitude in approving new congregations, and gave canonical existence to various charitable institutions. In order to avoid an excessive increase in their number, Pius X by his Motu Proprio "Dei Providentis" of 16 July, 1906, required the previous authorization of the Sacred Congregation before the bishop could establish, or allow to be established any new diocesan institution; and the Sacred Congregation refuses to authorize any new creation except after approval of the title, habit, object, and work of the proposed community, and forbids that any substantial change should be made without its authority. Notwithstanding that pontifical intervention, the congregation remains diocesan. The bishop approves the constitutions only in so far as they are in accordance with the rules approved by the Holy See. As it remains diocesan we may conclude that the Roman disciplinary decrees do not affect it unless this is clearly stated. Diocesan congregations have the bishop as their first superior. It is his duty to control admissions, authorize dismissals, and dispense from vows, except that one reserved to the Holy See, the absolute and perpetual vow of chastity. He must be careful not to infringe the rights acquired by the community. Not only does he preside over elections but he confirms or annuls them, and may in case of necessity depose the superior, and make provision for filling the vacancy. These congregations are sometimes composed of houses independent of one another; this is frequently the case with Sisters Hospitallers, and sometimes several houses and local su-

periors are grouped under one superior general. Some of the congregations are confined to one diocese, while others extend to several dioceses: in the latter case, each diocesan ordinary has under him the houses in his dioceses with power to authorize or suppress them. The congregation itself depends on the concurrence of the bishops in whose dioceses any houses are situated; and this concurrence is necessary for its suppression. Such is the common law of the constitution "Conditæ". Before it can spread into another diocese, a diocesan congregation must have the consent of the bishop to whom it is subject, and often by agreement among bishops a real superiority is reserved to the bishop of the diocese of origin. As to the laws by which they are governed, a great number of congregations, especially those devoted to the care of the sick in hospitals, follow the rule of St. Augustine and have special constitutions; others have only constitutions peculiar to themselves; others again form communities of tertiaries. The curious institution of Beguines still flourishes in a few cities of Belgium.

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