

## **STATUTE on FOUNDATIONS**

Updated and approved by the General Chapter of 2011 vote 27 and 27 bis

and with revisions regarding the single chapter by the Law Commission.

Updated again after the General Chapter of 2022.

- 1.** Divine Providence can, by means of different signs, invite a community to spread the Cistercian way of life. Since, according to the Order's tradition, a foundation is always one community's act of transmitting Cistercian life through the creation of another, a personal project can never be a foundation unless it is taken on by the community. It is the Abbot/Abbess who first discerns these signs of Divine Providence and, when he or she believes it is opportune to begin a discernment in the community, the matter is brought to his/her council.
- 2.** The Abbot /Abbess then presents the contents and the conclusions of the deliberations of the council to the reflection of the community and asks the advice of the brothers/ sisters as well as their prayers. He/she also consults the Father Immediate.
- 3.** The Abbot /Abbess, and the community, take into consideration the following aspects:
  - a.** The possibilities and capacities of the community as regards both qualified personnel and material resources, not only in view of making the foundation itself, but also of fostering its growth, since the founding community is committed to supplying the necessary material and spiritual support and personnel until the foundation attains the rank of Major Priory or Abbey.
  - b.** The advice of the Abbots and Abbesses of the Region where the foundation is being considered, and of others who have made foundations in similar circumstances. Inquiry should be made about other forms of monastic life in the same Region.
  - c.** The possibilities of local vocations as well as the religious, cultural, political, economic and climatic situation. Of special importance is to ascertain the attitude of the local Church and its Bishop.

## **I - PREPARATI ON**

4. When the Abbot /Abbess judges that the possibilities have been studied sufficiently, he/ she presents the conclusion to the conventual chapter and seeks its consent to take the concrete steps that would lead to a foundation. The consent is expressed by an absolute majority vote. By this vote the community accepts to give the necessary support to move towards a foundation while not at this time committing itself to one. It is a period of preparation which can unfold in different ways.

The Abbot/Abbess informs the General Chapter of the project and keeps the community and the Father Immediate abreast of the developments at all stages of the process.

5. A concrete step in preparing a foundation could consist in bringing candidates from the place of the future foundation to the community for formation, and this with the understanding that they may return as members of the foundation, subject to the judgement of the Abbot /Abbess.

6. Another possibility would be to send monks/nuns out to prepare the foundation, which could include studying the language and customs of the place. This group would be considered a religious house following Canon 608. To do this, the authorization of the local Ordinary is required. The building of the monastery can only begin once the General Chapter has approved the foundation.

## **I I - FOUNDATI ON**

7. When the Abbot /Abbess and the community judge that the situation is sufficiently mature to establish a foundation, the Abbot /Abbess sends a detailed report to the Father Immediate. He/she also asks for the consent of the Bishop of the place to be given in writing. In the case of a foundation of nuns, an Abbot of the Order, with the consent of his conventual chapter, should have accepted to assume the paternity of the foundation when it will accede to autonomy. The General Chapter ratifies this choice. Until then, the Father Immediate of the founding house acts as the Father Immediate of the foundation.

8. Before making the final decision, the Abbot /Abbess presents the documents mentioned in no.7 to his/her community and asks the consent of the conventual chapter with a two-thirds vote. The foundation can be recognized as such only after the approval of the General Chapter. Thus, the community assumes before the Order and the Church the responsibility of setting up a new Cistercian community.

- a.** The founding community commits itself to give spiritual and material support until the new foundation attains the rank of Major Priory or Abbey.
- b.** With the help of his/her council, the Abbot/Abbess chooses the superior of the foundation. Then, with his/her council and the designated superior, they agree on the choice of the monks/nuns to be sent. The latter must freely adhere in writing to the foundation project. (GC 2022/2, vote 78)
- c.** In this group there must be at least six professed monks/nuns, including the superior, but experience shows that this number is the bare minimum necessary for lasting growth. Among these persons, there should, in addition to the superior, be someone who is able to be novice director and someone who is able to be cellarer. Special care is taken to send qualified persons who desire to give their life in the foundation and have already developed a certain degree of unity with the superior before setting out.
- 9.** The foundation can be recognized as such only after the approval of the General Chapter. In doing this the Abbots and Abbesses welcome the new foundation into the communion of charity which unites all monasteries of the Order, and they commit themselves according to their possibilities to assist it in a fraternal way. This approbation can be asked from the Abbot General who can give it with the consent of the Central Commission when it acts as the plenary Council of the Abbot General. In every case, the request is accompanied with a succinct report on the foundation.
- 10.** Following a tradition as old as the Order itself, all houses are founded under the name and patronage of the Virgin Mary, Queen of heaven and earth.
- 11.** The place should be sufficiently set up and provided with the necessities of life as to permit the founding group to lead a regular life. Taking into account the needs of progressive adaptation to the new country, especially the necessity to learn the language of that country, the regular enclosure is set up as soon as possible.
- 12.** When the installation has been judged to be sufficient, a date is fixed for a liturgical ceremony which officially dedicates the foundation. The Abbot /Abbess founder draws up the act of foundation, and sends a copy to the Abbot General, and he/she informs all the houses of the Order.
- 13.** The founders remain members of their community of origin and

retain capitular rights there; they are prudent in the exercise of these rights until the foundation reaches autonomy. The abbot/abbess founder remains the Major Superior of the foundation; (GC 2022/2, vote 82) however, he/she delegates as much authority as possible to the local superior. The latter is assisted by a council in the spirit of Chapter 3 of the Rule of St Benedict and Constitutions 36 - 38 and 43.2. The Father Immediate of the founding house is also the Father Immediate of the members of the foundation. However, in the case of a monastery of nuns he can delegate his powers to another Superior of the Order, especially if it is foreseen that the foundation will have this other Superior as Father Immediate at the moment of autonomy (Cf. n.7). He consults beforehand with the interested communities. It belongs to the Father Immediate or to the Visitor of the founding house to extend the Visitation of the latter to the foundation.

#### **14.**

**a.** The foundation can obtain from the Abbot General, with the consent of his council, the authorization to open a novitiate. The mother house, however, is careful to ensure a solid formation at the foundation.

**b.** The superior of the foundation presents candidates for temporary profession with the consent of the Abbot/Abbess founder. The right of vote for the admission to simple profession belongs to the members of the foundation from the founding house who are solemnly professed. The Abbot/Abbess founder can delegate to the superior the power to receive the profession.

**c.** The foundation usually waits until autonomy before accepting new members to solemn profession. Nevertheless, if conditions do not allow this, the Abbot/Abbess founder, with the consent of the conventual chapter of the mother house, can decide to accept solemn professions in the foundation.

It then falls to the conventual chapter of the mother house:

- either to delegate to the solemnly professed of the foundation who have voting rights the exercise of its voting rights for the admission of the candidate,
- or to express its vote after having received the consent of the solemnly professed of the foundation who have voting rights.

#### **I I I - AUTONOMY AND RANK**

**15.** In the Cistercian tradition, the monasteries are autonomous.

Foundations may move to full autonomy in stages, and they are encouraged to advance through these stages without unnecessary delays. When the Abbot /Abbess of the founding house judges that the foundation has sufficiently taken hold, he/she can proceed to the erection of the foundation into an autonomous house. The autonomous house can be an Abbey or a Priory and a Priory can be either Simple or Major. From the canonical point of view, autonomy is the same in the three cases. However, the Simple Priory continues to benefit from the assistance of the founding house in matters of personnel and the material resources (ST 5.A.b.).

**a.** The conditions for becoming a Simple Priory are:

- to have at least six professed monks/ nuns who are ready to change their stability, among whom some may be temporary professed, in addition to some novices coming to the end of their probation,
- to have sufficient buildings to make a regular life possible,
- to have the means of subsistence which cover an important part of the needs of the community and allow thinking of economic independence (taking into account, however, the particular economic circumstances of the region).

**b.** The conditions for becoming a Major Priory are:

- to have at least eight professed monks/nuns, of which six are solemn professed who are ready to make their stability there, if they have not already done so. Except under special circumstances, at least some of them should be from the country itself,
- to have full economic independence (taking into account, however, the particular economic circumstances of the region).

**c.** The conditions for becoming an Abbey are :

- to have at least twelve solemnly professed, besides the Superior, ready to make their stability there, if they have not already done. Except under special circumstances, at least an important number of them should be from the country itself,
- to show clear signs of having become definitely and fully rooted in the country,
- to have acquired full economic independence (taking into account, however, the particular economic circumstances of the region).

**16.** Before a foundation obtains autonomy:

- a.** The Superior of the founding house asks the advice of the Father Immediate. In the case of a foundation of nuns, if another Father Immediate is foreseen (cf. n° 7 and n° 13) he is also consulted.
- b.** The monks/nuns of the foundation give their consent with a two-thirds vote. The result of this vote is communicated to the conventual chapter of the founding house which then votes. The result of the vote of the foundation is added to the result of the vote of the founding house, and the global result must have acquired a two-thirds majority.
- c.** These results accompanied with a brief report on the state of the foundation are communicated to the General Chapter in order to obtain its approval.
- d.** For the foundations of nuns, the permission of the Holy See is also required.

**17.** The erection into an autonomous house is celebrated in a solemn way:

- a.** The official declaration of autonomy is read by the Abbot/Abbess of the founding house, and in the case of nuns, in the presence of the Father Immediate if possible.
- b.** The monks/nuns who freely wish to do so change their stability publicly on the same day, if possible, during the celebration of the Eucharist.
- c.** The first titular Superior is elected within a maximum delay of three months, in conformity with the CST 39 4.
- d.** The Father Immediate informs all the houses of the Order of this event and at the same time communicates the news of the election of the new Superior.
- e.** The Abbot/Abbess-founder cannot ask for reimbursement from his/her daughter house for the funds invested in the foundation.
- f.** If a religious who has changed his/her stability desires to take up his former stability again, the procedure described in CST 60 is followed.

**18.** Passage from a Priory to a higher rank:

- a.** To pass from the status of a Simple Priory to that of a Major

Priory or an Abbey – or to pass from the status of a Major Priory to that of an Abbey – the following are required: the consent of the conventual chapter of the Priory with a two thirds majority, the agreement of the Father Immediate (and of the Abbess of the founding house in the case of a monastery of nuns) as well as the consent of the General Chapter, which, in an urgent case or for serious reasons, can be given by the Abbot General with the consent of his Council.

**b.** The event is celebrated, and the news is communicated to the Order as for the erection of an autonomous house (cf. n° 17.d.). It is the Father Immediate, or the Abbess of the founding house in the case of the nuns, who reads the declaration.

#### **19. The Superior:**

**a.** The titular Prior/Prioress of a Simple Priory is elected for six years. The titular Prior/Prioress of a Major Priory and the Abbot/Abbess of an Abbey are elected for either an indefinite term or for six years according to the choice of the community (cf.C 39.4). In the first election taking place after the erection to a Simple Priory and until the moment when the community becomes a Major Priory, the right to vote may be given to the temporary professed who already

have at least three years of profession, with the consent of the conventual chapter (ST 39.2.A)

**b.** From the moment when a Simple Priory or a Major Priory having a Prior/Prioress elected for a definite term, passes to the rank of Abbey, the office is vacant. This erection is done preferably at the end of the six years' term of office. On the contrary, if the Superior of a Major Priory is elected for an indefinite term, he/she remains in office and receives the Abbatial blessing.

#### **19bis.**

If after fifteen years an approved foundation has not attained autonomy, the General chapter, having heard the Superior of the founding monastery and the Father Immediate, must assess whether there is a well-founded hope of continuing the foundation to reach canonical autonomy, or whether to decree its closure. (GC 2022/2, vote 83)

**20.** If it becomes necessary to close a foundation, the authorization of the General Chapter must be obtained. In an urgent case this authorization may be given by the Abbot General with the consent of his Council. In every case, the Abbot/Abbess who is requesting the closure must consult the conventual chapter of the founding house and the members of the foundation.

## **SOME CONNECTED QUESTIONS**

### **I - TRANSFER of an autonomous house**

**21.** When special circumstances require it, a monastery can change its place of implantation. This requires:

**a.** The consent of the conventual chapter expressed by a two-thirds vote and the advice of the Father Immediate.

**b.** The written approval of the Bishop of the new diocese where the transfer is to be made. Even if the transfer is made within the same diocese, the authorization of the Bishop of the place is still necessary (cf. canon 1223). The Bishop of the place from where the transfer is being made is to be informed in good time.

**c.** The approval of the General Chapter.

**22.** The transfer modifies nothing of the juridical status of the monastery. The monks/nuns do not make a new stability.

### **I I - ANNEX HOUSE**

**23.** For special reasons an autonomous house can set up an annex house.

**24.** The annex house is a legitimately established house according to the norms of Canon 608, and depends totally on the monastery from which it comes. The Abbot /Abbess of the monastery is the Superior of the annex house.

**25.** The conventual chapter must examine the reasons and the usefulness of such a house and express its consent by two-thirds majority. The Father Immediate must be consulted on the opportuneness of this establishment. The agreement of the Bishop of the place where it is planned to open an annex house is required. The General Chapter is informed. However, if the same community wishes to establish more than one annex house, the approval of the

General Chapter is required in each case.

**26.** The annex house is not a foundation. It does not have the right



to receive postulants or novices or to be represented at the General Chapter.

**27.** It belongs to the Visitor to extend his visit to the annex house and to appraise its situation.

### **I I I - INCORPORATION**

**28.** It can happen that a monastic community without any juridical bond with the Order sets up relations with a monastery and from this comes the desire for a more complete sharing in the patrimony and the structure of the Order, by incorporation.

**29.** The community which desires to be incorporated into the Order should show some important characteristics of the Rule of St. Benedict and the Cistercian tradition, such as a stable common life under a Superior, prayer, liturgical life and work associated with silence and solitude.

**30.** To help a community in view of its incorporation into the Order, a Superior of the Order should obtain the consent of his/her conventual chapter by an absolute majority vote, on the means to be taken for giving this assistance. Special care should be given to formation in the Cistercian way of life according to the Constitutions of the Order. An experienced monk or nun should live in the community for at least one year to guarantee that the Community seeking

incorporation has an adequate understanding of enclosure, poverty, chastity, stability and obedience.

**31.** In order that a community might be incorporated into the Order, it must present its request to the General Chapter. All the conditions required for the setting up of a Priory or an Abbey, must be fulfilled according to the rank which this community has at the time of the incorporation.

### **IV - SUPPORT OF FOUNDATION BY SEVERAL HOUSES OF THE ORDER**

**32.** Several houses may join together to make a foundation or to help one already in existence.

**33.** One of the houses shall assume the functions of mother house, following what is laid down in this Statute and in the case of a foundation of nuns, a monastery of monks will accept the paternity. Nevertheless, each house involved is to participate actively in discernment at each stage of the foundation.

**34.** The collaboration between the houses and its specific mode must be approved by the conventual chapters of these communities by deliberative canonical votes, whether it is a matter of making a foundation or of helping one already in existence.

**35.** The agreements between the houses may include a commitment to help in personnel, in the economy, in the area of formation, etc., in either a permanent or a temporary way.

**36.** In order that such a foundation be approved, it must have at least six professed (Statute n° 8) in addition to those who are there for assistance on a temporary basis.

**37.** The function of the associated houses shall cease when the foundation attains the rank of Major Priory, or before, according to the approved agreement.