

der Seelsorge und das nicht selten abstoßende sittliche Fehlverhalten vieler Kleriker zu einer Entfremdung gerade religiös sensibler Frauen von der Kirche».

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Eugene J. HAYES, O. Praem., *Rightful Autonomy of Life and Charism in the Proper Law of the Norbertine Order*. Doctoral dissertation submitted to the Faculty of Canon Law at the Catholic University of America, Washington, D.C., 1990, 600 p.

In its treatment of consecrated life, the Second Vatican Council underlined the divine origin and charismatic nature of the various forms of religious life. Based upon this theological foundation, the Council enunciated as principles for renewal the need for all religious institutes to return to the original gift of their founders and preserve or recover the various elements of their spiritual patrimony. In order to provide for the on going implementation of the conciliar program, the 1983 Code of Canon Law recognizes for all institutes of consecrated life a rightful autonomy of life. This autonomy insures not only that institutes enjoy a certain self determination but that through various means, especially their own proper law, institutes are able to protect the elements of their institutional charism.

In his work Eugene J. Hayes uses the context described above not only to analyze the meaning of rightful autonomy of life for institutes of consecrated life but also to evaluate the eight major codifications of Norbertine constitutional law from the point of view of protection of the Norbertine charism.

The first part of the study, consisting of four chapters, traces ecclesial concern for the spiritual patrimony of religious institutes from the period of the Council to the promulgation of the 1983 Code. Using the *Acta Synodalia* as the primary source the author shows quite clearly the rather consistent concern of the council fathers for the protection of the founding charism of religious institutes. This background is invaluable in interpreting what finally appeared in the conciliar as well as post conciliar documentation on religious life.

Within this context the author then proceeds to give a very detailed history and analysis of the same ecclesial concern for institutional charism as it manifested itself during the process of the revision of the Church's law and the formulation of the various canons touching on rightful autonomy and charism which would appear in the 1983 legislation. Since the author is dealing with a process which took over ten years, his analysis of the various formulations of the canons becomes quite detailed at times as he explains the reasons for the changes in phrases, or the omission or additions of others.

The fourth chapter is a commentary on the present canon law concerning rightful autonomy and its related issues: the elements of spiritual patrimony; the role of proper constitutional law; subjects of rightful autonomy; gradations (including an interesting section on the topic of exemption); the extent of rightful autonomy outside the inner life of institutes; and responsibility of hierarchical and institutional authority. As a study in canon law, this fourth chapter represents the heart of the first part of the dissertation and gives an excellent commentary on current Church law, a commentary which could profitably be read by any religious interested in the preservation of the founding gift of institutes of consecrated life.

The second part of the study takes as its point of departure the contemporary canonical emphasis upon proper law as the preeminent means by which the elements of institutional charism are protected. Using these elements as presented in current ecclesiastical law, the author applies them to the eight major codifications of the Order's constitutional law with a view toward determining the degree to which they juridically specified and protected the Order's charism.

As introduction to this second part of the study, the fifth chapter of the dissertation is devoted to the presentation of the legislative overview and historical context of each of the Order's various collections of constitutional law. In a way which will be appreciated by anyone interested in the life of the Norbertine Order, the author provides a well documented exposition (probably the first such attempt, of its kind) of the Order's legislative tradition illuminated by the historical highlights of each of the periods in which the statutes were formulated.

In the remaining seven chapters Eugene Hayes then analyzes the juridical specifications of the Order's nature, purpose, character, spirit and sound traditions, as they have appeared in the eight formulations of the statutes or constitutions. With a methodical and clear style, he shows the remarkable continuity which for the most part has characterized the legislative texts of the Order. In this regard he has some particularly harsh criticism of the Statutes of 1947. As regards the current Constitutions he raises some points which will probably be of interest to the Order's Commission for the revision of the Constitutions.

E. Hayes' doctoral dissertation merited the grade of excellent from the Catholic University. While not all of it will be equally interesting to members of the Order, it is a work which has made a great contribution to the realm of scholarly research in English concerning the Order's law, past and present, a contribution hopefully appreciated by all segments of the Order. Its importance rests not only in the scientific investigation and analysis which it contains but also in its possible role as a catalyst for future studies of aspects of the Order's institutional charism and legislative tradition. We await impatiently the edition of this wonderful work.