

highest achievement of all women, as though women had a biologically determined 'essence' anyway—a deeply counter-creative proposal. It should be the task of married Christians now to find some alternative to the nuclear family (one keeps coming back to communes)¹ as the first step forward, an alternative not based on the dominative and possessive ethic of capitalist society, but on the principles enunciated above by Aquinas. Naturally this will not be fully realized in practice (yet), but unless we start we shall never get there. Only if we take some such steps, and go on from there to struggle at both local and national level for the liberation of all of us from the multifarious oppressions we suffer, will Christian marriage be experienced as the scandal and revolutionary critique of society that it should be, and instead of being the focus of the oppressed condition of women, actually provide a sound basis for the beginnings of our freedom.

Women and Episcopal Power

by Joan Morris

The quasi-episcopal jurisdiction held by abbesses over the 'separated' territories of exempt orders has been presented by some writers of today as an abuse. I am alluding to such authors as Giovanni Mongelli, who has written on the mitred abbesses of San Benedetto, Conversano, Italy, and José Maria Escriva, who has written on the abbesses of Las Huelgas de Burgos, Spain. Both these abbeys, like very many others, received innumerable papal bulls in their favour confirming them in their independence of any bishop and accepting their civil and ecclesiastical jurisdiction. Although many religious orders in Europe lost exemption at the time of the French Revolution, the Abbey of Las Huelgas de Burgos, after a brief lapse of some eight years, continued to be exempt up till 1874. The system was brought to a close by Pius IX in a bull entitled *Quae diversa* addressed to all religious orders in Spain, both men and women. The reason given was that the system was no longer suitable to the changed social conditions.

Such a reason is plausible; but to consider the jurisdiction held by abbesses as an abuse is pure prejudice. Abbesses, like queens or empresses, had a right to rule when their position was officially accepted. Such a system was in keeping with early Christian custom, throughout the feudal period and up to the fall of the nobility at the time of the French Revolution.

¹Bernard Sharratt, *op. cit.*, pp. 77-79; Germaine Greer and Shulamith Firestone have similar observations to make.

The ecclesiastical and civil jurisdiction of the abbesses of Las Huelgas de Burgos covered a territory extending over some sixty-four towns and villages, and over the clergy and people within these places.¹ It was the duty of the abbesses to issue licences to the clergy for the celebration of Masses in the churches within their territory. The territories were 'separated' from the diocese of the nearest bishopric and directly dependent on the Holy See.

The abbess was responsible for approving confessors. Before nomination she had to examine them as to their suitability. There was no need for the approbation of the diocesan bishop or any other superior with regard to her choice. The confessors could absolve sins reserved to bishops if authorized to do so by the abbess. This was a remnant of her right to hear confessions herself. Pope Innocent III in 1210, in a bull *Nova quaedam*, withdrew the right of the abbesses of Las Huelgas to hear confessions or to read the Gospel or preach in public. By that time it was considered an abuse that the abbesses did do so. But in fact there are three Religious Rules which refer to abbesses hearing confessions: the rules of Donatus, the *Regular Cujusdam ad Virgines*² and the Basilian rule.³ There are besides many stories in the life of the Abbess Fara of her hearing confessions.⁴ She was foundress of the abbey at Brie, later known as Faramoutier, which followed the rule of Columbanus, similar to that of Donatus. It is obvious from these stories and also from the reference in the *Regular Cujusdam* that the hearing of confession by abbesses cannot be dismissed as only a confession of faults in Chapter assemblies such as is still practised in religious orders today. In the *Cujusdam* rule the question was asked whether an abbess could confer her duty of hearing confession to a nun. The answer was yes, so long as the nun maintained complete silence on the matter confessed, though she was allowed to report it to the abbess. Did the abbess give absolution? Certainly in the stories of St Fara there was no mention of anyone else to do it. Also in the case of the abbess of Las Huelgas, if she had not given absolution there would have been no question of its being an abuse. Absolution is considered as belonging to priestly ordination and the power of the keys. The diaconate has been accepted as sufficient at some periods. Certainly many abbesses were ordained deaconesses. The Lutheran historian G. Fabricius, writing in the sixteenth century, mentions the abbess as being *Sacerdos Maxima* and some nuns as *Sacerdotes Virgines*.⁵ The Benedictine monk Widukind, in his eighth-century Saxon Chronicle, mentions

¹Rodriguez, Lopez, Amancio, *El Real Monasterio de las Huelgas de Burgos y el Hospital del Rey* (Burgos, 1907).

²Holston and Brochie, *Codex Regularum*, Vol. II (1661).

³P. G. 31. Rule No. 110, Col. 1158.

⁴Mabillon, *Annales I*, p. 357; Jonas, *Vita Columbanus*.

⁵G. Fabricius, *Originum Illustrissimae Stirpis Saxonicae* (1592), Books II, III and V.

priests of both sexes (*utriusque sexus sacerdotes*) as being hit by lightning in a bad storm.¹

There are proofs that the office of abbess was considered clerical by the formulae used at her ordination and by the insignia with which she was customarily invested. The word 'ordained' was used in the Mozarabic *Liber Ordinum* for the consecration of an abbess.² Chapter XXIII is entitled: *Ad ordinandam Abbatissam*. The instructions require that when an abbess is ordained she is to be clothed in sacred religious vestments and crowned with a mitre. Following this the bishop is to give the abbess the rule and ring. In the sacramentary of the Moiscac Monastery the rite of ordination is the same for both the abbot and abbess. Each is to be clothed with an alb, and a stole is to be placed round the neck. The abbot or the abbess is required to prostrate before the altar.³ In the Mozarabic Sacramentary a prayer is said declaring that before God there is no discrimination of the sexes, and that women like men are called to collaborate in the spiritual battle. At the end of the ceremony the bishop is instructed to lay on his hands.⁴

In Conversano, Italy, the abbesses of the Cistercian women's abbey of St Benedict were installed with mitre, pastoral staff, gloves and ring.⁵ At the Royal Abbey of Notre Dame in Jouarre, the Abbess Jeanne de Bourbon was buried with her veil, crown, her episcopal ring and gloves by her side.⁶

In Münster, Germany, the abbess of the Canonesses of the Institute of St Mary's Überwasser was an Archdeaconess and represented the Bishop of Münster in several towns.⁷ The canonesses were called *consorores* of the canons of the Cathedral. The Abbess Matilda, daughter of Otto I, was called a *metropolitana* of Quedlinberg, she was also *matrix* of Saxony.⁸

All these abbesses had ecclesiastical and civil jurisdiction in their own territories. The right to hold this power was similar to the emperors and empresses of the Byzantine Empire. The first eight General Councils of the Church were convoked by either emperors or empresses. By their crowning they were considered to be both *Rex et Sacerdos*. Their jurisdiction over the Byzantine Empire was recognized by the papacy. Their right to convoke a General Council of the Church was not questioned. The Empress Irene, as regent for

¹*Codex Steinfeld*. London British Museum: Addit 21.105, fol. 175.

²D. Marius Férotin, *Le Liber Ordinum en usage dans l'église Wisigothique et Mozarabe d'Espagne* (1904), Vol. V, p. 66.

³*Ex MS Liber Sacramentorum Moiscacensi Monasterii Ordo ad Ordinandum Abbatem vel Abbatissam*. Edit Martène, *de Antiquis Ecclesiis Ritibus*, Vol. II, pp. 452b., 429a.

⁴See note 2.

⁵Giovanni Mongelli, o.s.b., *Le Abbadesse Mitrate di San Benedetto di Conversano*, Montevergine, 1960, p. 96.

⁶Sr. Techilde de Montessus, *Insignia Abbatium* (1956). Unpublished document in the archives of the Abbey of Notre Dame at Jouarre, B. n. 2 and MS 4.

⁷Schultze, R. *Das Adelige Frauen (Kanonissen) Stift der Hl. Maria und Die Pfarre Liebfrauen Unberwasser zu Münster Westfalen* (1952), p. 27.

⁸Edmund E. Stengel, *Die Grabschrift der ersten Abbtissin Von Quedlinberg*. Deutsches Archives für Geschichte des Mittelalter 3. 1. Abt. (1890), p. 64.

her young son Constantine VI, convoked the Seventh General Council¹ and she invited Pope Adrian I. His reply showed great respect for her and he complied by sending two delegates. The Empress welcomed the three hundred bishops from all over the world by an address which was read at the first session. She was present through the eight sessions, and she signed the canons and decrees at the end. She accompanied the bishops in procession to Hagia Sofia for the final closing of the Council. When Charlemagne wrote to Pope Adrian complaining that it was wrong for the speech of the Empress to have been read in the Council, Pope Adrian sent a letter in defence of the Empress to him. He maintained that as Helen, the mother of Constantine, had been present at a Council in Rome at which Pope Sylvester presided and had upheld her cause with regard to a Jewish question, and that the Empress Pulcheria had likewise sat in her own right at the Fourth General Council which had been convoked by her and her husband Marcian, he therefore considered that it was quite right for the Empress Irene to have acted as she did.²

This acceptance of the power of the crowned sovereign was continued in Europe. Elizabeth I of England considered herself to have both ecclesiastical and civil right of jurisdiction. John Jewel, the English divine and Bishop of Salisbury, in his *Apology of the Church of England* asserted the right of sovereignty to rule the religious establishments in their own realms. He based this assumption on the example of the first four General Councils convoked by the sovereigns of the Byzantine Empire.³

It is an interesting fact that Pope Pius V, who excommunicated Elizabeth I, upheld the Abbesses of San Benedetto in Conversano in their right to civil and ecclesiastical jurisdiction over the clergy and people of their district.⁴ Pope Pius, therefore, saw nothing wrong in a woman ruling over the clergy and people. It was the reformer John Knox who came out with a vindictive dissertation against the rule of women over men in his subversive pamphlet: *The First Blast of the Trumpet against the Monstrous Regiment of Women*. Though Calvin agreed with Knox that the rule of women over men was a deviation from nature, yet it is noteworthy that he would not back Knox in his intent to arouse rebellion because he thought it wrong to unsettle governments ruled by women 'as by custom and long practice realms and principalities have descended to females by hereditary right'.⁵

The idea that women should not rule over men came in anew with the revival of Greco-Roman culture at the time of the Renaissance. In A.D. 1115, the founder of the Order of Fontevrault, Robert

¹Mansi, Vols. XXII and XIII.

²Mansi, Vol. XIII, Col. 783.

³Edit. J. E. Booty (1963).

⁴Morea e Muciaccia, *Le Pergamene di Conversano* (Trani, 1942), p. 258.

⁵John Ridley, *John Knox*, p. 268.

d'Abrissel, gave the investiture to the first abbess, Pétronille de Chemille. He then prostrated himself before her and made his vow of obedience to her. The rest of the community, priests, monks and nuns, did likewise. The vow of obedience by the men to the abbess was proclaimed to be in imitation of our Lord's obedience to his mother, and of the Apostle John's service to his adopted mother. It was considered a very lovely and praiseworthy act.¹

The subordination of men to an abbess was not contested till the fifteenth century, when the Abbess Marie de Bretagne brought in new legislation requiring a greater spirit of poverty. In 1636 the monks obtained a papal brief to revise their own statutes separately, by which they sought to evade the jurisdiction of the abbess. In addition they planned to take over the main building belonging to the nuns. It led to a lawsuit. At the hearing the monks brought up as one of their main reasons for their action that the obedience of men to a woman was against nature and God. (This is a phrase borrowed from Knox.) The Abbess replied that the act of obedience in the Order of Fontevault was as fundamental as the rule of solitude was in the Order of Chartreuse. The side of the Abbess was defended by H. Nicquet, s.j. The judgment was given in favour of the nuns. Three days later, in an impressive ceremony, the monks were obliged to prostrate before the Abbess seated on a throne, and to make amends for their past actions, one by one by declaring their submission.²

The abbesses with episcopal jurisdiction started to lose ground at the Council of Trent, for by a lawyer's quibble bishops who had no right to enter the domain of exempt abbeys could do so as delegates of the Holy See. The greater insistence on enclosure made it difficult for even the abbess to go out of her own accord. Royal Abbeys and orders belonging to a congregation such as the Cistercians were excluded from the new rulings. The final blow was struck by Napoleon when by the *Concordat* with Rome he subordinated all superiors of religious orders to the jurisdiction of his pro-Napoleonic appointed bishops. The ecclesiastical lands taken away from the Church by the French Revolution were not returned but were compensated for by the French government paying the salaries of the clergy, who, of course, were often members of religious orders. No salary was paid to women's religious orders who had similarly lost great territories. In some places, such as Mons, the secular canonesses of St Waudru received prebends for their services in the collegiate parish church, where they had their choir stall. They officially sang Divine Office and the Proper and Ordinary of the Mass.³ This stopped at the French Revolution; no recompense was offered. Only the abbesses in Spain continued to hold quasi-episcopal

¹H. Nicquet, s.j. *Histoire de L'Ordre de Fontevault* (1642), p. 218.

²Simone Poignant, *L'abbaye de Fontevault et Les Filles de Louis XV*, p. 84 (1966).

³Deville, L., *Chartres du Chapitre de Sainte Waudru de Mons*, 2 Vols. (Brussels, 1899), Introduction xx-xxi.

jurisdiction for another fifty years after the fall of Napoleon as he did not have the time to ruin completely the old régime.

It was because the jurisdiction of the abbesses was so closely connected with the right to rule of the nobility that the system of the quasi-episcopal abbesses was lost at the change-over to democracy. The idea of democracy was borrowed from ancient Greece where women had no part in government. Women were not at first included in the new democratic structure. The extension of the vote was given to men only. Women had to fight for their rights. It is only since 1958 that peeresses in England have been able to sit in the House of Lords as they did earlier in the times of Edward III. So, now that the democratic system is overcoming sex discrimination, we may look forward to a time when the Roman and English Churches will reform themselves in accordance with present-day society.

Judgment and the New Morality

by Stanley Hauerwas

This essay is an attempt at a modest diatribe against some of the themes often associated with the 'new moral theology'. It is my contention that in our enthusiasm for the seeming freedom promised in the new love ethic we have forgotten that the self must be transformed if we are to see the world as it is, and that the transformation into loving persons is not accomplished overnight by declaring our good intentions but by submitting patiently to the suffering that makes us real. We have impoverished our ethics by assuming that our lives can easily embody and reflect the good. In our moral behaviour, we have tacitly accepted existence in a world where God does not exist; in such a world, evil often appears beautiful and even kind. Such a situation is all the more pernicious because we claim to base our self-imposed blindness on love, kindness, justice, and even Jesus Christ. The main purpose of this essay is to try to locate some of the problems that have led us to confuse illusion with reality, for only when we understand the nature of our self-deception can we begin to appreciate how wonderful and yet how painful it is to live in a world where the good is not easily done.

Myths above the history of ethics

The kind of problems I am going to attack are not to be identified with any one of several moral theologians. I am much more interested in a general mood that surrounds current ethical reflection and