

ASSOCIATES OF RELIGIOUS INSTITUTES – A WAY FORWARD....

By Amy Hereford, CSJ¹

Background

From the very beginning of religious life, men and women have associated with religious orders. In the Egyptian deserts, individuals would go out to converse with the hermits living there. They might bring food or supplies needed by the hermits, and they would remain for a time, receiving the hermits' guidance and blessing. In medieval monasteries, individuals sought to live in close association with the monastics, without joining as vowed members. Some of these were formally organized into tertiaries or oblates, who made a commitment to take on certain obligations and spiritual practices, receiving in exchange the pastoral care of the orders. Beginning in the 17th century, in many apostolic communities, the foundation included the assistance of lay Christians and an interest in involving these people in some way in the life of the institutes.

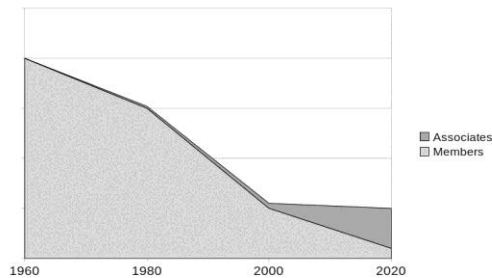
While association with institutes has a long history, there has been a new interest in associates in the last several decades, particularly among women's institutes. The number of associates grew from a few thousand in the United States the 1980's to tens of thousands by the year 2000, and the movement is continuing to grow. Today, many religious institutes in the United States have associates, although the level of organization and the clarity of roles and responsibilities vary from one institute to

another. Some institutes have detailed policies covering the nature and purpose of the associate program, the criteria for inviting and screening potential associates and a program designed to introduce prospective associates to the mission and spirituality of the institute. For other institutes, the entire documentation on association is a brochure and a page on the institute's website. It is not uncommon for several sets of documents to exist, many unsigned and undated, some with conflicting information. These may have been written by persons who worked with the associate program or particular groups or projects over the years. Some associate programs have a director, specific expectations of associates in terms of participation in associate gatherings and service projects; few have any financial commitment. Others leave all the details up to the particular associate, in relationship with one or more vowed members or other associates. If you have an associate program or are an associate, you may find that one or more of these descriptions apply to your program. You may be able to add variations not mentioned here. After all, association is a movement which has developed organically in response to the desire of religious institutes to share their mission and spirituality, coupled with the desire felt by many individuals to grow in their spiritual life and to share in the mission of religious institutes. Nevertheless, this diversity makes it difficult to write an article that resonates with everyone. An attempt is made here to make some generalizations and to answer common questions that are raised by those in leadership in religious institutes, those

¹ Amy Hereford is a Sister of St. Joseph of Carondelet from St. Louis. She works as an attorney and canonist with CSJ Ministries, consulting with religious institutes on a variety of legal matters.

with leadership roles in associate programs, and those participating in associate programs.

Figure 1



Number of Members / Associates over Time

Growth in the associate movement is happening at the same time many religious institutes are facing significant changes in their life and mission, as a steady decrease in the number of vowed members continues. The decrease in membership and increase in median age has institutes beginning to make decisive choices for their futures and that of their ministries. Institutes and their leadership focus much of their attention and energy on these issues.

If these trends of increase in associates and decrease in members continue, we may see the number of associates exceed the number of vowed members in the near future; in fact, this has already occurred in some institutes. This phenomenon calls for careful attention to the identity, purpose and organization of the religious institutes and the associates. As the associate movement matures, many recognize the need to clarify roles and relationships and to develop an organized structure for the protection of both associates and religious institutes.

In exploring the canonical issues raised when discussing the relationship between religious institutes and their associates, conflict may arise between the requirements of law and the practices and hopes of those involved in the associate movement, both vowed members and associates. At times like these, it is helpful to explore the values behind the practices and hopes of those promoting the associate movement, as well as the values behind the legal norms. If we move back from the differences to explore the values represented by each position, it is often possible to find a way forward that honors both, while recognizing their legitimate concerns. That is what this article will attempt to do: to stand back and reframe.

The next section will explore historical ways of participation in religious institutes and the relationship between religious institutes and associates. The following section will explore the canons that apply to the associate movement. After this, the paper will propose two models of association: one will be the model that seems most common in associate programs, and one will be a new model; the section will explore the way these models play out as circumstances change. The conclusion will draw together these lines of inquiry and suggest a way forward for the associate movement.

Ways of Participation

In looking to the history of association, we must go back to the beginning of religious life. Throughout history, lay Christians have associated with religious institutes in a variety of ways. In this section, we will discuss four general areas in which this association has occurred: spirituality, mission, community and governance.

Throughout history, the most common form of association with religious institutes has been sharing in the spirituality of the institute and receiving guidance in the spiritual insights of its founders. This instinct for seeking spiritual guidance goes back to the time of the fathers and mothers of the desert, is repeated through the history of monasticism and of apostolic religious institutes, and is even found in the Non-Christian tradition. The individual spiritual seeker can come to the religious institute for a time of quiet, retreat and spiritual deepening, to participate in the liturgy of the community or to receive guidance in prayer and spirituality. Benedict urges his followers to receive guests and offer them spiritual counsel:

Let all guests who arrive be received as Christ, because He will say: "I was a stranger and you took Me in" (Mt 25:35). And let due honor be shown to all, especially to those "of the household of the faith" (Gal 6:10) and to wayfarers.... When the guests have been received, let them be accompanied to prayer, and after that let the Superior, or whom he shall bid, sit down with them. Let the divine law be read to the guest that he may be edified.²

Another common mode of participation has been sharing in the apostolic works of the institute, working or volunteering in institutions run by the sisters or brothers. Seventeenth century France is replete with lay movements of various types, some of which were associated with religious institutes. These movements assisted in the growth of the spirituality of lay Christians and sought to address the social needs caused by poverty and seemingly endless

wars of religion;³ today's associate movement can be seen as a new wave of this same impetus.

In the history of the Church in the United States, alongside the religious who built schools and hospitals were countless lay collaborators, without whose support, time, expertise and resources these projects could not have succeeded. This participation in the ministries of religious institutes has taken different shapes in different times and places. Some people have provided funding, helped raise money or provided other material support for the works of religious. Others have worked side by side in classrooms, hospitals and other ministries. Some have volunteered to provide a host of services, from helping in the cafeteria to helping with the member's medical needs and everything in between. Others have provided food and services to the community as its members were involved in their apostolic tasks. The story of every religious institute contains a unique tale of lay collaboration in ministry. Today's associates continue this tradition, working and volunteering in many of the community's ministries and institutions.

Some institutes have a history of lay persons living in the community and participating in its events. For example, in the history of the Sisters of St. Joseph, there is evidence of groups of women living together and ministering like the sisters, although they were not vowed religious. They were called *agrégée*, and the historical record gives an account of their existence but is unclear on the details of their life, although it seems that they women lived in communities separate from the vowed members. It is likely that there were a variety of practices

² BENEDICT VERHEYEN, "The Holy Rule of St. Benedict" (St. Benedict's Abbey, 1949) Chapter 53.

³ LEO KENIS, "History of Religious Life - Spirituality in the 17th and 18th Centuries," Lecture Notes (Leuven, Belgium, 2009), 7.

for the women in this movement. In any case, the *agrégée* movement fell away over time.⁴

Instead, in succeeding centuries, the institute developed the practice, common in other institutes, of having lay sisters who professed vows and worked alongside the religious but followed a simpler rule. This practice also fell into disuse and was suppressed in the twentieth century. Other institutes may have had similar experiences of lay members in their communities at various points in their history, although these appear to be short-lived, while the institutes themselves are more stable.

As the modern associate movement has grown, there has been an effort by some to involve associates more fully in the life of the community, sharing in its celebrations and gatherings, and receiving its internal communications. In some cases, associates live in a local community of the members, participate in community retreats and share in other ways in community life.

Finally, in the area of governance, some institutes have begun to include associates in their assemblies, gatherings and meetings. This development does not appear to have historical precedent; in the past, movements either developed their own leadership or accepted the leadership of the vowed members. However, in some institutes, associates now serve on committees, attend chapter and are wondering how they might participate in the leadership of the province or institute. These practices can blur boundaries and raise questions about the identity and purpose of religious life and of the associate movement.

⁴ MARGUERITE VACHER, *Des "Regulieres" dans le Siecle: Les Soeurs de Saint-Joseph du Pere Medaille aux XVIIe et XVIIIe siecles* (Adosa, 1991), 341 ff.

Relationship between Canonical Institute and Associates

We turn now to Canon Law to explore the structural framework available to assist in the development of the associate movement. However, before describing the law for associates or the relationship between the institute and its associates, it is helpful to describe the religious institute itself. The 1983 Code of Canon Law describes consecrated life in the first canon in the section on religious life:

Canon 573 – 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 up of the Church and the salvation of the world. They are a splendid sign in the Church, as they foretell the heavenly glory.⁵

The rest of the canons on consecrated life describe the various elements of this life: spirituality, vowed life, community, ministry and governance. The constitutions of each institute add specificity to the description of the life and its elements for each particular institute.

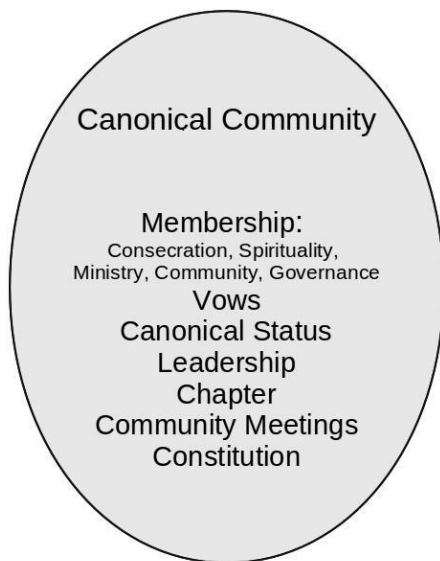
Constitutions usually begin with an introduction, describing the institute, its foundation and the inspiration that led the first members to gather and, often in the face of overwhelming obstacles, to establish a community that would incarnate the gospel in a new way in a particular historical situation. Following the introduction are sections on spirituality, consecration,

⁵ JOHN PAUL II, *Code of Canon Law: Latin-English Edition, New English Translation*, (Canon Law Society of America, 1983) Canon 573 §1.

ministry and community, which take the general notions and make them specific for the institute. Each vow is described in the context of the institute's spirituality and mission.

The constitutions also describe the membership and governance. The section on membership describes those who may be admitted to the institute, the criteria for admission and the process of incorporation, including screening, a period of novitiate prior to the profession of temporary vows and the requirements for definitive profession. It also includes a section on departure from the institute. The section on governance describes how the institute is organized and the way the members choose leaders. The chapter, the highest governing body of an institute or its units, is described along with the general rules for participation, timing, and how and when the chapter is celebrated. Thus the canonical community might be seen in Figure 2.

Figure 2



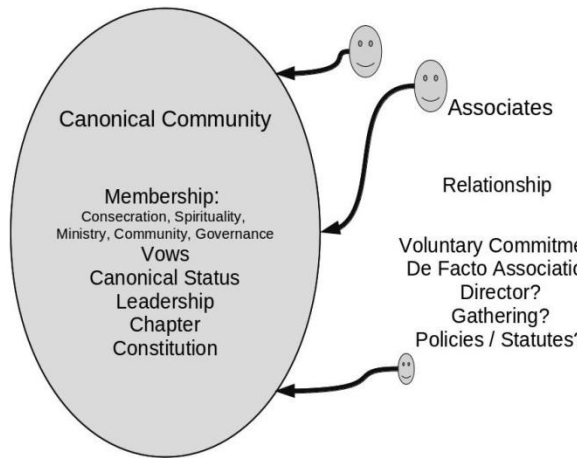
By comparison, the associates in most religious institutes are much less organized. Often, associate programs developed organically with little documentation, especially at the beginning. There may or may not be a statement of what associates are and what they do and, in some cases there are a variety of ways of being associated with an institute or its ministries.

However, some generalizations can be made. Generally, associates are people interested in sharing in the mission and/or spirituality of the religious institute. They do not profess vows or become members of the institute as described in the constitutions. However, they enter a more or less formal relationship with the institute.

In some institutes, the associates make a voluntary commitment to the religious institute. In many cases, the commitment is not to the associates but to the institute itself. The content of the commitment varies widely, even within an institute, with the associate committing to be an associate or to live the charism of the institute, but with no concrete indication of what that entails. This is in contrast with the members, who make vows of chastity, poverty and obedience, lived in accordance with the constitutions of the institute, as well as its statutes and policies.

The organization and governance of the associates often is not clearly laid out. The leadership of the associates often is provided by the institute; either a member of the institute is the director or an associate is chosen, paid for by the institute and responsible to its leadership. The organization and leadership often relies heavily on the institute's structures; self-governance of associate programs is an exception. This may be seen graphically in Figure 3.

Figure 3: Individuals in Relationship



The Code of Canon Law has some sections relevant to associations of the faithful (303-310) and a canon on associations aggregated to religious life (677.2), but these do not address the reality of associates of religious institutes as they have evolved. This is because, in many institutes, people associate with the institute as individuals.⁶ In most cases, they do not have a separate association with separate membership, organization and governance. The reason for this is probably historical. Associates came in small numbers in the 1980's, when the programs started. At that time, informal organization met the needs of the fledgling movement. The number of associates grew slowly, and a practice developed in many institutes of inviting individual associates to participate in functions of the religious institute. In time, the associates were embedded in the life of their institutes. In an effort to be inclusive, some institutes came to include associates in nearly all meetings and communications of the institute, so that it is only by exception that the vowed

⁶ KELLY CONNORS, "Canonical Implications for Emerging Forms of Associations of the Faithful with Religious Institutes," *Legal Bulletin* 84 (2007), p. 24.

members ever gather for prayer and discussions of their life as consecrated religious. The ongoing presence of associates at meetings of the religious community changes both the associates and the members. It should be a blessing for both as they share the two distinct ways of living the charism of an institute. However, if there are no boundaries, the specific identity of each becomes blurred, and this presents challenges which need to be understood and addressed.

The difficulty with the embedded model with increasing associate involvement is two-fold. On the one hand, the institute has limited or no forum for the vowed members to discuss the future of the vowed life and to address the challenges of diminishment as they face a tenuous and changing future. This discussion is important, even if it leads an institute to choose to accept the end of its life journey. On the other hand, the embedded model does not encourage the development of structures, policies and leadership within the associate movement that will ensure its growth and sustainability.

Institutes need to clarify roles and relationships and perhaps to develop an alternative model to ensure a future for both the vowed life and for associates. Such a model will clarify the identity and purpose of the associates, as well as the identity of the vowed members. In addition, it will provide a forum for the development of structures and policies to give a more solid footing to the associate movement, even as it ensures appropriate protection for the rights and legitimate expectations of the vowed members. Before turning to models, it will be helpful to explore further some sections of the Code of Canon Law that deal with Associations of the Christian Faithful and with the nature and governance of Religious Institutes.

Canon Law on Association and Governance

Associations and Associates

We first look at the canons in the section on Associations of the Christian Faithful. It is helpful to know what structures are there, although few associate programs now seek to use them. The section begins with a canon explaining the groupings that might be canonical associations of the faithful:

Canon 298 §1 - In the Church there are associations which are distinct from institutes of consecrated life and societies of apostolic life. In these associations, Christ's faithful, whether clerics or laity, or clerics and laity together, strive with a common effort to foster a more perfect life, or to promote public worship or Christian teaching. They may also devote themselves to other works of the apostolate, such as initiatives for evangelization, works of piety or charity, and those which animate the temporal order with the Christian spirit.⁷

These associations are groupings of the Christian faithful who gather to carry on the mission of Jesus in a particular way. Canon 303 describes associations which share in the spirit of a religious institute:

Canon 303 - Associations whose members live in the world but share in the spirit of some religious institute, under the overall direction of the same institute, and who lead an apostolic life and strive for Christian perfection, are known as third orders, or are called by some other suitable title.⁸

Parts of this canon seem to describe the associate movement that we know today. Associates live “in the world,” not with the religious institute, but in their own homes. They also receive guidance from the religious institute in mission and spirituality and, in turn, participate in the mission and spirituality of the institute.

However, the canon points to the “third order” as the paradigm of this type of association. The third order movement is more organized than most associate movements, having statutes and a specified relationship to the institute. Often the group is more internally cohesive than modern associate groups. The canon states that the movement is under the overall direction of an institute; this is most often the case with associate movements whose directors are members of the religious institute or at least are appointed by the leadership of the institute and report to the institute's leadership. The difference is that these associations are canonical entities, with their statutes either reviewed (for a private association) or approved (for a public association) by the competent ecclesiastical authority.⁹ The statutes are an organizing document that describes fundamental aspects of the life of the association:

Canon 304 – [The Statutes] are to define the purpose or social objective of the association, its center, its governance and the conditions of membership. They are also to specify the manner of action of the association ... [and] select for themselves a title or name.¹⁰

Thus, it would be the statutes of the association that would establish its self-governance and describe the “conditions” of

⁷ JOHN PAUL II, *CIC* Canon 98 § 1.

⁸ *Ibid*, Canon 303 §1.

⁹ See *Ibid*, Canons 299, 314.

¹⁰ *Ibid*, Canon 304.

membership, which should include who is eligible to become a member and the conditions that must be met if a person wants to remain a member. These are common elements of good governance in any group or organization.

Even if an association has not gone through the formalities of creating statutes and submitting them for review or approval, the association may exist *de facto*. Canon 310 acknowledges that groups of the Christian faithful, in virtue of their baptism, may come together for a common purpose in the Church. Although the group is not a juridic person, it may still act in the Church as a group:

Canon 310 – A private association which has not been constituted a juridical person cannot, as such, be the subject of duties and rights. However the faithful who are joined together in it can jointly contract obligations. As joint owners and joint possessors they can acquire and possess rights and goods. They can exercise these rights and obligations through a delegate or a proxy.¹¹

This canon seems to describe groupings of persons, like modern associate groups, who have not sought or obtained canonical approval. However, when discussing Associations of the Christian Faithful, we are generally referring to the more formally established public or private associations described above. Most associate groups do not have any formal canonical status or organizational structure; they are *de facto* associations because they act in society, in the name of the mission of Jesus, if not formally in the name of the Church.

Another canon that may be illustrative is Canon 677, found in the section of the Code

that discusses the apostolate of religious institutes:

Canon 677 §2 – Institutes which have associations of Christ's faithful joined to them are to have a special care that these associations are imbued with the genuine spirit of their family.¹²

Notice here that reference is made not to associates but to associations. This canon is referring to the associations discussed above, found in an earlier section of the Code. The intent is to ensure that, as part of the mission of the institute, groups related to the institute should be nurtured in spirituality and in mission. Naturally this is done by reaching out to individuals in the association, but the emphasis here is on the structure, whose leadership represents the individuals in the association and works on their behalf. This level of organization is generally not present in the modern associate movement. Having discussed in some detail the juridic structures available to today's associates and of Associations of the Christian Faithful, we turn now to the juridic structure of institutes.

Religious Institutes and Societies of Apostolic Life

The essence of the religious institute is a group of people who have banded together for the radical following of Jesus, the living of the Gospel and the carrying out of the ministry of Jesus. As expressed in Canon 573, consecrated life 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.”¹³ However, the life and action of the Spirit which moved with wildness and freedom in the founding days

¹¹ *Ibid*, Canon 310.

¹² *Ibid*, Canon 677 §2.

¹³ *Ibid*, Canon 573.

of an institute is given a concrete form and structure as the institute grows and matures.¹⁴ As the institute takes on more formal structures and as its constitutions are approved, it becomes a juridic person, part of the formal structure of the Church, even if not part of its hierarchical structure.¹⁵

Canon 634 – §1 Since [Religious Institutes] are by virtue of the law juridical persons, institutes, provinces and houses have the capacity to acquire, possess, administer and alienate temporal goods, unless this capacity is excluded or limited in the constitutions.¹⁶

Thus, by the fact that their institutes are approved, religious institutes are juridic persons and, as such, they have rights under the Code. Members join the institute through profession of vows after a period of formation, including novitiate and a period of temporary profession.¹⁷ These members acquire the rights specified in the Code of Canon Law and in the proper law of their institutes.¹⁸ The canons also call for self-governance by the religious institute; only members may serve in leadership and be chapter delegates, as seen in Canons 623 and 631, which also have further specification in an institute's own law:

Canon 623 - To be validly appointed or elected to the office of Superior, members must have been perpetually or definitively professed for an appropriate period of time,

¹⁴ See ELISE RINERE, "Canonical or Non-canonical Status," *The Legal Bulletin* 75 (2003), pp. 15-25.

¹⁵ Second Vatican Ecumenical Council, *Lumen Gentium*, AAS 57 (1965) 5-75, 1964, sec. 44.

¹⁶ JOHN PAUL II, *CIC* Canon 634.

¹⁷ *Ibid*, Canons 641-661.

¹⁸ *Ibid*, Canons 660-670; See generally Amy Hereford, "Rights and Obligations of Religious," *Religious Law and Consultation Newsletter* 101 (2009); Amy Hereford, "Obligations and Rights of Leadership of Religious Institutes," *Religious Law and Consultation Newsletter* 124 (2012): 1-4.

to be determined by their own law or, for major Superiors, by the constitutions.

Canon 631 §2 - The composition of the general chapter and the limits of its powers are to be defined in the constitutions.¹⁹

The Code calls for each institute to have a "fundamental code or constitutions," which further specifies the criteria for admission and formation of members and those who may serve as councilors and participate in chapters. In each case, the constitutions will specify that only members of the institute may serve in these roles:

Canon 587 §1 - To protect more faithfully the vocation and identity of each institute, the fundamental code or constitutions of the institute are to contain... basic norms about the governance of the institute, the life of the members, the admission and formation of members, and the proper object of the vows.²⁰

Thus, the Code and the constitutions establish a religious institute as a society composed of members who commit themselves by vow to religious life in a particular institute; the institute is governed by its own members.

This may appear obvious, but both members and associates of some institutes are raising questions regarding the propriety of inviting associates to serve in leadership. As can be seen, these associates will not have chosen religious life as their primary life commitment. Associates enter into a relationship with the institute and commit to sharing in its spirituality and mission, but their lives are either focused on or open to another primary life commitment. If they feel called to religious life, they may pursue membership in a religious institute.

¹⁹ JOHN PAUL II, *CIC* Canons 623 and 631.

²⁰ *Ibid*, Canon 587 §1.

The 1994 Synod on Consecrated Life took up the topic of associates of religious institutes, and the post-synodal Apostolic Exhortation *Vita Consecrata* by Pope John Paul II acknowledged this important development, mentioning sharing in life and mission while cautioning about blurring boundaries, which may undermine the specific identity and radicality of consecrated life:

A significant expression of lay people's sharing in the richness of the consecrated life is their participation in various Institutes under the new form of so-called associate members or, in response to conditions present in certain cultures, as people who share fully for a certain period of time the Institute's community life and its particular dedication to contemplation or the apostolate. This should always be done in such a way that the identity of the Institute in its internal life is not harmed [italics added].²¹

Canon law provides us with important guides as we go forward in the associate movement. On the one hand, the movement is an important expression of deepening the spirituality and apostolic works of lay Christians. At the same time, it is an opportunity for Religious Institutes to share their spirituality and increase their apostolic effectiveness beyond their own accomplishments. On the other hand, growth in association and diminishment in vowed membership present challenges to existing organization, structures and procedures that served the first decades of the modern associate movement. The next section will explore the structures in more depth, showing how these evolve over time. It will propose several models for understanding this evolution.

²¹ JOHN PAUL II, *Vita Consecrata*, AAS 88 (1996), 372-498, 1996, para. 56.

Models of Association over Time

A model is a simplified abstract view of a complex reality such as association. There are as many associate programs, with distinct histories and types of organization, as there are religious institutes who sponsor them. Models are an attempt to understand this diversity in simpler terms. The models presented here do not represent any single group and may or may not map well onto any particular associate program. Their value is in allowing us to understand many of the factors operative in the movement. Hopefully, this will help those involved in the associate movement to understand better their own program and move forward in the program with more confidence, making the adjustments needed to ensure that the values of the religious institute and its associate program are protected and promoted. This section will propose three models: (1) the individual in relationship to the institute; (2) the embedded model; and (3) the autonomous in relationship model. In addition, it will explore how the second and third models develop over time.

Individual in Relationship

In many institutes, there is not an organization of associates; instead, individual associates enter into relationship with the institute or its members. This may occur through a long standing relationship with a particular ministry or house of the institute. An individual may first become acquainted with the institute casually but become increasingly interested in its works. In this case, there may not be any formal recognition of an associate, but the person or persons are invited to the community's celebrations and events. Orientation and organization are informal, and there is no attempt to formalize this. Sometimes these individuals in relationship are the

beginnings of an associate program that may move to one of the other models. In fact, there may not be any clear line between this model and the next.

Embedded Model

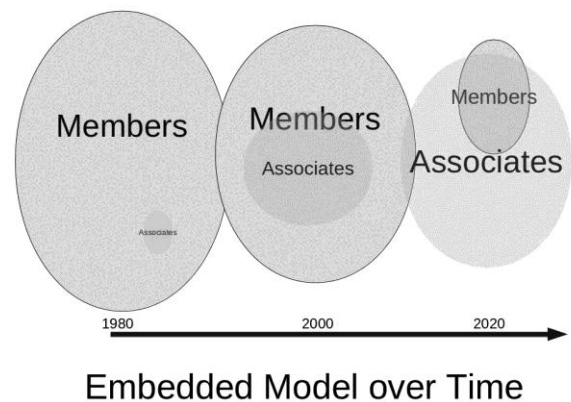
Like in the model above, individuals come into relationship with the institute, its members and its ministries in a variety of ways. However, in this model, there is an intent to develop an associate program with some organization. It may have some or all of the following elements, though they vary widely in the formality of the relationship:

- Program to invite individuals to become associates
- Criteria for who can become an associate
- Orientation program for those who wish to become associates
- Expectations of those who are associates
- Criteria for what community events are open to associates

These elements may be written down but often are known only informally and may only be listed in a brochure or website of the community. Because of the lack of documentation, it is not uncommon for various members and associates to have differing understandings of the nature of the relationship and of the expectations of the community and of the associates. Practices vary widely in different institutes and may even vary in different provinces or regions of a single institute. This diversity and these differing expectations can raise concerns on the part of members. It is not uncommon that practices develop informally without any specific process of discussing practical aspects of concern.

Many programs began in this informal way but later developed greater organization and clarity. However, characteristic of this level of development is that, instead of developing particular structures for the associate program, the associates are embedded in many of structures of the institute. Associates utilize the communication vehicles of the institute, receiving institute newsletters and even internal communications of the institute. Associates may be invited to participate in community meetings, even assemblies and chapters, because they have no structures for self-governance. This situation has two effects.

Figure 4



On the one hand, the associate program and the associates themselves have less incentive to develop leadership from among the associates, to establish structures of self-governance, and to move toward sustainability of the associates. On the other hand, the religious have fewer opportunities for internal conversation. While issues that are common to both members and associates are discussed, issues which pertain only to the vowed members or only to associate life have no forum.

When associate programs were first developed in the 1980's, the informality was probably so that the programs could develop organically without being hampered by excessive rules and regulations. At that same time, the number of associates was quite small compared with the vowed members, so that there remained significant social space for the members and the internal life of the institute.

Moving forward 20 years, the number of associates began to grow substantially around the year 2000, and in most cases, it continues to grow. This increase is happening at a time when the number of vowed members is decreasing. So, in the year 2000, there were a substantial number of associates as compared to vowed members. In most institutes, the vowed members still outnumbered the associates, but their presence was more pervasive, with associates present in significant numbers in those forums to which they were invited.

At the same time, there became fewer gatherings reserved to vowed members. In many cases, this resulted in a shift in the conversation. No longer was there space for discussions of vowed life in community. Conversation shifted away from the internal life of the institute, which had dominated conversations in the post-Vatican era. Instead, conversations tended to focus on matters external to the institute, such as sponsored ministries and social justice. While these are important issues, the internal life of the institute is also important.

At this time in an institute's life, it is imperative to discuss the future of the institute. It may need to join with another institute either formally or informally, or it may need to settle its sponsored ministries and ensure the ongoing care of an increasing number of aging members. The external

focus of the institute at this time, along with the presence of associates, can be a deterrent to these important conversations. At the same time, the associates are not discussing their future or the development of the infrastructure and sustainability necessary to nourish the associates in the years to come, when the institute can no longer provide that infrastructure.

Moving forward another 20 years to 2020, if this has not already occurred, vowed members will be outnumbered by associates in many institutes. At this point, the vowed members should be adjusting their infrastructure (governance, physical plant, communication and finances) to meet the changing needs of the aging members. At the same time, the associates, if they are committed to continuing to live the mission and spirituality of the institute, will have to develop their own infrastructure.

However, in the embedded model, the vowed members continue to sustain a larger infrastructure than they need, sometimes relying on associates more heavily to sustain the life of the community itself. Governance will become an increasing issue – if the institute is to remain canonical, only vowed members can be in leadership. Still, increasingly associates will be invited or will feel the desire for self-governance; since the only governance is that of the religious institute, they may seek to take part in the governance of the institute's life. While they may well govern the associate program and provide leadership for some aspects of the ministry and spirituality, the leadership of the canonical community is not appropriate for non-vowed members.

Thus, the perverse effect of the overly inclusive relationship is that the future of both groups is undermined. The institute which is having difficulty finding leadership

must provide not only for its own needs, but for that of the associates. At the same time, the associates are deprived of their own self-governance and do not develop their sustainability.

Autonomous Groups in Relationship

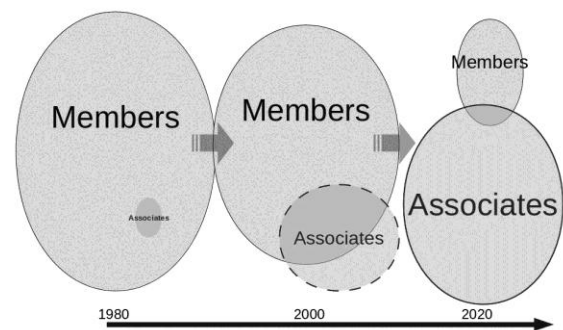
We turn now to an alternative model. It is premised on the model above, since many associate programs began to some degree with the embedded model. As time goes on, there is an impetus to develop leadership and self-governance among the associates. The group is encouraged to develop its own statutes and self-governance and begins to take responsibility for its own finances and for the recruitment, screening and orientation of new associates. The associates remain in relationship with the institute and its members, even as they begin to explore the leadership and future of the movement.

This will require a paradigm shift for some associates and vowed members. Often the materials inviting new associates emphasize that there is no financial commitment and there are no expectations; associates are invited to decide for themselves what they will do, as well as when and how they will become involved. Although there may be an orientation program and an acceptance ceremony, there is rarely any financial or time commitment expected of all associates. If, however, the associates are to become a stable, sustainable group, they will have to take responsibility for their own sustenance. This will require that the associates call one another to a certain level of commitment and service. It may not be necessary or even advisable to develop a formal association of the Christian faithful under Canon Law, as discussed above. However, as the group matures, a civil corporation may be needed to enable the group to act corporately in the civil sphere, e.g., holding bank accounts,

contracting for services or for space for meetings and celebrations, etc.

As associates develop their own leadership and infrastructure, they will begin to have some autonomy from the founding institute. As this happens, it will be important to stay in dialogue with the religious institute, so that both groups can maintain their ties and strengthen their relationship.

Figure 5



Autonomous Groups in Relationship

This allows the religious institute to maintain its own autonomy and retain the structures and forums that will allow it to address significant changes in its demographics and the need to care for the aging members. Both the religious institute and the associates have the opportunity to develop the infrastructure that will be appropriate to their own needs. The two groups remain in relationship from a position of strength, each maintaining necessary autonomy, and together collaborating in areas of mission and spirituality. One might conceive of scheduling the religious institute's chapter, followed by a period of joint meeting with vowed members and associates, followed by an associate general meeting. Thus, the matters that are particular to each group would be decided by that group, while matters that pertain to both could be discussed and decided by both.

This model will call for more leadership among the associates than is often seen. It will also call for a commitment by some associates willing to take on this role and a commitment by others who will support them. Other details of the developing organization and relationship must be worked out over time, relying on the solid foundations, ongoing efforts and creativity of both groups.

Having explored the history, law and development of association, we turn now to some specific questions that the author frequently hears from leaders in religious institutes and in associate programs.

Frequently Asked Questions

The two most frequent questions received are:

- 1) Can we call associates members? and
- 2) What gatherings are appropriate for associates to participate in?

After addressing these initial questions, we will turn to some other common questions.

Are associates “members”?

Regarding whether associates are members, I have to respond: members of what? Are they members of the religious institute? Clearly not, since the requirements for membership are spelled out in the constitutions. Is there an associate organization they can join? If so, they may be members of that organization, if they meet the criteria for membership. Some institutes develop the concept of an overarching umbrella structure which includes vowed members and associates, then assert that associates are members of this structure. However, generally this overarching structure is merely a mental construct, not an actual organization or association, and one cannot be a member of

a mental construct. Clarity and consistency of language is important, because language gives rise to understandings and expectations, both internally and externally. If associates are told they are members, and vowed members consider them such, this gives rise to expectations and perceived rights. If third parties hear the term member applied to associates as well as vowed members, it may give rise to expectations, implied agency and liability. The best advice here is to clarify structures and boundaries, clarify language and be consistent in its use. Associates are not members of the institute; membership requires formation and vows. There may be an associate group with some formal organization, e.g. bylaws or statutes and some sort of governance. The statutes of that group will determine the criteria for membership and its rights and responsibilities.

What gatherings of the Religious Institute may associates attend?

As discussed above, any meetings organized by or for the associates would be open to them. The institute may have gatherings for prayer or ministry to which associates and others are invited. There may be joint activities and gatherings; there may also be joint committees on which both associates and members serve. However, in any living organization, there will be gatherings organized for the members only. This is particularly true of meetings regarding governance; however, the life of a religious institute is more than governance and finance. There will also be gatherings celebrating and supporting the life of the institute and its members, its spirituality, its communities and its ministry. These gatherings are appropriate only to vowed members and those in formation for vowed membership.

In some institutes, the movement to have associates participate in the governance of the institute is fairly strong, stemming from the notion that this is the best form of association. However, it is problematic, blurring boundaries and changing conversations to matters of joint concern for members and associates. This leaves no forum for discussion of internal matters of the institute's life or its communities.

What policies are helpful?

Policies will treat the nature and identity of associates, the criteria and orientation for new associates, and the rights and obligations of associates. They also should provide for governance of the associates and state the relationship of the associate group to the religious institute. They may also provide for dealing with disruptive associates. As the organization of associates matures, the associates should take responsibility for their own policies. The religious institute may have policies about which gatherings are open to associates.

What civil issues are raised by an associate program?

The issue of boundaries is important when dealing with questions of insurance and liability. This is especially important when associates are also employees of the institute, because the employment relationship gives rise to specific rights and duties that are further complicated if the employee is also an associate. For example, when an employee spends time “off the clock” working on a volunteer project or uses work time for associate activities, this gives rise to payroll, insurance and liability issues. If an employee serves on an associate committee related to his or her employment, this may create a conflict of interest.

Tax issues may also be raised. First, the religious institute is exempt from taxation

when it carries out the purposes stated in its corporate documents, generally charitable activities and the support of its members. Associate activities may or may not fall within these purposes. In addition, the religious institute is exempt from the 990 reporting requirement for exclusively religious activities. It is unclear whether the associate program would be covered by this exemption.

What canonical rights and obligations are implicated in associate programs?

There are two important sides to this question, the rights and obligations of the vowed members and the rights and obligations of the associates. First, vowed members have a right to the integrity of their religious institute in its life and its governance. The institute has a duty to ensure, as far as possible, that the institute remains true to its charism and character, so that the members “may lead a quiet and tranquil life in all devotion and dignity.” This is particularly true for members who have given fifty, sixty, seventy or more years of service in the institute. If the institute has an associate program, the institute has an obligation to ensure that it is imbued with the charism and spirituality of the institute. The associates have a right to gather and associate among themselves. They have a canonical and a human right to self-governance of their own group; however, they never acquire rights in the religious institute or its governance.

What civil and canonical status is open to associate groups?

Associates may choose to establish a formal canonical structure, though most groups do not. If they do so, they might be a public association of the faithful, which means that the association is endorsed by either the local bishop or Rome, and is subject to their oversight. If the associates are going to be

canonical sponsors of ministries, this might be a possible vehicle, although it is not the only one.

The associate group may wish to establish a civil corporation if they wish to act as a group in collecting and holding funds, entering into contracts or hosting events. Many groups have not chosen this; however, if the group is moving toward more autonomy and self-governance, this may be helpful.

What if we make associates full members?

This would require changing the institute's constitutions, which set the criteria for membership and leadership. Changes in constitutions must be made according to the procedures set out in the constitutions and require a significant majority vote by all the vowed members, particularly for a change of this nature. Members who wish to remain vowed members of a canonical institute should be allowed to do so, and provision must be made for these members.

The changed constitutions would have to be submitted to Rome for approval if the institute is to remain canonical, and such approval is by no means certain. It is unclear what the nature of a mixed group of vowed religious and non-vowed associates would be. We have examples of such groups in the history of religious life; they most commonly consist of several groups with a measure of autonomy for internal matters and a structure for acting in matters of mutual concern, somewhat like the "autonomous in relationship" model discussed above.

A Way Forward

Religious life is a particular life form in which individuals freely choose to enter into community with others who jointly commit

to the following of Christ through the practice of the evangelical counsels. It traces its origins to apostolic times, when Christians first chose a radical form of life in the service of God and the community of faith. This life form is characterized both by a setting apart from the wider community of faith and by life in some ways at the very heart of the community of faith. At various times throughout its history, consecrated life has chosen radical separation or has had radical separation imposed on it. At other times, it has been more closely associated with the wider Christian community. At times it has been closely aligned with the hierarchy and has even been co-opted by ecclesiastical power; to the extent that it has been co-opted by any system of power, it loses its power of prophetic witness. At other times, the life form has been distinct from the community of faith and the hierarchical church and has called the community, including the bishops, to greater fidelity to the Gospel.

The Vatican II renewal saw the movement of religious life from a lifestyle characterized by external observances and close alignment with the hierarchical church to a lifestyle that is much more in line with modern culture and that seeks to critique both Church and culture. The effectiveness of this critique will be proportional to the liminality of the lifestyle and of its witness. Only if religious are authentically living a radical form of life in service of God and the community of faith will they be credible prophets in the modern age. As seen in Figure 6, the religious institute is characterized by certain canonical structures which facilitate its ongoing life and ministry.

Alongside the religious institutes themselves, there are men and women who are associated to them, sharing in their commitment to Gospel living in the context

of their own lives in families and ministry. As they come together in groups, they receive inspiration and support from the religious institute whose spirit and charism they follow and participate in a greater or lesser degree in the mission of the institute. Associates also provide mutual support to one another and choose those types of relationship and structures that will ensure the ongoing life of the associates and facilitate their relationship with the institute. Associates have more informal structures fitted to their needs and their possibilities. This allows them to organize alongside the members of the religious community and to share in their spirituality and mission. When the institute and the associates have their own proper identity and clear boundaries, the two can relate to one another from a position of strength and mutual support.

Questions regarding the nature and relationship of institutes and their associates are arising with increasing frequency. It is clear that the associate movement, like religious life itself, is a movement of the Spirit. It is also clear that the movement is changing, and many institutes need a change in the understanding and organization of associates and associate programs. However, this is uncharted territory. The movement has a solid foundation and has the support of religious institutes and societies. From this foundation, ongoing efforts can develop more appropriate structures and relationships that will do honor to their heritage.

Author:
Amy Hereford
6400 Minnesota Ave.
St. Louis, MO 63111
amyhereford@gmail.com
314-266-1814