



**The
Rule
and
Constitutions
of
the Order of
Friars Minor
Capuchin**

CONSTITUTIONS O.F.M. Cap.

CONSTITUTIONS
of the Friars Minor Capuchin

with the
Rule and Testament of
St. Francis

Published by the North American Capuchin Conference of ministers provincial on April 16, 1977, the anniversary of the founding of the Order of Friars Minor. A translation of *Constitutiones Fratrum Minorum Capuccinorum*, published in Rome in 1975 by the General Definitory.

Printed by *The Capuchin Press*, Pittsburgh, Pennsylvania, U.S.A.

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The Rule of the Friars Minor

**Testament of Our Holy
Father Francis**



THE RULE OF THE FRIARS MINOR

BULL OF POPE HONORIUS III

CONCERNING THE RULE OF THE FRIARS MINOR

Honorius, bishop, servant of the servants of God. To his beloved sons, Brother Francis and the other brothers of the Order of Friars Minor, health and apostolic blessing. The Apostolic See is accustomed to accede to the pious requests and favorably to grant the praiseworthy desires of its petitioners. Wherefore, beloved sons in the Lord, attentive to your pious prayers, We confirm with our apostolic authority, and by this document ratify, the rule of your order, herein contained, and approved by our predecessor, Pope Innocent of happy memory, which is as follows:

CHAPTER I

**IN THE NAME OF THE LORD!
HERE BEGINS THE LIFE OF THE FRIARS MINOR**

¹This is the rule and life of the lesser brothers, namely: to observe the holy Gospel of our Lord Jesus Christ, by living in obedience, without property, and in chastity. ²Brother Francis promises obedience and reverence to the lord Pope Honorius, to his canonically elected successors, and to the Roman Church. ³And the other brothers are bound to obey Brother Francis and his successors.

CHAPTER II

OF THOSE WHO WISH TO ADOPT THIS WAY OF LIFE,
AND How THEY ARE TO BE RECEIVED

If anyone wishes to adopt this way of life and comes to our friars, let them send him to the minister provincial, to whom alone, and to no other, is granted permission to receive friars. ⁸And the minister shall examine him carefully on the Catholic faith and the sacraments of the Church. ³And if he believes all these things and intends to profess them faithfully and observe them steadfastly to the end; ⁴and if he has no wife, or if having one, she has already entered a convent or has given him permission by authority of the bishop of the diocese — she herself having previously made a vow of continence and being of such age that no suspicion can arise concerning her — ⁵then the minister shall address to him the words of the holy Gospel that he go and sell all that he has and take care to give it to the poor (Mt. 19:21). ⁶But if he cannot do this, his good will shall suffice. ⁷And the friars and the ministers shall take care not to be concerned about his temporal goods, so that he may freely dispose of his possessions as the Lord shall inspire him. ⁸But if advice is needed, the minister may send him to some God-fearing persons according to whose advice his goods shall be distributed to the poor. ⁹Then shall be given him the clothes of probation, namely, two tunics without a hood, and the cord, an undergarment and the *caperone* reaching to the cord, ¹⁰unless at times it should seem good to the same minister before God to act otherwise. ¹¹When the year of his probation is finished, let him be received to obedience, promising to observe always this way of life and rule. ¹²And in no way shall it be lawful for him to leave this order, as decreed by the lord Pope; ¹⁸for, according to the holy Gospel: “Whoever puts his hand to the plow but keeps looking back is unfit for the reign of God” (Lk. 9:26). ¹⁴Let those who have already promised obedience have one tunic with a hood and another, if they wish, without

a hood. ¹⁵And those who are compelled by necessity may wear shoes. ¹⁶And all the friars shall wear poor clothes and they may patch them with sackings and other pieces of cloth, with the blessing of God; ¹⁷I admonish and exhort them not to despise or judge those whom they see dressed in soft and dyed clothing and who use choice food and drink, but rather let everyone judge and despise himself.

CHAPTER III

ON THE DIVINE OFFICE AND ON FASTING AND How THE FRIARS OUGHT TO GO ABOUT IN THE WORLD

¹The clerics shall say the divine office according to the rite of the holy Roman Church, excepting the psalter, ²for which reason they may have breviaries. ³But the lay brothers shall say twenty-four Our Fathers for Matins; five for Lauds; seven for each of the Hours of Prime, Terce, Sext, and None; twelve for Vespers, and seven for Compline; ⁴they shall also pray for the dead.

⁵And the friars shall fast from the feast of All Saints until the Nativity of the Lord. ⁶But with regard to the holy Lent which begins at Epiphany and continues for forty days and which the Lord consecrated by His own holy fast (Mt. 4: 2), let those who keep it voluntarily be blessed by the Lord; but those who do not wish to keep it are not obliged. ⁷But they shall fast during the other Lent which lasts until the Resurrection of the Lord. ⁸At other times they are not bound to fast except on Fridays. ⁹In times, however, of manifest necessity, the friars are not obliged to observe corporal fasting. ¹⁰I counsel, admonish and exhort my brothers in the Lord Jesus Christ that when they go about in the world they neither quarrel nor dispute (2 Tim. 2:14) nor judge others; ¹¹but let them be meek, peaceful, modest, gentle and humble, speaking courteously to everyone as is becoming. ¹²They shall not ride unless compelled by manifest necessity or by infirmity. ¹³Upon entering any house, they shall first say: "*Peace be to this*

house” (Lk. 10:5). ¹⁴And according to the holy Gospel they may eat whatever food is set before them (Lk. 10:8).

CHAPTER IV

THAT THE FRIARS MAY NOT RECEIVE MONEY

*¹I strictly command all the brothers that they in no way receive coin or money, either personally or through an intermediary. Nevertheless, let the ministers and *custodes* alone take special care to provide for the needs of the sick and the clothing of the other friars, through their spiritual friends, according to places, seasons and cold climates, as they may believe necessary; ²excepting always as before said, that they receive neither coin nor money.

CHAPTER V

ON THE MANNER OF WORKING

¹Those friars whom the Lord has given the grace of working, shall work faithfully and devotedly, ²in such a manner that, avoiding idleness, the enemy of the soul, they do not extinguish the spirit of holy prayer and devotion which all temporal things ought to foster. ³In payment for their work let them accept whatever is necessary for the bodily needs of themselves and their brothers, excepting coin or money; ⁴and this they should do humbly as becomes the servants of God and followers of most holy poverty.

CHAPTER VI

THAT THE FRIARS SHALL APPROPRIATE TO THEMSELVES NOTHING, AND ON ASKING ALMS, AND OF THE SICK FRIARS

¹The brothers shall appropriate to themselves nothing, neither house nor place nor anything at all. sBut as pilgrims

and strangers in this world (I Pt. 2:11), serving the Lord in poverty and humility, they shall go seeking alms with confidence; ³nor ought they to be ashamed, since for our sakes the Lord made Himself poor in this world (2 Cor. 8:9). ⁴This is that sublime height of most exalted poverty which has made you, my most beloved brothers, heirs and kings of the kingdom of heaven; it has made you poor in temporal things but exalted you in virtue (James 2:5). ⁵Let this be your *portion* which leads *into the land of the living* (Ps. 141:6). ⁶Giving yourselves up wholly to this, beloved brothers, never seek anything else under heaven for the sake of our Lord Jesus Christ. ⁷And wherever the brothers are and may meet one another, let them all treat each other as members of one family. ⁸Let them confidently make known to each other their needs, for, if a mother cares for and loves her natural son (I Thes. 2:7), how much more diligently ought everyone to love and care for him who is his spiritual brother. ⁹And when any brother falls sick, the other brothers shall serve him as they would wish to be served themselves (Mt 7:12).

CHAPTER VII

ON THE PENANCE TO BE IMPOSED ON THE FRIARS WHO SIN

¹If any brother, at the instigation of the enemy, sin mortally in regard to any of those sins concerning which it has been decreed among the brothers to have recourse only to the ministers provincial, let him have recourse as soon as possible and without delay. ²And the ministers themselves, if they are priests, shall impose on him a penance with mercy; but, if the ministers are not priests, let them have it imposed by others who are priests of the order, as seems better to them under God. ^aAnd they shall take care not to become angry or disturbed over the sins of others, for anger and trouble of spirit hinder charity in themselves and in others.

CHAPTER VIII

ON THE ELECTION OF THE MINISTER GENERAL OF THIS
FRATERNITY, AND ON THE CHAPTER OF PENTECOST

“All the brothers are bound to have always one of the brothers of this order as minister general and servant of the whole fraternity, and they shall be strictly obliged to obey him. “When he dies, his successor shall be elected by the ministers provincial and the *custodies* at the chapter of Pentecost. At this chapter all the ministers provincial shall assemble in whatever place the minister general shall have designated; “and they shall do this once every three years, or at other periods, longer or shorter, as the minister general shall have decided. ⁴And if at any time it should become clear to the body of the ministers provincial and *oustodes* that the aforesaid minister general is not qualified for the service and general welfare of the brothers, the brothers to whom the election is committed shall be bound in the name of the Lord to elect another as *custos*. “After the chapter of Pentecost, the ministers and *custodes* may each, if they wish and judge it useful, convoke a chapter of the brothers in their custodies once in the same year.

CHAPTER IX

OF PREACHERS

“The brothers shall not preach in the diocese of any bishop, when he has opposed their doing so; ²and no brother shall dare to preach to the people at all, unless he has been examined and approved by the minister general of this fraternity, and the office of preaching has been conferred upon him. “Moreover, I admonish and exhort these same brothers that, when they preach, their *language* be *well-considered* and *simple* (Ps. 11: 1; 17:31), for the benefit and edification of the people, proclaiming to them what is vice and virtue, pun-

ishment and glory, with brevity, *because our Lord when on earth made a short word* (Rm. 9:28).

CHAPTER X

ON THE ADMONITION AND CORRECTION OF THE FRIARS

"Those brothers who are ministers and servants of the other brothers shall visit and admonish their brothers, and humbly and charitably correct them, not commanding them anything that is against their own soul and our rule. ²But the brothers, who are subjects, shall remember that they have renounced their own wills for God. "Wherefore, I strictly command them to obey their ministers in all things they have promised the Lord to observe and which are not against their soul and our rule. "And wherever those brothers may be who know and acknowledge that they cannot observe the rule spiritually, they can and should have recourse to their ministers. ⁵And the ministers should receive them charitably and kindly and show such familiarity that these same brothers may speak and treat with them as masters with their servants; "for so it ought to be that the ministers should be the servants of all the brothers. ⁷I also admonish and exhort the brothers in the Lord Jesus Christ to *beware of all pride, vainglory, envy and greed* (Lk. 12:15), of anxious care for the things of this world (Mt. 13:22), of detraction and grumbling. And those who are unlettered shall not strive after learning; ⁸but let them remember they should desire above all things to have the Spirit of the Lord and His holy grace; "that they should desire to pray to Him always with a pure heart, ¹⁰to have humility and patience in persecution and infirmity, and to love those who persecute, criticize and accuse us, because the Lord says: "*Love your enemies and pray for those who persecute and slander you*" (Mt. 5:44). ¹¹*Blessed are they who suffer persecution for justice sake, since theirs is the kingdom of heaven* (Mt 5:10). ¹²*But he who perseveres to the end will be saved* (Mt. 10:22).

CHAPTER XI

THAT THE FRIARS SHALL NOT ENTER CONVENTS OF NUNS

'I strictly command all the brothers not to have any suspicious associations or conversations with women; ²nor shall they enter the convents of nuns, excepting those brothers to whom special permission has been granted by the Apostolic See. ³Neither shall they be godfathers to men or women, lest scandal should arise on this account either among the brothers or concerning them.

CHAPTER XII

OF THOSE WHO GO AMONG THE SARACENS AND OTHER INFIDELS

'Should any brothers moved by divine inspiration desire to go among the Saracens or other infidels, they shall ask permission for this from their ministers provincial. ^aBut the ministers shall not grant permission except to those whom they judge fit to be sent. ³Finally, I command the ministers by obedience that they petition the lord Pope for one of the cardinals of the holy Roman Church, who shall be the governor, protector and corrector of this fraternity, ⁴so that, being always submissive and subject at the feet of the same holy Church, and steadfast in the Catholic faith, we may observe poverty and humility and the holy Gospel (Col. 1:23) of our Lord Jesus Christ, as we have already promised.

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It is forbidden, therefore, to anyone to tamper with this decree of Our confirmation or rashly dare to oppose it. Should anyone presume to attempt this, let him know that he shall incur the anger of Almighty God and of His Blessed Apostles Peter and Paul.

Given at the Lateran the 29th day of November, in the eighth year of Our Pontificate.

TESTAMENT OF OUR HOLY FATHER FRANCIS

JThis is how the Lord granted to me, Brother Francis, to begin to do penance; for, when I was in sin, it seemed to me unbearably bitter to see lepers; abut the Lord Himself led me among them, and I showed compassion to them. ³And when I left them, what before seemed bitter was changed into sweetness of soul and body; after that I hesitated a while, and left the world.

⁴And the Lord gave me such faith in churches that I would with simplicity thus pray and say: ⁵“We adore You, Lord Jesus Christ, in all Your churches throughout the world, and we bless You, because by Your holy cross You have redeemed the world.”

⁶Afterwards the Lord gave me, and gives me still, such faith in priests, who live according to the norm of the holy Roman Church, on account of their orders, that if they persecuted me I would still have recourse to them. ⁷And if I had the wisdom of Solomon and should meet poor priests of this world, I would not preach against their will in the parishes in which they live. ⁸And these priests, and all others, I am resolved to hold in respect, love and honor as my masters. ⁹And I will not think about any sin in them, because I behold in them the Son of God, and they are my masters. ¹⁰And I do this because in this world I see nothing corporally of the Most High Son of God, but His most holy Body and Blood, which they receive and which they alone administer to others. ¹¹And I want these most holy mysteries honored and venerated above all else and kept in precious places.

¹²And wherever I find writings containing His most holy names and words in any unbecoming place, I will gather them up, and I beg that they be gathered up, and put in a becoming place.

¹³And all theologians and those who minister to us the most holy word of God, we must honor and revere as those who minister to us spirit and life (Jn. 6:64).

¹¹After the Lord gave me some brothers, no one showed me what I ought to do; but the Most High Himself revealed to me that I should live according to the pattern of the holy Gospel. ¹¹And I had this written down briefly and simply, and the lord Pope confirmed it for me.

¹⁴Those who came to adopt this way of life gave *all that they possessed* (Tob. 1:3) to the poor. And they were satisfied with one tunic patched inside and out, and with a cord and an undergarment, ¹⁷and we desired nothing more.

¹⁸We clerics said the divine office like other clerics; the lay brothers said the Our Father. And we quite willingly lived in churches; ¹⁶and we were simple, without learning, and subject to all.

²⁰I worked with my hands, and I still desire to work; and I most earnestly want all the other brothers to employ themselves in honest work. ²¹Let those who do not know how to work learn, not from a desire to receive wages, but for good example and to avoid idleness.

²²And when the wages of our work are not given us, let us have recourse to the table of the Lord, asking alms from door to door.

³³The Lord revealed to me this greeting that we should say: "The Lord give you peace."

²⁴Let the brothers take care that they by no means receive churches or houses, however small and poor, or anything else built for them, unless these buildings are in keeping with the holy poverty we have promised in the rule, and let them always lodge there as pilgrims and strangers (1 Pt. 2:11).

²⁵I strictly command all the brothers, in virtue of obedience, that, wherever they are, they shall not dare either personally or through others, to ask for any letter from the Roman Curia,

in favor of a church or any other place, or under pretext of preaching or as protection against bodily persecution; ²⁶but wherever they are not received, they shall flee to another region to do penance with the blessing of God.

²⁷I am firmly resolved to obey the minister general of this fraternity, and that other guardian whom it shall please him to give me; ²⁸and I want to be so captive in his hands that I shall be able neither to go anywhere nor to do anything apart from obedience and his will because he is my master.

²⁹And although I am simple and infirm, nevertheless, I always want to have a cleric to say the office with me as directed in the rule. ³⁰And let all the other brothers be bound in like manner to obey their guardians, and to say the office according to the rule.

³¹And if any brothers are found who do not say the office according to the rule, and who want to change it in any way, or who are not really Catholic, all the friars, wherever they are and shall find one of them, shall be bound by obedience to bring him before the *custos* nearest the place where they found him. ³²And the *custos* shall be strictly obliged under obedience to guard him as a prisoner day and night, so that the friar cannot be snatched from his hands, until he can personally hand him over to his minister. ³³And the minister shall be strictly bound by obedience to send the brother in the care of others who shall guard him as a prisoner day and night until they bring him before the lord of Ostia, who is the master, protector and corrector of the whole fraternity.

³⁴And the brothers shall not say: "This is another rule"; for this is but a reminder, admonition, exhortation, and my testament which I, the little Brother Francis, make for you, my blessed brothers, to the end that we may observe in a more Catholic manner the rule we have promised to the Lord.

³⁵And the minister general and all the other ministers and *custodes* shall be bound by obedience neither to add to these words, nor to take away from them. ³⁶And they shall always have this writing with them together with the rule. ³⁷And in all the chapters which they hold, when they read the rule, they shall also read these words.

³⁸And I strictly command under obedience all my brothers, both cleric and lay, not to put interpretations upon the rule or upon these words saying: "thus they are to be understood."
³⁰But, as the Lord has granted me to speak and to write the rule and these words simply and plainly, so do you understand them simply, plainly and without interpretation and with the grace of God observe them unto the end.

⁴⁰And whoever shall keep these words, may he be filled in heaven with the blessing of the Most High Father, and on earth with the blessing of His beloved Son together with that of the Most Holy Spirit, the Paraclete, and of all the powers of heaven and of all the saints. ⁴¹And I, Brother Francis, your little servant, as far as I can, confirm for you, within and without, this most holy blessing.

EXHORTATION OF OUR HOLY FATHER FRANCIS

O most beloved brothers and children ever blessed, listen to me and hear the voice of your father:

Great things have we promised, greater things are promised us. Let us observe the former, and earnestly aspire to the latter.

Sensual pleasure is brief, eternal the punishment.

Little the suffering, infinite the glory.

Many are called, few are chosen; everyone will be rewarded according to his merit. Amen.

—II Celano, #191; also Fioretti #18.

**Constitutions of the
Order of Friars Minor Capuchin**

PROLOGUE

The revised Constitutions of the order, approved by the special general chapter held in 1968, were published and promulgated “experimentally” in the same year. Now they are being published and promulgated once again; but this text differs somewhat from the first one. Again the chapter held in 1968, two other general chapters were held in 1970 and 1974. In these chapters, the Constitutions of 1968 were reviewed over and over again. Furthermore, from 1968 up to the present time, documents of the Holy See have appeared (decrees, decisions, replies to questions, and the like) which brought about some change in our Constitutions. This new text of the Constitutions, therefore, has been drafted in conformity with the aforesaid pontifical documents and the decisions of the chapters held in 1970 and 1974.

Having made these prefatory remarks, We, together with the general definitory, by virtue of this letter, publish and promulgate for a second time the revised Constitutions of the Order of Friars Minor Capuchin. This is being done again “experimentally” for the Sacred Congregation for Religious and Secular Institutes thinks that it is premature to expect a definitive approbation of new Constitutions only six years after their promulgation (AOFMCap 88 [1972] 170).

Here then are our Constitutions. These must be considered as the proper adaptation of the Rule of Saint Francis to the new circumstances of the times. They must be considered in

the light of *Ecclesiae Sanctae* (II, 9) which says, “Besides, suitable renewal cannot be achieved once and for all; it needs to be fostered continually, with the help of the fervor of its members and the solicitude of chapters and superiors.” The authentic interpretation of the Rule itself is reserved to the Holy See.

If we will observe these Constitutions in the right way, as true sons of St. Francis and as brothers one to another, we will be filled with the abundant blessing of our Seraphic Father.
Rome, March 6, 1975.

FR. PASCHAL RYWALSKI

Minister General, O.F.M. Cap.

PROLOGUE TO 1968 EDITION

Brother Francis of Assisi, led by the Spirit of God and on fire with love for Christ, set down a way of life for himself and for his brothers, which he patterned on the poverty, penance and littleness of the Gospel and which he described in few and simple words in the Rule. With the passing of years, his followers had to adapt their life, activity and legislation in ways that were suited to the various needs of the times. The first such adaptation was made in 1260, at the chapter of the order under the direction of Saint Bonaventure, who added the Constitutions of Narbonne to the Rule.

From the beginning, the Order of Friars Minor Capuchin desired to preserve the spiritual heritage of Saint Francis, its founder, through a simple and sincere fidelity, in keeping with the Rule and Testament and in obedience to the authority of the Church. It desired to hand on the patrimony of Francis, with a continual openness, to succeeding generations of friars. In order to renew faithfulness to this life, our chapter of 1536 drew up Constitutions, which, though they were revised often in the course of time, always retained a spiritual purpose and a solid Franciscan character.

The Second Vatican Council set forth the principles for an appropriate renewal of religious life, especially in the documents *Lumen Gentium* and *Perfectae Cantatis*, and Pope Paul VI, in the Motu Proprio *Ecclesiae Sanctae*, commanded all religious to revise the laws of their institutes. Among these principles the following are salient: a return to the genuine spirit of the founder, the teaching of the Council itself, and the signs or needs of the times.

Our general chapter, held in 1964, had already determined that a commission for the revision of our legislation should be called together. The minister general implemented this decision during the year. The commission consulted with the friars of the entire order and labored incessantly for the next four years to prepare a provisional text on the Constitutions that followed the mind of the Second Vatican Council. The general chapter, celebrated in 1968, accepted this text as a “basis or instrument for its reflection, work and discussion.” After that, through the studious efforts of the capitular friars, the present text was prepared and approved.

Now, under the authority of the chapter, Father Clementinus of Vlissingen, minister general, with his definitory, promulgates this text of the Constitutions. It remains in force *ad experimentum*, until the next general chapter, and is intended as a sure support of our spiritual renewal in Christ and as a powerful aid in our apostolic activity.

Rome, the 26th day of November, in the year 1968.

UNDERSTAND
THAT POVERTY
IS A CHOICE WAY
OF SALVATION;
THE FRUIT IT BEARS
IS MANIFOLD,
AND RARE ARE THEY
WHO KNOW IT WELL...

2 CELANO 200

Guy

In the Name of Our Lord Jesus Christ Begin the Constitutions of the Friars Minor Capuchin

CHAPTER I

THE LIFE OF THE FRIARS MINOR CAPUCHIN

Article I. *Our Life According to the Gospel*

1. In every age the holy Gospel of our Lord Jesus Christ is the source of life for the Church and the good news of salvation for the world. Through the Gospel the Church knows Christ and receives in faith His words and actions, which are spirit and life to those who believe. Our Seraphic Father, St. Francis, the founder of our order, constantly experienced, even from the beginning of his conversion, the power of the Gospel. He, therefore, expressly enjoined the observance of the Gospel at the beginning and end of the Rule and stated in the Testament that it was revealed to him that he was bound to model his life on it. Since we are his sons, let us, under the action of the Holy Spirit, devote serious effort to grow steadily in understanding the Gospel. In all circumstances we should follow the Gospel as our first Rule. We should exert ourselves reading the words of salvation and, like the Blessed Virgin Mary, treasure them in our hearts, so that more and more our life may be formed by the Gospel.

2. As a true disciple of Christ and as a unique example of Christian life, St. Francis taught his brothers to walk in the footsteps of the poor, humble and crucified Jesus Christ, and to do so joyfully. Through Jesus, as their way, they are led in the Holy Spirit to the Father. Burning with love for Christ, let us contemplate Him in the self-emptying of His Incarnation and Passion in order to become more like Him. Then, joyfully celebrating the Eucharist together, let us take hold of our place in the Paschal Mystery, enjoying a foretaste of the glory of His Resurrection until He comes. With all our heart, let us live the gospel counsels, especially those we have promised: a chastity that is consecrated to God, a poverty which is for us a special way of salvation, and a loving obedience.

3. After hearing Christ's words sending forth the apostles, our holy Father Francis began the fraternity of the Order of Lesser Brothers to bear witness to the Kingdom of God by living in a community which preaches penance and peace by word and example. In order to learn the pattern of the true disciple of Jesus Christ, which was so evident in Francis, we should intently study how to imitate such a father, how to cultivate his spiritual heritage in our life and work, and how to share it with people in every age. For this purpose we will frequently read the life and writings of Francis himself, those of his sons distinguished for holiness and learning, as well as other books which portray his spirit.

4. The Rule of St. Francis drew its origin from the Gospel and now draws us into that gospel life. We are to strive seriously to grasp the spiritual meaning of the Rule. Following Francis' admonition as expressed in the Testament, as well as the ideal of the early Capuchins, we must endeavor to observe this Rule and, with God's help, live it simply and plainly. Superiors should heartily promote knowledge, love and observance of the Rule. To make it possible for the Rule and the mind of our father and lawgiver to be observed faithfully everywhere, major superiors should see that ways of living, even pluriform ways, be carefully sought which are more ap-

propriate for the life and apostolate of the friars whose needs differ from time to time and from place to place. True plurality bases itself on fraternal sharing and juridic obedience to superiors, always preserving the unity of the authentic spirit. This offers a certain freedom of action to those who work for renewal, without destroying the spirit.

5. The Rule of St. Francis, confirmed by Pope Honorius, is the foundation and source of all law in our order. By virtue of our profession we are bound to observe it simply and in a Catholic manner. The authentic interpretation of this Rule is reserved to the Holy See. The Holy See has abrogated earlier pontifical declarations on the Rule in respect to their perceptive force alone, with the exception of those declarations which are contained in existing common law or in these Constitutions. Further, it recognizes the right of the general chapters to adapt the Rule as needed to new circumstances, provided these adaptations receive the force of law through the approval of the Holy See.

6. Our Seraphic Father drew up his Testament when near death, marked with the sacred stigmata and full of the Holy Spirit, he eagerly longed for our salvation. In the Testament he reveals his last will and passes on to us a precious heritage of his spirit. He gave us the Testament so that in keeping with the mind of the Church we might observe day by day more perfectly the Rule we have professed. We, therefore, accept the Testament as the primary spiritual explanation of the Rule and a principal inspiration of our life.

Article II. *Our Life in the Church*

7. The Church is the universal sacrament of salvation, the sign and instrument of union with God and of the oneness of the human race. It is the People of God making its pilgrim journey through this world. As a people brought together by Christ into a sharing of life, love and truth, the Church is enriched by the Holy Spirit with many gifts and charisms useful

for its renewal and constant upbuilding. Amid this great variety of charisms, the Church has brought forth the family of St. Francis. By its hierarchical authority it has approved and protected this form of life, so that a symbol of the poor and humble Christ who was devoted to the service of people, particularly the poor, might more clearly be reflected on its face. Let us, therefore, love the Church ardently, meditate on its mystery, and actively join in its life and labor.

8. Mindful of St. Francis, who was known as a Catholic and wholly apostolic man, we should humbly and devotedly revere the Roman pontiff as a father whom religious are bound also by vow to obey as their highest superior. We should also be united by reverence and active cooperation with the bishops, the successors of the apostles. Likewise, we should show respect to priests and others who minister to us spirit and life and work zealously with them for the welfare of the People of God.

9. The minister general is chosen for the service and welfare of the entire fraternity. We should love and obey him with a ready heart, for he is the successor of our holy founder and a living bond that unites us with the authority of the Church and with one another. We should also love, and actively and responsibly obey, the other ministers of the fraternity, for the Lord has given them to us as pastors and the friars have chosen them as worthy of trust. In this way we become ever more closely and solidly united to the service of the Church in the spirit of faith and the love of Christ.

10. Fraternal life, set out in the Gospel, is meant to be both a model and a leaven for all human social life. It encourages people to form close relationships and to foster harmonious action for the development of the human person and the genuine progress of human society. In the advance of socialization today, truly a sign of our times, our fraternal life gains a new significance and a more effective witness, for through it

God is urging us to strive for the realization and growth of brotherhood in justice and peace.

11. St. Francis drew from his adoration of the supremely good Father a love for the whole human family. He burned with a love given by the Holy Spirit and saw in every creature the image of Christ, the First-born and Savior. As sons of the same Father, we are to regard ourselves as brothers to all, without discrimination, and encourage a fraternal spirit among all. Since we are called together by the one Spirit and in the same vocation, we should always foster this sense of fraternity among ourselves by our common prayer, our work and also by our self-denial. It must become more and more evident that we are brothers by our sincere love and service, not only toward members of the local, regional or provincial fraternity but toward the friars of our order everywhere. We must also seek to develop a sense of brotherhood toward all the followers of St. Francis, for we have a common spirit from the one father. In this way the entire Franciscan family, through mutual love and cooperation, will be a clear sign of gospel fraternity in the Church and in the world.

12. As brothers of all, we call ourselves “lesser” in order that in our hearts we regard ourselves as debtors to all, and not think ourselves “greater” than any. As lesser brothers, we must be eager to serve the needs we find in the Church and in human society. Since we desire very much to be like the Son of God, who took the form of a slave and who came not to be served but to serve, we must spend ourselves in the service of all, particularly those persons who suffer poverty and distress. Hence we earnestly exhort the brothers, who with the consent of their superiors freely choose to live our fraternal life among the poor, to exert all their strength for the human betterment and evangelization of these people while sharing lovingly their hardship and lowly condition. In doing this, we concretely show the spirit of our fraternity and become a leaven of justice, unity and peace.

13. Our response to the gospel call will be a fruitful apostolic life in the Church and the world to the degree that we combine contemplation and action as Jesus himself constantly joined prayer and activity for our salvation. The apostles, whom our Lord sent into the world, lived like their Master as they persevered in prayer and the ministry of the word. Although St. Francis dearly loved solitary places, he followed in the footsteps of the Lord and the apostles in choosing a way of life that closely joined prayer with the proclamation of the good news of salvation. We, too, are to commit ourselves to the praise of God and meditation on His word, so that we become ever more devoted in our apostolic efforts to bring others joyfully to the love of God. In this way, our life of prayer is charged with an apostolic spirit, and our apostolate is inspired by prayer.

CHAPTER II
THOSE WHO WISH TO ADOPT THIS LIFE AND
How THEY ARE TO BE RECEIVED

Article I. The Vocation to Our Life

14. God in His love calls all the faithful in the Church to the perfection of charity through different states of life in order to accomplish the salvation of the world. To this call everyone must respond freely and lovingly so that the dignity of the human person may be harmonized with the will of God. We should gratefully rejoice that God has given us the special grace of a vocation to religious life. When we respond to our Franciscan call, we give public corporate witness to Christ's abiding presence. We follow the poor and humble Christ, and we preach His good news of salvation to everyone, especially the poor. In this way, as a pilgrim fraternity, penitent in heart and in deed, we support the Church's mission of salvation to the world.

15. Recalling how eagerly our Seraphic Father desired the growth of his new fraternity, all the brothers and especially the ministers should seek out and promote authentic vocations to the order. They will do this chiefly by example, prayer and personal contact. Special concern should be shown

to those who are called later in life. When the friars work for vocations, they cooperate with God, who calls and chooses whomever He wills, and they contribute to the growth of the Church. When our Seraphic Father foresaw the rapid growth of his fraternity, he was concerned for the purity of that life and feared having a number of brothers lacking in fitness. Those, therefore, who wish to embrace our life should be carefully examined and selected, since our growth is not measured by numbers but by our daily advance in virtue and in the spirit and perfection of charity.

16. In order to encourage, nurture and prepare vocations, the ministers provincial, with the consent of the provincial chapter, should establish Franciscan seminaries or other special schools, as these are judged necessary. In their education in science and the humanities these schools are to follow sound educational principles. In preparation for religious life the students should not live their Christian life in isolation from their own families or from normal social contacts, but in a way consistent with their age, spiritual development and maturity. Their studies are to be arranged so that they could continue them elsewhere without difficulty.

Article II. *Admission to Our Life*

17. Besides the minister general, the minister provincial alone has the right to admit candidates to postulancy, novitiate, vows or promises. The minister provincial may delegate this, even habitually, to the vicar provincial, the vice provincial and the superior regular. Before the superiors admit a candidate to the novitiate, they shall consult their council or three or four friars appointed by the council. Before they admit a candidate to first vows or promises or to solemn profession, they must have the consent of their council. As needed, they should seek the advice of other qualified persons. In extraordinary situations, provided he cannot communicate with the minister provincial, the superior of a local fraternity where

the candidate lives has these same faculties, but the other prescriptions of these Constitutions are to be observed.

18. The novice master has the right to invest novices, unless the minister provincial provides otherwise. The minister provincial himself receives the vows in the name of the Church or the other bonds. He may also delegate another friar of the order to do so. The liturgical rites prescribed for investiture, profession of vows or promises shall be observed. Religious profession shall ordinarily be made during Mass, and with the following formula: *"I, Brother N.N., vow and promise to Almighty God, to the Blessed Virgin Mary, to our holy Father Francis, to all the saints and to you, Father, to observe . . . the Rule of the Friars Minor, confirmed by our Lord Pope Honorius, Irving in obedience, without property and in chastity."*

19. The ministers provincial are to inquire diligently whether persons to be admitted to the novitiate fulfill the requirements of common law regarding valid and lawful admission. The following shall also be observed:

a) It must be shown that candidates have the physical and psychological health to follow our life and that their temperament is suited for living in community.

b) Candidates must show by their lives that they firmly believe whatever Holy Mother Church holds and believes, and that they have a Catholic spirit.

c) They should have a good reputation, particularly among those who knew them well.

d) They should show appropriate maturity and a sincere desire to serve God and the salvation of all people according to St. Francis' rule and way of life. This should be their basic reason for coming to the order.

e) They should be educated according to the standards of the region where they are admitted, and they should show promise of carrying out successfully whatever duties they might be assigned by the major superiors.

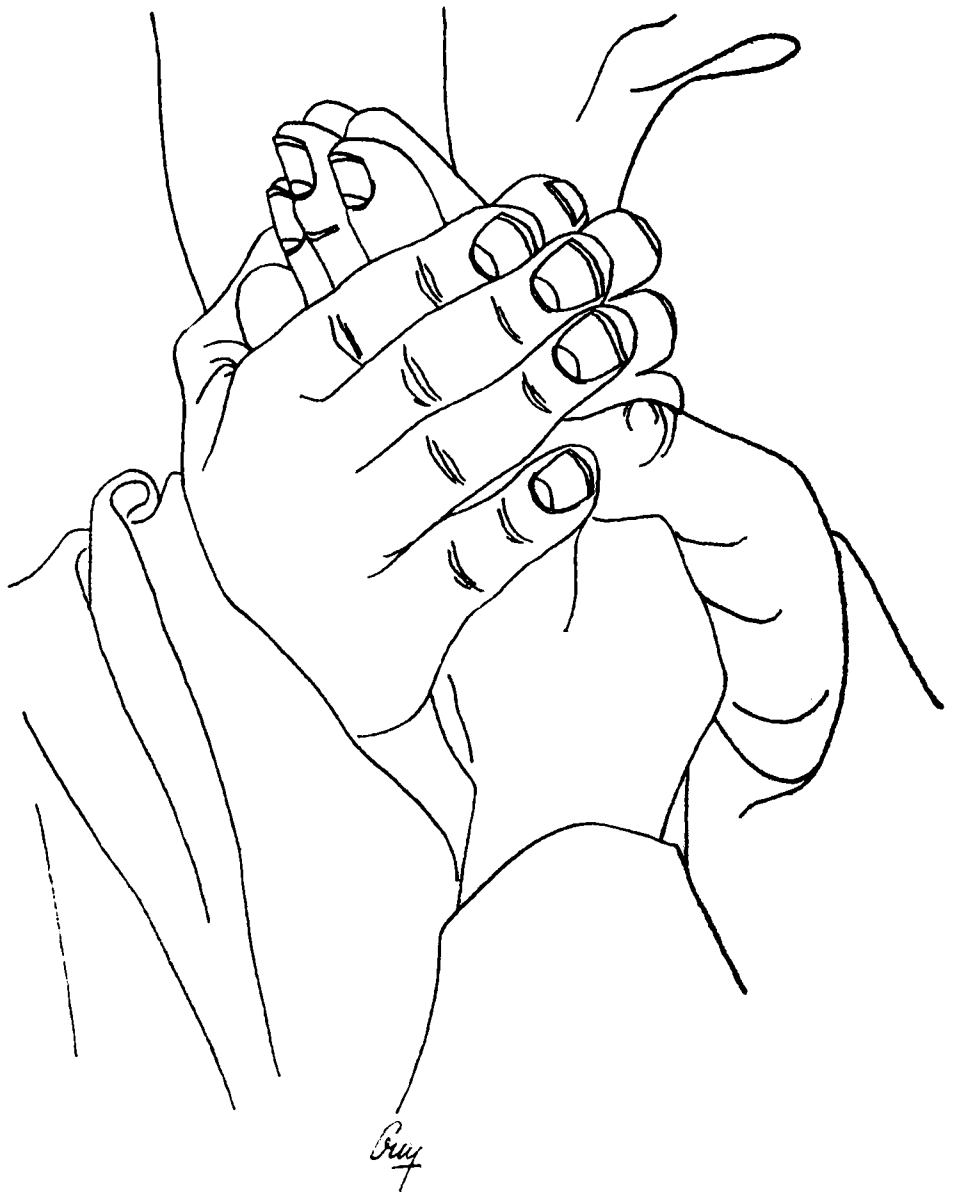
f) For persons who are called later in life, other informa-

tion besides the usual testimonial letters ought to be gathered concerning their previous life.

20. In answer to the young man who desired to gain eternal salvation, Christ, our most wise Teacher, said that if he wished to become His disciple, he should first sell all he possessed and give it to the poor. His imitator, Francis, not only observed that counsel and taught it in his own person and in the disciples he formed, but also commanded in his Rule that it be observed. The ministers provincial should make known to candidates, who are called to our order by an interior love of Christ, these words of the Holy Gospel, and explain their meaning so that at the proper time before solemn profession they give away their property to whomever they choose outside the order. On their part, the candidates should prepare themselves interiorly for the future renunciation of their material goods. The brothers are to avoid becoming involved in this matter, as the Rule directs. The candidates should be ready to use their minds and wills, and gifts of nature and grace, for the benefit of the fraternity in carrying out whatever assignments they receive from their superiors in the service of God's people.

Article III. *Initiation into OUT Life*

21. During the period of initiation, the formation of the candidates should foster a personal development in which the human blends well with the spiritual. This formation should be thorough and sound, wisely adapted to the needs and circumstances of time and place. The formation program must actively engage the students' participation in tasks which gradually lead to gaining self-control and psychological maturity. This will be effected especially through experiences that encourage responsibility, initiative and sustained effort. With consideration for individual personalities and gifts of grace, they should be led into the spiritual life which is nourished by the reading of God's word, by active participation in liturgy and by personal reflection and prayer, so that they are



drawn more and more to Christ, who is the Way, the Truth and the Life. The brothers in formation should acquire a thorough knowledge and practice of the Franciscan spirit by studying the life of St. Francis and his mind concerning the observance of the Rule, by studying the history and sound traditions of our order, but most of all by assimilating interiorly the life to which they are called. They should foster a true fraternal living among themselves and with others, and be ever ready to help those in need. In that way they will learn to live more perfectly each day in active union with the Church.

22. Every brother whom God sends to the fraternity brings joy and offers us an incentive to be renewed in the spirit of our vocation. The work of initiation belongs to the entire fraternity in which the candidates live. In the manner and within the limits they define, the provincial definitory shall entrust direction of initiation to friars who have learning, prudence, discernment of spirit, understanding of youthful minds, as well as other necessary qualities, and who have been specially trained for this important office. The novice master and other directors should be free from other offices and duties which could interfere with the care and direction of the candidates. Where circumstances suggest it, the provincial definitory may appoint others to assist them. A spiritual director for the internal forum may also be appointed for the candidates.

23. The period of initiation for our life begins on the day when, having been accepted by the minister provincial, a person enters the fraternity. From that day onward, a candidate must be regarded as a member of the fraternity, both in regard to formation and in regard to his life and work. A document shall be drawn up as a record of his entrance. The postulancy is the first period of initiation during which the candidates complete their formation in the humanities, acquire a deeper understanding of the Christian life and are introduced gradually into our fraternal life. The time and procedure of this first period are determined by the minister provincial and his

definitory. The novitiate, which extends for at least a year, is a period of deeper reflection and more intense living of our life. It shall be made at a time and in a manner to be determined by the provincial definitory. The novitiate may be interrupted on an experimental basis to complete the novices' formation by involving them in one or more periods of formation activities in line with the character of our order. These periods may be spent away from the novitiate house on the judgment of the novice master and with the consent of the major superior. During the period of initiation a special formation of the friars shall be arranged with a view to the duties they will perform later on and in keeping with the particular circumstances and statutes of the provinces. All the periods of initiation shall be spent in fraternities which are especially suited for living our life and also for the training to be given, and which have been designated for this purpose by the provincial definitory. It belongs to the minister general with his definitory to establish novitiates.

24. The local fraternity shall review and discuss in common the fitness of the candidates and its own manner of relating to them. This is to be done at the times determined by the provincial definitory following a report given by the novice master or director. During the novitiate and before solemn profession, the solemnly professed friars who have lived for four months in that fraternity shall express their opinion and also cast a consultative vote in a manner determined by the major superior. Although the friars in temporary vows do not have a vote, they should not be overlooked but should be asked their opinion. A report on every such meeting and the results of any voting shall be sent to the minister provincial.

Article IV. *The Profession of Our Life*

25. Let us reflect often on how great is the grace of religious profession. By it we embrace, under a new and special title, a life dedicated to the honor and service of God which urges us on to the perfection of charity. Thus firmly and more

intimately consecrated to God, we represent Christ united by an indissoluble bond to His spouse, the Church. In order that through this consecration we may gather more abundant fruit from the grace of baptism, we bind ourselves to live out the evangelical counsels in accordance with the Rule. In this way we aim to free ourselves from entanglements which could draw us away from perfect charity, spiritual freedom, and perfect worship of God. Because we enjoy a special divine gift within the life of the Church, we support its saving mission by the witness of our profession. We, therefore, exhort the brothers to prepare themselves for profession with great care by a spiritual retreat, an intense sacramental life centered around the Eucharist, and fervent prayer.

26. Solemn profession is made at a time determined by the minister provincial and the one making profession, but not before the sixth nor later than the tenth year from the beginning of the initiation period. However, when the time arrives for receiving sacred orders, the minister provincial with the consent of the definitory may shorten the period of initiation by one or two years. But solemn profession may never be made before the friar is twenty-three years old. Through this profession the candidate becomes definitively incorporated into the order, sharing in all the rights and duties according to these Constitutions. When the novitiate has been completed, simple profession of vows or a promise to the order shall be made for a length of time determined by the minister provincial with the one making profession, and it is to be renewed until solemn profession. The provincial chapter determines whatever seems necessary regarding the nature and juridic effects of temporary bonds which are not public vows. In cases of bonds of this type, the brothers shall prepare for solemn profession by spending some time in a type of second novitiate; its nature and duration are determined by the provin-

cial chapter.* The time for reception of orders should be determined similarly.

27. A document must be drawn up attesting to the fact of simple or solemn vows, or other bonds, and containing the brother's age and other necessary information. This document is to be signed by the professed, by the one who received the vows or promise and by two witnesses. Together with the other data required by the Church, this document shall be carefully kept in the provincial archives so as to be available when necessary. The minister provincial shall also record the fact in the register of professions which is to be kept in the archives. In the case of solemn profession, the superior who received it shall inform the pastor of the place where the friar making profession was baptized.

28. The minister provincial and, by special mandate, the others mentioned in number 17 have the authority to dismiss a postulant or a novice whom they judge unfit for our life. When there is serious reason which allows no delay, the novice master and director of postulants have the same authority with the consent of the council of the local fraternity. The major superior must be informed immediately of this action. With the consent of the general definitory, the minister general may dispense from temporary vows a brother who requests it. With his definitory, the minister provincial may dispense from bonds which are not public vows, and for a serious reason may dismiss a brother in temporary vows or bonds of another kind.

•If at the end of the novitiate the candidate already fulfills the conditions mentioned above he can, with the consent of the minister provincial and his definitory, immediately make solemn profession." —This text, contrary to common law, has not yet been accepted by the Holy See and so solemn profession cannot be made unless it is preceded by a temporary profession or promise for at least three years after novitiate.

29. Anyone called to profess the counsels should strive to walk worthily in the vocation he has received from God. All of us must keep alive and strengthen for ourselves and for others the gift of a religious vocation and that of perseverance through faithful cooperation, prudent watchfulness and constant prayer. Let us beware, brothers, of slipping into apostasy of heart. This can happen when a friar, because of lukewarmness, hides a worldly heart beneath his religious garb and, dominated by the proud, sensual spirit of the world, he abandons the spirit and love of his vocation. Remembering the admonition of the apostle: "Be not conformed to this world," let us reject whatever savors of sin and whatever weakens religious life.

Article V.

The Friars' External Clothing and Internal Attitude

30. Let poverty shine through everything we use and, like pilgrims and strangers, let us openly show that the Kingdom of Christ is not of this world. Consequently, it is decreed that the brothers who have chosen to be lesser within the Church should wear only that kind of clothing which is regarded in the region as consistent with poverty and simplicity. Let them observe this also when, because of circumstances special to a region, they wear clothing other than what is traditional in the order.

31. Remembering that our religious clothing is symbolic of consecration made to God and of our brotherhood, the friars shall wear it both inside and outside the house. Our clothing, according to the Rule and the practice of the order, consists of a tunic with a hood, chestnut brown in color, with cord and sandals — or shoes if there be a good reason to wear them. Where other clothing is more suitable because of differences of places and times, the major superiors with their councils, after consulting the conference of major superiors, shall make other provisions as seem best to them before God, keep-

ing in mind the norms set by ecclesiastical authority. The same norm of pluriformity applies to the custom of wearing a beard.

32. Without the spirit of humility, the outward signs of humility worn by the friars contribute little to the salvation of others. After the example of St. Francis, let us spend all our effort to become good, not merely to appear good, and to be the same in word and deed, within and without. As we clothe ourselves with the meek and humble Christ, let us be in our hearts, speech and deeds really lesser brothers without any pretending. As the Rule admonishes, we should be the first to honor others because we regard ourselves less than all.

CHAPTER III

THE PRAYER LIFE OF THE FRIARS

33. Prayer to God begins from a movement of the Holy Spirit whereby the inner self listens to the voice of God speaking to the heart. God speaks through many signs and in many ways, in the plan of all creation, in a special way in human history, but above all through His Word in salvation history. Prayer reaches completeness whenever a person who has been reborn makes a response of faith and carries on a filial conversation with the Father through Christ and in the Holy Spirit. In this, whether we are thinking or working, we express an unceasing love of God, the highest good, and seek Him always as the joy of our heart. Since we are consecrated more closely to the service of God by the gospel counsels, especially chastity, we should strive with freedom of spirit to possess this life of prayer above all else. Thus, we shall be true followers of St. Francis who was seen not so much as praying as having become a prayer himself. We ought, then, to esteem both common and private prayer, and above all, liturgical prayer. Led by the Spirit of the Lord and desiring above all His holy operation and praying always with a pure heart, let us give to people today a witness of genuine prayer in such a way that all may see and feel in us and in the life of our fraternities the goodness and kindness of God present in the world.

34. We should place the highest value on the sacred liturgy which is the exercise of the priestly function of Jesus Christ, the summit of all the Church's activity and the source

of Christian life. Individually and in common, we must devote serious effort to nourish our spiritual life with the liturgy and to open its treasures to the faithful. For that reason we will cherish the mystery of the Eucharist and the Liturgy of the Hours. St. Francis wanted the entire life of the fraternity to be shaped by them. The brothers shall adapt themselves, also in regard to rites, to regulations given by competent ecclesiastical authority of the region.

35. We need to participate in the Eucharistic Sacrifice as fully, actively, and consciously as we can, since we are celebrating the Paschal Mystery of Jesus Christ until He comes. We must keep nothing of ourselves for ourselves in this offering so that He may receive us totally who gave Himself totally to us. So that it may be more obvious that in the breaking of the Eucharistic Bread we are brought into communion with Christ and with one another, each local fraternity is to celebrate daily a community Mass in which all should participate. To demonstrate the unity of sacrifice and of priesthood, it is praiseworthy to concelebrate when individual celebration is not necessary.

36. In celebrating the Eucharistic Sacrifice and in our praying, conscious of the Catholic spirit of our father, St. Francis, we should pray to God for Holy Mother Church, for those in authority and for all people, for the well-being of the whole world, and especially for the whole Franciscan family. Let us also, in charity, commend to God all who have died. In regard to suffrages, it is decreed that on the death of the Roman pontiff, the minister general and an ex-minister general, each fraternity shall celebrate a Mass for the dead; in each province the same shall be observed at the death of present and former ministers provincial; for general definitors and former general definitors, each fraternity of the group represented by them shall celebrate a Mass for the dead. The provincial chapter determines the suffrages for the deceased brothers of the province, for parents and for benefactors. Yearly, after the feast of our holy Father Francis, each local fra-

ternity shall celebrate a memorial liturgy for all deceased friars and benefactors.

37. Since our Lord Jesus Christ Himself is present to us under the consecrated species, we shall reserve the Eucharist in an eminent place and manner in our churches. After the example of our holy Father Francis, let us venerate above all else Jesus Christ present in the Eucharist. With Him we should offer ourselves and our actions to God the Father, and pray frequently and devoutly before Him, who is the spiritual center of the fraternity.

38. The Church joins herself to Christ's song of praise and His intercessory prayer when celebrating the Eucharist and in other ways, particularly when praying the Liturgy of the Hours. She invites us to do the same. The entire fraternity, therefore, shall assemble daily in Christ's name to celebrate the Liturgy of the Hours, especially Morning and Evening Prayer. The friars are exhorted to do the same wherever they may be or may meet one another. When feasible, they should celebrate the Office together with the faithful. The local chapter, with the approval of the major superior, shall arrange the schedule of the house and of work in such a way that the praise of God may sanctify the course of the day. The schedule should be adapted to the circumstances of persons, times and cultures. Those who cannot pray the Office in common should realize that even in praying it privately, they are spiritually united with the entire Church and particularly with their brothers. This same deep realization should animate the prayer of those friars who privately pray the Office of the Lord's Prayer, according to the Rule.

39. In the Liturgy of the Hours we speak to God with His own words taken from the Scriptures, and in His word God Himself meets us and speaks with us. So that the word of God celebrated in the Office may penetrate our hearts more deeply and shape our life and activity more effectively, it should be spoken and heard with reverence. Appropriate si-



lences may be introduced in the Office if desired. On special occasion let us celebrate the Office with song. Let us try to sing to God more with our hearts than with our lips, lest we incur our Savior's reproach to the Pharisees: "This people honors me with their lips, but their hearts are far from me."

40. St. Francis contemplated with wonder the love and humility of the Lord in the mysteries of His birth and passion. We should remember these mysteries with special reverence and proclaim them to the faithful. Let us have special devotion to the Virgin Mary, Mother of God, conceived without sin, the companion of her Son in His poverty and suffering, our mother and advocate, and the patroness of our order. This devotion should express itself especially in the liturgy and in the praying of her rosary. Likewise, following a long tradition, we should honor St. Joseph, the husband of Mary. Let us cherish and promote devotion to our holy Father Francis, the model of the lesser brothers, and to all the saints, especially our own. In this we are to respect local custom and the spirit of sacred liturgy.

41. The practice of mental prayer leads us to a spirit of true adoration, unites us intimately with Christ, and enables the liturgy to have a continuing influence in our spiritual life. We, therefore, should provide greater space in our lives for mental prayer, speaking to God as His children, after the example of our holy Father Francis and of our forefathers. So that the spirit of prayer does not grow cold within us but becomes more fervent as days go by, we need to apply ourselves daily to the practice of prayer. Superiors and those who have the task of guiding others in the spiritual life must work to promote the growth of the friars in the knowledge and practice of mental prayer. It pertains to the chapter of the province or of the vice province to issue norms whereby two periods of mental prayer will be available to all the brothers and sufficient time allowed for this prayer to be made in common or in private. The brothers shall learn the spirit of prayer, and prayer itself, from the genuine sources of Christian and Fran-

ciscan spirituality, so that they may acquire the excelling knowledge of Jesus Christ.

42. To renew our religious life continually, all friars shall make a retreat each year and make use of periods of recollection between retreats. It is recommended that occasionally retreats and days of recollection be arranged for brothers who have the same kind of work. Superiors should give each brother, including those who live away from the community, time and opportunity for this purpose. On these occasions, practices of Gospel penance are recommended.

43. Houses of prayer may be set up in each province or region in which the friars may spend some time in interior prayer and gospel penance. It belongs to the provincial chapter or the conference of major superiors to judge the advisability of these houses, establish them and make regulations for them.

44. Silence faithfully guards the interior spirit and is required by charity in community life. Let us, therefore, cherish silence in our fraternities to support a life of prayer, study and reflection. The major superiors with their councils shall draw up norms which will protect the atmosphere of prayer, work and quiet in our houses, particularly norms concerning the use of television, radio and the like.

45. To keep always before our minds the way and life we have professed, there shall be a short reading from the Gospel at dinner, and from some other book of Sacred Scripture at supper. Since the Rule of St. Francis is a clear reflection of gospel wisdom, on Fridays, in place of Sacred Scripture, there shall be a reading of some part of the Rule, the Testament, or these Constitutions. After the reading of the Rule, the blessing of our holy Father Francis shall be read and a renewal of profession shall be made according to the practice customary in the order.

UNDERSTAND
THAT POVERTY
IS A CHOICE WAY
OF SALVATION;
THE FRUIT IT BEARS
IS MANIFOLD,
AND RARE ARE THEY
WHO KNOW IT WELL...

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CHAPTER IV

OUR LIFE IN POVERTY

Article I. *The Witness of Poverty*

46. Jesus Christ was sent to preach the Gospel to the poor; He became poor for us although He was rich that by His poverty we might be made rich. From His birth in the manger to His death on the cross, He bore witness to God's love for the poor as an example to all His disciples. The Church praises voluntary poverty as a very clear sign of the following of Christ and greatly desires that all religious take the lead in living it seriously. Moreover, she places before us the example of St. Francis as a prophetic image of the Church of the poor. It is the special duty of our order to observe authentically the precept of poverty while trusting in the providence of God and working faithfully. Let us not claim as our own even our gifts of nature and grace, but rather strive to use them entirely to benefit the People of God. We should use the things of this world with a sense of gratitude and with a sincere and generous heart share them with those in need. In this way to those greedy for material pleasures we bear witness that they will find happiness not in the unrestrained use of things but in using them responsibly. To the poor let us proclaim that God Himself is with them since He calls us to help them and to share in their lot.

47. Gospel poverty is the highest ideal of our way of life. In our general and provincial chapters, therefore, and, if appropriate, in our local chapters, we should determine how to observe it more faithfully each day in ways suitable to the

times; for this reason these ways need to be constantly revised. These chapters should consider in particular the social use of the goods entrusted to our fraternities, whether money, houses or lands; we ought gladly to use these goods in the service of others. We ought also to live in conscious solidarity with the countless poor of the world, and by our apostolic labor lead the Christian people to works of justice and charity which further the development of peoples. Those friars are worthy of praise who live with the poor in the particular circumstances of the region, share their condition and aspirations, and urge them on to social and cultural development and to hope of a future life.

48. Let us observe the poverty we have promised, remembering the mind and words of St. Francis: "Friars shall appropriate to themselves nothing, neither house, nor place, nor anything at all." As pilgrims and strangers in this world, while we are on the way to the Land of the Living, let us serve the Lord in poverty and humility. We will use goods of this world for necessities of life, apostolate, and charity especially on behalf of the poor. Superiors, personally or through others, may perform civil acts regarding temporal goods insofar as this may be necessary for the brothers or for the works entrusted to us. The major superiors should specify the physical or moral persons in whose name the goods entrusted to us are registered before civil law.

49. As children of the eternal Father, we can put aside every anxious care, rely on the providence of God, and entrust ourselves to His infinite goodness. We, therefore, should not accumulate material things immoderately, even those necessary for sustenance. We ought to provide the material necessities of our life and apostolate by our own work. When these fail, let us confidently have recourse to the "table of the Lord," always complying with the laws of the Church, universal or local. This is to be done in such a way that, while we seek alms, we give people a witness of poverty, brotherhood and Franciscan joy.

Article II. *The Use of Things*

50. In the use of all things, let us always be mindful of our state of poverty. Costly, elegant and superfluous things must be excluded altogether; the use of other things shall be adapted to the necessities of time and place in such a way that we can be recognized as poor, both in fact and in spirit, and our fraternities can give witness of the Gospel within the Church.

51. Let us observe common life and gladly share with one another the things we receive as individuals. All goods, including salaries and pensions, which come to us in any way, shall be handed over for the use of the fraternity, so that from the fraternity all shall receive food, clothing and other things that are needed. In the practice of poverty, let superiors give a notable example to the friars, and let them promote its observance among their brothers.

52. In compliance with the norms given by the provincial definitory, superiors may make use of insurance policies or forms of social security where this is prescribed by ecclesiastical or civil authority for everybody or for certain professions, or where such things are commonly used by the poor of the region. But they shall avoid all those forms of security which have the appearance of affluence or profit-making in the region where they live.

53. If community reflection reveals that there are goods which are superfluous for the fraternity and more money than the amount determined by the major superiors for ordinary expenses, they shall be handed over to the major superiors for the needs of the province, the vice province, missions and the poor, and for the development of peoples. It would be unjust for us to keep these things, and in so doing we would become degenerate sons of St. Francis. Indeed, this sharing of goods and necessities among themselves and with others

should be done by individual fraternities within a province, and by provinces within the order, when the need arises. It belongs to the minister general and his definitory to dispose of the surplus goods of the provinces.

Article III. *The Use of Money*

54. The Seraphic Father, by reason of his own charism of poverty and lowliness in the Church, commanded his sons not to accept money in any way whatever, for he saw it as a sign of wealth, a temptation to greed, and a device for power and domination in the world. In order to carry out the intention of their father, the brothers shall use money only as the ordinary means of exchange necessary in social life even for the poor, and always according to the norms of the present Constitutions.

55. Superiors, whose duty it is to care for the brothers' needs, may use money for the necessities of life, for works of the apostolate, and for charity. For these same reasons other friars also may use money with the permission of the superior, even the local superior, and with the duty of accounting for its use. But all brothers, whether superiors or not, must use money in a manner appropriate to people who are really poor. To preserve poverty, the friars shall not ask their friends, parents, or relatives for money or other things without permission.

56. By the way they live, the brothers ought to show people that voluntary poverty frees them from greed, the root of all evil, and from anxious concern about the future. In the use of money, therefore, superiors shall carefully avoid all amassment of funds and all profit-seeking trade, though a modest financial security may be maintained. As do other people of modest means, the friars may invest in banks and similar institutions, even at a moderate rate of interest, whatever money is necessary for them to have. The brothers, however, may not accept foundations, perpetual legacies, or inheritances that have perpetual rights and obligations attached to them.

Article IV. *Poverty in Buildings*

57. The right to canonically establish and suppress houses belongs to the minister provincial and his definitory after receiving the consent of the chapter and also the consent of the minister general and his definitory, and complying with all other requirements of law. When the need to establish or suppress is urgent, the consent of the provincial chapter is not required.

58. In each province the minister provincial and his definitory shall appoint highly competent friars to form a commission for the building and maintenance of houses. It is the duty of this commission to advise the minister and his definitory and to offer help in the constructing of houses, especially by cooperating with architects in preparing plans, by insuring that ecclesiastical and civil laws are complied with, and by seeing to it that poverty is observed in all things. The advice of this same commission shall be sought concerning the alienation of houses. In choosing the site for a new house, those responsible should keep in mind our life of poverty, the spiritual good of the brothers, and the different ministries to be exercised in the place, especially among the poor.

59. When the house has been completed, no guardian may build or tear down anything without the consent of his councillors and the permission of the major superior. If some alteration of considerable importance is to be made in a building, the advice of the commission for the building and maintenance of houses must also be sought. Buildings already completed shall in no way be enlarged without the permission of the minister provincial and his definitory. The guardian will carefully determine matters concerning the maintenance of buildings and their general upkeep. In matters of greater importance he needs the consent of his councillors.

60. We should spend our lives in humble and poor dwellings, always living there as pilgrims and strangers. Our houses

shall be suited to the needs of the fraternity and its ministries, and favorable to prayer, work and community life. The appearance of our houses should be such that no one is made to feel barred from access to them, especially the lowly and the poor.

61. Our churches should be simple, dignified and clean. Great care shall be taken that they are suitable for the celebration of liturgical functions and for encouraging the active participation of the faithful. Sacristies should be suitable for their purpose, and sufficiently provided with all requisites for divine worship. All things used in divine worship must have dignity and conform to liturgical laws, but without detriment to poverty and simplicity.

Article V. *The Administration of Property*

62. For the administration of money and other temporal goods, business managers shall be appointed for the general and provincial level by the respective definitories. Also, each house shall have a business manager chosen by the provincial definitory; in larger houses this office ordinarily shall be separate from the office of guardian. Business managers shall be well qualified for their office and discharge their duties under the direction and supervision of their respective superiors following the norms of law and the directives of both the general and the provincial definitory. All local business managers and guardians shall give an accurate account of their administration to the major superiors, the local councillors and the local chapter; this shall be done at the time and in the manner laid down by the major superiors. On the occasion of the annual report the ministers provincial, in a document signed by their definitories, shall give the minister general a reliable account of the economic condition of the province. In this way its needs can be provided for properly and the observance of poverty be supervised effectively. At the general chapter the minister general shall report on the economic condition of the order, in a manner determined by the general chapter. The same shall be done by the other major superiors at their respective chapters.

As far as possible the administration of temporal goods should be entrusted to lay people, particularly when there is a question of those social and charitable works in which the friars should have only the spiritual direction.

63. The general definitory shall lay down the limits beyond which local and provincial superiors are bound to ask either the permission of their superior or the consent of their council before contracting obligations, alienating goods, or incurring extraordinary expenses. In establishing these limits, the general definitory shall keep in mind the differing values of currencies, after consulting the ministers provincial, or, if needed, the conference of major superiors. Extraordinary expenditures for the major superior are those not necessary to fulfill his office or to take care of the ordinary needs of the brothers; extraordinary expenditures for the guardian are those which do not pertain to the ordinary needs of the fraternity entrusted to his care.

64. Called to the gospel way of poverty, we should grow accustomed to being in need. This we will do by following the example of Christ and remembering St. Francis, who wished in his poverty to be stripped of all things and of all attachments of heart so he could abandon himself fully to the Father who cares for us. If at times the world pampers us with a comfortable life, we should recognize that we cannot possess at the same time riches and poverty. We will, therefore, strive to be poor in earthly things that we, with the grace of God, might become rich in virtue and heavenly gifts. Let us not be of the number of those false poor who wish to be poor in such a way as to want for nothing. We must remember that gospel poverty and its perfection consist chiefly in complete renunciation of self and in full availability to God and people. For this reason we ought not to be inordinately attached to earthly things, so that we may use this world as though we used it not, for the glory of the Father and the benefit of His children.

CHAPTER V

THE MANNER OF WORKING

65. God the Father is at work even now, and through the grace of working He calls us to cooperation with His work of perfecting creation. In working we develop our own personalities, we are joined to our brothers and sisters, and we promote the improvement of society. Jesus Christ conferred a new dignity on labor and made it an instrument of salvation for all; He did this by working with His hands, by alleviating human misery and by preaching the message of His Father. Remembering that St. Francis admonished his sons to work faithfully and devotedly, we gladly submit ourselves to the common law of work. We should be careful that our work, even by its quality, be done for the glory of God and the service of people. That all things may foster the spirit of devotion, we should lovingly direct our intentions and energies toward God; we should offer in the celebration of the Eucharist our daily work and its burden and so consecrate it to the Father through Christ.

66. Work is the basic means of support for ourselves and for our works of charity toward all; for this reason, each one according to his God-given talent and the condition of his age and health will make full use of his energies in the solidarity owed to his brothers and all other people. Nevertheless, whether we work in public projects or in ordinary situations of life, we should never make work itself our ultimate goal. But with a clear eye of faith we ought to recognize the will of the Father in the task at hand and lovingly join ourselves to Him through our external actions and our interior life.

67. Individuals are suited for different kinds of work because of the varying abilities and the special gifts each has received from God. We may undertake various forms of ministry and service insofar as they are compatible with our fraternal life and respond to the needs of the Church and the human family. Works which more clearly manifest poverty, humility and fraternity are especially fitting for us; we do not consider one type of work lower than another. In order that the grace of working have a greater effect on us and others, we will take care to preserve our character as a fraternity in the various things we do and be ready to work together and help one another. In this way we will deepen our conversion of heart. We should always keep in mind our apostolic vocation, so that in whatever we do, we give people a witness to Christ.

68. In whatever responsibility and office they have, the friars will expend their energy throughout their life to further their spiritual, doctrinal and technical formation and to develop their personal talents, so that our order may be able to respond continually to its vocation in the Church. The friars should be ready to do manual work in accord with the earliest tradition of our order when love for the brothers or obedience requires it, provided that the particular duties of each are not neglected. When superiors discern the gifts and capabilities of individual brothers and the needs of the fraternity and the Church, they shall give the brothers as far as possible the opportunity to become proficient in specific fields and willingly provide them with the time and support needed for this. The good of the Church, the order and the brothers themselves requires that when assigning offices and duties, the superiors be careful to take into account the aptitude and skill of each one; nor shall they easily change a brother from the work in which he is expert.

69. As differing provincial situations may suggest, the friars may seek outside employment when pastoral zeal, our own needs or those of others require it. The norms for this,

given by the provincial definitory or the conference of major superiors and the local ordinary, shall be observed. It is to be insisted that these brothers in outside employment live in harmony with each other and with the other brothers. They are to witness to the Gospel before all, make the charity of Christ present to all, and give aid to the needy, but without ever imprudently involving themselves in matters which are inappropriate for us.

70. The friars shall hand over to their superior the entire amount of wages and income received from their work. They shall not engage in activities which by their very nature involve some seeking after profit for its own sake. As often as charity would suggest or require it, friars should be willing to work without pay.

71. The brothers shall make time daily for needed recreation to build up the fraternal bonds among them and to revive their energies; they shall also have some free time to themselves. Special recreations and some time off should be given in view of what is available and customary in the area. These recreations and vacations are to be spent in a way consistent with our being lesser brothers.

72. The apostle Paul urges us: "While we have the opportunity, let us do good to all." Our salvation depends on opportune times which never return; people and communities make progress only in the course of time. Knowing this, let us stand ready to meet God who comes to us in such times. In order to use our time well and profitably we should keep what we do up-to-date, planning from a vision of the future and with the help of technical aids. We will occupy our leisure time beneficially in physical and intellectual pursuits; taking advantage of this use of time will serve us well in learning more and more about the thinking and feeling of our contemporaries and in becoming more effective in our contribution to Christianizing the world.



CHAPTER VI

OUR LIFE IN FRATERNITY

73. Jesus Christ, the first-born among men, brings all people together in true brotherhood. He is present as the bond of unity among those who are gathered in His name. Because the Church is a community of believers, it encourages institutes whose members build a bond of fraternal relationships in a common and loving sharing of life. This context of community life not only enhances the human dignity and freedom of the children of God, it also increases apostolic effectiveness. Inspired by God, St. Francis brought the Gospel to life in the form of a brotherhood. We who profess this way of life are truly an order of brothers. Now, united by faith in God our Father and nourished at the table of His divine word and the Eucharist, we love one another so that the world can recognize that we are disciples of Christ.

Article I. *Fraternal Life to be Cultivated*

74. As brothers given to each other by the Lord, each gifted in his own way, we should accept one another gratefully. While combatting the tendencies to evil within himself, let each one direct the power of love toward his neighbor. We should develop our ability to communicate with each other, confidently sharing our experiences and needs. A spirit of fraternal understanding and sincere esteem should surround those united in community so that the bond of charity will be preserved, however much the works entrusted to individuals may differ. By

reason of their common vocation all the friars are equal. The precedence which is necessary for the service of fraternity comes from functions and offices actually held. All should help one another according to the gifts each received, including the performance of daily household duties.

75. In our fraternities we should take care that diversity of age results in mutual enrichment and oneness of spirit. Charitable concern and gratitude should be shown to friars of advanced age. Younger friars should esteem them and willingly profit from their experience. Older friars should look favorably on healthy changes in our life and work. Both old and young should share with one another the wealth that each possesses.

76. When a brother falls sick, the guardian should immediately provide for his physical and spiritual needs, and do so lovingly after the example and admonition of St. Francis; he will entrust the one who is sick to the care of a competent friar and if necessary to a doctor. An infirmary should be conveniently located in the house, possibly outside the enclosure. When it is judged useful in a province, a provincial infirmary may be established. Reflecting that the suffering Christ is before him in the sick person, each brother ought to consider how he would like to be treated in case of illness and recall what our Father St. Francis wrote in his Rule, that no mother is so tender and devoted to her son, as each one of us ought to be to our spiritual brother. Let everyone make an effort to show concern for his brother who is sick, visit him freely and comfort him as a brother. The guardian shall frequently visit the sick friars and, as a father, minister to their spiritual needs personally or through another priest; when he knows that a brother's illness is dangerous, he will make this known to him prudently and help him prepare for the sacraments.

77. Let those who are sick remember that we are lesser brothers. Thanking their Creator for all things, they should entrust themselves to the care of the doctor and to those others

who serve them, lest they offend against holy poverty and harm their own souls. They should remember that the freely accepted burdens of sickness and infirmity invite them to enter more deeply into their vocation to conform to the suffering Christ, and to complete in their own body what is lacking in the sufferings of our Redeemer; and thereby they contribute to the salvation of the People of God and the evangelization of the entire world.

78. Let superiors constantly foster common life. When forming local fraternities in our own or rented dwellings, superiors should consider the personalities of the brothers and the needs of fraternal life and the apostolate, and so help the friars to work together. While outsiders should be able to have access to our houses or dwellings, their admittance should be governed by prudence and discretion in such a way that the house atmosphere still supports prayer, study and intimate living for the friars there. But our fraternities should not confine their charity to our houses alone; rather, with gospel concern they should be available to people's needs, in accordance with the special character of each house. The fraternity itself, through discussion directed by the guardian, should watch over its use of the communications media so that they serve the good and work of all. The brothers, especially superiors, should suitably publicize the more important events occurring in the local communities, the provinces and the whole order.

79. When brothers leave the house they shall ask permission of the guardian in the way customary in the province. Before asking permission for a trip, each friar should conscientiously weigh his reasons in light of our poverty, our fraternal life, his spiritual well-being, and the witness he should be giving to people. Superiors should use prudence in granting permission to travel, in keeping with the norms which follow. Those who can grant letters of obedience are: the minister general for the whole order and for all places; major superiors for the whole area of the conference to which they belong and to a province bordering the territory of the conference, unless

the minister general determines otherwise; minister provincials for travel between the province and its missions or vice provinces, preserving the norms of number 176 of these Constitutions, according to which the minister general grants letters of obedience to undertake missionary work. The provincial chapter determines what travel the local guardian can authorize. For a longer stay outside a house of our order the norms of common law shall be observed. In choosing their transportation let the brothers remember we ought to be poor and humble. The provincial definitory decides about the advisability of having vehicles for a particular ministry or office, or for the general service of the fraternity, and may set norms governing their use.

80. When the friars visit us, we should receive them all with a warm welcome and brotherly affection. Where it can be done, friars who are traveling should prefer to stop at houses of the order, at least for the night. Of their own accord they ought to show the superior their letters of obedience; they should take part in the life of the community and comply with the customs of the place. As far as possible they should inform the guardian in advance of their coming. If a brother pursuing studies lives for a longer time in a house of another province, the respective major superiors should fraternally agree what is to be paid for board.

81. If friars, with the blessing of obedience, have to live outside a house because of special circumstances, they shall enjoy the same benefits as the other brothers since they are members of that fraternity to which they are assigned. They should see themselves as part of the fraternity and not fail to contribute to the material support and spiritual growth of the order. As true brothers in St. Francis, let them go to our houses and enjoy remaining there for a time especially for spiritual recollection. When they come, they shall be received with charity and be given whatever is necessary for body and spirit. Provincial and local superiors should have concern for these friars and often visit and encourage them.

82. By God's design a rich diversity of religious groups has developed for the good of the Church; this same variety also flourishes in the Franciscan spiritual family. Thus the charism of our founder pours out and makes its force felt through many brothers and sisters including Franciscan tertiaries. Let us draw together in the one spirit as brothers and sisters and freely organize studies and projects concerning our Franciscan living and acting. Toward our parents, relatives, benefactors, helpers and others who spiritually belong to our family, let us extend always our friendship and love and commend them to God also in our community prayer.

83. Christ, Himself a pilgrim on earth, will say to those on His right hand at the Last Judgment, "I was a stranger and you welcomed me." And St. Francis desired that anyone who comes to our houses should be received kindly; we, therefore, should welcome all with warm affection, especially the unfortunate and those suffering from hardships, and help them in their needs. The community should treat guests with gracious hospitality, especially priests and religious, when local circumstances allow them to be received into our houses.

Article II. *The Life of the Brothers in the World*

84. Greatly delighting in the world created and redeemed by God, St. Francis felt united by a bond of brotherhood, not only with people but with all creatures, as he sang out magnificently in the *Canticle of Brother Sun*. Enlightened by this vision, let us admire the works of creation, of which Christ is the beginning and the end; scientific research reveals them ever more clearly to us and helps us discover the Father who is to be adored in His wisdom and power. Art and culture which reveal to us the gifts of God should be especially esteemed among the works which the human genius has drawn from creation. We should view the whole world in the mystery of Christ because God so loved it as to give His Only-begotten Son. Though weighed down by many sins, the world

is endowed with great resources and furnishes the living stones for the construction of God's dwelling, the Church.

85. St. Francis understood by divine inspiration that he was sent to convert people to a new life. He, therefore, called into being a new way of gospel living. He remained in the world but not of it, and wanted his fraternity to live and work among people so that the joyful news of gospel conversion would be proclaimed by word and deed. Because we share in his mission, we too should live among people as a gospel leaven so that when they see our fraternity lived in the spirit of the beatitudes, they will understand that the Kingdom of God has already begun in their midst. In this way we shall be present in the world to serve the living God; by our charity, humility and complete readiness to serve, we will spread peace and goodness that will aid the progress of the Church and the world.

86. In keeping with the spirit of St. Francis, we should not only preach peace and salvation but spread them by actions of brotherly love. Moved by this spirit and guided by the Gospel, we will try to bring into peaceful and lasting harmony those who are divided by hatred, envy, conflict of ideas, or strife between classes, races and peoples. We, therefore, unite the energies of our fraternity with those undertakings and programs, national and international, which work effectively for reconciliation among people, peace and universal justice.

87. Trusting above all in the providence of the Father, let us so walk in the world with hope and Franciscan joy that people today will take courage. Freed from the empty cares of this world and cooperating with Divine Providence, we should regard it as our duty to relieve the needs of the poor. In keeping with our ancient tradition, at the time of any public calamity we should offer the services and goods of the fraternity to all in need. Knowing that divine providence is revealed not only by events and deeds, but also by ideas and ideologies as signs of the times, we should examine them with

open and trusting minds. In this way we cooperate with God, present in history and active in the evolution of society. Thus, living by the truth in love, we will be witnesses to hope in the Lord God and we will be fellow workers with people of good will whom we will lead to acknowledge God the almighty and supremely good Father.



CHAPTER VII

THE FRIARS LIFE OF PENANCE

88. When announcing the Kingdom of God, Jesus Christ called all people to repentance; that is, to a complete change of themselves. This means thinking, judging and ordering our lives according to the holiness and love of God made manifest in his Son. Such a conversion, which begins with faith and baptism, requires continual effort at renouncing ourselves more completely each day and serving the Lord in all ways. When St. Francis decided to live his life according to the Gospel, he began by doing penance. He preached penance unceasingly, and he wanted his brothers to be penitential men. Moved by the same spirit and recognizing our own sin and the sin in human society, we should strive for our own conversion and that of others through the sacrament of penance and those works by which we become configured to the crucified and risen Lord. Through such continuing effort we share in the work of the Church, which is at the same time both holy and in constant need of renewal. In the same way we promote the coming of God's Kingdom within the human family which needs to be brought together in perfect love.

89. In the sacrament of penance, or reconciliation, the individual brothers and their fraternities are purified and healed by being restored to union with the Savior and by be-

ing reconciled to the Church. Experiencing the grace of the death and resurrection of Christ through this sacrament, we share more intimately in the Eucharist and the mystery of the Church. Through the purity of heart restored in this sacrament, we will more and more live the life of poverty in spirit and in fact. We should highly value frequent confession of our sin, daily examination of conscience and spiritual direction.

90. In addition to the local ordinary, the major superior may grant jurisdiction to celebrate the sacrament of reconciliation for the friars. The same may be done by the guardian if he is a priest, but only in individual cases for a single instance. Any priest of the order, approved by his major superior, may celebrate the sacrament of reconciliation with the friars anywhere in the world. The friars are free to confess their sins to any priest who has jurisdiction from any ordinary. Confessors, keeping before their minds the admonition of St. Francis that they not get angry or disturbed by the sins of others, should treat sinners with all kindness in the Lord.

91. Urged on by the spirit of conversion and renewal, we should continually apply ourselves to practices of penance, as God inspires us, so that the Paschal Mystery of Christ may more and more work its effect in us. Above all, we should keep in mind that our life of dedication to God is itself an excellent form of penance. For our own salvation and that of others, we should offer to God the following: our poverty, our humility, the trials of life, our daily work done faithfully, our availability for service to God and neighbor, our support of fraternal fellowship, the burdens of infirmity or old age, and persecutions suffered for the Kingdom of God. We may always rejoice in our likeness to Christ when we suffer with those who suffer.

92. Primarily Lent, but also Advent and every Friday, should be times of more intense penance for us — both personally and communally. During these times we should apply ourselves more earnestly to works of penance: prayer, recollection, hearing the word of God, bodily mortification and

especially fasting which ought to be observed in our fraternities at least on Wednesdays and Fridays during Lent. Holy days and civil holidays are not to be considered days of penance, even though they would be such by reason of our law. The Fast of Benediction and the vigils of the feasts of St. Francis and the Immaculate Conception are also recommended as days of penance. Provincial chapters should determine further the days of fast and abstinence as well as the manner of fasting. The norms of the local Church, as well as the circumstance of different times and places, should be kept in mind. On days of penance, especially, we ought to share with other poor people, in a brotherly manner, that which we have saved from the table of the Lord by our greater frugality. We should also perform works of mercy more fervently on these days in keeping with our tradition.

93. Remembering the passion of Jesus, we should practice voluntary mortification in order to lead a true gospel life after the example of our holy Father Francis. To share the privations of the poor we should also willingly set a limit on ourselves in the use of food and drink, in attending shows and other entertainment. In order that poverty and moderation be clearly evident at our meals, an excess of food should be avoided and only that kind which is in harmony with our state of life should be served. This ought to be the case also on feast days and when we have guests. Superiors, however, should remember the precept of charity and the example of St. Francis when providing necessities for the brothers, especially the sick.

94. Sorrowing over our own and others' sins and desiring to walk in newness of life, we should practice penances suited to the mentality of our times and various geographical regions. Especially recommended are: fraternal correction, the chapter of faults when suitably adapted, fraternal discussion about our life-styles in the light of the Gospels, and other forms of gospel penance, especially those of a community nature. All these should be done according to the norms of provincial chapters.

95. We should not avoid a friar who is at a critical moment in his life, but instead be anxious to help him. Nor should we judge a brother who has fallen, but try to preserve his good name. We should love him who most needs our love since each of us would be far worse than he if God did not preserve us through His goodness and grace.

96. Superiors should show fatherly compassion to friars who sin, or who are in danger of sinning, in order to give them appropriate and effective help in the Lord. Major superiors should not impose canonical penalties unless this is absolutely necessary. Local superiors should be prudent and charitable in imposing non-canonical punishment when needed. All should remember the words of our holy Father Francis in his letter to a certain minister: "I should like you to prove that you love God and me, his servant and yours, in the following way: There should be no friar in the whole world who has fallen into sin, no matter how far he has fallen, who will ever fail to find your forgiveness for the asking, if he will only look into your eyes. And if he does not ask forgiveness, you should ask him if he wants it. And should he appear before you again a thousand times, you should love him more than you love me, so that you may draw him to the Lord."

WHOEVER
 ENVIES HIS BROTHER
FOR THE GOOD WHICH
THE LORD SAYS OR DOES
 IN HIM
COMES CLOSE TO BLASPHEMY
SINCE IT IS THE MOST HIGH,
 WHO SAYS AND DOES
WHATEVER IS GOOD...
 ADMONITION 8

CHAPTER VIII

THE GOVERNMENT OF THE ORDER OR FRATERNITY

97. Our fraternity, guided by the Holy Spirit, is a part of the Mystical Body of Christ. The friars, joined together for following Christ, contribute to the upbuilding of the Church in love through various offices and ministries. By God's design, chapters and superiors perform the function of binding the members together in order to strengthen the unity of this community which is both spiritual and visible. The friars should be sensitive to their obligation of furthering the good of the Church and the fraternity according to their own graces and vocation. This is the way they will be fully incorporated into the mystery of Christ.

Article I. *The Structural Division of the Order*

98. Structurally, the order consists of brothers who are grouped together in provincial fraternities or provinces, and local fraternities or houses. A province is a group of friars and local fraternities which has its own territory and is governed by a minister provincial. A vice province is a part of the order, established in a definite territory, which is entrusted to a province or is subject directly to the minister general, and is governed by a vice provincial who is the vicar of a provincial or general minister. A mission is a group of friars dependent on a province and engaged in missionary work in territories recognized as missions by the Holy See. Missionary friars are directed by a superior regular, who is the vicar of a minister

provincial. A local fraternity or house consists of at least three friars governed by a guardian. The minister general, with his definitory, may decide that a particular local fraternity or house should be directly dependent on him. What is said in these Constitutions about provinces also applies to vice provinces and missions, unless the contrary is evident from the context or from the nature of the matter.

99. The establishment, union, division, alteration and suppression of provinces is the responsibility of the minister general and his definitory, with due observance of the requirements of law. They should first consult the conference of major superiors of the region as well as the concerned ministers provincial and their definitories. Similarly, in case of special circumstances, the general definitory may establish a province consisting of several regions. Such a province should have special bylaws properly approved by the general definitory. Before a new province is established, it should contain an adequate number of friars given the local situation; it should be able to contribute to the witness of the apostolate and the life of the order; and it should have a certain geographical unity.

100. Every friar, incorporated into the order by profession or other bonds, belongs to that province or vice province for which the major superior accepted him to profession or other bonds. His seniority in the order is calculated from the day of this profession or other commitment. The minister general and his definitory may temporarily send, or permanently transfer, friars from one province to another if the good of the order, or the needs of the provinces or the individual friars, requires this. They should first consult the definitories involved. Provincial superiors, in a spirit of fraternal cooperation, should be willing to exchange or lend personnel if the need arises. A friar who is sent temporarily to another province, vice province or mission which is not his own may exercise the rights of a member of a local fraternity only in the place where he resides. But he may exercise the rights he has in relation to a provincial fraternity, both in his own province and in the other

province, if such rights belong to him by reason of an office or position he holds, or if they have been granted to him by the province, vice province or mission in which he is a guest. In all of the above, all other requirements of law should always be observed.

Article II: *Superiors and Other Offices in General*

101. In our order, under the supreme authority of the Roman pontiff, the following are superiors possessing ordinary power in their own right: the minister general throughout the entire order, the minister provincial in his own province, and the guardian in his own fraternity. The following are superiors with ordinary but vicarious power: the vicar general, the vicar provincial, the vice provincial, the superior regular and the vicar in a local fraternity. All of the above, with the exception of the guardian and his vicar, are major superiors. Whatever is said in these Constitutions about the ministers provincial also applies to vice provincials and superiors regular unless the contrary is evident from the context or from the nature of the matter.

102. The offices of the order are conferred either by election or by appointment. In this matter the brothers should act honestly, canonically and with the right intention. The good of the order can be served by a preliminary and prudent consultation regarding those to be elected or appointed. The friars, since they are “lesser” brothers, should not be ambitious for office. But if they are called to it by the confidence of their brothers, they should not obstinately refuse to serve as superior or in some other office. Only solemnly professed priests who have completed their studies are eligible for an office of major superior.*

“Any solemnly professed friar who has completed his formation program may be promoted to other offices and positions/ This text, which is contrary to the common law of the Church, has not yet been fully accepted by the Holy See. Therefore, until there is an official agreement or favorable response, we should observe the decree “Clerical Institutes” which is found in AOFM Cap. 88, 46-47 (1970).

Article **III.** *The Government of the Entire Order*

103. The general chapter, which is an obvious symbol of the unity and solidarity of the entire fraternity assembled through its representatives, possesses supreme authority in the order. The ordinary general chapter should be held every six years around the feast of Pentecost, unless the minister general and his definitory judge another time more suitable. The following have the right to vote at both ordinary and extraordinary general chapters: the minister general, general definitors, the former minister general from the immediately previous six-year term, ministers provincial, the secretary general, the procurator general and the delegates of the provinces, vice provinces and missions. The vicar provincial goes to the general chapter if the minister provincial is unable to attend because of serious reasons known to the minister general, or if the office of minister provincial is vacant. In addition to the ordinary general chapter, the minister general and his definitory may convoke an extraordinary general chapter for special reasons in order to discuss matters of great importance for the life and activity of the order. All the voters mentioned above take part in such a chapter.

104. After the convocation of a general chapter, delegates and alternate delegates should be elected by all solemnly professed friars in each province which has at least one hundred professed friars. Larger provinces should elect an additional delegate and alternate for every two hundred professed friars beyond the first two hundred. The above election takes place in the same manner as the election of delegates to the provincial chapter, and the results should be published at least three months before the general chapter. In the vice provinces and the missions, one delegate and alternate should be elected for every one hundred professed friars. For the election of delegates from vice provinces and missions which individually do not have one hundred professed friars, electoral groups are to be formed by the general definitory after consulting the friars involved. These electoral groups shall elect one delegate and

alternate for every one hundred professed friars. In special circumstances, recognized by the general definitory, electoral groups of vice provinces and missions which do not total one hundred professed friars may elect a delegate and alternate for the general chapter with full capitular rights.

105. In the ordinary general chapter the minister general is the first to be elected and then receives full authority over the entire order and all the brothers. The outgoing minister general may only be re-elected to a second six-year term. After this election, in accordance with the *Procedure for Conducting General Chapters*, eight general definitors are elected. No more than four of these can be chosen from among those elected in the immediately preceding general chapter. The retiring minister general is not eligible to be elected general definitor. A vicar general is to be elected from among the general definitors and, by virtue of this election, becomes the first definitor. The minister general and his definitors reside in Rome. The general definitors have the function of assisting the minister general in the government of the entire order according to the norms of the Constitutions and in compliance with the *Statutes for the General Curia* approved by the general chapter.

106. The general chapter will concern itself with matters pertaining to the affairs of our way of life, its renewal, and the growth of apostolic activity. All the friars should be consulted about questions to be proposed to the general chapter for discussion; and these suggestions should be sent to the minister general. The minister general and his definitory will then draw up a proposed agenda and send notice of it to all capitulars well in advance of the general chapter. The chapter itself, however, makes the final decision on what matters are to be treated.

107. When the minister general is absent from Rome, the vicar general takes his place. But the following affairs are reserved to the minister general: the confirmation of ministers provincial, the appointment of general visitators, the convo-

cation of extraordinary general chapters and other matters which the minister general reserves to himself. If the minister general is impeded from exercising his office, the vicar general shall take over the total government of the order. He should report important matters to the minister general. If the vicar general himself is impeded, the next general definitor in the order of his election shall substitute for him.

108. If the office of minister general becomes vacant, the vicar general succeeds him; he shall notify the Holy See as soon as possible of the vacancy. If an office of general definitor becomes vacant more than one year before a general chapter, the minister general and his definitory, after consulting with the conference of major superiors of the capitular group to which the definitor being replaced belonged, shall elect another who will become the last definitor.

109. The following assist the minister general and his definitory in carrying out their duties: the secretary general; the procurator general who transacts the business of the order with the Holy See and the postulator general whose function is to plead the causes of beatification and canonization of servants of God with the Holy See. A sufficient number of other officials should be appointed to handle the business that arises. All these are chosen from various regions by the minister general and his definitory, at whose will these appointments cease. They perform their duties under the direction of the minister general. The offices and duties of the general curia are assigned and exercised in accordance with the *Statutes* approved by the general chapter.

110. The plenary council of the order provides the opportunity for a vital interchange between the whole order and its highest ministers. It also promotes shared responsibility and cooperation among the friars, and furthers unity and fellowship in the midst of pluriformity. The members of the plenary council are: the minister general, the general definitors, and delegates of the conferences of major superiors chosen accord-

ing to a certain proportion fixed by the general definitory. These delegates need not be chosen from the members of the conferences of major superiors. Each conference determines the manner of electing delegates and the length of time they continue in office. The functions of the plenary council are as follows: to promote communication between the general curia and the conferences of major superiors and among the conference themselves; to establish a forum for reflections in order to examine important questions and propose solutions for the order; to assist the minister general and his definitors through constructive cooperation in bringing about renewal and adaptation in the order; to be concerned about promoting the growth of the order and the formation of friars; to handle questions about establishing and combining provinces, vice provinces and missions; to prepare general chapters; to elect a successor if the office of vicar general becomes vacant; and to deal with financial matters of greater importance. The plenary council has consultative vote unless some other provision has been made. As a general rule, it should be convened by the minister general once a year unless the general definitory, after consulting the members of the plenary council, makes a different arrangement for special reasons. The plenary council draws up its own bylaws and is governed by them.

Article IV. *The Government of Provinces*

111. The provincial chapter, in which a number of friars assembled together in brotherhood act in the name of the entire fraternity, is the highest authority in a province. The ordinary provincial chapter shall be held every three years with the consent of the minister general and his definitory. They have the faculty to convoke the provincial chapter either six months before or after the three-year term for a just cause. The minister provincial and his definitory may convoke an extraordinary provincial chapter to handle matters of special importance relative to the life and activity of the province, its vice provinces and missions.

112. The following have the right to vote in ordinary and extraordinary provincial chapters: the minister general if he presides, the minister provincial and provincial definitors, the brothers upon whom the provincial chapter confers this right, the vice provincials, the superiors regular, the delegates of the province and the delegates of the vice provinces and missions which have a right to send delegates. If the superior of a vice province or mission is prevented from attending by a serious reason recognized by the minister provincial and his definitory or if this office is vacant, the first councillor goes to the provincial chapter.

113. After the convocation of the provincial chapter, all solemnly professed friars, except those belonging to their own vice provinces or missions, shall elect delegates and some alternates. The brothers of vice provinces and missions should also elect their own delegates and alternates. The provincial chapter itself determines the number of delegates from the province, vice provinces and missions, and the method of electing them.

114. The provincial chapter should deal with matters that concern the life and activity of the province. All the friars should be consulted about these matters prior to the provincial chapter. A list of proposals drawn up by the minister provincial and his definitory should be sent to the capitulars in advance. The chapter itself, however, has the final decision in determining agenda. At the ordinary provincial chapter the minister provincial is to be elected in accordance with a *Procedure for Conducting Chapters* approved by the provincial chapter. An outgoing minister provincial may be immediately re-elected but only to a second three-year term. In accordance with the procedure mentioned above, at least four definitors are then elected, no more than half of whom can be chosen from the definitors going out of office. After this, a vicar provincial is elected from among the definitors and, by virtue of his election, becomes the first definitor. In the election of definitors, the outgoing minister provincial is not eligible. The min-

ister provincial-elect exercises office as a delegate of the minister general until his election is confirmed. After the completion of the election of the minister provincial and definitors, the friars continue to exercise their respective positions and offices, even outside the chapter, until they are either replaced or confirmed, unless some other provision has been made. This same norm applies to vice provinces and missions with the necessary modifications.

115. For serious reasons the minister general and his definitors may appoint a minister provincial and definitors after obtaining a written consultative vote from all the solemnly professed brothers of that province. But this cannot be done for two successive three-year terms. After the appointment has been made, a chapter is to be held at a suitable time to treat the affairs of the province.

116. The vicar provincial has the function of assisting the minister provincial in matters entrusted to him. When the minister provincial is absent or impeded, the vicar provincial conducts the affairs of the province, except those which the minister provincial has reserved to himself. If the office of minister provincial becomes vacant, the vicar provincial must immediately consult the minister general. Until he receives instructions, he should carry on the government of the province. If such a vacancy occurs more than eighteen months before the provincial chapter, the minister general and his definitory, after a consultative vote of all the solemnly professed friars of the province, should elect another minister to fill out the remainder of the three-year term. The provincial chapter is held when this term expires. When the vicar provincial is impeded from exercising his office, the definitor next in line performs these duties. If the office of provincial definitor becomes vacant more than a year before the provincial chapter, the minister general and his definitory, after consultation with the provincial definitory, should appoint another who becomes the last definitor. If the office of vicar provincial is vacant, the provincial definitory elects another vicar pro-



vincial from among the definitors by secret ballot. The minister general should be informed about this election.

117. Regional conferences of major superiors are established by the general definitory to increase the cooperation of provinces, vice provinces and missions with each other and with episcopal conferences and unions of major superiors of men and women religious. They are to handle current questions and preserve consistency in government where this is possible. These conferences should have bylaws approved by the minister general and his definitory and meet at least once a year. They should carry out the duties entrusted to them by these Constitutions and the minister general. They should provide for the common good of the order in their territory, even by issuing special norms. Before such norms become effective, they require the approval of the respective councils and the minister general and his definitory.

118. The minister provincial, with the consent of his definitory, appoints as provincial secretary a solemnly professed friar who has completed his formation program. Following the same norms he appoints officials to handle the business of the provincial curia and if needed to direct other special offices. The provincial secretary is subject to the minister provincial alone. The provincial chapter decides whether other officials are to be subject only to the minister provincial. It is recommended that the minister provincial and definitory of each province establish commissions to deal with special matters.

Article V: *The Government of Vice Provinces*

119. The principal purpose of a vice province is to implant the order in the local Church by witnessing to the Gospel through the Franciscan charism. Because of this, the first concern of a vice province is to foster native vocations by a way of life and pastoral activity properly adapted to the varied conditions of the region. A province should send to the vice

province entrusted to it as many religious as the needs dictate, insofar as this is possible. When selecting the religious to be sent to or recalled from the vice province, superiors should first consult the vice provincial and his councillors. They should also consider the particular qualifications of these friars in relation to local circumstances, the formation of the young and the apostolate to be exercised in the vice province. To meet the needs of the vice province, the vice provincial and his councillors may, with the consent of the minister provincial or minister general, make agreements with other provinces or regional conferences of major superiors. These agreements should be submitted to the minister general for ratification.

120. Each vice province is governed by a vice provincial, assisted by at least two councillors. The exact number of councillors should be determined by the minister general and his definitory after consultation with the proper minister provincial. The vice provincial and his councillors are elected for a three-year term. At the end of this term they may be re-elected immediately, but the vice provincial only for a second three-year term. The chapter of a vice province determines whether a vice provincial retiring from office is eligible to be elected as councillor. These superiors are elected by the deliberative vote of all the solemnly professed friars by the method adopted by the chapter of the vice province. When the voting has been completed, the ballots are tabulated in the vice province itself. This shall be done in the presence of the minister provincial, or minister general, or the delegate of either of these by the vice provincial, his councillors and two friars elected by the local chapter where the tabulation takes place. Then the elections are promulgated, and the vice provincial-elect exercises his office as a delegate of the minister provincial or minister general until the election is confirmed. Upon confirmation of his election, the vice provincial has juridic authority to exercise his office with ordinary vicarious power. At the same time the general or provincial minister should expressly grant him the faculties mentioned in numbers 17

and 28 of these Constitutions. The minister provincial should then send the minister general a notice of the election. With permission of the provincial or general minister the vice provincial may convoke a chapter to discuss the affairs of the vice province. It is fitting for the minister provincial or minister general to preside at this. The following attend: the vice provincial, his councillors, the former vice provincial from the immediately preceding three-year term, guardians of the fraternities determined by the norms of the vice provincial chapter and as many elected delegates as there are capitulars by law. These elected delegates are chosen in accord with the norms determined by the chapter of the vice province.

121. The vice provincial should call a meeting of his councillors at least twice a year. He should have their advice or consent in the same cases that the Constitutions determine the minister provincial needs the advice or consent of his definitory. Innovations that involve burdens of greater moment for either the province or vice province should be submitted to the provincial or general minister.

Article VI: *The Government of the Missions*

122. A superior regular, with at least two councillors, oversees each mission. If necessity or the good of the mission requires it, the minister provincial and his definitory, after consulting those involved, may increase the number of councillors to four. The minister general should be informed if this is done.

123. The superior regular and his councillors are elected for a three-year term by the deliberative vote of the solemnly professed brothers assigned to that missionary group. The superior regular may be immediately re-elected but only to a second three-year term. The following are considered members of a missionary group: all those who have received letters of obedience from the minister general, even if only for a time; and friars affiliated with the mission by profession, even if they live elsewhere for purposes of formation or other reasons.

124. After consulting the missionaries, and keeping in mind the different conditions of the mission, the superior regular and his councillors are to determine the method of electing a superior regular and his councillors by deliberative vote. If the voting is done in a chapter, it is highly recommended that the minister provincial preside since he has the right to confirm the election. If the minister provincial is not present, the elections are officially announced and the superior regular-elect exercises his office as a delegate of the minister provincial until the election is confirmed. The minister provincial should inform the minister general of the election results.

125. The minister general and his definitory may, for a grave reason, appoint the superior regular and his councillors. They should first consult the minister provincial and his definitory and obtain a written consultative vote from the friars of the mission.

126. When the superior regular is absent or impeded, the first councillor — or the one next in order of election if he too is impeded — takes his place. If the office of superior regular or that of a councillor becomes vacant for any reason, the matter should be referred to the minister provincial, who should proceed in a way analogous to number 116, making the needed adaptations.

127. The superior regular should meet with his councillors at least twice a year. He is required to consult them, at least by letter, in all matters for which the minister provincial needs the consent of his definitory.

Article VII: *The Government of Local Fraternities*

128. The minister provincial and his definitory form local fraternities at the provincial chapter or another suitable time. In doing this they should give consideration to preserving our way of life, to fostering fraternal relationships and the special ministries offered at each house. Special consideration being

given to different circumstances, the same principles should be used in forming fraternities and appointing superiors in vice provinces and missions. Guardians are appointed by the minister provincial and his definitory for a three-year term. They may be reappointed for a second or, in case of obvious necessity, for a third three-year term, even in the same house, if just reasons are present. Whoever has held the office of guardian for six years, or nine years if necessary, should be free from it at least for one year.

129. The minister provincial and his definitory should appoint a vicar in each fraternity. The vicar has the duty of assisting the guardian in governing the community. He himself governs the fraternity when the guardian is absent or impeded, or when the office of guardian is vacant. The vicar is by law the first councillor. In houses of six or more brothers a second councillor should be elected by the solemnly professed members. The councillors have the function of assisting the guardian by advising him in spiritual and temporal matters. Their vote is deliberative in matters determined as more important by regional or provincial bylaws.

130. If the office of guardian becomes vacant more than six months before a provincial chapter, another guardian should be appointed by the minister provincial and his definitory. If the office becomes vacant less than six months before a provincial chapter, the vicar shall govern the fraternity and go to the provincial chapter. The vicar also goes to the provincial chapter if the guardian is prevented by serious infirmity. This reason must be known to and approved by the minister provincial and his definitory.

131. The house chapter is made up of all the professed friars. It has the duty of furthering the good of the community under the direction of the guardian. According to the norms of these Constitutions, when elections are held or when voting is done to admit friars to profession, only solemnly professed friars have the right to vote. The house chapter should

meet at least four times a year. Its vote is only consultative unless common or particular law determines otherwise. Before the meeting the guardian should not only inform but also consult the friars about the agenda.

132. There should be an archives in the general curia, in each provincial curia, in the residence of each vice provincial and each superior regular, as well as in each fraternity. All necessary documents should be kept there in an orderly fashion and under secrecy. All matters worthy of memory should be accurately recorded by the friar who has this responsibility. An inventory of all documents in the archives should be kept.

CHAPTER IX

THE APOSTOLIC LIFE OF THE FRIARS

Article I: *Preparation and Formation for the Apostolate*

133. When engaged in studies, friars should carefully develop their minds and hearts so that, in keeping with the attitude of St. Francis, they conform themselves to Christ in every way. They should love truth and pursue it ardently. At the same time they should frankly acknowledge the limitations of human knowledge which is far surpassed by the grace of faith. To advance in their vocations, as well as in human and divine learning, students should cultivate community life, mental prayer and participation in the sacred liturgy. They should apply themselves to studies according to their abilities in a spirit of self-denial and discipline. In this way the brothers, through intellectual and personal development, will contribute to the good of the order, the Church and human society. Students should realize that they are themselves the principal agents in acquiring a good education; that they bear the main responsibility for this in trusting and wholehearted cooperation with teachers and educators.

134. Because our order is apostolic, a pastoral concern should be part of the whole formation program to prepare the students adequately for service in the Church as disciples of our Lord Jesus Christ, who is priest, prophet and shepherd. The art of exercising the apostolate should be taught through gradual practice as well as theory. The pastoral needs of the

region, as well as missionary and ecumenical aspects, should receive attention. Studies must be altogether in keeping with the spirit of our life and enlivened by the light of Christ's charity. The program of philosophical and theological studies, based chiefly on the Franciscan tradition, should gradually and harmoniously reveal the mystery of Christ to our students. These students should acquire a solid and coherent understanding of human nature, the world and God through their philosophical studies. Theology ought to be taught in such a way that the students may accurately draw Catholic doctrine from divine revelation. Sacred Scripture, which is the soul of all theology, should be taught with special care. Solutions to human problems ought to be examined in the light of revelation and according to the standards of human sciences so that they can be communicated in a manner suitable to our contemporaries.

135. Teachers should possess genuine learning, appropriate pastoral experience and proper training in spirituality, teaching methods, and psychology. They ought to teach by the example of their life and enter into close cooperation of attitude and action with each other and with their students. Through their teaching methods, discussions with the students and practical applications, the goal should be a living and coherent cultural development for the students. Teachers shall carefully prepare and present their lectures and be guided in this by the magisterium of the Church. They should also stay abreast of new developments in their own fields and adapt their lectures to these. Finally, it is recommended that teachers expend their energy in doing scientific research and publishing such works, especially on Franciscan matters. Our Historical Institute can help them and other friars in this work.

136. All the friars should carefully continue their education, especially in sacred studies. This is most necessary for the apostolate. Superiors should provide helpful opportunities for this. Moreover, in accordance with norms issued by major superiors, friars ought to attend gatherings or courses which

relate to questions concerning our life, the theological climate, the exercise of ministry or technical skills. After finishing the program of their general formation, the brothers who are priests, in accordance with the norms of the Church, should get involved in pastoral work and study, and attend special courses or lectures on various sacred sciences and Franciscan matters.

137. The office of the general secretariat for formation will be at the service of both general and provincial superiors. It will provide them with assistance and information for the support and direction of formation and education programs. Similarly, each province shall have a formation council under the direction of the provincial director of formation/education. Each house of formation must also have a prefect of studies who has responsibility for educational matters. A general program of formation/education should be developed which would contain norms applicable everywhere so that the specific character of our order will be effectively maintained in our training. In addition, each province or group of provinces, in view of the regional situation, should draw up its own formation program.

138. The brothers who are called to sacred orders should be trained as directed by the Church, with due consideration given to the specific character of our order. The ministers provincial and their definitors should establish centers of study in their provinces so that studies can be properly organized. Or, with the consent of the minister general, they should provide for this in some other way, especially through interprovincial cooperation insofar as local circumstances permit. Each province shall take similar care in providing for the apostolic, intellectual and technical training of brothers who are not called to sacred orders; this training should be geared to fit each friar's duties. The provincial chapter is to determine the time when the formation period of the friars ends.

139. Ministers provincial should see to it that capable friars receive special training at institutes, schools and universities in the sacred sciences and other subjects which are valuable for service to the Church and the order. Our International College in Rome is recommended for promoting the Franciscan culture and a spirit of fraternity in the whole order.

Article II. *Various Forms of the Apostolate*

140. The Son of God was sent into the world by the Father so that, assuming the human condition, He might preach the Gospel to the poor, heal the brokenhearted, proclaim release to captives and restore sight to the blind. Christ intended to continue this mission in the Church by the power of the Holy Spirit. This same Holy Spirit has raised up St. Francis and his apostolic fraternity to help the Church in her mission. The friars are to do this with all their strength in keeping with pressing needs of our times, especially on behalf of those who most need to hear the Gospel. Consequently, our apostolic fraternity, obedient to the Spirit of the Lord and his holy operation, fulfills its role of service in the Church by preaching to all the Gospel in word and action.

141. The chief apostolate of the lesser brothers is this: to live the gospel life in this world honestly, simply and joyfully. As we constantly draw on this source of inspiration, we should strive to carry out the work of the ministry and apostolate. We should willingly take on any work of ministry or apostolic activity as long as it is in keeping with our form of life and responds to the needs of the Church. Superiors, therefore, keeping in mind the various gifts of the brothers, should readily accept the invitations of the ecclesiastical hierarchy through which we are called to the service of the People of God and their salvation. Moved by the love of the Father who sees in secret, and conscious of the fact that we are lesser brothers, we should generously accept those ministries which others are reluctant to assume. We should not seek any glory from doing this. In all things, as true witnesses of Christ, we

should not fear persecution, slander or privations because we remember that the servant is not greater than his Master. In keeping with the grace given to St. Francis to preach gospel conversion as John the Precursor did, we should be concerned that, in all our apostolic work and ministries, we continually challenge everyone to stir up faith in Christ the Savior and to promote the Kingdom of God.

142. Since they are dedicated to the Church, the brothers should accustom themselves to reading the signs of the times in which God's plan can be discerned with the eyes of faith. This should be done in order that they generously respond to apostolic activities, the demands of evangelization and the needs of the people. The friars should promote traditional works of the apostolate such as popular missions, retreats, the sacrament of reconciliation for the faithful, the spiritual care of religious women — especially Franciscans —, the spiritual care of the sick and those in prison, works of education and social advancement. When taking on new apostolates, the friars should give special attention to those who, on account of the conditions of their life, lack ordinary pastoral care. Among these would be young people in danger of turning away from the Christian life, immigrants, workers, and people burdened by financial worries, hostility or racial prejudice. They should also be actively involved in the ecumenical dialogue of truth, charity and prayer with our separated Christian brethren in order to share in the Church's efforts at restoring Christian unity. At the same time they should be engaged in beneficial dialogue, according to the norms of the Church, with the non-believers among whom they live or to whom they are sent. Finally, friars should be eager to help the laity reach Christian maturity and should encourage them to show initiative in apostolic work.

143. In all apostolates, even those of personal inspiration, the friars should be obedient to competent authority. While the supreme pontiff has the authority to decide where the order can best serve the Church, the exercise of every aposto-



late is subject to the authority of the local ordinary, from whom the brothers receive jurisdiction and faculties after they have been examined and approved by their major superiors. The friars are bound by the laws, decrees and regulations issued by the local ordinary or by the local episcopal conference regarding apostolic work, pastoral and social action. The provincial chapter has the responsibility of adapting our apostolic work to the needs of our times, while preserving its Franciscan character. The minister provincial and his definitory should coordinate the apostolic efforts of the province. The guardian, after seeking the advice of the house chapter in important matters, should assign work according to the needs of the Church and the circumstances of each friar. He should also maintain close cooperation with any pastoral organization established by the hierarchy.

144. Since faith comes from hearing, the salvation of all people depends very much on the proclamation of the word of God. This proclamation is considered the primary duty of the Church in order to call together the People of God. This is why the ministry of the word was so close to the heart of Christ the Lord. Encouraged by the authority of the Church, St. Francis, the herald of Christ, going from town to town, scattered the seed of the Gospel everywhere. Our superiors and all the friars should see themselves as debtors to everyone, rendering service in varied ways: in preaching the word of God, in celebrating the liturgy, in conversation and discussion, in explaining Christian doctrine in schools, in conferences and meetings of every kind, in literary publications and other communications media. In these ways the word of God, written under the inspiration of the Holy Spirit, is faithfully explained and spread.

145. The brothers should preach the word of God in clear language to adapt it fittingly to the comprehension of the listeners and the needs of the times. They should, with brevity, proclaim to the People of God the mystery of Christ, His life, His glorification, and His presence in the Eucharistic mystery

which is the source and summit of all evangelization. In conformity with the direction of St. Francis, friars should also speak of vices and virtues, punishment and glory. Their preaching should be inspired and nourished by Sacred Scripture and guided by the magisterium of the Church. They should discuss contemporary issues in the light of Christ.

146. The ministers of God's word should use every means to imprint Jesus Christ on their hearts and surrender themselves to Him so that He might incite them to speak from an abundance of love. This cannot happen unless they themselves continually try to advance in the wisdom of Christ, chiefly through serious spiritual reading and careful study of Scripture. In addition, the brothers should be thoroughly trained in preaching and catechetical skills so that they might become effective instruments through whom the word of God might quickly spread and be highly honored. In building up the Church they should be genuinely kind in their relationships with everyone.

147. In the celebration of the sacraments Christ is present to the faithful with His power, sanctifies them and builds up His Body. At the same time fitting worship is given to God, and through the sacramental signs the People of God are instructed and grow in charity. Brothers who administer the sacraments as part of their office or in helping the clergy should properly instruct the faithful so that faith might be nourished, strengthened and expressed on these occasions. This should be done especially for celebrations of baptism, marriage and anointing of the sick. The friars should carefully prepare themselves for giving such instruction during liturgical celebrations, especially the homily at the Eucharistic Sacrifice.

148. In the spirit of Christ the shepherd, brothers who are priests should instruct the faithful to confess their sins to the Church with contrite hearts in the sacrament of reconciliation, through which they will be more deeply converted to the Lord

day by day. The friars should be very willing to celebrate the sacrament of penance with the faithful. This is a highly appropriate ministry for the lesser brothers since it is often exercised in regard to people who are spiritually very poor. Ministers of this sacrament should be marked by zeal for the holiness of God, concern for gospel conversion of the faithful, fatherly kindness, endless patience, pastoral skill and prudence. Superiors should help confessors improve their skills in exercising this ministry and should take special care to prepare some good confessors for priests and religious.

149. Following the example of St. Francis and the constant tradition of the order, the brothers should gladly care for the spiritual, and even bodily, needs of the sick and infirm. In this regard they follow Christ who went through cities and villages curing every kind of weakness and disease, as evidence that the Kingdom of God had come. In this way they should fulfill the mission of the Church which, through its members, is one with men and women of every condition and gladly expends itself for them, especially the poor and afflicted. Our major superiors should encourage this ministry since it is an admirable and effective work of charity and the apostolate.

150. Sensitive to the urgent needs of souls, major superiors, with the consent of their councils, should willingly accept the care of parishes, especially on a temporary basis. In order to remain faithful to our ideal of life when assuming this ministry, ordinarily those parishes should be preferred where we can readily give witness to our lowly state and live and work in community. If it is advisable, major superiors or their conferences can publish handbooks for this purpose. Since good pastoral care in the parochial ministry requires a certain stability of personnel, superiors, when appointing or removing friars, should keep in mind the well-being not only of the province but also of the faithful.

151. The Third Order Secular, or Secular Fraternity of St. Francis, has been received by the Church as a leaven of

gospel perfection. It shares in and promotes our Franciscan spirit since it participates in the spiritual life of the First Order and has been entrusted to our care by the Church. The brothers, therefore, ought to show fraternal affection toward members of the Secular Order and by their example encourage them to fidelity to the Gospel. Our superiors should make sure that constant and careful spiritual help is given to the Secular Order through united and coordinated efforts with other Franciscan families. They should do this and promote the Third Order among the diocesan clergy and the faithful, especially by appointing, in accordance with Third Order legislation, qualified friars who are properly prepared for this ministry. The friars, on their part, should willingly provide spiritual help to tertiaries, but they should keep the order's secular character in mind and not interfere in its internal government except in instances mentioned in law. Unless there are valid reasons to the contrary, superiors have the authority to establish Third Order fraternities in any of our houses, and even elsewhere if the occasion permits. They may also adapt them to new forms. Following the inspiration of St. Francis, the members of these fraternities individually and in mutual cooperation should spread the gospel spirit not only by their good example but also by varied apostolic activity. The brothers should also encourage and give spiritual help to all groups, especially young people, who honor St. Francis.

152. St. Francis encouraged the friars to proclaim the Kingdom of God also with songs and prayers written in the vernacular. He personally wanted to aid the salvation of all people by his writings which were designed for distribution. Because of this we should highly value the communications media as an appropriate way of preaching the Gospel to our contemporaries. Mass media can reach and influence many people, even the entire world. Our superiors should see that competent friars receive adequate preparation so that our order is well prepared for the multifaceted apostolate of social communications. All friars should be given appropriate instruction for responsible use of the media to acquire a correct

and real-life understanding of the conditions of human society and the needs of the Church. The friars, by united efforts, should also gladly engage in the apostolate of the press, especially that of publishing Franciscan literature. It is highly recommended that offices for this purpose be established in various provinces, regions and the whole order.

153. The superiors should willingly allow friars to use whatever equipment and supplies are necessary for their duties. For those who, with the merit of obedience, are doing special work, superiors should obtain books and other things necessary for this but without detriment to common life. Central or regional libraries are highly recommended. In addition, each house should have its own community library adequately supplied for the needs of the fraternity. Where possible, our libraries should also be accessible to outsiders as long as proper precautions are taken.

154. Whatever their apostolates, the friars should find in expressing their love for God and people — which is the heart of every apostolate — the bond of perfection which unifies their lives and activity. All the brothers should constantly remember that they cannot carry out their mission unless they are continually renewed in the authenticity of their vocation. Because of this they should perform the work of the apostolate in poverty and humility, not appropriating the ministry to themselves, so that everyone can clearly see that they seek Jesus Christ alone. They should maintain that unity of brotherhood which Christ desired so that the world may know that He is the Son sent by the Father. Living together in fraternity they should practice a life of prayer and study so as to be intimately united with the Savior. Guided by the Spirit, they should generously give to the world a witness of the joyful Good News.

CHAPTER X

OUR LIFE IN OBEDIENCE

155. Since we have vowed obedience, we ought to seek, without distinction of office, the lowest place in the community of the Lord's disciples. We should serve each other in the spirit of love and be obedient to every creature for God's sake. This is the true obedience we can see in the life of Jesus Christ who took the form of a servant. Responsive to the Holy Spirit, as a community we should discern and accomplish the will of God in every event and action. In doing this both the superiors, who give themselves to the service of the friars, and the friars, who humbly obey, will continually respond to God's will.

Article I: *The Pastoral Service of the Ministers*

156. Christ came not to be served, but to serve. To show this, He washed His apostles' feet and asked them to do the same. Superiors, therefore, who are the servants of the other brothers, should not exercise their authority as masters. They should serve the other brothers by abundantly giving them spirit and life through example and teaching.

157. Superiors must render account to God for the souls entrusted to them. They should feed their flocks, be an example to them and skillfully fulfill their duty. They are responsible for the welfare of the friars and for general administration, especially in spiritual matters. In the spirit of the Gospel,

they should freely initiate discussion with each and every friar and accept advice. They should discern the will of God together with them through expectant prayer and prudent judgment. Superiors should encourage the friars to be faithful to our way of life and to work for the welfare of the Church in every place. For the common good of the entire fraternity they should encourage cooperation in apostolic work, particularly among those in the community involved in special ministries.

158. All superiors are responsible for ministering the word of God to the brothers. They should be anxious to provide appropriate instruction and religious formation. This can be accomplished in different ways according to the situation in each province and the decision of the minister provincial and his definitory. Some suggestions are: spiritual discussions with individuals or with the house chapter, homilies at community Eucharistic liturgies or scripture services, circular letters from major superiors, and meetings about religious and Franciscan matters.

159. Superiors should guide the friars assigned to them, seeing them as sons of God. They should respect their human dignity and encourage willing obedience. With the kindness and patience the Gospel requires, superiors should stimulate the conscience of the brothers actively so that they responsibly search out and fulfill the will of God in order to become witnesses and models of holiness in the world. Superiors should not give orders binding the brothers by the vow of obedience unless charity and necessity demand this, and then only with prudence.

160. Superiors should perform the duty of correcting the friars firmly, but with kindness and charity. In the case of individuals they should do this privately and fraternally, keeping in mind the person and the situation. On the other hand friars, for their own good, should be open to the correction of the superior. The guardian should discuss the failings and omissions of the community with the friars, especially in the

house chapter. The entire community should seek and apply effective solutions to these problems.

161. The visitation of the major superiors, which is required by common law, can greatly enhance the vigor of our life and the renewal and unity of the friars. The minister general, either personally or through others, especially the general definitors, should visit all the friars during his term of office. Other major superiors, including vice provincials and superiors regular, should visit all the fraternities of their jurisdiction annually. The minister provincial should officially visit a vice province or mission at least once every six years. The minister general should go to various countries when he has the opportunity and occasionally attend conferences of major superiors. Other major superiors should be interested in the friars and their activities and gladly take the opportunity to meet with the individual friars.

162. Superiors should use the visitation sincerely to discuss the spiritual and temporal ways of preserving and improving the brothers' life. They should do this both with individual brothers and with the community. In doing so, they should be understanding and flexible so that the friars can freely and sincerely express themselves and work together for an ongoing renewal of life and expansion of their activity in the circumstances in which they find themselves.

163. Both general visitators and major superiors should send reports of their visitations to the minister general. Within the time set by the visitator, both the major superiors and the guardians should inform their immediate higher superior about the implementation of whatever may have been prescribed during visitation.

Article II: *The Loving Obedience of the Friars*

164. The friars, in their profession of obedience, offer their wills to God as a self-sacrifice. In this they follow the foot-

steps of the Lord Jesus who, throughout His entire life, submitted Himself to the Father's will. Through obedience the friars continually conform to the saving will of God who is loved above all else and are bound to the service of the Church. They should give their superiors an active and responsible obedience because of faith and out of love for the will of God. This was the spirit in which they freely committed themselves to the gospel counsels. They can be certain that in freely offering their will to God they grow in personal perfection and give a witness to others that advances the Kingdom of God.

165. When the brothers entrust themselves to superiors in the spirit of obedience, they become available to the service of all people. At the same time they advance in virtue and preserve the gospel way of life. They should humbly obey their superiors with all their abilities and gifts of grace and strive to fulfill their assignments according to the norms of the Rule and Constitutions. They should also propose their own ideas and plans for the common good. The superior, however, because of the social nature of the Church and order, has the final right to discern and decide what is to be done after he has freely consulted the friars. Whenever a friar who is totally given to obedience acts with the freedom of the sons of God and with a good intention, whatever good he does falls under true obedience as long as he knows that his actions are not against his superior's will. If a friar would judge something to be better and more useful for himself than what his superior requires of him, let him willingly sacrifice his will to God. Even in this case he should do his best to carry out what the superior demands. This is genuine and loving obedience which pleases God and neighbor.

166. Those who cannot live the Rule for personal reasons or because of circumstances may, and should, confidently seek the advice, encouragement and help of their superiors. The superiors should receive and help them with brotherly love and concern.

167. Freed from the obstacles of this world, we are humbly consecrated to the service of God and all people through the help and obedience we give each other in love. All of us, ministers and brothers alike, proceeding in an honest and sincere way should maintain a family spirit. We should respect each other enough never to say in a friar's absence what we would not dare to say charitably if he were present. If we act in this way we will be, in the world yet to be consecrated to God, a sign of that complete love which flourishes in His Kingdom. Even if we suffer want, persecution or tribulation because of the witness of our gospel life, we should put our total confidence in God who is to be loved above all else. As men of poverty and peace, who are inspired and supported by the spirit of the Lord and His holy activity, we should courageously set out to do great things. If we are faithful to the end, God will reward us.

What a man is
 in the eyes
 of GOD,
 so much he is,
 and no more...
 Legenda maior⁶

CHAPTER XI

OUR LIFE IN CHASTITY CONSECRATED TO GOD

168. Among the gospel counsels, chastity, voluntarily assumed under the inspiration of the Holy Spirit for the sake of Christ and His Kingdom, should be valued as a precious gift from God. The only reason for our life of chastity, in which we also give up married love, is the love of God and all people. In a unique way this gives us greater freedom of heart to cling to God with undivided love and enables us to become all things to all people. Our order becomes a special sign of the mystery of the Church joined to her only Spouse when we faithfully guard this gift and cherish it at all times. Consecrated chastity heralds a future world in which, after the resurrection, all will be brothers and sisters to one another.

169. Chastity consecrated to God is preserved by participation in the sacramental life, especially the Eucharistic Banquet, by fidelity to prayer and through close union with Christ and his Virgin Mother. We should respond generously to this gift, relying on God's strength and not our own.

170. In order to preserve chastity, let all the friars, with the superior's encouragement, mutually support one another through love, companionship and fraternal service. Throughout our lives we should develop proper psychological maturity by controlling our drives and emotions. Besides controlling our feelings and affection, we should apply ourselves diligently and cheerfully to our work, living in humility and penance,

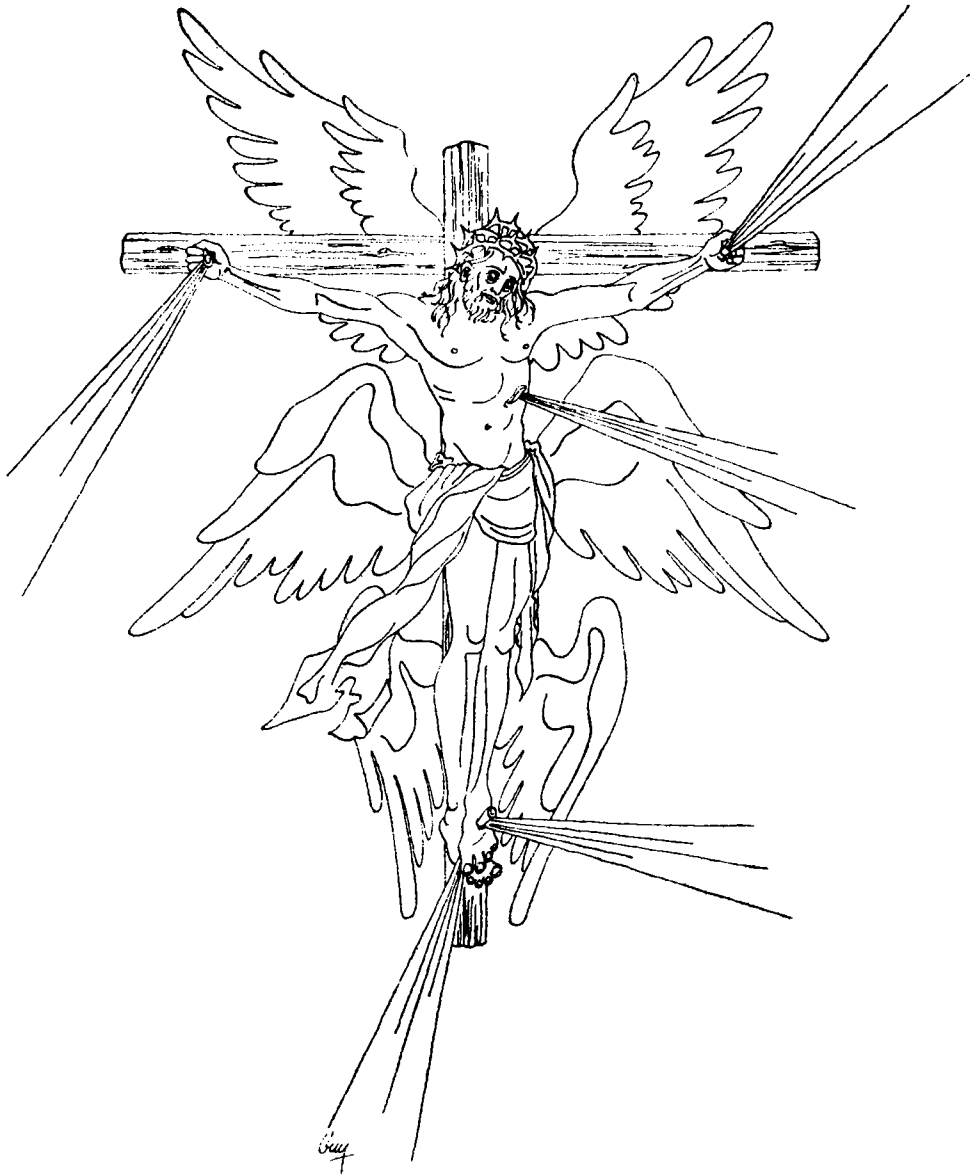
and use the means necessary for good mental and physical health.

171. The brothers should love everyone in Christ. Through fraternal and friendly relationships they will lead others to share in the Kingdom of God. Our attitude toward women, especially women religious who are consecrated to God, should be characterized by courtesy and respect. In our use of books, television, movies, etc., we should use moderation and a mature standard of selection. We should carefully avoid whatever would be harmful to faith, morals or religious life. Remembering our vocation, through the gift of chastity we become a leaven of gospel life in the world.

172. The cloister shall be observed in all our houses to safeguard religious life.* When this is not possible because of special circumstances, the major superior, with the consent of his council, will provide norms for the local situation. The major superiors have the authority to determine the precise limits of the enclosure and to change them if necessary. They may suspend the enclosure for a time and dispense from it in individual cases. To foster the quiet necessary for prayer and study, guests should ordinarily be received in visiting rooms, decorated and furnished in keeping with simplicity, prudence and hospitality.

173. We should often reflect on the words of our holy Father Francis through which he encouraged us to put away all anxiety and to love and adore the Lord God in all His creatures with a pure heart, chaste body and holy action. There should be nothing in us which hinders the Spirit of the Lord or separates us from Him. His activity should be manifest in each one of us and in our order.

* (c1 The Sacred Congregation for Religious and Secular Institutes. *Decretum circa claustrum in Analecta O.F.M.* Cap. 86 [1970] 47-49.)



CHAPTER XII

THE FAITH TO BE SPREAD AND FOSTERED

Article I: *The Missionary Role of the Order*

174. All baptized Christians, and especially religious since they have offered themselves in a special way, are united with the pilgrim Church which, through the mission of Christ and the Holy Spirit, is a universal sacrament of salvation and therefore missionary by its nature. In his time St. Francis, inspired by God, renewed the missionary spirit by the example of his life and the insistence of his Rule. He gave fresh impetus to the undertakings of the Church which are commonly called missions. These are generally carried out in territories officially acknowledged by the Holy See where the Gospel is proclaimed and the Church is planted among peoples or groups who do not yet believe in Christ. Our order accepts as its own the task of evangelization which belongs to the total Church. It regards and undertakes this missionary work as one of its principal apostolic obligations in such a way that it can truly be called a missionary order.

175. As St. Francis foresaw it, missionary friars can spiritually conduct themselves among non-Christians in two ways: either they can give a confident witness of the Gospel by a life of charity in which they are subject to every human being for God's sake; or when they see it would be pleasing to God, they can openly proclaim the message of salvation so that non-believers can be baptized and become Christians. When found-

ing new churches, the brothers should be all things to all people by their interior renunciation and their external manner of living and show proper respect for the religions and values of different cultures. They should be animated by the spirit of truth and by ecumenical charity. They should observe proper prudence when it comes to political matters.

176. Those who see themselves inspired by God to accept the special missionary vocation should make this known to the minister provincial. But the minister provincial may also invite other qualified friars who are willing to go to the missions. These prospective missionaries should receive special doctrinal and practical preparation in missiology and ecumenism in keeping with their abilities. The minister provincial then presents them to the minister general who has the responsibility of issuing letters of obedience for this work. Ministers should not refuse to send capable friars to the missions because of limited number of personnel in the province. Instead, let them refer all their cares and thoughts to Him who takes constant care of us. When opportune, provinces should generously help one another as indicated in the norms established for the missions. Although the missionary vocation is lifelong in itself, friars should be invited to take part in missionary work for a time, particularly to offer special services. Friars should also make a real effort to enlist lay missionaries, and together with them they should more intensely promote the social and economic welfare of the people they serve. Let superiors promote missionary vocations and foster among the friars a love for the missions and a spirit of cooperation with them. This ought to be done in such a way that each friar fulfills his missionary duty according to his ability and circumstances by fraternal communications with the missionaries, by praying for the missions and by promoting concern for them among Christian people.

177. Since religious life belongs to the life and holiness of the Church and ought to be zealously promoted in the mission already from the beginning, missionary friars should work

to establish the order in mission territories. The way of our life and the spiritual heritage of the order should be handed on and expressed in ways that conform to the regional conditions and the character of each people. The particular customs of one's own region should not be transplanted into another region.

178. The minister general has the duty of promoting and coordinating the missionary activity of the order in the local churches. He does this under the direction of the Holy See and in cooperation with the local ecclesiastical authority. The minister general and ministers provincial should have special secretariats for the missions, whose duties are determined by their respective definitories. Regarding religious life, brothers living in the mission are subject to the minister provincial of the province to which the mission is entrusted, to the superior regular of the mission as the vicar of the minister provincial and to the local superior of the mission station, unless the minister general decides otherwise. Friars should zealously cooperate with other religious institutes working for the growth of the local Church in the same mission territory. Missionary activity should aim at promoting an indigenous clergy to whom the mission can be entrusted at an opportune time; but the missionary friars should continue service in the work they have begun there.

Article II: *The Friars' Life of Faith*

179. As true disciples of the Lord and sons of our Father Francis, we should, with the help of divine grace, firmly adhere till the end of our lives to the faith we have received from God through the Church. Using all our strength and good judgment, we should penetrate this faith more deeply and apply it more fully to our lives. We should ask God for an increase of this priceless gift through unceasing prayer, and we should live in close communion with the entire People of God. Guided by the Holy Spirit we should bear witness to Christ every-

where and proclaim to those desiring it the reason for the hope of eternal life that is in us.

180. Our holy father Francis deeply desired to be faithfully and continually obedient to the teaching authority of the Church, since it is the custodian of doctrine and the protector of gospel life. We should follow Holy Mother the Church with singular loyalty in order to preserve this spiritual heritage intact. We should be of one mind with the Church in all things, whether thought, speech or action. We must be careful to avoid false or dangerous teachings. We should offer the religious obedience of our mind and will to the Roman pontiff, the supreme teacher of the universal Church, and to the bishops who, as witnesses of the faith together with him, teach the People of God.

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181. These Constitutions have the purpose of helping us observe the Rule better and more perfectly according to the mind of St. Francis and the interpretation of the Holy See in the changing circumstances of our lives. We can find here a safe support for our spiritual renewal in Christ since the Constitutions are a powerful help for living up to the consecration of life through which each friar totally dedicates himself to God. We are bound to observe these Constitutions by reason of our profession and by our special obligation to strive for gospel perfection. We, therefore, should observe them not as servants but as sons who desire to love God above all things, who listen to the Holy Spirit instructing us, and who are eager for the glory of God and the salvation of our neighbor. Since laws and statutes cannot be made for every particular case, in all our actions we should remember the holy Gospel, the Rule we have promised to God, sound traditions and the ex-

ample of the saints. Superiors should lead the brothers in living our way of life and observing these Constitutions; and with loving zeal they should persuade them to do the same. Guardians should see to it that the Constitutions are explained and that they are read publicly in our fraternities once a year. All brothers are strongly urged to make a personal study of the Constitutions and to become deeply imbued with their spirit.

182. The general chapter alone has the authority to interpret authentically these Constitutions, to add to them, change them, repeal them in part or abrogate them entirely as the needs of the time require, so that appropriate renewal is encouraged in a continuing way. Outside the general chapter, the minister general and his definitory have the authority to settle doubts about our particular law and to supplement it when needed. Their enactments remain in force until the next chapter. Superiors may dispense their subjects or visiting friars from the disciplinary regulations of these Constitutions in particular cases when they judge it will contribute to a friar's spiritual welfare. In the case of nondisciplinary regulations, the minister general, with the consent of his definitory, has the authority to dispense in the entire order, but only when those concerned request it. Any habitual dispensation of an entire province is reserved to the minister general; that given to an entire local fraternity is reserved to its major superior. Provincial chapters or conferences of major superiors may enact particular statutes so that the regulations of these Constitutions may be properly applied to the situations of provinces and regions. Such statutes need the approval of the general definitory.

183. We should remember the blessing of our heavenly Father which St. Francis promised to all who follow the Rule. Since we are the heirs of Francis' spirit, we should strive through love to attain the perfection of gospel life described in the Rule and these Constitutions. In doing this we will be like the Son of God who willed to observe the laws He made for the salvation of all. Let us contemplate our Redeemer to

learn His will and please Him while fostering a diligent observance of these Constitutions. We should remember St. Francis' words: "Great things have we promised to God, greater things has He promised to us." We can do all things in Him who strengthens us and knows our weakness. He will give us the gifts and strength needed to follow His commandments and counsels so that we can surmount all obstacles and follow Him with joyful hearts, as our seraphic Father Francis did with the help of Mary, the holy Mother of God and our Mother. Christ, who is the true light, the brightness of glory, the spotless mirror and image of God's goodness, the Savior and Lawgiver for all, from whom comes all our merits and reward, should be our thought, our meditation and our life.

The Unconfirmed
First Rule of St. Francis



The Unconfirmed First Rule of Saint Francis

INTRODUCTION

In the Name of the Father and of the Son and of the Holy Spirit. Amen. This is the (way of) life which brother Francis asked the Lord Pope to grant and confirm for him. And the latter granted and confirmed it for him and for his brothers, those already received and those in the future. Brother Francis and whoever will be head of this religion must promise obedience and respect to the Lord Pope Innocent and to his successors. And let the other brothers be bound to obey brother Francis and his successors.

FOUNDATION IN THE GOSPEL

1. (The brothers are to live in obedience, in chastity, and without property.)

Here then is the rule and the (way of) life of these brothers: to live in obedience, in chastity, and without property; and to follow the doctrine and the footsteps of our Lord Jesus Christ who said: "If you wish to be perfect, go and sell all that you have and give it to the poor, and you will have treasure in heaven, and then come follow me" (Mt. 19, 21). And: "If anyone wants to walk after me, let him deny himself and take

[Ed. Note: This translation of The First Rule of Saint Francis (The Rule Unconfirmed by Bull) by Paul Schwartz, O.F.M. and Paul Lachance, O.F.M. is contained in *The Birth of a Movement: A Study of the First Rule of St Francis* (Franciscan Herald Press) pp. 63-85. Reprinted with permission.]

up his cross and follow me" (Mt. 16, 24). Likewise: "If anyone wishes to come to me and does not hate his father, and mother, and wife, and children, and brothers and sisters and even his own life, he cannot be my disciple" (Lk. 14, 36). And: "Everyone who leaves father or mother, brothers or sisters, wife or children, house or land because of me shall receive a hundredfold and will possess eternal life" (Mt. 19, 29).

2. (The reception and the clothing of the brothers.)

If anyone wishing by divine inspiration to take up this (way of) life comes to our brothers, they should receive him with kindness. If he should remain firm (in his desire) to take up our (way of) life, the brothers should take great care not to be involved in his temporal affairs, but to present him to their minister as quickly as possible. And the minister should receive him kindly and encourage him and carefully show him the terms of our (way of) life.

This being done, the aforesaid, if he wishes and if he is able spiritually, without impediment, should sell all his goods and strive to distribute everything to the poor. And the brothers and the ministers of the brothers should beware of involving themselves in any way in his affairs. And they should not receive any money themselves or through any intermediary. If, however, they lack anything necessary for the body, the brothers are able to receive (these things), except for money, due to their need, like the rest of the poor. And when he returns, the minister should give him the habit of the novice for a full year, namely, two tunics without a hood, and a cord, and breeches, and a caperon reaching down to the cord. Now when the year and the term of probation is ended, he should be received into obedience. Afterwards, he should not be allowed to enter any other religion nor to wander about outside of obedience, following the mandate of the Lord Pope and according to the gospel, for "no one putting his hand to the plow and looking back is fit for the kingdom of God" (Lk. 9, 62). If anyone comes who is not able to give away his goods without impediment and has the spiritual desire (to do so), he

should abandon them and it will suffice. No one should be received contrary to the form and institution of the holy church.

The other brothers who have promised obedience should have one tunic with a hood and another without a hood, if it is necessary, and a cord and breeches. And all the brothers should have cheap clothes. And they can patch them with sack and other patches with God's blessing, for the Lord says in the gospel: "Those who are in precious clothes, and in luxuries, and dressed in soft things are in the palaces of kings" (Lk. 7, 25; Mt. 11, 8). And though they may be called hypocrites, they should not cease to do good and they should not seek costly clothing in this world so that they can possess garments in the kingdom of heaven.

3. (*The divine office and fasting.*)

The Lord says: "This kind of demon cannot be cast out except by fasting and prayer" (Mk. 9, 29). And again: "When you fast, do not look gloomy like hypocrites" (Mt. 6, 16).

Thus all the brothers, whether clerics or laymen, should do the divine office, prayers of praise and intercession, as they are obliged. Clerics should do the office and say (prayers) for the living and for the dead according to the custom of clerics. For the faults and failings of the brothers they should say the *Miserere mei Deus* with the *Pater Noster* every day. For the dead brothers they should say the *De profundis* with the *Pater Noster*. And they may have only those books necessary to fulfill their office. And the lay brothers who know how to read the psalter may also have one. But those who do not know how to read are not allowed to have a book. But the lay brothers should say the *Credo in Deum* and twenty-four *Pater Nosters* with the *Gloria Patri* for Matins; for Lauds, five; for Prime, the *Credo in Deum* and seven *Pater Nosters* with the *Gloria Patri*; for Tierce, Sext and None, for each hour, seven; for Vespers, twelve; for Compline the *Credo in Deum* and seven *Pater Nosters* with the *Gloria Patri*; for the dead, seven *Pater*

Nosters with a *Requiem aeternam*; and for the faults and failings of the brothers, three *Pater Nosters* each day.

And moreover, all the brothers should fast from the feast of All Saints until Christmas, and from the Epiphany, when our Lord began to fast, until Easter. At all other times they are not bound to fast, according to this (way of) life, except for Fridays. And they may eat everything they are given, according to the gospel.

4. (*The ministers and the other brothers: how they are organized.*)

In the name of the Lord. All the brothers who are appointed ministers and servants of the other brothers in the provinces and in the places where they live should give their brothers a place to live, visit them often, and give them spiritual advice and encouragement. And all my other blessed brothers should obey them with zeal in what concerns the salvation of their souls and is not contrary to our (way of) life. And among themselves they should act as the Lord says: "Whatever you wish to be done to you by other men, do this likewise to them" (Mt. 7, 12). And: "What you do not want done to you, do not do to others" (Tb. 4, 16). And the ministers and servants should remember what the Lord says: "I have not come to be served, but to serve" (Mt. 20, 28); and since the care of the souls of the brothers has been entrusted to them, if any one of them is lost through their fault or bad example, on the day of judgment they must render account for it before our Lord Jesus Christ

5. (*The correction of brothers at fault.*)

Keep close watch, then, over your souls and those of your brothers, for: "It is terrible to fall into the hands of the living God" (Heb. 10, 31). If, then, any of the ministers prescribes something that is opposed to our (way of) life and contrary to his conscience to any of the brothers, he is not bound to obey him, for it is not obedience to commit a fault or a sin.

On the other hand, all the brothers who are under the ministers and servants should consider the deeds of the ministers and servants reasonably and diligently. And if they see anyone of them walk in the flesh and not spiritually, according to the determinations of our (way of) life, if by the third admonition he has not amended himself, they should make him known to the minister and servant of all the fraternity at the chapter of Pentecost, without being prevented by any opposition. And if among the brothers, wherever they may be, there is found a brother who wants to walk in the flesh and not the spirit, the brothers among whom he is found should warn, correct, and instruct him humbly and diligently. And if after the third warning he refuses to amend himself, the others should send or report him as soon as possible to their minister and servant, and this minister and servant should do with him what seems best according to God. And all the brothers, ministers and servants as well as the others, should beware not to become upset or angry because of the sin of another, for the devil wishes to corrupt many through the sin of one. But they should help as best they can the one who has sinned, for: "It is not the healthy who need a physician, but the sick" (Mt. 9, 12).

Likewise, all the brothers are not to have power of domination, especially among themselves for says the Lord in the gospel: "The leaders of nations lord it over them, and those who are great exercise power over them" (Mt. 20, 25). That should not be so among the brothers. But whoever wishes to be great among them should be their minister and servant (cf. Mt. 20, 26). And he who is great among them must become small (cf. Lk. 22, 26). Nor should any brother speak evil or do evil to another. Far from it, they should serve and obey one another through the love of a willing spirit (cf. Gal. 5, 13). And this is the true and holy obedience of our Lord Jesus Christ. And all the brothers, should they often turn away from the commands of the Lord and wander around outside obedience, as the prophet says (cf. Ps. 118, 21), they will know that they are damned so long as they knowingly remain in such a sin. And when they persevere in the commands of the Lord which they have promised through the

gospel and their (way of) life, let them know they remain in true obedience and are blessed by the Lord.

6. (*The recourse of the brothers to the ministers and that a brother should not be called prior.*)

Brothers who cannot observe our (way of) life, no matter where they are, must have recourse to their minister as soon as possible and report this to him. The minister should do his best to provide for them, in the same way as he would like it to be done to him if he were in a similar case. And no one is to be called prior, but all should universally be called friars minor. And each should wash the other's feet.

DAILY LIFE

7. (*Ways of work and service.*)

All the brothers, in whatever place they stay with others for serving or working, are not to be chief stewards, or cellarers; nor should they be in charge of the house in which they serve; nor should they take any position which engenders scandal or "causes any harm to their souls" (Mt. 8, 36); but they should be little ones and subject to all who are in the same house. And the brothers who know how to work should work. And they should exercise the same skill which they (already) know, provided it is not contrary to the salvation of their souls and can be honestly pursued. For the prophet says: "You shall eat the fruit of your labor, and you shall be happy and blessed" (Ps. 127, 2). And the apostle: "Whoever does not wish to work, neither should he eat" (2 Thes. 3, 10). And: "Each one should remain in the trade or position in which he was called" (1 Cor. 7, 24). And for their work they can accept all that they need, except money. And when it becomes necessary, they should go seek alms like the other brothers. And they are allowed to have the tools and instruments necessary for their skill.

All the brothers should apply themselves to good works tirelessly, for it is written: "Always be doing some good work so that the devil finds you busy" (Jerome, Letter 124, 11). And again: "Idleness is the enemy of the soul" (Rule of Saint Benedict, 48). Thus the servants of God should always be busy praying or doing some good work. The brothers should beware, wherever they are, whether in a hermitage or in any other place, not to claim ownership of any place or to defend it against anyone. And whoever comes to them, friend or foe, thief or brigand, should be kindly received. And wherever the brothers are or in whatever place they might meet, they should greet one another heartily and in the spirit, and honor "one another without murmuring" (1 Pt. 4, 9). And they should beware not to appear outwardly sad and depressed like hypocrites, but should show themselves rejoicing in the Lord, joyful and fittingly agreeable.

8. (The brothers should not receive money.)

The Lord has ordered in the gospel: "Watch and beware against all evil and avarice" (Lk. 12, 15). And: "Guard yourselves against the anxieties of this world and the cares of this life" (Lk. 21, 34). Consequently, no brother, no matter where he is or where he may go, should in any way accept, or cause to be accepted, money or coins, neither for clothes, for books, nor as wages for any kind of work, under any circumstances whatever, unless obviously necessary for sick brothers; for we should not grant nor accord greater usefulness to money or coins than we do to stones. And the devil wishes to blind those who desire it or who regard it better than stones. We who have left everything should therefore beware not to lose the kingdom of heaven for so little. And if we ever come upon coins in any place we should care no more for them than for the dust we tread upon with our feet, for: "Vanity of vanities, all is vanity" (Eccl. 1, 2). And if by chance, perish the thought, it happens that any brother collects or has money or coins, except only if necessary for the sick as mentioned above, all the brothers should consider him a false brother, a thief,

brigand, and one keeping a purse, at least until he truly repents.

And in no way are brothers to receive or cause to be received, or seek or cause to be sought, money for almshouses, nor coins for any house or place; and they should not go with any person who seeks money for the benefit of such places. Other services which are not contrary to our (way of) life the brothers may perform for the places (where they work) with God's blessing. However, the brothers are able to seek alms in the case of what is obviously necessary for lepers. They should themselves beware very much of money. Likewise, all the brothers should beware of running around the world in search of filthy lucre.

9. (*Begging for alms.*)

All the brothers must apply themselves to follow the humility and poverty of our Lord Jesus Christ; and they should remember that we are to have nothing else of the whole world except, as the apostle says, "having food and sufficient clothing, with these we are content" (1 Tm. 6, 8). And they should rejoice when they find themselves in the company of vile and despised persons, among the poor and the infirm, the sick and the lepers, and those who beg on the street.

And when it is necessary, they should go for alms. And they should not be ashamed and should rather remember that our Lord Jesus Christ, Son of the living and almighty God, set his face "like a rock" (Is. 50, 7) and was not ashamed. And he was poor and homeless and lived on alms, he, the blessed Virgin and his disciples. And should men insult them and refuse to give them alms, let them give thanks to God, for because of these insults they will receive great honor before the tribunal of our Lord Jesus Christ. And they should know that the shame will be imputed to those who cause it, not to those who suffer it. And alms are a heritage and a right due the poor, won for us by our Lord Jesus Christ. And the brothers who work to get them will receive a great reward and enrich and benefit those who give them, for everything which men leave

in the world will perish but they will receive a reward from the Lord for the charity and alms they have done.

And, in all security, each should let his needs be known to the other, so that he can find what he needs and give it. And each is to love and nourish his brother as a mother nourishes and loves her son, in everything for which God gives them grace. And: "Let not the one who eats despise the one who does not eat, nor the one who does not eat judge the one who eats" (Rom. 14, 3).

And whenever necessity requires, all the brothers, wherever they are, are permitted to eat whatever people eat, as the Lord said about David, who ate "the loaves of proposition which no one was permitted to eat but the priests" (Mk. 2, 26). And they should remember what the Lord says: "Watch yourselves that your hearts not be overcome by debauchery and drunkenness and the cares of this life, and that day come upon you unexpectedly. For it will come as a snare to all those who dwell on the face of the earth" (Lk. 21, 34-35). Likewise, in time of obvious necessity all the brothers should provide for themselves as the Lord gives them grace, for necessity knows no law.

10. (*The sick brothers.*)

If a brother falls sick (on the road), no matter where, the other brothers should not leave him unless they arrange for one of the brothers, or more if need be, to care for him as they would like to be taken care of. But in very great need they can leave him with another person who should take care of him in his illness.

And I ask the sick brother to give thanks to the Creator for everything; and he should desire to be that which God wants him to be, whether in sickness or in health; for all those whom God destined for eternal life (cf. Acts 13, 48) he instructs by means of torments, trials, and sicknesses, and the spirit of compunction, as the Lord says: "Those whom I love I rebuke and chastise" (Rv. 3, 19). If this (sick brother) should be troubled or angry against his God or against the brothers, or

if, filled with cares, he calls for medicines, desiring overmuch to liberate the body which is soon to die and which is opposed to the soul, this comes to him from the evil one and is carnal, and does not show him to be one of the brothers, for he worries more about the body than the soul.

11. (The brothers should neither ridicule nor disparage, but love one another.)

And all the brothers should guard against slandering and "disputing with words" (2 Tm. 2, 14). On the contrary, the brothers should do their best to hold silence whenever God gives them the grace. Nor should they quarrel among themselves or with others, but they should try to respond humbly, saying: I am a useless servant (cf. Lk. 17, 10). And they should not become angry, for "everyone who is angry with his brother will be brought before the judge; whoever says 'raca' to him will be brought before the council; whoever says 'fool' to him will be brought to the fires of Gehenna" (Mt. 5, 22). And they should love one another, as the Lord says: "This is my commandment: that you love one another as I have loved you" (Jn. 15, 22). And they should show the love they have for one another by their deeds, as the apostle says: "Let us love not with word and mouth, but in deed and in truth" (1 Jn. 3, 18).

And: "They should insult no one" (Ti. 3, 2). They should not complain nor slander others, for it is written: "Murmurers and slanderers are detestable to God" (Rom. 1, 29). And they should be "modest, showing great kindness to all men" (Ti. 3, 22). They should not judge, nor condemn. And as the Lord says, they should not consider even the slightest sin of others (cf. Mt. 7, 3). Much to the contrary, "they should consider" their own sins "in the bitterness of their souls" (Is. 38, 15). And: "They should strive to enter through the narrow gate," (Lk. 13, 24) as the Lord says: "Narrow is the gate and hard the road that leads to eternal life, and few are those who find it" (Mt. 7, 14).

12. (Evil looks and association with women.)

All the brothers, wherever they are or travel, should beware of evil looks and association with women. And no one should counsel them alone. Priests should speak honorably with them when they give them (the sacrament of) penance or other spiritual advice. And absolutely no woman should be received into obedience by any brother; but when she has been given spiritual counsel, she should go do penance where she wishes. And let us all keep close guard over ourselves and keep our bodies pure, for the Lord says: "Anyone who has looked at a woman with lust has already committed adultery in his heart" (Mt. 5, 28).

13. (The avoidance of fornication.)

If a brother, through the instigation of the devil, fornicates, he must put the habit aside completely, having lost it by his iniquity, and he must be absolutely expelled from our religion. And afterwards he is to do penance for his sins.

THE GOSPEL MISSION*14. (How the brothers are to go about in the world.)*

When the brothers go about in the world, "they should carry nothing for the road, neither purse, nor bag, nor bread, nor money, nor staff. And in whatever house they will enter, they should say first of all: Peace to this house. And staying in the some house, they should eat and drink what is there" (Lk. 9, 3; 10, 5; 10, 7). "They should not resist evil, but if someone strikes them on the cheek, they should offer him the other one. And if someone takes their cloak, they should not stop him from taking even their tunic. They should give to all who ask. And if someone takes what is theirs, they should not claim it" (Mt. 5, 39; Lk. 6, 29-30).

15. (*The brothers should not ride horses.*)

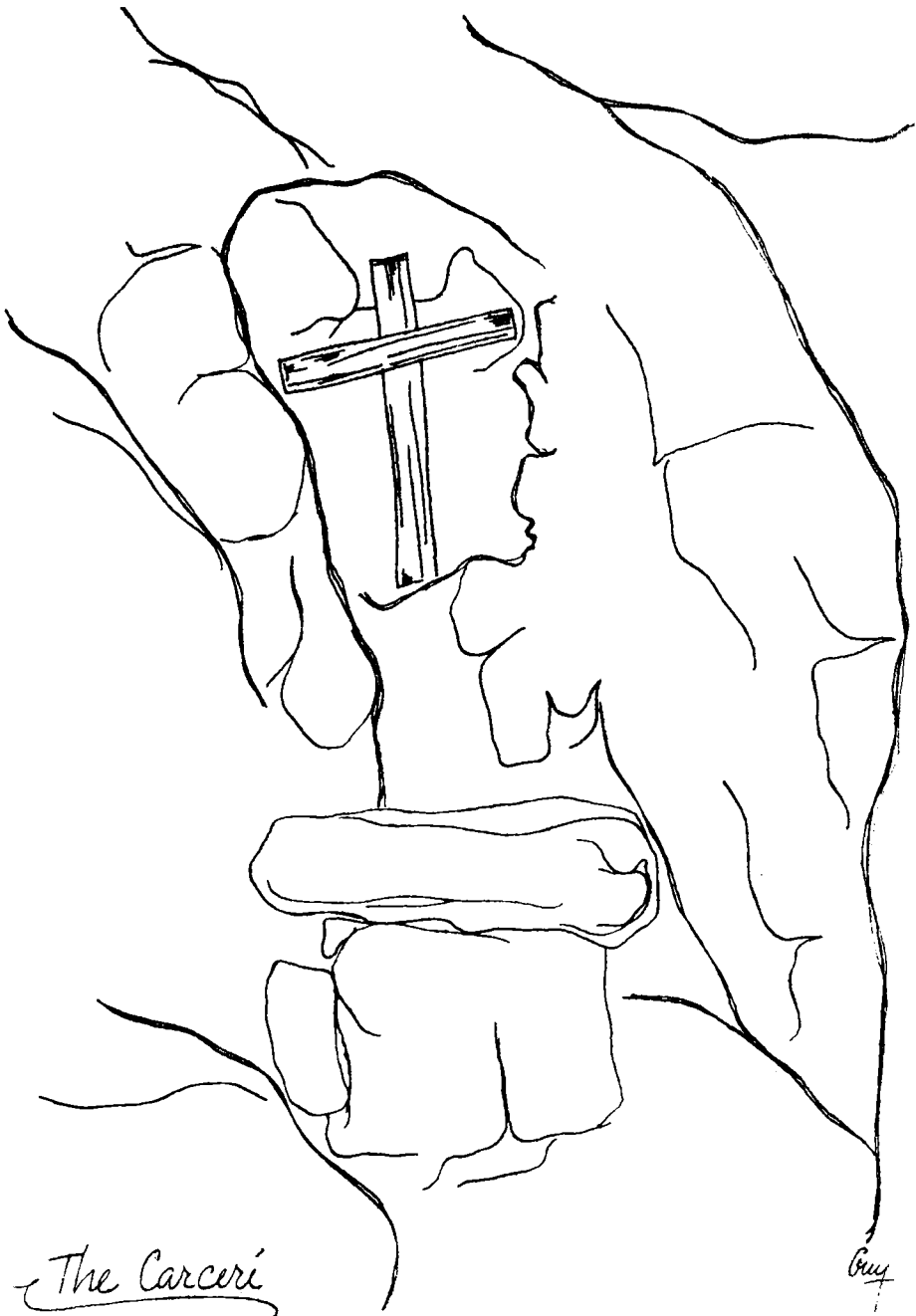
I decree to all my brothers, whether cleric or lay, that when they go about in the world or stay in a place, they should have absolutely no animals, either with them or in the care of others, or in any other way. Neither are they permitted to ride horses unless driven to it by sickness or great necessity.

16. (*Those who go among the Saracens and other unbelievers.*)

The Lord says: "Behold, I am sending you forth like sheep in the midst of wolves. Be therefore prudent like serpents and simple like doves" (Mt. 10, 16).

Hence, whoever of the brothers, by divine inspiration, wishes to go among the Saracens and other unbelievers, they (sic) may go with the permission of their minister and servant. The minister then should give them permission and not oppose them, if he sees that they are fit to be sent, for he will be held accountable to the Lord if in this or in other matters he has proceeded without discretion.

The brothers who go can conduct themselves spiritually among (the unbelievers) in two ways. One way is not to quarrel or dispute, but "to be subject to every creature for God's sake" (1 Pt. 2, 13) and to acknowledge that they (themselves) are Christians. Another way is to proclaim the word of God when they see it pleases God in order that (the unbelievers) might believe in God the almighty Father and the Son and the Holy Spirit, in the Creator of all and in the redeeming and saving Son, so that they might be baptized and become Christians, for "he who is not born again of water and the Holy Spirit cannot enter into the kingdom of God" (Jn. 3. 5). These and other things which will please the Lord they can speak to them and to others, for the Lord says in the gospel: "Everyone who acknowledges me before men I will also acknowledge him before my Father who is in heaven" (Mt. 10, 32). And: "Whoever is ashamed of me and my words, of him will the Son of man be ashamed when he comes in his majesty and that of the Father and the angels" (Lk. 9, 26).



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And all the brothers, wherever they are, should remember that they have given themselves and have abandoned their bodies to the Lord Jesus Christ. And for his love they must expose it to enemies, whether visible or invisible, for the Lord says: "Whoever loses his life for my sake will save it (Mt. 8, 35) for eternal life. Blessed are those who suffer persecution for justice' sake, for theirs is the kingdom of heaven (Mt. 5, 10). If they have persecuted me, they will persecute you also (Jn. 15, 20). If they persecute you in one city, flee to another (Mt. 10, 23). Blessed are you when men will hate you and persecute you and accuse you of evil and vomit your name as an evil thing and when they will falsely speak all manner of evil against you for my sake. Rejoice on that day and exult for your reward is great in heaven (Lk. 6, 22; Mt. 5, 11; Lk. 6, 23). I say to you, my friends, do not be afraid of these things. And do not fear those who kill the body and afterwards have nothing more they can do (Lk. 12, 4; Mt. 10, 28). See that you are not troubled (Mt. 24, 6). By your suffering you will possess your souls (Lk. 21, 19). He who will have persevered to the end will be saved" (Mt. 10, 22).

17. (*Preachers.*)

No brother may preach contrary to the forms and institutions of the holy church and unless it has been conceded to him by his minister. The minister must beware not to grant this concession to anyone indiscriminately. All the brothers, however, should preach by their actions. And no minister or preacher should appropriate to himself the ministry to the brothers or the office of preaching, but at whatever hour he is enjoined to do so he should give up his office without any objection. And so, by the love which is God I entreat all my brothers, preachers, speakers and workers, whether cleric or lay, to strive to be humble in all things, not to pride themselves nor to rejoice in themselves nor to praise their (own) good words and works, not even the good which God sometimes does, says, or works in them and through them, according to what the Lord says: "Nonetheless, do not rejoice that

the spirits are subject to you" (Lk. 10, 20). And we should know for certain that nothing is our own except our vices and sins. And rather we must be glad "when we are brought to various trials" (Jas. 1, 2) and when we undergo all kinds of anxieties of body or soul or tribulations in this world for the sake of eternal life. All the brothers should beware of all pride and vainglory.

We should guard against the wisdom of this world and the prudence of the flesh. For the spirit of flesh wishes and strives greatly with words, but little with actions. And it seeks not the religion and holiness of the spirit within, but wishes and desires to have an outward religion and holiness apparent to men. And it is about these that the Lord says: "Amen I say to you, they have received their reward" (Mt. 6, 2). The Spirit of the Lord, however, wishes the flesh to be mortified and despised, reviled and rejected, and ridiculed. And it strives for humility and patience pure and simple, and for true peace of spirit. And always above all it desires the fear of God and divine wisdom and the divine love of the Father and the Son and the Holy Spirit.

And let us refer every good to the highest and supreme Lord God and acknowledge that every good is his and let us offer him thanks for everything, from whom every good thing comes. And may he, the highest and supreme and only true God, have and be given and receive all honor and reverence, all praise and blessing, all thanks and glory, for his is every good and he alone is good. And when we see or hear the evil one speak or act or blaspheme God, let us bless and praise and do good for the Lord is blessed forever. Amen.

18. (How the ministers are to meet.)

Every year each minister can meet with his brothers whenever they wish on the feast of Saint Michael the Archangel to treat of things which have to do with God. However, all the ministers who are overseas or beyond the mountains should come once every three years, and the other ministers once

every year, to the chapter of Pentecost at the church of Holy Mary of the Portiuncula, unless it has been ordered otherwise by the minister and servant of the entire fraternity.

19. (The brothers are to live as Catholics.)

All the brothers must be Catholics, living and speaking as Catholics. If anyone has wandered from the faith and the Catholic life in speech or in deed and has not amended himself, he is to be completely expelled from our fraternity. And we should accept all clerics and all religious as our lords in all that concerns the salvation of souls and does not deviate from our religion and we should honor in the Lord their order and their office and their government.

20. (Penance and the reception of the Body and Blood of our Lord Jesus Christ.)

My blessed brothers, whether cleric or lay, should confess their sins to priests of our religion. And if they cannot, they should confess to other prudent and Catholic priests, convinced and aware that from whatever Catholic priests they receive penance and absolution, they are absolved of their sins without any doubt if they take care humbly and faithfully to observe the imposed penance. Nonetheless, if they are not able to have a priest, they should confess to their brother as the Apostle James says: "Confess your sins to one another" (Jas. 5, 16). However, this does not excuse them from going to a priest, for the power to bind and to loose is granted only to priests. And thus contrite and confessed they should receive the Body and Blood of our Lord Jesus Christ with great humility and veneration, remembering what the Lord himself says: "He who eats my flesh and drinks my blood has eternal life" (Jn. 6, 54. And: "Do this in memory of me" (Lk. 22, 19).

21. (*The praise and the exhortation which all the brothers can do.*)

And all my brothers, when it pleases them, can proclaim some such exhortation or praise among any men whatever with the blessing of God: Fear and honor, praise and bless, thank and adore the Lord God almighty in his trinity and unity, the Father, Son and Holy Spirit, creator of all. "Do penance, perform worthy fruits of penance" (Mt. 3, 2; 3, 8), for know that we will soon die. "Give and it will be given to you. Forgive and you will be forgiven (Lk. 6, 38; 6, 37). And if you do not forgive men their sins the Lord will not forgive you your sins" (Mk. 11, 26). Confess all your sins (cf. Jas. 5, 16). Blessed are those who die in penance, for they will be in the kingdom of heaven. Woe to those who do not die in penance for they will be sons of the devil whose work they do and they will go into eternal fire. Beware and abstain from every evil and persevere to the very end in good.

TESTAMENT OF 1219

22. (*Advice to the brothers.*)

Let us attend, all (my) brothers, to what the Lord says: "Love your enemies and do good to those who hate you" (Mt. 5, 44). For even the Lord Jesus Christ, whose footsteps we must follow (cf. 1 Pt. 2, 21), called his betrayer "friend" and freely gave himself up to those who crucified him. They are our friends, therefore, all those who unjustly inflict on us trials, anxieties, shame and injuries, suffering and torture, martyrdom and death. We should love them greatly, for out of what they inflict on us we have eternal life.

And we must hate our body with its vices and its sins, because in living according to the flesh it wishes to take away from us the love of Jesus Christ and eternal life and to lose itself with everything in hell. For we, through our own fault, are smelly, wretched, opposed to good, yet ready and willing for evil, for thus says the Lord in the gospel: "From the heart

of man come out and go forth evil thoughts, adulteries, fornications, murders, thefts, avarice, wickedness, deceit, shamelessness, evil looks, false witness, blasphemy, pride, foolishness. All these evils come from within the heart of man and it is these which defile a man" (Mk. 7, 21-23; Mt. 15, 19).

Yet now that we have left the world, we have nothing more to do except to take care to do the will of the Lord and to please him. Let us be very careful not to be the earth by the wayside, or the stony or thorny ground, according to what the Lord says in the gospel: "The seed is the word of God. What has fallen by the wayside and is trampled upon are those who hear the word of the kingdom and do not understand. And immediately the devil comes and snatches away what was sown in their hearts and takes the word from their hearts for fear that believing, they will be saved. What has fallen on the stony ground are those who, having heard the word receive it immediately with joy. Yet when a trial or persecution for the word's sake comes along, immediately they are scandalized and they have no roots in themselves, but they are short-lived for they believe for a time and fall away in time of temptation. What has fallen in among the thorns are those who hear the word of God; and the cares and difficulties of this world, and the deceit of riches and the lust for other things enter and choke the word and render it unfruitful. But what was sown in good soil are those who, hearing the word with a good and generous heart, understand it and keep it and bear fruit in penance" (Lk. 8, 11-15; cf. Mt. 13, 19-23 and Mk. 4, 14-20).

And so, all (my) brothers, as the Lord says: "Let us leave the dead to bury their own dead" (Mt. 8, 22). And we should be very wary of the malice and subtleties of Satan who wants man not to have his spirit and his heart (turned) towards the Lord God. And, roaming around, he desires to take the heart of man under pretense of some gain or help and to suffocate the word and the precepts of the Lord out of (man's) memory, wishing to blind the heart of man with worldly business and cares and to make a dwelling there, as the Lord says: "When an impure spirit goes out of a man, he roams through

dry and waterless places seeking peace. And not finding it, he says: 'I will return to the house I left.' He goes there and finds it empty, swept out and decorated. And he goes and takes seven other spirits worse than himself and, having entered, they dwell there; and the last state of the man is worse than the first" (Mt. 12, 43-45; cf. Lk. 11, 24-26).

Hence, all (my) brothers, we must keep close watch over ourselves not to lose ourselves under the pretense of some gain or work or help, or to take our mind and heart (far) from the Lord. But in the holy love which is God, I ask all the brothers, the ministers as well as the others, to put away every obstacle and put behind them every care and worry, and in the best way they can to serve, love, honor and adore the Lord God with a clean heart and pure mind, and thus to do what he seeks above all else.

And let us always make a dwelling and a mansion there for him who is the Lord God almighty, Father, Son and Holy Spirit, who says: "Keep watch then in prayer at all times that you may be accounted worthy to flee all evil which will come and to stand before the Son of man" (Lk. 21, 36). And when you stand up to pray (Mk. 11, 25) say: "Our Father who is in heaven." And let us adore him with a pure heart "for we must always pray and not lose heart (Lk. 18, 1). For the Father seeks such worshippers. God is Spirit and those who worship him must worship in spirit and in truth" (Jn. 4, 23-24). And let us turn to him as "to the shepherd and guardian of our souls" (1 Pt. 2, 25) who says: "I am the good shepherd" (Jn. 10, 14), I lead my sheep to pasture, and "I lay down my life for my sheep" (Jn. 10, 15). "You are all brothers. Call no one your father on earth, for your only Father is in heaven. Neither be called master, for you have only one master" (Mt. 23, 8-10) who is in heaven. "If you remain in me and my words remain in you, whatever you wish, ask, and it will be done to you (Jn. 15, 7). Wherever two or three are gathered in my name, there I am in the midst of them (Mt. 18, 20). Behold I am with you until the consummation of the world (Mt. 28, 20). The words which I have spoken to

you are spirit and life (Jn. 6, 63). I am the way, the truth, and the life" (Jn. 14, 6).

Let us therefore hold fast to the words, the life, the doctrine and the holy gospel of him who deigned to pray to the Father for us and who revealed his name to us, saying: "Father, I have manifested your name to the men you have given me (Jn. 17, 6), for the words which you have given me I have given them, and they have received them and acknowledged in truth that I have come forth from you, and they have believed that you have sent me. I pray for them. I do not (pray) for the world but for those you have given me because they are yours and all that is mine is yours (Jn. 17, 8-10). Holy Father, keep all those you have given me in your holy name, that they might be one as we are (Jn. 17, 11). I speak these things in the world so that they might have complete joy within themselves. I have given them your word and the world has hated them for they are not of the world, even as I am not of the world. I do not pray that you take them out of the world, but that you keep them from evil (Jn. 17, 13-15). Sanctify them in truth. Your word is truth. Even as you have sent me into the world, so also I have sent them into the world. And for them I sanctify myself so that they may be sanctified in truth. Not for these only do I pray but for those who through their word are to believe in me (Jn. 17, 17-20) that they may be made one, and the world know that you have sent me and have loved them even as you have loved me (Jn. 17, 23). And I have made your name known to them in order that the love with which you have loved me might be in them and I in them (Jn. 17, 26). Father, I will that where I am, those you have given me might be with me, in order that they behold your glory (Jn. 17, 24) in your kingdom. Amen."

FRANCISCAN PROCLAMATION

23. (*Prayer and thanksgiving.*)

All-powerful, most holy, most high and supreme God, holy and just Father, Lord king of heaven and earth, we give you thanks for yourself; for by your holy will and through your only Son and in the Holy Spirit you created all things, spiritual and corporal, and placed us in paradise, made in your own image and likeness. And through our own fault we fell. And we give you thanks because as you created us through your Son, so also, by your holy love with which you love us, you caused him to be born true God and true man of the glorious, ever-virgin, most blessed holy Mary, and you wished to redeem us from our captivity by his cross and blood and death. And we give you thanks because your Son himself is to come again in the glory of his majesty to send the damned who did not do penance and did not know you into eternal fire, and to say to all who knew you and adored you and served you in penance: "Come, blessed of my Father, receive the kingdom which has been prepared for you from the beginning of the world" (Mt. 25, 34).

And because all we wretches and sinners are not worthy to speak your name, we pray and beg our Lord Jesus Christ, your beloved Son "in whom you are well pleased" (Mt. 17, 5), together with the Holy Spirit, the Paraclete, to give thanks for everything as it pleases you and him. He always suffices for you in everything, and through him you have done so much for us. Alleluia. And for love of you, we humbly beg the glorious mother, most blessed Mary, ever-virgin, blessed Michael, Gabriel and Raphael, and all the choirs of blessed seraphim, cherubim, and thrones, dominations, principalities and powers, virtues, angels and archangels, blessed John the Baptist, John the evangelist, Peter, Paul and the blessed patriarchs and prophets, the innocents, apostles, evangelists and disciples, martyrs and confessors, virgins, blessed Elias and Enoch, and all the saints who were, who will be, and who are, to give you thanks for this as it pleases you, you the supreme and true

God, eternal and living, with your beloved Son the Lord Jesus Christ and the Holy Spirit, the Paraclete, world without end. Amen. Alleluia.

And all we friars minor, useless servants (cf. Lk. 17, 10), humbly ask and beg all those within the holy, catholic and apostolic church who wish to serve the Lord God and (beg) all the following orders: priests, deacons, subdeacons, acolytes, exorcists, lectors, porters and all clerics, all religious men and all religious women, all lay brothers and little people, the poor and the needy, kings and princes, workers and farmers, servants and lords, all virgins and chaste men and married men, all lay folk, men and women, all children, adolescents, the young and the old, the healthy and the sick, all the small and the great, all peoples, races, tribes and tongues, all nations and all men everywhere on earth who are and who will be, to persevere with us in the true faith and in penance, for otherwise no one can be saved.

Let us all love with a full heart and a full soul, with full mind and full courage, with full understanding and full strength (cf. Lk. 10, 27; Dt. 6, 5), with full effort and full affection, with full emotion, full desire and will, the Lord God, who has given and gives to every one of us (our) whole body, all (our) soul, and all life; who created, redeemed, and through his mercy alone, will save us, who did and does every good thing for us, miserable and wretched, rotten and smelly, ungrateful and evil though we are. Therefore we should desire no other thing, wish for nothing else, find no pleasure or delight in anything except our Creator, Redeemer and Savior, the one true God, who is the full good, all good, every good, the true and supreme good, who alone is good, upright and gentle, sweet and delectable, who alone is holy, just, true and right; who alone is benevolent, innocent and pure, from him and through him and in him is all pardon, all grace, all the glory of the penitent and just, of all the blessed who rejoice together in heaven. Therefore nothing must impede, separate, or come between (him and us). Let us all wherever we are, in every place, at every hour, at all times, everyday and continually, believe truly and humbly, and keep in heart, and love,

honor, adore, serve, praise and bless, glorify and exalt, magnify and give thanks to the most high and supreme eternal God, trinity and unity, Father and Son and Holy Spirit, creator of all, savior of those who believe in him, hope in him and love him; who is without beginning and without end, unchangeable, invisible, indescribable, ineffable, incomprehensible, unfathomable, blessed, worthy of praise, glorious, exalted, sublime, utmost, gentle, lovable, delectable and totally desirable above everything else, world without end. Amen.

CONCLUSION

24.

In the name of the Lord God! I ask all the brothers to learn the gist and the meaning of those things which are written in this (way of) life for the salvation of our souls, and thus to call it to mind frequently. And I beg God that he who himself is almighty, three and one, bless all those who learn, teach, possess, hold in their heart and follow these things, each time they repeat and perform what is written here for the salvation of our souls. And I beg (them) all, kissing their feet, to greatly esteem, keep and preserve this (way of) life. And on behalf of almighty God and the Lord Pope and by obedience, I, brother Francis, firmly command and order that no one take away from what is written in this (way of) life nor add some further statement in it (cf. Dt. 12, 32); neither should the brothers have any other rule.

Glory to the Father, and the Son, and the Holy Spirit, as it was in the beginning, is now, and always shall be, world without end. Amen.

APPENDIX

**Documents from the
Holy See
Regarding
These Constitutions**

I. RESPONSE OF THE SACRED CONGREGATION FOR RELIGIOUS WITH REGARD TO THE CONSTITUTIONS

Sacred Congregation for Religious
and Secular Institutes
Prot. N. 4734/68 - C. 37

Most Rev. Father
Clementinus of Vlissingen
Minister General O.F.M. Cap.
Rome

Rome, March 4, 1970

Most Reverend Father,

By letters of June 15, 1969 and February 18, 1970 which were sent here, the petitions of the Order of Friars Minor Capuchin were presented. By these letters, the request was made:

1. "That earlier pontifical declarations on the Rule of St. Francis, inasmuch as they were not put into the Constitutions of the Friars Minor Capuchin, should be declared entirely abrogated;
2. that elements of this Rule, insofar as at least preceptive force is concerned, must be held to be as valid as they are expressly put forth and defined in the aforesaid Constitutions;
3. that the faculty be conceded to General Chapters to interpret these same Constitutions together with the Rule and to adapt them properly to new circumstances of the times, under the supreme authority of the Apostolic See, however, which is exercised especially in the case of giving approval to the Constitutions."

Furthermore, the petition was presented that the wishes of the Special General Chapter concerning Franciscan poverty be approved:

"Let us observe the poverty we have promised, remembering the mind and words of Saint Francis: 'The friars shall appropriate to themselves nothing, neither house, nor place, nor anything else . . . Superiors, personally or through others, may perform civil acts regarding temporal goods in so far as this may be necessary for the friars or for the works committed to us.'

“Desiring to follow the mind of their Father, the friars should use money only in so far as it is the ordinary means of exchange and of social life, a thing necessary even for the poor and always in compliance with the norms of the present Constitutions.

“The Superiors, whose office it is to exercise solicitous care for the friars’ needs, may use money for the necessities of life and for the works of the apostolate and charity. For these purposes, the other friars, too, with the permission of the superior, even the local superior, may use money with the obligation of giving an account of its use. But all the friars, whether superiors or not, must at all times use money only in a manner appropriate to people who are really poor.”

Now that all these matters have been examined over and over again, I hasten to communicate this information to You:

a) In an Audience on July 5, 1969, granted to the Secretary of this Sacred Congregation, the Holy Father deigned to affirm strongly that the interpretation of the eminent Rule of Saint Francis is reserved to the Holy See, with General Chapters of the Order enjoying the faculty of appropriately adapting this Rule to the new circumstances of the times. Any adaptation or interpretation of the Rule made by these General Chapters does not have the force of law unless approval has been obtained beforehand from the Holy See.

b) With regard to Franciscan poverty, since it is a matter of decisions that would change something about the Rule of Saint Francis, whose authentic interpretation is reserved to the Holy See, a petition was submitted to the Holy Father, who in an Audience on February 23 granted to the Cardinal Prefect whose signature appears below, graciously granted that what was decided by the Special General Chapter and referred to above with regard to Franciscan poverty, can be observed experimentally until the next General Chapter, all things being observed that have to be observed.

c) With regard finally to earlier pontifical declarations on the Rule of St. Francis, this Sacred Tribunal deems it opportune to decree as follows:

Earlier pontifical declarations on the Rule of Saint Francis, in so far as their force is at least preceptive, are declared abrogated, with the exception of those directives of these same declarations which are con-

tained in the existing common law and in the Constitutions. The obligation of having pontifical interpretation for these specific precepts as is demanded by the Rule of St. Francis itself remains unchanged.

While I communicate these matters to You, I take the occasion to profess my esteem for You and gladly remain,

Devotedly yours, Your Most Reverend Paternity,

I. Card. Antoniutti

Prefect

E. Heston, C.S.C.

Secretary

II. THE MINISTER GENERAL'S PETITION TO THE SACRED CONGREGATION WITH REGARD TO THE CONSTITUTIONS

General Curia OFM Cap.
Via Piemonte 70
00187 - Rome

His Eminence, the Most Reverend
Arturo Cardinal Tabera Araoz
Prefect of the Sacred Congregation
for Religious and Secular Institutes
Rome

Rome, November 28, 1974

Most Eminent and Most Reverend Lord,

The Sacred Congregation for Religious and Secular Institutes, by a rescript dated August 11, 1969 (Prot. N. 4734/68) approved by way of an experiment certain norms contrary to the existing common law, which were included in the revised Constitutions of 1968.

The same Sacred Congregation, by rescript given on March 4, 1970 (Prot. N. 4734/68 - C. 37) again by way of an experiment until the

next General Chapter confirmed that those norms of the Constitutions by which the Rule of Saint Francis concerning Franciscan poverty underwent some little change would be held as valid.

By means of the rescript referred to above, it was established that it was in the competence of a General Chapter to make appropriate adaptation of the Rule to the new circumstances of the times provided that the adaptation obtain the force of law through the approbation of the Holy See (See Constitutions O.F.M.Cap. n. 5). Take note now, a proposition of the Constitutions drafted by the General Chapter deals specifically with the idea "that they offer assistance in the changed circumstances of our life to observe the Rule better and more perfectly according to the mind of Saint Francis and the interpretation of the Apostolic See" (Constitutions, n. 181).

The Extraordinary General Chapter held at Rome from August 26-October 1, 1974 studied the Constitutions promulgated experimentally in 1968 and partially revised in 1970 and introduced minor changes. Secondly, it repeated the approbation of the Constitutions of 1968 together with all the changes in so far as they had been introduced "for the purpose of experiment until something else was decided by a General Chapter." It helps to take note that with regard to the Constitutions of 1968, nothing was changed that had to do with the substance of poverty or with norms opposed to the existing law.

Having in mind the reason for all these things, the Minister General of the Order of Friars Minor Capuchin, humbly begs the Sacred Congregation for Religious and Secular Institutes to make a ruling "on an experimental basis until something else is decided by a General Chapter":

1. that the faculties be extended by which the norms of the Constitutions contrary to existing law are approved (See Rescript Prot. N. 4734/68);
2. that the faculties be extended also by which the norms of the Constitutions concerning Franciscan poverty are confirmed (See Rescript Prot. N. 4734/68 - C. 37);
3. that, as an irrepealable condition for them to gain the force of law, the adaptations of the Rule made on account of the needs of the times be approved (See Rescript Prot. N. 4734/68 - C. 37). These are:

a) The norms of the Constitutions regarding penance, and particularly the observance of fasting (See Constitutions nn. 91-94) which aim to adapt the precepts of the Rule to modern times and to the general directives of the Church in this matter;

b) the norms of the Constitutions regarding the clothing or the manner of dress of the friars and their use of shoes (Constitutions nn. 30-31);

c) finally, since the Divine Office is the prayer of the whole fraternity, the request is made that the non-clerical friars may satisfy the obligation of the Rule with regard to the Office of the Lord's Prayer by recitation of the aforesaid Office, either privately or in common.

Professing myself to be most devoted
to Your Most Reverend Eminence in the Lord,
I am,

Fr. Paschal Rywalski
Minister General O.F.M. Cap.

III. RESPONSE OF THE SACRED CONGREGATION FOR RELIGIOUS CONCERNING THE CONSTITUTIONS

Sacred Congregation for Religious
and Secular Institutes
Prot. N. C. 37 - 2/74

Most Holy Father:

The Minister General of the Order of Friars Minor Capuchin, in the name of the General Chapter held in 1974, most humbly begs Your Holiness:

1. to extend the faculties already granted by Rescript Prot. N. 4734/68 dated August 11, 1969;

2. to extend the faculties already granted by letter of March 4, 1970 Prot. N. 4734/68 - C. 37;

3. to approve the norms of the Constitutions adapted to the needs of the times, namely:

a) concerning works of penance and observance of fasting (Constitutions, nn. 91-94),

b) concerning the manner of dress and the use of shoes (Constitutions, nn. 30-31),

c) concerning the non-clerical friars who fulfill the obligation of the Rule whenever either privately or in common they recite the Liturgy of the Hours revised by the Church.

By virtue of faculties granted by the Holy Father, the Sacred Congregation for Religious and Secular Institutes, attentive to the arguments, graciously gives consent for all these requests according to the petition, until the next General Chapter, all things being observed that are to be observed.

✠BAug. Mayer
Secretary

Basil Heiser, O.F.M. Conv.
Subsecretary

EXPLANATORY NOTES FROM THE LATIN TEXT

1. With permission of the Most Rev. Constantine Koser, Minister General of the Order of Friars Minor, given by letter of March 3, 1975, we have used the Latin text for both the Rule and the Testament as it is found in the volume: *Regula et Constitutiones generales Ordinis Fratrum Minorum* (Rome, General Curia of the Order, 1973, pp. IX-XXI). In the same place, the words of the Rule were edited here and there with recourse to the original Bull which is religiously kept in the monastery of the Order of Friars Minor Conventual at Assisi. The printed Testament is in keeping with the critical edition that Cajetan Esser, O.F.M., carefully prepared in 1949. To both our confreres we here express our sincere thanks.

2. With regard to what touches upon the history of our Constitutions, we are happy to offer the bibliography which follows.

a) For editions of the old Constitutions and the principal bibliography, see *Lexicon Capuccinum*, Rome 1951, col. 454-456, and in particular: Venantius a Lisle-en-Rigault, O.F.M.Cap., *Monumenta ad Constitutiones Ordinis Fratrum Minorum Capuccinorum pertinentia*, Rome 1916; E. Wagner, O.F.M., *Historia Constitutionum generalium Ordinis Fratrum Minorum*, Rome, 1954; Marie-Antoine de Lauzon, O.F.M.Cap., *Commentaire pratique — canonique, historique, spiritual — des Constitutions de Freres Mineurs Capucins*. In manuscript. Luigi Maria da Genova, O.F.M.Cap., *Dottrina spirituale della primitiva legislazione cappuccina*, Genova, 1963; Cl. van de Laar, *Collectanea Franciscana. Bibliographia Franciscana 1931-1970*, Rome (1972), 150s.

b) For the preparatory work before the general chapter of 1968, see *Schema provisorium capituli primi ac secundi — capituli tertii — capituli quarti, quinti, sexti — capitulum VII-XII*, part the first, part the second, published by the Capitular Commission on Legislation, Rome (1966-1968); *Schema Constitutionum nostrarum*. A continuous text emended five times with an alphabetical index, Rome, 1968; *Documenta quintam emendatione — capitulum primi usque ad sextum necnon actusitatem C.C.I. illustrantia*, Rome 1968.

c) With regard to the Constitutions revised and adapted by the general chapter of 1968, see *Acta Capituli generalis specialis Ordinis Fratrum Minorum Capuccinorum, Romae a die 19 Augusti ad 25 Octobris 1968 celebrati*. Vol. L-LL, Rome 1969, with the text of the Constitutions in Vol. II, 411-464 and with an index: *Capitulare iter uniuscuiusque numeri renovatarum Constitutionum* (II, 467-473); Agapito de Sobradillo, OFM Cap., *Las nuevas constituciones de la Orden capuchina*, in *Estudios Franciscanos* 72 (1971) 165-188; 73 (1972) 171-213; 74 (1973) 163-183.

d) With regard to the changes made by the general chapter of 1970, see *Documenta Ordinem nostrum respicientia* for the private use of the members of the 1970 general chapter. Rome; *Capitulum generate ordinarium O.F.M.Cap anno 1970 celebrandum*. (I. Propositions sent in from the provinces. II. Propositions to be submitted to the general chapter), Rome 1970; *Excerpta ex Actis Capituli generalis LXXVI Ordinis Fratrum Minorum Capuccinorum a die 17 maii ad 19 iunii 1970 ad S. Laurentii Brundusini in Urbe celebrati*, in *AOFMCap.* 86 (1970) 137-207; *Constitutiones Fratrum Minorum Capuccinorum cum Regula et Testamento S.P.N. Francisci*. In manuscript (Rome 1974);

e) Finally for what pertains to the latest changes, see *Animadvertiones super Constitutionibus*. (For the extraordinary general chapter of 1974) — Rome 1973 — and *Acta Capituli generalis extraordinarii anno 1974*, in *AOFMCap.* 80 (1974) 276-336, 341-360. An edition of other proceedings is being prepared in a volume to be published separately.

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