

THE CONSTITUTIONS (1608)  
OF THE CAPUCHIN FRIARS MINOR

IN THE NAME OF OUR LORD JESUS CHRIST, here begin the Constitutions of the Friars Minor, called Capuchins:

So that our Order, as the Vineyard of the Most High Son of God, may be confirmed in the spiritual observance of the Seraphic Rule, the General Chapter held at our friary of Santa Euphemia in Rome in the year 1536 saw fit to draw up certain statutes which might serve as a fence to protect the said Rule, so that like the invincible tower of David it might protect itself against all that is hostile to the living spirit of our Lord Jesus Christ, and keep out all relaxations opposed to the fervent zeal of our Father Saint Francis.

But since the sacred Council of Trent and the Supreme Pontiffs have issued Decrees which it was necessary to insert into these Ordinances of ours, the Reverend Father General and Definitors have thought fit, with the consent of the whole Chapter, held in Rome in the year 1575, to reprint the same Statutes with the additions required by the aforesaid Decrees. For the same reason, that is, to insert a number of other recent Decrees, it has seemed good to the General Chapter held in the same place in the year 1609, to have them once more reprinted. They are as follows:

**IN THE NAME OF OUR LORD JESUS CHRIST:**

**Here begin the Constitutions of the Capuchin Friars Minor of St Francis.**

*CHAPTER ONE*

1. The teaching of the Gospel, completely clear, supremely perfect and divine, brought down to us from heaven by the supremely wise Son of God, preached by Him in word and deed perfectly points out the straight path that leads to God. Therefore all people are obliged to keep and observe it, particularly Christians, All the more is this true of us Lesser Brothers, for our Father expressly mentions observance of the Holy Gospel at the beginning and end of his Rule. And he says in his Testament that God revealed to him that he should live according to its model.

Therefore we exhort the brothers always to have our Saviour's teaching and life before the eyes of their mind, and like the virgin Cecilia always to bear the holy Gospel in their inmost hearts. We ordain that every morning except Friday, in every house, a passage from the holy Gospel be read at table.

2. And since the Rule of St Francis is like a clear mirror reflecting evangelical perfection, we direct that each Friday in every house it be read distinctly, with due reverence and devotion, so that being impressed on our minds it may be the better observed. On other days, after the Gospel, let some other spiritual work be read during the meal, and in the evening, for the first

reading, some other book of Sacred Scripture, so that not only the body, but much more so the spirit may be fed, and the brothers be encouraged to follow Christ crucified.

3. Since it was the desire, not only of our Father Francis, but of Christ our Redeemer, that the Rule be observed simply, literally and without gloss, as our first Seraphic Fathers observed it, and since our Rule is clear and capable of being observed, (so that it may be observed more clearly), we renounce once again, now and for ever in the future, all privileges and explanations which relax it and detract from its pure observance and from the merciful, just and holy intentions of Christ our Lord, who spoke in St Francis. As the single living commentary on our Rule we accept the declarations of the Supreme Pontiffs, especially Nicholas III and Clement V of holy memory, and the holy life, teaching and example of our Seraphic Father.

4. In order that we, as true and legitimate sons of Jesus Christ our Father and Lord, begotten again by Him in St Francis, may have a share in His inheritance, we exhort everyone to observe the Testament made by our Blessed Father when, near to his blessed death and adorned with the sacred stigmata, full of fervour and the Holy Spirit, he ardently desired our salvation. This we accept as a spiritual commentary and explanation of the Rule, since he wrote it in order to ensure that the Rule we had promised would be the better observed in a more Catholic manner.

5. And since we are true sons of St Francis only in so far as we imitate his life and teaching, as our Saviour said to the Jews: "*If you are children of Abraham, do as Abraham did*". We therefore call upon every brother to strive to imitate our kind Father, who has been given to us as our guide, model and example, not only in the Rule and Testament, but also in all his fervent words and divinely inspired deeds. For this reason his life and that of his blessed companions shall be read frequently.

6. Considering that our holy Father was so absorbed in the contemplation of the divine that he saw God in every creature, especially in humanity, chiefly in Christians, but especially in priests and in a most of all in the Supreme Pontiff, he therefore wished all his brothers, according to the Apostle's teaching, to be subject to the Divine Majesty in every human creature, in order to conform themselves to the profound humility of our crucified Lord who came to serve us and was made obedient even to dying a painful death on the cross, and that they should do the will of our Father, who called them lesser brothers for that reason, so that they should consider themselves lower than everyone else, and that not only in their hearts, but that being invited in the Church Militant to the marriage feast of the most holy Bridegroom Jesus Christ, they should try to stand in the lowest place. Therefore we earnestly exhort all the brothers to obey in all humility and subjection the Supreme Pontiff, who is the chief Father of all Christians, and to show fitting honour to all Catholic Prelates and priests, and indeed, all who show us God's way, since we know that the more lowly the person we obey for love of the Lord Jesus Christ, the more splendid our obedience and the more pleasing it is to God.

## CHAPTER TWO

7. We desire that our Order should constantly increase in virtue and spiritual perfection, rather than in numbers, and we know what the Infallible Truth says: "Many are called, but few are chosen". We are also aware, as our Father foretold when near to his death, that nothing is a greater hindrance to the pure observance of the Rule than a multitude of useless and self-indulgent brothers. We therefore order that whenever anyone comes to be received, the Father Provincial Vicars carefully enquire into their character, qualities and behaviour, even if they are Religious of whatever Rule and profession. In addition to fulfilling the conditions laid down by the sacred Canons and Apostolic Constitutions, they must also have the following qualities:

1. They must be Catholic, and firmly believe everything the Holy Roman Church holds and teaches. Anyone who was formerly a heretic or infidel shall not be received.

2. They must be healthy in mind and body, and have a fervent will, and it must be understood that they come with a good intention solely in order to serve God.

3. They must be of good repute: but those of evil reputation, such as anyone convicted of an abominable sin, or one who has been in prison or suffered public flogging or committed a scandalous crime, such as publishing a notorious pamphlet, or treason, or other such, shall not be admitted.

4. Anyone with a father, mother or poor children who would be unable to live without him, shall not be admitted.

5. In the case of one who is married, in a consummated marriage, the Rule is to be observed.

6. One who was formerly a novice with us may only be received by the Vicar of the same province which he left, provided he has committed no scandal and has not left more than once.

7. No-one shall be admitted who has apostatised from any other religious Order.

8. Anyone infected with leprosy, venereal disease, falling sickness or other contagious or incurable disease, shall not be received. And if such a one has been received because he failed to mention the fact when questioned, we declare that the Order is not bound to keep him

9. Anyone admitted as a cleric shall normally be over 17 years old. Lay brothers shall ordinarily be at least 19. No-one is to be received over the age of 45, unless his reception would be greatly edifying to the people.

And should any Vicar admit any Novice into the Order contrarily to these instructions, we order him to take a discipline in the refectory at the subsequent Chapter, in addition to the penalties contained in the above-mentioned Apostolic Constitutions, which they shall be understood to have incurred if they have received anyone against the form laid down in those Constitutions.

8. We further order that those who are to be received into our life, before they are clothed, shall be tested in some of our houses for a few days, in all the observances of the brothers, so that their good will may be plainly seen and they may embrace so great an undertaking with greater enlightenment, maturity and deliberation. This applies also to religious who wish to enter our life.

9. Since Christ our teacher, in his great wisdom, told the young man who showed he desired to be saved, that if he wished to become His disciple he should first go and sell all that he possessed and give the proceeds to the poor. His imitator, Francis, not only observed that counsel and taught it by example, both in himself and in those he received, but also imposed it into his Rule. In order therefore to conform ourselves to our Lord Jesus Christ and the will of our Seraphic Father, we order that before receiving the novices, the Vicars shall address to them the words of the holy Gospel, as the Rule directs, that they go and sell all their goods and freely give them to the poor, if they can, so that they may dedicate themselves completely to the worship of God for ever, with greater peace of mind and resolution. And the brothers, fleeing all occasion of interfering in the distribution of their property, shall remain single-minded in the peace of the Lord, without interfering.

But if they have not given away their own possessions before entering the Order, they shall not be permitted to do so after taking the habit, before the time laid down by the Council of Trent, with the conditions contained in the Chapter *Nulla quoque renuntiatio*. However, this is not intended to prevent the Novices from making a will should they wish to do so, as declared by Pope Pius V and the Congregation appointed for the purpose.

10. We further order that the clothing of the Novices coming from the world shall be kept until their profession; likewise those of religious. If they persevere, the clothes of seculars are to be given to the poor by their own hand if they are able, or else as they direct. The clothing of religious shall be disposed of directly by the Vicars, or through the medium of some spiritual person.

11. And lest we should incur the reproach the most Holy Christ uttered against the scribes and pharisees: "Alas to you, who travel over sea and land to make a single proselyte, and when you have him, you make him twice as fit for hell as you are", we lay down that in every Province the novices are to be placed in two or three houses well suited for the spiritual life, designated for the purpose by the Chapter.

11. They shall be given Masters who are mature, experienced and enlightened in the ways of God. These shall take great care to teach them not only the ceremonies but the spiritual things indispensable for the true imitation of Christ, our light, our way, our truth and our life. By word and example they shall show them in what the life of a perfect Christian and a true lesser brother consists.

12. They shall not be received to profession unless they are fully acquainted with what they are to profess and observe. For this reason, during their novitiate year the Masters shall take care to make them learn the entire Rule, and teach them the commandments and counsels of the Rule, and the admonitions given to us by our Seraphic Father, showing them what was the intention of our most holy Father concerning the observance of the Rule, so that by the time the year is over they may be fully acquainted with their future obligations. And no novice shall be received to profession as a cleric, if he cannot say the office by himself.

Those that come to us from the Conventual Fathers, and from the Zoccolanti, shall make the probationary year and afterwards make profession like the others.

And in order that the novices may in peace, recollection and silence be the more strengthened in spirit, we order that no-one except the Father Guardian and their Master is to speak at length with them. No-one is to enter their cells, nor they the cells of others, without special permission of the Master.

13. In order that they may better learn to bear the yoke of the Lord, we order that after profession they shall remain under the discipline of a Master at least for three years. Their Guardian shall be their Master, making them observe what novices observe. They shall also say their fault each day, and take the discipline every Friday in the refectory, unless they are on occasion dispensed from it for a reasonable cause. In this way they will not easily lose the newly-acquired spirit, but rather grow gradually stronger and more deeply rooted in the love of Christ, our Lord and God.

14. Since the Doctors maintain that novices who make profession with the due dispositions are restored to their baptismal innocence, we order that, in order to clothe themselves in the new humanity, they most carefully prepare themselves for profession by sincere confession, devout communion and fervent prayer, having previously made a general confession on entry into religious life.

15. In receiving the said novices, both into the Order and to profession, the customary rites and ceremonies approved in our Order are to be used, as these are noted at the end of this book. No novice is to be received without consultation with the majority of the brothers who have lived with him in that place for four months continuously or thereabouts. Moreover, within that period, the Vicars shall not transfer a novice who is close to making profession from the place where he made his novitiate. If however a transfer becomes necessary, or if it happens that the family is transferred from that place after a Chapter, the vote is to be taken before the moves take place. The young brothers shall not have a vote in the reception of novices to profession, until they have been three years in religious life, but they shall only give their opinion. And the Provincial Vicars are to be warned that they may not receive any novice to profession without the opinion and consent of the majority of the brothers in that family.

16. Furthermore, we order that the fact of profession be written down, with the age of the one making profession, in his own hand if he is able to write. If not, it shall be written down by others, with witnesses present, and the document shall be carefully kept under lock and key, so that it is available when needed. It shall also be written by the Father Vicar General in a book which each Vicar will take care to have as a register of professions.

17. Since it was not without good reason that our Saviour commended his great Precursor John the Baptist's austerity in clothing, when he said: "Those who wear fine clothes are to be found in palaces", we therefore order that the brothers, who have chosen to be menials in the house of the Lord, shall wear the most abject, austere, coarse and despised clothes conveniently available in the provinces where they live. Let them remember that the sack-cloth with which our Father wanted us to patch our clothing, and the cords he wished us to use to gird ourselves, are ill-suited to fine clothing and to the rich ones of the world.

The General Chapter once again makes a heartfelt exhortation to all the brothers, if they can, to be content with one habit, as our holy Father in his Testament specified about himself when he said: "We were content with one tunic, patched inside and out". Nevertheless, if the brothers wish, they are allowed the favour of a second tunic according to the Rule. Such brothers, however, shall not be allowed a mantle without necessity and the permission of their Superior, since we know that for a healthy brother to use three items of clothing is an obvious sign of a mediocre spirit.

18. Desiring above all that holy poverty - so loved by the Son of God and bequeathed to us as a mother by Him and by our blessed Father - may shine forth in everything we use, we order that mantles shall not extend beyond the tips of the fingers, and shall be without a hood, nor shall they be worn without necessity. The habit shall be no more than ankle-length, eleven palms wide, or twelve for the corpulent; the sleeves no wider than is necessary to pass the arms in and out, and long enough to reach to the middle of the hands, or little more. The tunics shall be very coarse, nine palms wide and at least half a palm shorter than the habit.. The hood shall be square, like those of our Father St Francis and his companions, which still exist as relics. In addition, as is apparent in ancient pictures and described in the "Book of Conformity", our habit shall have the shape of a cross, to remind us that we are totally dead to the world, and the world to us. Our cincture shall be a rough rope, very cheap and thick with simple knots and without any singularity, so that being despised by the world we may have all the more occasion to mortify ourselves. The brothers shall not wear caps or hats, or have anything superfluous.

19. In each of our houses there shall be a small room where the clothes of the community are kept by a brother appointed for the purpose, and he shall keep them clean and mended for the needs of the poor brothers who, having used them according to their needs, shall return them clean with humble thanks.

20. In order that our beds may resemble his, who when on earth said: "Foxes have holes and the birds of the air have nests, but the Son of Man has nowhere to lay his head", (so that we may become as much as possible watchful and ready for prayer, and more like our blessed Father, whose bed was often the bare ground), and like Jesus Christ, holiest of the saints, who had such a bed in the harsh wilderness, we order that the brothers shall ordinarily sleep on straw covered with a piece of rough sacking. But if the fitter young friars wish to sleep only on a mat on bare boards, they may do so with the permission of their Prelates when they see that it will do them no harm.

21. In addition to this we order that, according to the teaching of the Gospel, and in imitation of our Fathers of old, they may wear sandals, since they are not shoes, but they must be simple, cheap and poor, without any ornamentation. But if any of the young brothers, following the example of Jesus Christ, wish to go barefoot as a sign of humility and poverty and for the mortification of sensuality, and to give good example to their neighbour, they may do so with the Lord's blessing and permission of their Prelate.

22. In order to rise to the summit of most exalted Poverty, Spouse of Christ our Lord and of our Seraphic Father, and our beloved Mother, we earnestly exhort all our brothers not to be attached to anything on earth, but in heaven, using the things of this world most sparingly as if compelled, as far as their frailty will allow. They should consider themselves rich with the wealth of holy poverty. Let them be content with two handkerchiefs and two undergarments for necessary use. Let them remember what our blessed Father used to say: "A lesser brother should be nothing other than a mirror of every virtue, and chiefly of poverty."

23. The tonsure shall be cut every twenty days or every month, with scissors. They shall not have basins, but only one razor for bloodletting, and following the example of Christ and of all our ancient holy Fathers the beard shall be worn, since it is manly, natural, austere and despised. But they shall not to trim it, as the canon says.

24. Lest any brother, disliking our secluded and quiet life, should return to the fleshpots of Egypt after having been once set free; and in conformity with what is said in Chapter II of the Rule, that it shall by no means be lawful for the brothers to leave the Order, once they have made profession, we declare all apostates from our Order excommunicated by the Most Reverend Father General and by the whole General Chapter.

25. All this being said, in order to leave the door of mercy open for all our brothers who have left our Congregation, and to invite them to return to penance, we order that if anyone wishes to return he may be received by the Vicar of his Province, or of the adjacent Provinces, with the following penances. Anyone who leaves our Order shall, on his return, be received and absolved from excommunication, with the usual ceremonies in the public refectory (this practice is to be observed in every case when apostates are received). As a penance, he shall lose all his seniority in religion, in such a way that the day of his reception back into the Order is reckoned as the first, when

he came from the world and was clothed as a novice. If he is a priest, he shall sit in the last place among the priests, or among the clerics if he is a cleric, or the lay brothers if he is a lay brother. He must wear the caparone for as long as he was away, and during that time he shall say his fault and take the discipline in the refectory like the novices. While he is wearing the caparone he shall not be allowed to preach, and shall be deprived of active voice, and of passive voice until the completion of four years after his return. If he was away from religious life for more than four years, his passive voice shall be withdrawn for as long as he was away.

26. Anyone who leaves for a second time shall, in addition to the above penances, be deprived of active and passive voice and of all superiorship, in perpetuity, and if he is a preacher he shall remain deprived of the preaching office at the Father General's pleasure.

27. Anyone who leaves for a third time shall, in addition to the above penances, be put in prison, but if such a brother in prison shows repentance for his error and gives good example, the Father Vicar and Definitors at the Provincial Chapter may free him from prison, but not from the other penances mentioned above.

28. To leave over and over again is a sign of excessive instability, which can give rise to a thousand inconveniences. Therefore, to prevent anyone from further multiplying the number of his departures, at the cost of great harm to his soul, we order that if anyone leaves a fourth time, in addition to all the above-mentioned penances he shall be put in prison and may not be freed except by the General Chapter, which is requested not to grant such freedom easily.

29. We furthermore declare that all the above-mentioned penances are intended for apostasy alone. But if in addition to apostasy he committed some fault, either before or after his departure from the Congregation, he shall be punished in proportion to the fault.

30. Those who have been duly received into another religious Order, and similarly those infected with any kind of contagious disease, are in no way to be received.

31. If anyone is received back outside of his own Province, the Father Vicar of that Province, after having absolved him, shall send him back to his own Province, wearing a professed habit, giving him an obedience and, if necessary, a companion.

And if anyone refuses to be received back in his own or an adjacent Province, and comes to Rome to be received there, the Reverend Father Procurator is to receive him with the above-mentioned penances, and send him back to the Province from which he left, in the same habit he arrived in.

32. Since it has been decreed by the Sacred Council of Trent that no brother may lawfully leave his place or friary, even under pretext of going to see his

superiors, unless he has been sent or called by the same superiors with a written obedience. Therefore, if any brother be found without it, he can be punished by his ordinary as a deserter from the Order. Consequently, if any brother needs to go to his Provincial, he must tell his Guardian the reason; and if the Guardian judges it expedient, he shall give him an obedience and a companion. But if it does not seem expedient to send him, and the subject is unwilling to accept it calmly, the Father Guardian must call in two or three brothers of more mature judgement and, in the presence of the subject, put the case to them. If they judge it appropriate for him to go, the Father Guardian is obliged to send him. And if he does not send him, the Father Vicar must impose on him a penance. If the subject's case is one that he does not wish to divulge, he must write to the Provincial asking for an obedience to come to him, and he must wait for the reply before going. And if he goes before receiving the reply, he must perform the following penances: he shall take meals on the floor for eight days continuously, fasting on bread and water for three days. He shall take the discipline three times in the refectory and wear the caparone for two months, saying his fault every day during that time and be deprived of voting rights, active and passive, for one year.

33. And because some brothers, under the pretext of having recourse to their Superiors, wander about both within and outside the Provinces, claiming they left not as apostates but in order to go and see their superiors, we declare that if a brother leaves without an obedience, under the pretext of going to see his Father Provincial, without taking the precautions mentioned above, or if he goes outside his Province, he must be punished as an apostate.

### *CHAPTER THREE*

34. Our Seraphic Father, thoroughly Catholic, apostolic and enlightened by God's Spirit, always held the Roman Church in special veneration, as the judge and mother of all other Churches. Hence he laid down in the Rule that the clerics should say the office according to the custom of the Holy Roman Church, and in his Testament forbade them to alter it in any way. We therefore order that the brothers, united in spirit under the same standard and called to the same end, shall observe the same rites as those used by the Holy Roman Church as regards the Missal, Breviary and Calendar.

35. On hearing the first sound of the bell for the Divine Office, the clerics and priests not legitimately prevented shall make their way to the choir as quickly as they can to prepare their hearts for the Lord. There, with devotion, composure, mortification, recollection and silence, they shall remember that they are in the presence of God, about to engage in the angelic function of singing the praises of God.

36. The Divine Office, and that of Our Lady, shall be said with all due devotion, attention, gravity, uniformity of voice and harmony of mind, without embellishments or harmonies and with proper pauses, with the voice pitched neither too high nor too low, but moderately. The brothers shall endeavour to sing to God more with their hearts than with their lips, so that

none shall be able to say to us what our Saviour said to the Jews:" This people honours me with their lips, but their heart is far from me".

37. The lay brothers shall assemble at the beginning of Vespers, Compline and Matins, and for the *Te Deum Laudamus*, or for the *Miserere* When the communal preparation is over and the Office commences they may retire to the church or other suitable place and say the Our Fathers laid down by the Rule. On all festivals they shall assist at Vespers. They shall say their five Offices for the dead for our benefactors, according to ancient custom, i.e. the first around the feast of St Mary Magdalene; the second around Michaelmas in September; the third on St Francis?; the fourth in Advent and the fifth in Septuagesima. In choir the night office of the dead shall be said every month during the year, and weekly during Advent and Lent. During Lent, and on the days appointed according to the rubrics of the Breviary, the gradual psalms and the seven penitential psalms shall be recited with the Litanies. At Mass and Divine Office only the words contained in the missals and breviaries shall be said, with the correct ceremonies.

38. Since the celebration of Mass is a ministry that is eminently divine, we order that no cleric be promoted to the subdiaconate before the age of twenty two, to the diaconate before twenty three, or to the priesthood before he is twenty-five years of age, in accordance with the Decree of the Council of Trent, and those who have been ordained shall not say Mass until they have reached that age. Nor shall any cleric be ordained to the priesthood unless, in addition to a good spirit, he also has sufficient intelligence to enable him to pronounce and understand the words he utters when celebrating. Nor shall he be ordained without the permission of the Reverend Father General unless he has been at least eight years in the religious life, and anyone who has ordained before that time shall not be allowed to perform any priestly act.

39. When sending clerics for Ordination, the Provincials shall observe the Decrees of the Sacred Congregation of the Council of Trent: namely, they shall send them to the bishop of the diocese of the friary where they reside, and not to others, except where the diocesan bishops are absent or unwilling to conduct ordinations, in which case they may send them to other bishops. And if they do go to other bishops, the obedience must expressly mention the absence or other impediment of the diocesan bishop.

40. Clerics and priests who are not very literate must prepare what they will have to read in public at Mass and the Divine Office, lest they harm the things of God, disturb the congregation and provoke the holy Angels who assist at the worship of God.

41. We exhort priests that, when celebrating Mass, they do not allow the eye of their mind to turn towards human favour or glory or anything temporal, but with a simple, pure and clean heart they shall celebrate out of pure charity, with the most humble faith and devotion, seeking only the glory of God. Let them prepare themselves with as much care as their frailty will permit, since sacred Scripture denounces as accursed anyone who performs this work of God negligently. And since this act above all others pertains to

God, He is highly displeased when it is performed irreverently. Neither should they desire any earthly reward for celebrating, but follow the example of Christ the High Priest, who without any temporal advantage offered Himself for us on the painful cross. Let them rather realise that they have acquired a greater obligation in the sight of God. And when incense is used, a cleric shall serve the Mass.

42. On feast-days the clerics and lay brothers shall attend as many Masses as they can, and daily strive to attend the Conventual Mass if they can. We exhort everyone to remember to pray to God often for all the faithful in all their Masses, Offices and prayers - for the living as well as for the dead - since our Seraphic Father expressly mentions this in the Rule.

43. We exhort all brothers who attend the celebrations of priests to do so with the utmost reverence; their attitude in the presence of such a sublime mystery should be like that of the angels before the face of God. They too should celebrate and communicate spiritually together with the priest, offering in union with them a sacrifice that is so pleasing to God.

44. Since holy prayer is our spiritual mistress, the mother and nurse of all true virtue, in order that the spirit of devotion, above all things desirable, should never fail or grow lukewarm among us, but continually burn on the sacred altar of our heart and be enkindled more and more, as our good Father wished, we order that, whilst a good devout brother should always pray inwardly, nevertheless at least two special hours be set aside for prayer, one after Compline during the whole year, the other from Easter until the Nativity of Our Lady immediately after None, except on fast days when it shall be after Sext, and from the Nativity of Our Lady until Easter, after Matins.

45. Let the brothers remember that prayer is nothing other than speaking to God with the heart. Consequently, he does not pray who speaks to God only with his lips. Therefore, whenever possible, there must be room not just for vocal prayer but also mental prayer, and according to the teaching of Christ, our highest teacher, let the brothers worship the Eternal Father in spirit and truth, taking great care to enlighten their minds and enkindle their affections, far more than to utter words. Before None or Matins, and on fast days after Sext, they shall recite the litanies, calling upon the Saints to pray for us. Before Compline the Litany of Our Lady shall be said. No other Offices shall be added in choir, so that the brothers have more time to devote to private mental and prayer, which is far more fruitful than vocal prayer alone.

46. Since our Father, wholly Catholic as he was, ordered at the beginning and end of his Rule that special reverence be paid to the Pope as Vicar of Jesus Christ our God, and likewise to other Prelates and priests, we order that in addition to the ordinary prayers each friar, during his private prayers, shall pray the divine Goodness for the welfare of the Church Militant and for His Holiness, that he may be given the grace to see clearly, to will effectively and to carry out successfully everything that is to the glory and honour of the divine Majesty, the salvation of the Christian people and the conversion of heretics and unbelievers. They shall do the same for all reverend Cardinals, Bishops

and Prelates who are directly subject to the Supreme Pontiff: for the Emperor, for all Since our Father, Catholic as he was, ordered at the beginning and end of his Rule that special reverence be paid to the Pope as Vicar of Christ our Lord and God on earth, as well as to other Prelates and priests, we order that in addition to the ordinary prayers each friar, during his private prayers, shall pray the divine Goodness for the welfare of the Church Militant and for His Holiness, that he may be given the grace to see clearly, to will effectively and to carry out successfully everything that is to the glory and honour of the divine Majesty, the salvation of the Christian people and the conversion of unbelievers. They shall do the same for all reverend Cardinals, Bishops and Prelates who are subject to the Supreme Pontiff: for His Highness the Emperor, for all Kings and Christian Princes, and for all people, especially for our benefactors, to whom we are most indebted.

47. In addition, since we know that silence is the safeguard of the religious spirit, and since according to St James the religion of the man who does not refrain his tongue is vain, we order that, as far as our human frailty allows we shall observe evangelical silence, knowing, as the infallible Truth said, that we shall have to give account on the last day for every idle word. So great is the abundance of divine grace towards us who are consecrated and dedicated to God's worship, that it is no small fault for a us to speak unnecessarily of worldly things.

48. As regards regular silence, it shall be perpetual in the church and in the dormitory. In these places it shall not be lawful to speak without necessity, and then only in a low voice and briefly. In the refectory silence shall be kept from the first sign given at table until grace has been said. And in general, from Easter onwards the signal shall be given for silence everywhere from the beginning of evening prayer. After lunch at a suitable time silence shall be observed by all until the prayer of None has been said, and likewise from midnight until the bell for Prime the following morning. Anyone breaking the silence is to recite five Our Fathers and five Hail Marys in the refectory with arms extended in the form of a cross. Always and everywhere the brothers shall accustom themselves to speaking in a religious manner, without making a noise, for such a fault is unbecoming in religious.

49. In order that our body may not rebel against the spirit but obey the spirit in all things, and in memory of the most bitter passion of our sweet Saviour, we order that the customary disciplines, namely on Mondays, Wednesdays and Fridays, shall not be omitted even on major feasts. The discipline shall be taken after Matins, except when it is very cold, in which case it shall be done in the evening. During Holy Week the discipline shall be taken every night. And the brothers, while they discipline themselves, shall think with compassionate hearts of the sweet Christ, the Son of God, bound to the pillar, and shall strive to experience at least some tiny part of his sufferings. They shall meanwhile recite the *Miserere*, the *De Profundis* and the Antiphon *Christus factus est pro nobis obediens* with the prayer, *Respice*. And after the *Salve Regina* with its versicle they shall say five devout prayers, the Our Father and the Hail Mary.

50. In addition, to avoid anything that could offend the most sublime poverty, spiritual peace and tranquil humility, and in order to maintain peace between ourselves and other clerics and priests, and to avoid all impurity, which might in time leave a blemish on our Order, we order that the dead shall not be buried in our places, except in the case of someone too poor to find someone to bury him, in which case we must show mercy and charity to them and receive them, with permission of the Ordinary.

51. Similarly, the laity are not to be buried in our churches, but our brothers shall be buried in some becoming place close to the church. Where possible a chapel shall be build adjacent to it for this purpose, or else near to the church, with an altar on which to say Mass and a place to bury the brothers who die there. We point out that the body is not to be buried under the altar.

52. When the brothers visit sick seculars, they shall take care not to induce them to be buried in our places, and if they request it they shall in no way be allowed. Lest such a new practice cause scandal to those ignorant of the good reasons for it, they should be informed and helped to understand.

53. When one of our brothers dies, the others shall be careful to commend his soul to God with devout charity. And in the province where he dies, each priest shall say Mass for him, the clerics shall say Matins for the Dead and the lay brothers one hundred Our Fathers. And every week each priest shall say one Mass or a collect for all our deceased brothers.

54. To maintain uniformity in the ceremonies, both in choir and in every other place, the teaching of St Bonaventure and the Ordinances of our ancient Fathers shall be read. And in order the better to understand the mind of our Seraphic Father, we should read his "Fioretti", the "Book of Conformities" and other writings of our Order.

55. Since abstinence, austerity and discipline are highly praised by the saints, and since after the example of Christ our Lord and of St. Francis we have chosen a strict life, the brothers are exhorted to keep the holy Lents that our blessed Father used to keep (although a penitential brother will always fast). They are not to have excessive or superfluous meals, but rather ordinary ones. On Wednesdays, they shall not eat meat. And in order to limit the insatiable desires of the body, no more than one kind of soup shall be served at table. On fast days some cooked or raw salad may be added. And let them remember that, whereas a little suffices to satisfy necessity, nothing can satisfy sensuality.

56. And in order that, according to our holy Saviour's teaching, our hearts are not coarsened with debauchery and drunkenness, but our minds may be clear and our senses mortified, we order that strong wine shall not be served at table unless mixed with a reasonable amount of water. Even then, it ought to appear a sensual delight, when we remember that, according to St Bonaventure, our Father St Francis did not dare drink enough water to quench his thirst, because he said it was difficult to satisfy necessity without giving in to sensuality. It will seem delightful to them if they remember that Our Lord

Jesus Christ was denied water on the cross, and He was given wine mixed with myrrh, or vinegar and gall. And St Jerome writes that in his day even the sick monks would drink cold water and to eat anything cooked was considered sensual.

57. No special treatment shall be given at table, except to sick, travelling, aged or very weak brothers, And if any brother wishes to abstain from wine, meat, eggs or other foods, or to fast more often, his Prelate shall not prevent him if he sees that it will do him no harm, but rather encourage him, provided he eats at table with the others. As a sign of poverty, tablecloths are not to be used, but only a small napkin for each brother.

58. They shall be careful not to allow any secular person to eat in the refectory with the brothers, except when this cannot be avoided without giving grave offence. The reading at table and the customary ceremonies shall be observed as usual, and all shall be content to treat them modestly in accordance with our state.

59. No brother shall presume to take any bodily refreshment either at home or outside, without the blessing of the Prelate, or if he is not present, of the senior brother.

60. Since anyone who delights in worldly feasts is easily defiled, we order that the brothers are not to attend feasts except in order to preach the word of God, after the example of Christ our only Master who, when invited to a feast did not wish to go, but later went in order to preach. We should remember that, as the Blessed Paul said, we have been made a public spectacle before God, the angels and mankind; and they should strive to live such exemplary lives that God may be glorified through them.

61. In addition, we order that the brothers shall not go outside the house alone, but with a companion, after the example of our holy Saviour's disciples. And they shall not travel without the written obedience of their superiors, sealed with the provincial or local seal. For this purpose each of our houses shall not fail to have a seal, according to the ancient tradition of religious. They shall not part company on the way, nor quarrel, but with all humility and charity, following the example of Christ the blessed one, let each strive to serve and obey his companion, considering him as a brother in Christ. If necessary they shall fraternally correct one another, and if they do not amend, shall report each other's faults to their Prelate.

62. And since our Father tells us in his Testament that God revealed this greeting to him: "The Lord give you peace", we order the brothers to use this evangelical of greeting.

63. Because true lesser brothers should depend on their loving heavenly Father with lively faith, we order that when they are travelling they follow the counsel of Christ and take no provisions of food with them, except in case of real necessity, especially when they go among people who are meek, familiar and devout, not going far from place to place but leaving all care of themselves

to God, who feeds not only the animals but also those who constantly offend Him.. They shall not stop to sleep or eat in cities or towns that are near our places, except in case of great necessity. We order that in the lands where our houses are, no brother shall dare to go and conduct any kind of business without first being presented to the Father Guardian or else to the Vicar of that place. And no-one, without his permission, shall dare to go and eat or sleep in the house of seculars, even of their relatives, and the Prelate is not to give such permission easily. The same applies when leaving that place, and anyone who contravenes this order is to eat bread and water and take a discipline in the refectory.

64. When arriving in any of our houses, as true sons of our heavenly Father they shall first visit the church, and having spent some time in devout prayer they shall present themselves to the Prelate and show him their obedience. And when the brothers of the same house go out on some business they shall, in addition to requesting the Prelate's permission, kneel and ask for his blessing. They shall do the same on returning home. And all the brothers shall strive to avoid vain and unnecessary conversations.

65. Since some of the ancient patriarchs, through their hospitality, merited the privilege of entertaining angels, we order that in each place a brother be appointed to welcome strangers with great care and with all possible charity. Following the example of the humble Son of God, he shall wash their feet, with all the brothers assembling for this act of charity, reciting as they do so some devout hymn or psalm, and always considering themselves as useless servants, while doing everything they possibly can.

66. In order that we may run more freely along the way of the divine commandments, no animal for riding shall be kept in any of our houses. However, in case of need, according to the example of Christ and His imitator Francis, it is permissible to ride a donkey, if one can be had. In this way our lives will always preach the humble Christ crucified. If anyone does ride without such manifest necessity he shall eat bread and water on the ground five times, more or less, as the Vicar shall decide depending on the gravity of the excess.

#### ***CHAPTER FOUR***

67. Our Father St Francis, aware of the apostolic teaching that avarice is the root of all evil, and wishing to eradicate it completely from the hearts of his sons, commanded them in the Rule that they on no account receive money, either by themselves or through intermediaries. He repeated this three times in the Rule, the better to imprint on our minds something which was so close to his own heart. Our Lord also said: "Beware of all covetousness". Therefore, desiring to carry out our Father's devout intention fully and completely, which was inspired by the Holy Spirit, we order that the brothers shall in no way have a procurator or any other person in this world - by whatever name he may be called - to keep or receive coin or money on behalf of the brothers or in their name, in contravention of the Declaration of Nicholas III in the chapter

*Exiit* and of Clement V in *Exivi*. Our Procurator is to be Christ our God, and our defender and advocate his sweet Mother, and all the Angels and Saints our spiritual friends.

Therefore the Guardians shall make sure to forbid our building supervisors, once the buildings are completed, to receive more money for the brothers.

68. Since sublime poverty was the beloved spouse of Christ the Son of God, and greatly loved by our Father St Francis, the brothers should remember that they cannot injure her without greatly displeasing God, and those who offend her offend the apple of His eye. Our Seraphic Father used to say that his true brothers ought to value money no more than dust, in fact that they should flee from it with horror as from a poisonous snake.

How often our loving and zealous Father, foreseeing in spirit that many brothers would abandon this pearl of the Gospel and would become lax by accepting legacies, inheritances and superfluous alms, wept over their downfall, saying that any brother who had more regard for money than for mud was on the road to perdition.

69. Experience clearly shows us all that as soon as a brother drives away holy poverty from himself, he at once falls into every other abominable vice. Let the brothers therefore strive to follow the example of Christ and His beloved Mother, to be poor in the things of this world, so that they may be rich in divine grace, in holy virtues and heavenly wealth. In any case they shall take care, when visiting a sick person, not to induce him, directly or indirectly, to leave us any temporal thing. Indeed, should he wish to do so spontaneously they are to resist, as far as they can do so fairly, knowing that both riches and poverty cannot be possessed at the same time. They shall not accept legacies contrary to the explanations of the Rule given by Nicholas III and Clement V.

70. As far as recourse to spiritual friends is concerned, in order to possess this treasure of poverty more securely we forbid the brothers to have any such recourse, except for necessary things that cannot be conveniently procured in some other way. This shall not be done without permission of the Father Provincial, except in case of necessity when the matter admits of no delay, so that in every case of recourse there is real necessity and due permission.

71. And since we have been called to this life to mortify the outward man and quicken the spirit, we exhort the brothers to accustom themselves to suffer the want of earthly things, after the example of Christ, who, though Lord of all, chose to be poor and to suffer for our sakes.

72. Let the brothers, then, beware of the noon-day devil who transforms himself into an angel of light. This happens when the world, out of devotion to us, flatters and pampers us with worldly wealth and honours. This has often been the cause of many evils in religion. Nor shall they wish to be counted among the false poor St Bernard speaks of, who wish to be poor in such a way that they lack nothing. They should remember that gospel poverty consists in

not having affection for earthly things, in using the things of this world most sparingly and as though forced by necessity, and as a way of glorifying God, whom we should recognise as the source of everything

## *CHAPTER FIVE*

73. Mindful that our ultimate end is God alone, to whom each of us should tend and aspire to be transformed into Him, we exhort all the brothers to turn their every thought and all their intentions and desires towards this end, with every possible yearning of love, so that with all our hearts and all our mind, soul, power and strength, with actual, continuous, intense and pure love, we may unite ourselves to our supremely good Father.

74. But since it is impossible to reach the end without the means, let each one strive to lay aside as useless and harmful everything which hinders or prevents us from walking in the way of salvation. Let them not be concerned about irrelevant matters, but choose rather those things that are most useful or necessary for our journey to God, such as sublime poverty, spotless chastity and humble, prompt obedience, together with the other evangelical virtues which the Son of God taught us by word and by His own example and that of His saints.

75. But it is difficult for man to have his mind always raised up to God. Therefore we order that the brothers, when not engaged in spiritual exercises, shall do some honest manual work. This will avoid to avoid idleness, the root of all evil, make us less burdensome to the world and give good example to our neighbour. In this matter we wish to follow the example of the chosen vessel Paul, whose preaching was his work, and that of many other holy Fathers, to observe the admonition given in the Rule, and conform to the will of our Father St Francis expressed in his Testament. However, during that time, as far as human frailty allows, they shall not fail to occupy their minds in some spiritual meditation. For this reason, while working they shall either speak of God in softly and humbly, or read some spiritual book. And all shall either listen with great modesty and charity, or else keep silent

76.. The brothers shall take care not to make their work their sole aim, or to set their hearts on it or become so engrossed in it that the spirit, to which everything should be subservient, is extinguished or or hindered. With their eyes fixed always on God, let them take the highest and shortest road, so that the labour imposed on man by God and accepted and commended by the saints as a means of preserving recollection, may not become an occasion of distraction and laxity for them.

77. But since, as St Bernard writes, nothing is more precious than time, though nowadays it is reckoned the cheapest, and since he also says that we shall be rigorously examined as to how we have spent our time, we beg and exhort all our brothers never to be idle or to spend their time doing things of little or no importance, still less speaking vain and useless words. Let them always remember that fearful sentence in the mouth of infallible truth, that we

shall have to give account on the day of judgement for every vain word we utter. Rather let them spend all this precious time in praiseworthy, honest and useful exercises, whether spiritual or corporal, for the glory and honour of the Divine Majesty and the edification of our neighbours and brothers, both religious and secular.

78. We forbid all the brothers to practice any act of medicine outside the Order, nor shall they as doctors prescribe any syrup or medicine, draw blood or perform any similar medical practice. Anyone who goes against this is to be severely punished by his Provincial Vicar.

## *CHAPTER SIX*

79. Contemplating the sublime poverty of Christ, the King of heaven and earth, who at His birth could not even find a small space at the inn; who during His lifetime lodged as a pilgrim in the houses of others, and who at His death had nowhere to lay His head; and considering further that in all other things He was most poor, our Seraphic Father Francis, wishing to imitate and follow Him closely, forbade his brothers to have anything of their own, so that unencumbered, like pilgrims on earth and citizens of heaven, they might run with spiritual fervour on their journey to God. Therefore we, wishing to follow such a worthy example of Christ our leader, and in reality to observe the seraphic precept of celestial poverty, we declare and determine that we have no jurisdiction, dominion, ownership, legal possession, usufruct or legal use of anything at all, even of the things we use of necessity, or of the places where we live, in such a way that the true, full owners can send us away whenever they wish, and take back anything that belongs to them.

80. Therefore we order that when the brothers wish to establish a new house, in addition to obtaining the consent of the Provincial Chapter and the permission of our Father General, according to the teaching of St Francis they shall first go to the Bishop, or to his Vicar, and ask permission to take that place in his diocese. When the permission has been obtained, and with his blessing, they shall go to the civil authorities or to the owner and ask for the loan of a house or a piece of land to build on. Or else they should wait until the authorities or the owner ask them to take a house in their territory.

81. They shall be careful not to accept any place except with the protest that they must be able to leave the place whenever this is necessary for the pure observance of the Rule we have promised. In this way, should they leave a place no scandal will ensue.

82. To avoid all disturbance, we order that no place shall be accepted or abandoned, built or destroyed without the consent of the provincial Chapter and the permission of the Reverend Father General.

83. In order that lay people may avail of our spiritual services and assist us in our temporal needs, we order that our friaries shall not be built too far from cities, towns or villages, nor too close to them either, lest we suffer harm from

too many visits. A distance of about a mile is sufficient, but following the example of our holy fathers, and especially of St Francis, we should prefer to go to solitary and deserted places, rather than to fine cities.

84. Since, following the example of the Patriarchs of old, we should live in humble and poor places, we exhort the brothers to remember the words of our Seraphic Father in his Testament, where he forbids them on any account to accept churches or houses built for them, unless they are in keeping with the highest poverty.

Still less, obviously, should the brothers themselves build sumptuous buildings, or allow them to be built. Lesser brothers must not, in order to please the world, displease God, abuse the Rule and scandalise their neighbours by offending against the gospel poverty they have promised to observe. There should be a big difference between the palatial residences of the rich, and the small dwellings of poor mendicant pilgrims and penitents. Therefore we order that no place shall be accepted or built, or allowed to be built, whether by us or by others, if it is not in accordance with the most high and holy poverty we have vowed in the Rule to observe.

85. Therefore, for this purpose a small model has been constructed, and all the houses of the Order are to be built in accordance with it.

86. Our churches shall be small and poor, but devotional, simple and very clean. We should not want to have big churches so as to be able to preach in them, for as our Father used to say, we give better example by preaching in the churches of others than in our own, especially if by having them we offend against holy poverty

87. We also order that in our churches there shall be only one small bell, weighing about one hundred and fifty pounds. The sacristy shall be poor, with a strong key, which one of the professed brothers shall always carry with him. The things needed for divine worship shall be kept in that chest or cupboard: there shall generally be two small chalices with the cup in silver and their patens well gilded. There must be no more chalices or vestments than are required by the needs of the place. No gold, silver or silk or any other precious or unusual materials are to be used. Everything shall be very clean and neat, especially the priestly vestments. Corporals and purificators shall be fine and spotless. The candlesticks must be made of simple turned wood, and our missals and breviaries and other books simply bound without unusual fastenings.

88. The brothers shall be careful to ensure that among the things pertaining to divine worship, in the buildings and furnishings we use, nothing rare, superfluous or precious is to be found, since we know that what God wants from us most of all, more than any other sacrifice, is the purity of the obedience we show to Him when we live the poverty we have promised. Indeed, as Pope Clement says in his Declaration, God takes more delight in a pure heart and in our holy way of life than in precious, well arranged material things. Nevertheless, we must see to it that the sublime height of poverty shines forth

in everything we use, making us yearn for the riches of heaven, where all our treasure, our delight and our glory are stored.

89. Therefore we forbid the brothers to receive anything made of gold, silver, velvet or silk, except for the chalice, the pyx for the Blessed Sacrament, the tabernacle, and the tabernacle veil and chalice veil. And whenever the Father Provincial Vicars find such things on the occasion of their visitations, they shall impose a penance on those who received them, for being disobedient and having no love for our simple lifestyle. They are to make sure that the objects are returned to their owners, and if they are not known, the objects are to be given to other poor churches.

90. The cells shall not exceed nine palms in length and width, and ten in height. The doors shall be seven palms high, and two-and-a-half palms wide. The windows shall be two-and-a-half palms high, and one-and-a-half palms wide. The dormitory corridor shall be six palms in width, and the height of the refectory from floor to ceiling, either in wood or brick, shall not exceed thirteen palms. But where the air is very bad, it can be up to fourteen palms high. Similarly, the other offices shall be small, poor, humble and low, so that everything preaches humility, poverty and contempt for the world. And since palms are not all of the same size, the measure of half a palm has been added at the end of this book, and our buildings and clothing shall be measured in accordance with it..

91. And in order to avoid mistakes in building, either in the choice of sites, or by making the rooms larger than the model and measurements given above, we order that when it comes to choosing a place, the Chapter shall elect four of the best, most suitable and zealous brothers in the Province, who shall have the task of going, together with the Father Vicar, to take possession of the site where the foundation is to be made, and together to provide the plans, signed by themselves, for the construction of the house. And they shall arrange everything wisely, in such a way that nothing is later wasted. And if a disagreement arises among them, either about choosing the site or about making the plans, we wish a secret vote to be taken, and the majority shall prevail. And the Provincial shall have only one vote, like any of the fabricists.

92. Again, in order to avoid whatever might obscure the splendour of poverty, we order that the brothers who have been entrusted by the Chapter or by their Provincial Vicar with responsibility for buildings, are to be diligent and careful to enjoin and observe the poor form and measurements of the prescribed model. Any significant and unnecessary excess will be a weight on their conscience. Let them take as their models the small houses of the poor, not the large palaces of the rich. And all the brothers shall strive to give manual assistance, with all humility, peace and charity, whenever they are ordered to do so. Otherwise we expressly forbid the brothers to interfere in having money spent on those buildings. They should leave such concerns to those in charge of the buildings, but pointing out to them humbly and charitably any disorder or superfluous expense of which they may be aware.

93. We also determine that if possible our houses shall have a small room with a fireplace so that, as charity demands, hospitality can be given to pilgrims and travellers whenever the need arises and as far as our poverty allows, especially to religious and people dedicated to the service of God.

94. Once the buildings are finished, no Guardian may build or pull down anything except as commanded by his Provincial Vicar, who shall keep his eyes open, and not grant permission unless he sees that there is evident need. And whenever the Guardian wishes to do anything substantial, he must have the permission of the above-mentioned fabricists.

95. In addition, if there are vines or superfluous trees in the places we have accepted they shall not be cut down without permission of the Father Provincial Vicar. If anyone contravenes this order, if he is a Guardian he shall take the discipline in the refectory as many times as he has cut down trees, and eat bread and water on the floor. If he is a subject he shall take the discipline for the same number of times, and wear the caparone for a month.

96. In order to safeguard the pure observance of the Rule, ensure the orderly conduct of divine services and at the same time observe the highest poverty, we order that in our already established houses there shall not be fewer than twelve brothers. United in the name of Jesus they shall be of one mind and heart, ever striving for greater perfection. They shall show that they are true disciples of Christ by loving one another from the heart, bearing with one another's defects and constantly practising the love of God and brotherly charity, striving to give one another good example at all times and edifying everyone. Let them likewise do violence to their own corrupt passions, not forgetting what our Saviour says : the Kingdom of heaven suffers violence, and those who do violence to themselves take it by storm.

97. The Gospel teaches that Christians (and therefore much more so we lesser brothers, who have specially embraced the life and following of Jesus Christ our Sovereign Lord, the unblemished mirror of the highest poverty) are bound to remember that their heavenly Father is able and willing to provide for them and has them in His special care. Therefore, we should not be like pagans, who do not believe in divine providence, anxiously procuring the things of this world with excessive concern, when God's generous hand provides them even to the animals. Rather, as true sons of the Eternal Father, putting aside all unspiritual anxiety, we should depend totally on that divine generosity and abandon ourselves to God's infinite goodness. We therefore order that in our houses no provision shall be made of anything, even the necessities of life such as those that can be obtained daily by begging, beyond a few days' supply according to the needs of times and places. Fruit shall not be gathered and stored for a long period.

98. To preclude the storing of superfluous provisions we order that no casks or barrels shall be kept in our house, but only a few small vessels or flasks. Where, however, because of the number of brothers their needs cannot be supplied with the said flasks and a few barrels are required, this may be done with permission of the Reverend Father Provincial, who will have to

judge whether the need is real or not. In winter, wood may be stored for up to two or three months more or less, according to the judgement of the provincial Chapter.

99. And in order that the brothers' mendicant state be truly such, and not rich or delicate or in name alone, we order that , even in Carnival time, no meat, eggs, cheese or fish or other precious foods unbecoming our poor state be collected for the brothers who are healthy. However, should these things be given to us without our requesting them we may accept them according to need. Spices of any sort are not to be used, except when this is necessary for the sick,

100. Should any surplus food be sent to the brothers, they should receive it with humble thanks, or else distribute it to the poor, remembering that we are like pilgrims at the inn, living off the sins of the people, and that we shall be called to give a detailed account of everything.

Above all the brothers must take care , when alms abound through the favour of the great, the faith of the people or the devotion of the world, that they do not abandon Poverty, their most holy mother, and become illegitimate sons of St Francis. Let them remember the beautiful words he used to say: I thank God that through His goodness and favour I have always been faithful to my beloved spouse, Poverty, nor was I ever a robber of alms, because I always accepted less than I needed, so that other poor people would not be deprived of their share. To have done otherwise would be theft in the sight of God.

101. Since voluntary poverty possesses nothing yet is rich in all things, is happy, has no fear, no desire and can lose nothing because its treasure is placed in the safest keeping, in order to uproot, really and truly, all occasion of proprietorship, we determine that no brother shall have the keys to cells, chests, desks or any other thing, except the officials who have charge of such things and dispense them on behalf of the community as is just and reasonable.

And if any brother is found to be the proprietor of anything, he is to be deprived of all offices in the Order. And anyone to whom this punishment does not apply shall wear the caparone for as long as the Father Provincial Vicar sees fit. And if anyone is found in this state at the time of death (which God forbid), he is to be deprived of ecclesiastical burial. The same penalties of proprietorship shall apply to anyone who disposes of books or any other thing whatsoever outside of our houses, without the permission of the Father Provincial Vicar or of his Guardian, and without the knowledge of the brothers who live with him in the religious community.

102. Since we possess nothing in this world, the brothers are not allowed to give anything to seculars without permission of the Guardians, and even they may not dispose of any but small and worthless things without the permission of their Provincial Vicar.

103. To relieve the needs of the sick brothers, to whom all possible and due charity is to be shown, as our Rule and fraternal charity requires, after the example of our Seraphic Father, who for the sake of his sick brothers was not ashamed to ask for food publicly, we order that when any brother falls sick, the Guardian shall immediately appoint a suitable brother to serve him in all his needs. And if he does not do so, or if he fails the poor sick brother in other needs, he shall be severely punished by the Provincial Vicar.

Should a change of place be appropriate it shall be seen to at once, and each brother should consider how he would wish to be treated himself in such a case. Let him remember what our compassionate Father clearly says in the Rule, no mother is so tender and loving towards her only son, as each of us should be and show compassion to our spiritual brother.

## *CHAPTER SEVEN*

104. In order to avoid danger from Prelates and subjects, and to banish all occasion of distraction, so that being composed and recollected in Christ we may run the race to our heavenly Fatherland unhindered and in greater security, we order that our Congregation shall at no time accept to hear the confessions of seculars of whatever sex, rank, state or condition, as is customary in our Order. However, the pontifical decrees shall be observed.

105. But for our brothers, at least two or three confessors shall be appointed in each place, or more according to the number of brothers in the community. They must be learned, prudent and charitable. All the brothers shall confess at least twice a week, each one freely choosing one of the appointed confessors, and once chosen he may not be changed without the permission of the Father Guardian or another Superior of the place. They shall receive communion each Sunday throughout the year, or more often if they wish, and if their Superior considers it a good thing he shall give permission. They must take care to examine themselves carefully beforehand, as the Apostle reminds us, reflecting on their own nothingness and unworthiness and on this noble gift of God given to us with so much love. In this way it will not bring them condemnation but rather growth in light, grace and virtue. And this most sublime, Divine Sacrament, in which our sweet Saviour so lovingly condescends to dwell, shall be kept in all our churches in a spotless place and treated by all with the utmost reverence, the brothers remaining before it in prayer as if in the company of the holy angels in our heavenly fatherland.

106. And if any of the brothers, at the instigation of the Enemy, sins mortally by committing any sin concerning which the brothers are ordered to have recourse to the Provincials alone, let him have recourse to those same Provincials, as quickly as he conveniently can, with all humility and repentance, trusting in them as much as they can and should. And if the Prelates see that the brothers are truly contrite and humbled, firmly resolved to mend their ways, and prepared to perform an appropriate penance, they should receive them gently, after the example of Christ our true Father and Shepherd, in the same way that the Prodigal Son was welcomed by his most

merciful Father, and together with Christ they should joyfully carry the lost sheep on their shoulders, back to the evangelical sheepfold.

107. Let them recall what our Father used to say: Anyone who wants to raise up one who has fallen to the ground must first bend down to give him a hand, as Christ our most merciful Saviour did when the adulteress was brought before Him, not showing a rigid justice and severity. We should rather remember that Christ Jesus, the gentle Son of God, came down to earth from heaven to save us and did not hesitate to die on a cross, and He always showed all possible tenderness to sinners who were truly contrite. Then, when Christ left St Peter as the world's universal Pastor, He told him to forgive the sinner seventy times seven times. And our Seraphic Father said in one of his letters that, however greatly a brother may have sinned, he wished that brother to look into his Minister's eyes and not go away without finding mercy if he humbly requested it, and that even if he did not request it, he wished the Minister to offer him mercy, and should he appear before him a thousand times, he was not to be indignant and remember the brother's sin, but rather, in order to draw him to Christ our most merciful Lord, he should truly love him from the heart.

108. Therefore, according to our Rule, penance is to be imposed with mercy, and when they do impose it, the Prelates should remember that if God were to judge us according to strict justice, few of us, or none at all, would survive. They should always be looking to save, and not to lose, the souls of their poor brothers.

## *CHAPTER EIGHT*

109. According to the teaching of Christ our humble Lord, Christian Prelates are not to be like the leaders of the Gentiles, who lord it over their subjects. Rather, the greater the weight on their shoulders, the more they should humble themselves and remember that, whereas the other brothers have to obey their Prelates, the latter have to obey all the brothers. The Chapter which elects them imposes upon them by obedience the duty of serving and ministering to the brothers in all their needs, especially in their spiritual needs - after the example of Christ who came to serve and minister to us and to lay down His life for us. We therefore exhort all the Prelates to be the ministers and servants of all their brothers. This they will be, if in accordance with the teaching of our Seraphic Father they minister spirit and life to them by their teaching and example.

110. In every election the proceedings shall be single-minded, simple, holy and canonical. We shall endeavour to follow the advice of Our gracious Lord, and when we are invited to the marriage feast, take the lowest place with Him, and not the highest place with Lucifer, since we know that the first shall be last, and the last first. Let the brothers shun dignities as Christ did, and accept them only when, like Aaron, they are called by God through holy obedience.

111. All votes at our General, Provincial, Custodial and local Chapters must be made *viva voce* and in secret, in such a way that the names of the electors are never published, as commanded by the Sacred Council of Trent. Neither is it lawful to supply the votes of those who are absent. If anyone is elected to any office whatsoever in contravention of this decree, that election is utterly null and void.

111. We declare to all the brothers that in each election it is necessary and sufficient that the person elected have more than one half of the votes. We also wish to explain that in each election the brothers are obliged under pain of mortal sin to elect the one they consider the best and most qualified for the office to which he is being elected, leaving aside all other considerations.

112. The brothers, both those that came to us from the secular clergy and from other religious congregations, after the first year and once they have made profession, shall have active voice, but not passive until the end of the fourth year, unless they are dispensed by the Father Vicar Provincial for some necessary or just cause.

113. Clerics who are not sub-deacons, notwithstanding the Decree of the Sacred Council of Trent, may vote in elections, in virtue of the declaration or concession of Pope Pius V of happy memory.

114. The Provincial Chapters are to be held every year on the second or third Friday after Easter, or at another time of year according to the custom of the Province. In order to remove all suspicion, we order that no transfer of any brother is to be made during the two months nearest to that time, without great and obvious necessity. And if any brother needs to be transferred, he should later return to vote for the Discreet of the place where he was.

115. The Provincial Fathers and Definitors should take care, when arranging the families and transferring brothers, to do nothing that might generate reasonable suspicion of some plan regarding future elections.

116. When the Provincial Chapter has been convoked, a brother is to be elected in each place as Discreet, who attends the Chapter with the Father Guardian. He is the spokesman for the needs of the place, and of individual brothers, and a Vocal, like the Father Guardian.

117. In the election of the Discreet, the companions of the Provincial Vicars shall have active and passive voice in the place where the Provincial Chapter is held. The same shall apply to the companions of the Father Vicar General in the place of the General Chapter, when they can attend it.

118. Preachers, if their Lenten preaching does not take them too far afield, shall return to their own friary for the election of the Discreet, but when they are so far away that they cannot, or lack the courage to, return in time, they shall have a vote in the friary nearest to the place where they have preached.

119. And those who are unable to walk shall not be elected as Discreets to go to the Provincial Chapter, except if they are currently Definitors elected in the immediately preceding Chapter.

120. Four Definitors are to be elected at the Provincial Chapter, of whom no more than two may be from among those elected at the previous Chapter. In this election, all the Vocals present in the place of the Chapter shall have passive voice, and the Provincial Vicars shall have active voice.

121. We order that as a sign of humility and to show our sincere detachment from every kind of ambition, the General Vicar in the General Chapter and the Provincial Vicar in the Provincial Chapter shall spontaneously resign their offices and all their authority into the hands of the Definitors elected by the Chapter. As proof of their complete resignation they shall place the seals into the hands of the aforesaid Definitors, and say their fault in public Chapter for all their defects.

122. Once they have humbly accepted their penance, the election of the Provincial shall proceed: in no way shall anyone be elected Provincial who is unable to walk. After the election of the Provincial, the Father Definitors, in the name of the Chapter, send or write to the Most Reverend Father General for confirmation, according to the Bull of Pope Clement. While waiting for the reply he may exercise his office as Vicar-elect as long as he is in that Province.

123. At the conclusion of his triennium, he cannot be re-elected in the same Province, but must remain free of all prelacies in that province for one year. If however he is elected in another Province he may exercise that office for a further three years, after which he must cease from office as above.

124. In order to establish a convenient and expeditious method of appointing the Guardians, we declare that the Vicars and Definitors, having visited all the Discreets and Guardians, may first meet together to discuss who should be excluded. After this, each of them (i.e. the Vicar and the Definitors) shall personally draw up a secret list on which he writes the names of as many Fathers as there are Guardians required, freely choosing those he conscientiously judges to be the best. Then, having called into the Definition those who were scrutineers at the Chapter, or else with new scrutineers when this seems appropriate, each one shall place his list into their hands. After the scrutineers have secretly collected all the votes, they shall call Vicar and Definitors to the Definition, and announce the names and votes of the elected brothers. If not all the Guardians are elected in one ballot, there shall be a second, third and fourth ballot, or as many as necessary until all the Guardians have been elected. If more than the required number are elected, the Father Vicar and Definitors may at their discretion declare null the election of the surplus names, as they see fit. After the election of the Guardians, a similar one is held for the Custodes, according to the ancient custom of the Order, who shall be installed in places that properly require a Custos. Once again, having taken common counsel, they shall distribute the Guardians already elected in those places they consider suitable. Since some Provinces have a few friaries in main or important cities, the Custodes may, if they think it expedient in

order to remove all suspicion, appoint Guardians to those places by secret vote. They shall do the same for other matters too, should any disagreement arise.

125. After the Guardians have been assigned in their own places, the families shall be constituted. If a Guardian leaves office or dies less than six months before the Chapter, a new Guardian shall not be appointed. If the vacancy occurs six months before, another shall be appointed in the manner mentioned above.

126. Guardians may not be elected to that office for more than three years in the same place, but in a different place they can serve for three more years, and after they have been Guardians for six years they are to be free of the guardianship for one year. However, there is nothing to prevent the aforesaid Guardians after that time being elected Provincial Vicar, or even General.

127. And since the Prelates must be guides and examples to their subjects, in their deeds more than in their words, we order that any brother who cannot ordinarily attend choir by day and by night, or the refectory with the other brothers, or who has an obvious need for special foods, shall by no means be made Guardian, nor shall he be put in charge of novices. .

128. As regards the General Chapter, we order that it shall take place every five years on the Feast of Pentecost, which our Seraphic Father's Rule designates as the most appropriate for a matter of such importance. During the year of the said General Chapter the Custodes shall be elected by the Vocals in the Provincial Chapter. In the other years they shall only be elected by vote of the Definition, and the Custodes are to be appointed in places which require a Custos, or within the Custody.

129. The first ballot shall be for the election of the first Custos. He will bring to the General Chapter the defects of the outgoing Provincial Vicar together with the needs of the Province. In this first ballot, only he is elected and the outgoing Provincial Vicar shall not have passive voice. All the other Custodes are immediately elected in another ballot, in which the aforesaid Vicar may have passive voice,. And the aforementioned Custodes shall all be Vocals, like the Provincials, and shall not exceed five in number, or be less than three, except for the Provinces of Sicily and Corsica, the Ultramontane, and divided Provinces; in these, the previously established custom and order shall be observed, namely, there shall be only two Custodes.

130. Those who are unable to walk shall not be elected as Custodes to go to the General Chapter, except if they are currently General Definitors elected at the previous Chapter. The same applies to Definitors at the Provincial Chapter. And the Father who has to remain as Commissary before the election of the Custodes, shall not be appointed or nominated. As Custos.

131. Six Definitors are to be elected at the General Chapter, of whom not more than four can be taken from among those elected at the Chapter immediately preceding. At Provincial Chapters four Definitors are sufficient,

of whom two at the most may be from among those elected at the previous Chapter. In this election, all the Vocals present in the place of the Chapter shall have passive voice, and the Father General shall have active voice.

132. It will be the duty of the said Definitors, together with the new General, to define, decide and settle all cases and declare all doubts arising out of these Constitutions, to provide for the needs of the Provinces and to draw up and arrange the table of Provinces.

133. After the election of the Father Definitors, the Most Reverend Father General shall place the Seals into their hands and say his oath in public in the same way as the Provincials at the Provincial Chapter. Then, having first invoked the Holy Spirit with the usual ceremonies, all the Vocals shall proceed to the election of the new General. After his election, the Father General of the Conventuals is to be asked for his confirmation, according to the Bull of Paul III of happy memory. At the conclusion of his five years of office, (the General) is to remain free of all prelacies for a further five years.

134. Should the Father General Vicar die during his term of office, the first Definitor of the previous Chapter shall become Commissary General. Should he have died, it shall be the second Definitor, and so on for the others. The same procedure shall apply in the case of Provincial Vicars who die in office, namely, that the First Definitor shall be Commissary of the Province, and shall take care to convoke the Chapter at the proper time for the election of the Vicar, as the Father General shall command him. And in the Province where a General dies, the General Chapter shall be convoked by the Vicar of that Province, with the advice of the Vicars of the two nearest Provinces. And all this is in accordance with the Bull concerning Regulars.

135. While the General Chapter is being held, all the brothers shall offer continuous fervent prayer, and likewise in the Provinces during the Provincial Chapter, asking Divine Providence to see fit to order all our affairs according to His good pleasure, to the praise and glory of His Infinite Majesty, and for the welfare of His holy Catholic Church.

## *CHAPTER NINE*

136. Preaching the Word of God, is one of the most honourable, useful and divine duties of His Church on earth, on which, under God, the salvation of the world principally depends. This was why Christ our God had it so much at heart, and wished to exercise this ministry Himself with all the fervour of His divine love.

137. In order to ensure that the noble and fruitful work of preaching is never lost among us (which would cause grave harm to souls), we order that in every Province, where possible, there shall be a few places for devout and holy studies abounding in charity and humility, both in grammar and in sacred letters, and other sciences necessary for a better understanding of sacred and scholastic theology.

Since anyone who would preach worthily and with due order needs to have some understanding of scripture as well as a religious and upright life; and since this is naturally impossible except through some literary study, Brothers shall only be admitted to studies by the Provincial Vicar of the Province, by the Definitors at a Provincial Chapter, or by the Father General, if, in the judgement of those Fathers, they have fervent charity, irreproachable conduct, humble and holy conversation, and are able to learn, so that later by their life and teaching they may be useful and productive in the house of the Lord. Admission to studies shall be by secret ballot. Normally, brothers shall not be admitted to study logic and philosophy if, in addition to their good conduct, they have not spent at least two years in religion after their profession. We also command that those who do not have the good qualities mentioned above, or who are slow-witted, shall not be made to study, and if they have been, they should be removed as soon as they are discovered to be unfit and unworthy of study.

138. Let the students not seek to attain the sort of knowledge that only inflames pride, but let them strive to profit from the love of Christ, which gives the light and fire of charity. They should not be so absorbed in literary study that they neglect zeal for holy prayer. This would be against the expressed intention of our Holy Father, who wished that holy prayer should never be abandoned for the sake of any literary study whatsoever. On the contrary, in order to possess the spirit of Christ our Lord more securely, both lectors and students should endeavour in their studies to pay more attention to the spirit than to the letter, since without the spirit true learning is never acquired, in fact the letter alone blinds and kills.

139. Therefore we order that all our lectors who are healthy should turn up for the night office in choir, at least for Matins, and for Vespers, and one hour of prayer. They should read, and take care of themselves under obedience to their Prelates, and should not normally preach during the year. Finally, we enjoin upon the students attendance at Matins and all the canonical hours in choir, and for prayer; if they do otherwise they shall be removed from study.

140. Those who are put to study should also strive, while maintaining holy poverty, never to leave the royal road that leads to heaven: that is, holy humility. Let them often remember the fine saying of Blessed Jacopone, that knowledge without a humble heart inflicts a mortal wound. It will be an occasion of humility for them if they realise that they have acquired new obligations in the sight of God through being found worthy of studies and being admitted to the true and consoling understanding of the sacred scriptures, under which lies hidden Him, the Supreme Good, Whose Spirit is sweeter than honey to those who taste it.

We exhort them, each time they go to lectures, to recollect themselves in a spirit of humility, and with a contrite heart to raise their minds to God, saying:  
*LORD, I am the lowliest of your servants, unworthy of anything good, but I wish to enter and see your treasures. May it please you to let me come in, and give me the gift, through these words and sacred reading, of loving you as much as knowing you,*

*because I wish to know you only so that I may love you, my Creator, my Lord and my God. Amen.*

141. Having completed their theology course they may be promoted to the office of preaching, but not before having been examined and approved by the Most Reverend Father General, as intended and commanded by our Rule, and not until they have made the Profession of Faith in accordance with the Decree of the Council of Trent, and the Constitution of Pope Pius IV, of happy memory. The same is to be done by the Lectors before they are promoted to that office.

142. This ministry is not to be conferred upon anyone who is not seen to be living a holy and exemplary life, clear and mature in his judgement, and of strong and fervent will, because we know that knowledge and eloquence without charity are often destructive rather than edifying. In fact, often it is destructive, as St Gregory says, because the preaching of one who lives a despicable or careless life is easily despised. For this reason, the Prelates shall take great care not to show any respect for persons when assigning this office: they must not be swayed by human friendship or favour, but act solely out of zeal for God's honour, aiming to have a few capable preachers rather than many who are incapable. In this they should imitate the profound wisdom of Christ, Who from so great a number of the Jews chose only twelve apostles and seventy-two disciples, and then only after having prayed at length.

143. In addition we order all preachers to refrain from using trivialities, novelties, poems, other vain, redundant, strange or useless notions, redundant or strange doctrines or subtleties that few understand. Rather, following the example of John the Baptist, let them raise their voices and proclaim with passion: "Repent, for the Kingdom of Heaven is at hand"; with St Paul the Apostle let them preach Christ crucified, and as our Father St Francis exhorts us, let them preach about vices and virtues, punishment and glory, with brevity, putting Christ forward as their principal example, for His authority prevails over all other persons and reasons in the world. They should base their preaching on sacred Scripture, and consequently on the Apostolic and ecclesiastical traditions, and the sacred Councils and holy Doctors. Let their discourses be careful and honest, without descending into criticism of any particular person, least of all of Religious and Prelates of the Church. If they do otherwise they are to be severely punished.

144. They should avoid complicated, rhetorical and affected phrases as unworthy of our naked, humble, crucified Lord, using instead words that are simple, clear, plain, humble and lowly, and above all inspired, ardent and full of charity, after the example of that chosen vessel Paul, who did not preach in the high-flown words of human eloquence but with the power of the Holy Spirit. Therefore we exhort preachers to strive to imprint upon their hearts Jesus Christ our blessed Saviour through humble, fervent and constant prayer, so that He can take peaceful possession of them, and that He may speak and act in them through overflowing love, like Paul, the Teacher of the Gentiles, who did not dare to preach virtue to others unless Christ had first accomplished it in him. This was commanded and taught to us by Christ

Himself, our perfect Teacher, not only in word but by His own example, when He taught that those will be great in the Kingdom of Heaven who first do God's will themselves, and then preach and teach it to others.

145. We therefore order preachers who are healthy that when they are not engaged in preaching they attend choir for all the canonical hours and for the ordinary prayers, as far as this is possible, and live common life with the other brothers. And those who cannot fast and keep to the Lenten regime while preaching shall by no means be allowed to preach.

146. Our preachers are forbidden to accept superfluous or sumptuous meals, but they shall live like poor mendicants, as they have freely promised out of love for Christ. Being content with what is necessary for their keep, let them above all things beware of any kind of avarice, so that by freely and sincerely preaching Christ they may reap more abundant fruit. We forbid them when preaching to ask for money either for themselves or for our brothers, so that as the Apostle teaches all will know that they seek the interests of Christ Jesus, and not their own, in other words, God's glory and the salvation of souls redeemed by His precious Blood.

147. Still more do we forbid and command them not to accept from the communities or from any individual any reward or monetary wage on account of their preaching, which would be simony; nor shall they have books, habits, clothes or anything else bought for them that would appear as payment or reward for their preaching. The Provincial Vicar shall make transgressors take the discipline in the refectory for the space of a *Miserere*, and if they do not mend their ways they shall be suspended from the office of preacher

148. But if the need arises, for piety's sake, to make some recommendation on behalf of a poor person, they must by no means involve themselves in receiving or distributing alms, either themselves or through third parties acting in their name.

149. In order that, while preaching to others they do not themselves become outcasts, they shall sometimes leave the crowds behind and return to solitude, to ascend the mountain of holy prayer and contemplation with our gentle Saviour, staying there long enough to be so filled with God that the impulse of the Holy Spirit will once more move them to sow the divine graces in the world. They shall endeavour, like the Seraphs, to be inflamed with love for God, so that their own fervour may enkindle others. By doing this, now serving in the ministry like Martha, now in silence like Mary, they will be following Christ in the mixed life, who after praying on the mountain, went down to the temple to preach, or rather, He came down to earth from heaven in order to save souls.

150. Therefore all preachers shall strive to ensure that, as soon as possible once they have finished the course of Lenten sermons, they leave the town or place where they have been preaching and return to their friaries, unless compelled by necessity, lest the fruit they have harvested in the Lenten season

be lost through over-frequent conversation and familiarity with seculars, and the authority and reputation of their ministry is diminished.

151. Anyone who does not know how to read and imitate Christ, the Book of Life, lacks the learning necessary for preaching. Therefore, so that they may study Him, we order preachers not to carry many books, because the blessed Christ Himself contains all the treasures of divine wisdom and knowledge. But all the necessary books of the brothers shall be kept in common and not individually, as was always our Seraphic Father's intention. And so that poverty can be better observed and all individualistic attachments removed from the brothers' hearts, we order that in each house there shall be a small room where the sacred scriptures shall be kept, together with a few holy Doctors and spiritual books. But useless and worldly books which make a man more pagan than Christian are not to be kept in our houses, and if there are any such let them be given back to their owners or else burned, as the General or Provincial Vicar shall determine.

152. We also forbid anyone to presume to have books printed or published, either by himself or through others, without written permission from the Most Reverend Father General. And the General shall not give permission without first having them seen and examined by a few learned persons. Once they have been examined and approved, he may allow them to be publicly printed, but with the permission of the Ordinary or others deputed. If anyone acts to the contrary, he shall be deprived of all legitimate acts, in addition to the penalties prescribed by the Lateran Council.

153. All the brothers should remember the Admonition our Seraphic Father left us in his Testament, that we are to honour all theologians and those who minister to us God's most holy words, as those who minister spirit and life.

## *CHAPTER TEN*

154. All the brothers, following the example of Our Lord Jesus Christ and of our Seraphic Father should always wish to be obedient subjects, rather than Prelates who give orders to others. Nevertheless, those on whom a prelacy is imposed by obedience shall not obstinately refuse it, but shall fulfil the ministry entrusted to them with all humility and care.

155. We order that the Father General Vicar, during his period of office, shall endeavour to visit personally all the Provinces of our Order, and all the houses and brothers, as far as he can, or at least to see all the brothers of our Congregation. And the Provincial Vicars shall strive to visit all their houses and brothers at least twice a year, and both they and the Guardians shall continually and charitably exhort those same brothers to the perfect observance of the divine evangelical precepts and the counsels of the Rule we have promised, of the present Ordinances and especially of most holy poverty, which is the firmest foundation of all religious observance, and shall correct them charitably.

156. Since to leave a sinner unpunished is to open the door to every vice, and

provokes the vicious to commit the same or even worse excesses, and to be a hindrance to good and disciplined brothers, we order the Prelates to punish them as they merit with holy rigour. As the illustrious Doctor St Augustine says, both punishment and pardon have the same aim, namely, the reform of a person's life. Therefore, when inflicting punishments, let justice be tempered with mercy, in such a way that, while the rigour of discipline is not lacking, an excess of cruelty is avoided. Punishment should be a cure for sickness, in such a way that mercy and truth meet.

157. It is the duty of the Provincials to despatch all cases that are capable of being despatched. If therefore at the time of the Provincial Chapter it is found that one of them has been notably remiss in anything, we wish him to proclaim his fault and be given an appropriate penance

158. In order to carry out similar punishments, some of our houses in each Custody should be equipped with secure but humane prisons. No legal subtleties or subterfuges are to be used (according to the concession of Boniface VIII).

159. The brothers should strive to safeguard the poor brother's reputation as far as possible. Let no-one be scandalised over a brother's sin, or be ashamed of him or avoid him or consider him with repugnance. On the contrary, he should be shown even greater compassion and love than before, since he needs it more, for it is certain, as our Father St Francis says, that each of us would be worse than we are if God in His grace did not preserve us.

160. Superiors should refrain from binding the souls of their subjects by imposing precepts under obedience, unless religious observance or the demands of charity force them to do so. For this reason, Prelates are to be elected from among brothers who are mature, discerning, knowledgeable, conscientious and experienced, and who in all things will act according to the advice of the most senior Fathers and brothers.

161. The brothers who are subjects shall obey their Prelates with all humility, in all things which they know are not offensive to God. They are to show due reverence to their prelates, as Vicars of St Francis, indeed of Christ our God. And when they are rebuked and corrected by them, let them follow the praiseworthy custom of our ancient humble Fathers and brothers, and kneel down, bearing all rebukes and correction patiently, without answering back proudly. And whenever they are corrected in chapter in the refectory they shall in no way presume to answer their Prelates without first having requested and received their permission, under pain of taking the discipline in the presence of the brothers for the length of a Miserere. All the brothers shall continuously strive to amend their defects, and through frequent acts of virtue to run in the way of perfection, overcoming corrupting evil influences through the acquisition of good habits. In this way, every exercise we engage in will be for the glory and honour of God and an occasion of peace, edification and salvation for our neighbours.

162. We exhort all the brothers not to appeal outside the Congregation

against their Prelates, considering that we have come to religious life not to engage in lawsuits but to weep for sin, amend our lives, and carry the Cross of penance by following Christ, who patiently submitted to human judgements even when they were unjust and impious.

163. But if we do wish to have recourse, it should be done in an orderly fashion in accordance with the Decree of the Sacred Congregation for Religious: namely, from Guardian to Provincial, from Provincial to General, from the General to the Protector, and from the Protector to the Sacred Congregation and the Supreme Pontiff. We point out that, under a Constitution of Pope Gregory XIII, brothers are forbidden to appeal to other Tribunals, especially secular ones, under pain of automatic excommunication reserved to the Supreme Pontiff, and deprivation of all offices.

164. In order that the punishments inflicted by us with commendable zeal are not impeded or misconstrued, and so that there may be greater freedom to proceed against delinquents, we command that the secrets of the Order shall not be disclosed, and that whoever does disclose them shall be severely punished by the Father Vicar, or by the Provincial or General Chapter.

165. In addition, to avoid possible trouble, we order that no brother, especially the young, shall send or receive letters without permission of his Prelate. And those who do not know how to write should not be anxious to learn; rather, they should endeavour above everything else to have the Spirit of the Lord, and His holy operation, to pray to Him with an undivided heart, and to have humility and patience in persecutions and infirmities.

166. We also exhort all the brothers, in accordance with the admonition given by our blessed Father in the tenth chapter of the Rule, to beware of all pride, vain glory, envy, avarice, care and solicitude about worldly matters, of all detraction and complaining about any category of persons whatsoever, especially about the Prelates of the Church, or clergy and all other religious. We should show respect to everyone according to their state, considering them all as our brothers, fathers and seniors in Christ Jesus our Saviour.

## ***CHAPTER ELEVEN***

167. According to the opinion of holy Doctors, especially St Jerome, familiarity with women, however holy, should be avoided with holy prudence by the servants of God. Therefore, the entire General Chapter issues the present decree after due consultation and profound deliberation, to be observed inviolably by our entire Order. The brothers shall in no way accept the care of monasteries or other religious houses of men or women, not even for any kind of good, virtuous or holy purpose, or at the request of any persons or nobles, nor of any Confraternities or Congregations of men or women. They shall not provide them with confessors or have any care of them, trusting more in the salutary teaching of the saints than in human persuasion.

168. And since Religious, as Christ's true servants, should avoid not only what is manifestly evil and sinful, but even what might appear to be so, we order that the brothers shall not go to any monastery or other house of religious women without the permission of the Provincial Vicar. He is to be vigilant in this matter, and take great care not to grant such permission except to tried and mature brothers, and only in case of need or great piety, and with permission of other Superiors, as necessary.

125. In order that being pure in heart we may see God with the eyes of a sincere heart, and become more fit for the things of heaven, the brothers shall not have any suspicious relationships or dealings with women, or have unnecessary, long or superfluous conversations with them. And whenever they are obliged by necessity to speak to women, they shall stay in an open place where they can be seen by their companion, so as to give good example to everyone. In this way, their purity, discretion and modesty will spread the good reputation of Christ our Lord in every place. Let them remember the memorable example of that holy brother we read about in our chronicles, who, setting fire to a wisp of straw, said: "What the straw gains from the fire, the religious servant of God gains from conversing with women". Pope John XX said of our brother the Bishop St Louis at his canonization, that even from childhood the love of chastity was so deeply rooted in his heart, that in order to guard it faithfully he used to flee promptly from the company of women, so that he never spoke with a woman alone except his mother and sister, since he knew that woman is more bitter than death. And in the life of St Augustine we read that he refused familiarity with his sister and his niece, and said that, however far beyond suspicion our women relatives may be, nevertheless, visiting them can at times give rise to suspicion. And St Bernard says there are two things which defile a religious: familiarity with women and special foods.

126. We warn all our brothers that, by decree of the Supreme Pontiff Pius V, women of whatsoever rank, station or condition are not to be admitted into the enclosure of our houses, under pain of deprivation of every office and suspension *a divinis*. This is in addition to the automatic excommunication incurred, according to the Constitution of Gregory XIII (which Constitution has been declared by the Illustrious Cardinals of the Sacred Congregation of Bishops and Regulars to apply to Monasteries that are already completed, not to those being rebuilt, and where no religious family has been placed, but where only a few brothers live on account of the building works).

127. Finally, we remind everyone that our dealings with seculars, men as well as women, shall be rare and discreet, since excess and indiscretion in our dealings with them are harmful to us and are a great obstacle to spiritual growth.

## CHAPTER TWELVE

128. Our Seraphic Father had the conversion of unbelievers very much at heart. Therefore for the glory of God and their salvation and in accordance with the Rule, we order that if any mature brothers, inflamed with love for the

blessed Christ and zeal for the Catholic faith, wish through divine inspiration to go among them to preach the faith, they shall have recourse to their Provincial Ministers, or to the Father General. And if the latter judge them suitable, they may undertake such an arduous mission with their permission and blessing. But the subjects shall not presume to judge themselves suitable for such a difficult and dangerous undertaking, but with all fear and humility let them submit their wish to their Prelates. It will be well to draw a distinction between unbelievers who are meek and easily led to the Christian faith, such as those recently found by the Spanish and Portuguese in the Indies, and the Turks and Hagarenes, who only defend their erroneous and pernicious beliefs by force of arms and by torture. The Prelates should not hesitate to send them on account of the fewness of the brothers; rather, casting all their care upon Him who takes unceasing care of us, let them in everything be guided by the Spirit of God and do everything with charity, which does all things well.

129. And lest in seeking to convert others to obedience to the Apostolic See, we forget ourselves, we wish to follow in this the holy intentions of our Father, wholly Catholic as he was, who knew how important it is for everyone, especially for Religious, to be always subject to the Supreme Pontiff, Vicar of Christ on earth, and to the Apostolic See. In the first chapter of his Rule, in addition to promising obedience and reverence to the Lord Pope Honorius and his canonically elected successors, and to the Roman Church, he also wanted us to have one of the Cardinals as Lord, and in the last chapter commanded all the Ministers under obedience to request one. We therefore enjoin that, when the need arises, the Reverend Father Procurator of the Order, in the name of the Most Reverend Father General and all the other Ministers, shall go before His Holiness and humbly ask for one of the Cardinals of the Holy Roman Church as Protector.

130. And since we, the Lesser Brothers of St Francis, must always have entire and uncorrupted faith in conformity with the Gospel, and with the Roman Church, and hold that faith firmly and preach it sincerely, and for the defence of that faith, be ready to shed our blood even unto death: we order that, if any brother were to be found (which God forbid) stained through diabolical temptation by any error against the Catholic Faith, then the brothers are to observe the command written by our Father Francis in his Testament, and present that brother into the hands of his Provincial Vicar, who must put him in prison if this is necessary (bearing in mind the Constitution of Pius V, beginning with the words *Pastoris Aeterni Vices*) and inform the Holy Office and the Most Illustrious Cardinal Protector.

131. Since it is impossible to lay down laws and statutes for every individual case that may arise, their number being indefinite, we exhort all brothers that in everything they do they keep before their eyes the holy Gospel, the Rule they have promised to God to observe, and the holy and praiseworthy customs and examples of the saints, directing their every thought, word and action to the honour and glory of God and the salvation of their neighbour. In this way the Holy Spirit will be their teacher in everything.

132. Since our Saviour first began to do and then to teach others, so shall our

Prelates be the first to comply with these Constitutions, and then with holy and efficacious zeal induce their subjects to observe them unfailingly. And if certain things appear somewhat difficult at first, habit will make them easy and pleasant. So that they are more firmly impressed upon the minds of the brothers, and more faithfully observed, all the Guardians are to have them read at table at least once every two months. And although we do not intend by these Constitutions to bind the brothers under pain of any sin, except in so far as we are already bound by God, the Rule and the Church, yet it is our wish and command that transgressors against them be severely punished. And if the Guardians are remiss in observing the Constitutions, or in causing them to be observed, or in punishing transgressors, they shall be still more severely punished by the Provincial Vicars, and the latter by the Most Reverend Father General.

133. Since the present Constitutions were drawn up with the greatest care, and again revised and corrected with no less diligence with the consent of the entire General Chapter meeting in Rome, they shall not be changed without the consent of the General Chapter. We also exhort all our fathers and brothers present and to come not to change these Constitutions again in the Chapters, for experience has shown that great injury has been done to religious Orders by so many changes in Constitutions. Nor shall provincial Constitutions be drawn up, but if other particular cases arise the General Chapters shall make appropriate provision. The present Constitutions shall be left intact, and our entire Order shall live and be governed in accordance with them in holy uniformity.

134. Our Seraphic Father on his death-bed bequeathed the generous blessing of the Holy Trinity to those who would be zealous for the true observance of the Rule, and also added his own fatherly blessing. Therefore, leaving aside all negligence, let us diligently intend, and lovingly and effectively observe, the perfection demonstrated to us in the Rule and taught by our Order.

135. Therefore the brothers must take great care not to transgress against these Constitutions, even though they do not oblige under pain of sin. Rather, knowing in what spirit they have been made, made, let them observe inviolably the laws, ordinances and statutes of religion, thus adding new graces upon their heads. Through such holy service they will deserve the divine mercy and become more like the Son of God, who, while not being obliged by His own laws, wished to observe them for the salvation of all. Let us therefore with all our strength maintain the sublimity of our religious state, so that we may be the occasion of much benefit to others. Certainly, servants who are good and loved not only carry out what has been imposed on them with threats, but strive to please their masters in many other things.

136. Let us often recall, dearest Fathers and Brothers, that sacred and memorable subject on which our Seraphic Father preached a fervent sermon to that large multitude of good brothers. He said: "Brothers, we have promised great things to God, but He has made even greater promises to us. Here below, let us not fail to observe these Constitutions what we have promised, and then yearn for the blessings promised to us. We know that worldly

pleasures are very short, but the punishment for sin is endless. The sufferings we endure and the penance we do for love of Christ will last but a short time, but infinite will be the glory we shall receive from God in return. Many are called to the Kingdom of eternal life, but few are chosen, for rare indeed are those who follow Christ in sincerity of heart. But at the end God will reward all according to their deeds, glory for the good, and damnation and eternal fire for the wicked".

137. For this reason, while strenuously complying with what has been imposed on us, let us look to our Redeemer, that we may know His will and do what is pleasing to Him - not merely by not despising these Constitutions - for to despise them would be a grave sin - but rather out of love for Him, avoiding all negligence in their observance. This observance will without a doubt be a help to us to be faithful not only to the Rule but to the divine law and the evangelical counsels. The grace of God, through Jesus Christ, will free us from all dangers, and as our labours abound, so also will our consolations in Christ. We can do all things in Him who gives us strength, that is, in Christ Jesus almighty. In every doubt He will give us true understanding, since He alone is the Wisdom of God, our perfect Saviour, who gives Himself abundantly to all who ask Him in truth and does not reprove them.

138. Christ, then, who is Light, the Expectation of the Nations, the Purpose of the Law, the Father of the World to come, who is Word, and Virtue, who sustains all things and is our final hope; in whom all things are possible, sweet and light, who knows our natural frailty and will not only give us the strength and power to obey his commandments and counsels, but in addition will rain down his heavenly gifts on us in such abundance, that laying aside every impediment we will be able to follow Him and imitate Him with great joy and simplicity of heart, utterly despising visible and temporal things and always yearning after those which are heavenly and eternal.

139. In Christ, then, who is God and Man, true Light, the brightness of glory and of Eternal Light; in the spotless mirror and image of God's Goodness; in Christ, appointed by the Eternal Father to be the Judge, Lawgiver and Saviour of mankind; in Christ, to whom the Father and the Holy Spirit bore witness; in Christ, in whom also are found every merit, example, help, grace and reward of ours - in Christ, whom God has made our wisdom, justice, sanctification and redemption, be all our thought, meditation and imitation.

140. To Christ, who with the Father and the Holy Spirit co-eternal and consubstantial and co-equal, lives and reigns as one God, be everlasting praise, honour and glory, world without end. AMEN.

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