

THE CONSTITUTIONS OF THE CAPUCHIN FRIARS MINOR (1990)

INTRODUCTION

Brother Francis of Assisi, led by divine inspiration and inflamed by an ardent love for Christ, chose for himself and his brothers a life of evangelical fraternity in poverty and minority, and, in few and simple words, presented it in a Rule. Innocent III approved this Rule and way of life of the lesser brothers *viva voce*, but Honorius III confirmed it by the Bull *Solet annuere* on the 29th of November, 1223. When he was close to death, the holy Founder left his Testament to the present and future brothers as a remembrance, admonition and exhortation, "that we observe in a more catholic way the Rule we promised the Lord."

As years passed, Francis' disciples had to accommodate their life, activity and legislation to the various needs of the times. This was done in General Chapters by way of Constitutions.

By the Bull *Religionis zelus*, published on July 3, 1528, Clement VII approved the Order of Capuchin Friars Minor. From the beginning this Order has been dedicated to the faithful, simple and pure observance of the spiritual patrimony of Saint Francis, the Founder, according to his Rule and Testament and under the magisterium of the Church, and to the transmission of these to future generations of brothers.

To renew this faithful observance, a Chapter of the Order celebrated in 1536 produced Constitutions which, when necessary, were later emended at different times and most especially to new prescriptions of the Church. This occurred, for example, after the Council of Trent, after innovations of other ecclesiastical laws brought about in the course of time, and after the promulgation of the new Code of Canon Law at the beginning of this century. Our Constitutions have always retained the spiritual purpose and fundamental intent of Saint Francis.

Another event of the greatest importance for the renewal of the life and legislation of members of religious Orders was the Second Vatican Council, especially through the dogmatic Constitution *Lumen gentium* and the Decree *Perfectae caritatis*.

By the Apostolic Letter *Ecclesiae sanctae*, published *motu proprio* on August 6, 1966, Paul VI ordered the review of legislation for all religious Institutes. The criteria for such a revision of the Constitutions is found in the texts of the Second Vatican Council and in other later documents of the Church that especially include a continual return to the sources of all Christian life and to the original inspiration of the Institutes, while respecting the signs of the times, and the necessary connection between the spiritual and juridical element, lest the Constitutions be merely a text that is juridical or merely exhortatory.

Our special Chapter of 1968 duly reviewed the Constitutions, which were then promulgated for an "experimental period". In the Chapters of 1970 and 1974 they were again somewhat revised.

In the General Chapter of 1982 they were so revised according to the norm of *Ecclesiae sanctae* II, nn.6 and 8, and according to the will of the Congregation for Religious and Secular Institutes, made known by the Letter of November 15, 1979, that definitive approval could have been sought from the authority of the Holy See.

The same General Chapter, anticipating the new Code of Canon Law and amenable to the plan of the Congregation for Religious and Secular Institutes expressed on August 4, 1981, set up a capitular Commission whose duty was to revise the text in a contemporary idiom, and to adapt and make it agree with the prescriptions of the Code of Canon Law.

The General Definitory, turning its attention to the command of the General Chapter and having obtained the suitable faculty from the Holy See in virtue of the Letter dated November 12, 1982, took care to publish the definitive and authentic text of the Constitutions. This text had validity and was in force from March 25, 1983, the day of the solemnity of the Annunciation of the Lord, until the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life duly approved these same Constitutions.

When the Code of Canon Law was promulgated on January 25, 1983, the text of the Constitutions had to be adapted to it in some parts. For this reason, the Congregation gave to General Superiors and their Councils the faculty of promulgating provisional norms for those matters which, required by the new Code, had not yet been inserted into the text of the Constitutions, but which are to be set before the next General Chapter.

In the meantime, the text of the Constitutions, accurately emended, was sent to the Congregation and was approved by the same Congregation on December 25, 1986.

The General Chapter of 1988 sedulously examined and approved the propositions prepared by the General Definitory which had not yet been incorporated into the text of the Constitutions. It wished that, according to Code of Canon Law, they must be incorporated into the text of the Constitutions. The Congregation ratified this text by a Letter dated February 7, 1990.

Therefore, the present text of the Constitutions, rendered in Latin and definitively approved, must be considered authentic, and all vernacular versions must conform to it.

This text is as follows.

Rome, March 25, 1990

CHAPTER ONE

THE LIFE OF THE CAPUCHIN FRIARS MINOR

ARTICLE I: OUR LIFE ACCORDING TO THE GOSPEL

1

The holy Gospel of our Lord Jesus Christ is, in every age, the source of the entire life of the Church and the message of salvation for the whole world.

For, through it, the Church, led by the Holy Spirit, comes to know Christ and accepts in faith His deeds and words which are spirit and life to those who believe.

Saint Francis, the founder of our Fraternity, accepted the Gospel as the principle of his life and activity from the very beginning of his conversion.

In the beginning and end of the Rule, therefore, he expressly commanded its observance and, in the Testament, declared that it was revealed to him to live according to the pattern of the holy Gospel.

Since we are his sons, therefore, let us always take care to make progress in our understanding of the Gospel.

In all circumstances of our life, let us follow the Gospel as the supreme law, assiduously read the words of salvation, and, like the Blessed Virgin Mary, carry them in our heart. Thus, as the Gospel increasingly fashions our life, we may grow in Christ in all things.

2

Saint Francis, a true disciple of Christ and an outstanding example of Christian life, taught his own brothers to follow the foot prints of the poor and humble Jesus Christ joyfully that, through Him, they would be led in the Holy Spirit to the Father.

Burning with love of Christ, let us contemplate Him in the self-emptying of His Incarnation and Cross that we might be ever more conformed to Him. As together we joyfully celebrate the Eucharist, let us take part in the Paschal Mystery, enjoying a foretaste of His Resurrection until He comes.

Let us courageously observe the gospel counsels, especially those we have promised: chastity dedicated to God, poverty that is a special way of salvation for us, and loving obedience.

3

After he heard the words of the sending forth of the disciples, Saint Francis founded the Fraternity of the Order of Minors which would bear witness to the Kingdom of God by a sharing of life and by preaching penance and peace through example and word.

That we might learn the pattern of a true disciple of Jesus Christ, which was so wonderfully evident in Francis, let us strive to imitate him, to cultivate his spiritual inheritance diligently in our life and work, and to communicate it with all peoples of whatever age.

To this end we should frequently read the life and writings of Saint Francis himself, those of his sons [and daughters], especially of Capuchins reknowned for their holiness, apostolic zeal and knowledge, and other books by which his spirit is made known.

4

As Capuchin Friars Minor we should renew our knowledge of the genius and ideals of our Fraternity so that, correctly adapted to the times, our life may be inspired by the wholesome tradition of our brothers.

It is especially appropriate to imitate our first brothers by a return to [their] original inspiration, that is, to the life and Rule of our Father Francis. In this way our Order may always be renewed through a conversion of spirit.

Following their footprints, let us strive to give priority to a life of prayer, especially contemplative prayer, to cultivate, together with a spirit of minority, radical poverty, both personal and communal; and, out of love of the Lord's cross, to manifest a life of austerity and joyful penance, taking care as well that even new forms of leading this life of ours, approved by legitimate superiors, are discerned in light of the signs of the times.

While exercising among ourselves the freedom of brothers, let us joyfully live among the poor, the powerless and the weak, sharing their life, and let us maintain our special approach to people. In many ways, above all in the work of evangelization, let us promote an apostolic dynamism that is carried out in a spirit of service.

5

Flowing from the Gospel, the Rule of Saint Francis impels us to an evangelical life.

Let us zealously commit ourselves to a spiritual understanding [of that Rule]. Following the admonition of the Founder himself expressed in his Testament, as well as the spirit, gospel ideals and examples of holiness of our first Capuchin brothers, let us observe it simply and purely with [the Spirit's] holy activity.

Superiors, together with the fraternities, should keep the promotion of knowledge, love and observance of the Rule close to their heart.

Major superiors should take care to seek more appropriate, even pluriform, expressions of the brothers' life and apostolate, so that the Rule and intentions of our Father, who gave us a law, may be faithfully observed throughout the world according to different regions and cultures and the needs of times and places.

The true authentic expression of pluriformity, however, while always preserving the unity of the same genuine spirit, is based on fraternal communion and obedience to superiors. In this way it offers a gospel freedom of action, especially in whatever concerns the renewal of our life, so that we do not extinguish the spirit.

6

Our Seraphic Father dictated the Testament when, near death, adorned with the sacred stigmata and full of the Holy Spirit, he eagerly longed for our salvation.

In it he expresses his last will and passes on to us the precious inheritance of his spirit.

It was given to us that, day by day, we might more perfectly observe the Rule that we have professed according to the mind of the Church.

Therefore, according to the tradition of our Order, we accept the Testament as the principal spiritual explanation of the Rule and the preeminent inspiration of our life.

7

The purpose of the Constitutions is to offer us assistance in observing the Rule more perfectly in the changing circumstances of our life.

We find in them a secure support for our spiritual renewal in Christ and an authentic assistance for carrying out the consecration of our life through which each brother gives himself totally to God.

Let us observe [the Constitutions] to which we are bound by virtue of our profession, not as slaves but as sons desiring to love God above all else, listening to the Holy Spirit instructing us, and concentrating on the glory of God and the salvation of our neighbor.

All the brothers are strongly urged to apply themselves to a personal study of the Rule, Testament and Constitutions and to be intimately imbued with their spirit.

ARTICLE II: OUR LIFE IN THE CHURCH

8

The Church, the instrument of salvation and of union with God and among people, appears as a pilgrim people of God in the world. Established by Christ in a communion of life, charity and truth, it is enriched by the Holy Spirit with a multitude of gifts or charisms that are useful for the renewal and the further building up of the same Church.

In that Church, adorned with such a variety of charisms, Saint Francis, inspired by the Holy Spirit, raised up a religious Fraternity and gave it form. That a sign of Christ, poor, humble and especially dedicated to the poor, might shine more clearly upon her face, the Church approved it by her hierarchical authority and protected it with motherly care.

The Order of Capuchin Friars Minor was also accepted by the Church by virtue of the decree *Religionis zelus* given by Pope Clement VII on July 3, 1528.

Therefore, let us love the Church intensely, meditate upon its mystery, and actively participate in its initiatives.

9

After the example of Saint Francis who was a catholic and thoroughly apostolic man, let us offer faithful obedience to the Spirit of Christ living in the Church.

Let us offer obedience and reverence to the Supreme Pontiff, to whom religious are also subject, by virtue of their vow of obedience, as [their] highest superior, and to the College of Bishops, which together with him, is a visible sign of the Church's unity and its apostolicity.

Wherever we are, let us contribute to the welfare of the particular Church by our fraternal and prophetic presence and by working for its growth and progress.

Under the leadership of the diocesan bishop, let us offer our apostolic service for the People of God and the entire human community, according to our charism.

Let us offer due honor to priests and to all others who minister spirit and life to us and work assiduously with them.

10

Let us love and obey with a generous heart the general minister who, as the successor of our holy Founder, has been appointed for the service and welfare of the entire Fraternity and as the living bond uniting us with the authority of the Church and among ourselves.

Let us also love and offer an active and responsible obedience to the other ministers of the Fraternity who have been given to us by the Lord as shepherds and recipients of the trust of the brothers. Thus we may be more closely and securely united in the service of the Church in a spirit of faith and love for Christ.

11

From his adoration of the Father of all good, Saint Francis obtained a feeling for universal brotherhood through which he perceived in every creature an image of Christ, the firstborn and the savior.

As children of this Father, we should regard ourselves as brothers to all peoples without any discrimination; and as we fraternally encounter every creature, let us eagerly offer the praise of creation to the God from Whom all good flows.

United by the Holy Spirit in the same calling, let us foster a sense of brotherhood throughout the entire Order and especially in our provinces and local communities by common prayer and activity. Let us cultivate that same sense toward all our brothers and sisters, whether religious or secular, who form with us one Franciscan family.

This gospel fraternity of ours, as an example and leaven of social life, invites people to foster fraternal relationships among themselves and to combine their efforts for the better development and liberation of the whole person as well as for the genuine progress of human society.

[The witness of] our fraternal life has special significance and becomes more effective in the process of the sound social development and association through which God calls us to work for the realization and growth of brotherhood in justice and peace.

12

Accepting the form of a servant, the Son of God did not come to be ministered to but minister and to give His life for the salvation of all.

Wishing to be conformed to His image, let us not presume to be greater, but let us expend ourselves as lesser ones in the service of all, especially of those who suffer want and tribulation or even of those who persecute us.

Therefore let us willingly live our fraternal life among the poor, sharing their hardships and humiliation in a very loving way.

While relieving their material and spiritual needs, let us devote ourselves by our activity, deed and word to promoting their human and christian development.

By acting in this way, we make known the spirit of our brotherhood in minority and, at the same time, become a leaven of justice, unity and peace.

That we may fulfill our gospel calling in the Church and the world fruitfully, let us faithfully strive to lead an apostolic life that embraces contemplation and activity, imitating Jesus Who spent His life unceasingly in prayer and in the work of salvation.

Professing this life of the Master, the apostles, sent by the Lord into the whole world, were constant in their prayer and in the ministry of the word.

Although he preferred solitary places, Saint Francis, following the footprints of the Lord and the apostles, chose a form of life that intimately united prayer and the proclamation of the message of salvation.

Let us, therefore, devote ourselves to the praise of God and to meditation on His word through which we become ever more inflamed, so that we lead others joyfully to the love of God by our activity.

In this way our entire life of prayer will be imbued with an apostolic spirit while all our apostolic activity will be fashioned by the spirit of prayer.

CHAPTER TWO

THOSE WHO WISH TO ACCEPT OUR AND THE FORMATION OF THE BROTHERS

ARTICLE I: THE CALLING TO OUR LIFE

14

God, in His goodness, calls all Christian faithful in the Church to the perfection of love through different states of life in order to promote the holiness of each one and the salvation of the world.

Each one must give a response of love to this call with the greatest freedom, so that the dignity of the human person may be in harmony with the will of God.

All of us should gratefully rejoice over the special divine grace of the religious calling given to us.

By responding to our Capuchin Franciscan calling, we offer a public and social witness to the abiding and eternal presence of Christ's life; we follow the poor and humble Christ, and spread His message to [all] people, especially to the poor, wherever they may be.

In this way, in a brotherhood of pilgrims, of penitents in heart and deed, we devote ourselves to all in a spirit of minority and joy for the saving mission of the Church.

15

Concern for vocations arises above all from the brothers' awareness that they themselves are living and offering to others a program of life that is extremely rich in human and gospel values. By embracing this life candidates develop their own humanity and offer genuine service to God and people. If we are to present convincing witness to this way of life, we ourselves must be continually renewed.

All brothers should work together earnestly to foster vocations out of a desire to carry out God's design according to our charism.

Mindful of Saint Francis' concern when he saw the growth of the primitive brotherhood, let all the brothers, especially the ministers and the individual fraternities, exert indefatigable care in recognizing and cultivating genuine vocations especially by the example of their life, prayer and speech.

In this way we work together with God Who calls and chooses whomever He wishes, and we contribute to the good of the Church.

16

Various kinds of pastoral care for vocations should be diligently promoted, especially in circles closer to the spirit of our Order.

Greater results are obtained where there are brothers specifically assigned for promoting and coordinating vocations. Let all the brothers, however, contribute to the effort as a sign of the fruitfulness of Franciscan life.

To foster vocations, it is very helpful to offer young people an opportunity of participating in some way in our fraternal life. This is best done in houses that, at the same time, are suitable for offering help in personal reflection.

That vocations to religious life may be properly cultivated and more suitably prepared, the provincial ministers, with the consent of the definitory and, if it seems opportune, the advice of the provincial Chapter, may establish special institutes according to the needs of regions and times.

They should be organized according to the norms of sound pedagogy in such a way that, in addition to science and the humanities, the students, in a manner consistent with their age, social and family backgrounds, may lead a Christian life suited to their age, spirit, and growth. [In these conditions] a vocation to religious life may be discerned and encouraged.

Studies undertaken by a student should be so arranged that they can be easily continued elsewhere.

ARTICLE II: ADMISSION TO OUR LIFE

17

Saint Francis was concerned about the purity of our life. Discerning beforehand that his Brotherhood would grow into a large multitude, he was, at the same time, fearful of a number of unsuitable brothers.

Since the Brotherhood should, therefore, increase continually in virtue, in the perfection of charity, and in spirit rather than in number, let those who wish to embrace our life be seriously screened and selected.

The provincial ministers shall diligently inquire whether those who are admitted to our life meet the requirements of the universal law as well as our own for their valid and lawful admission. The following must especially be observed:

- a. candidates should be suited by disposition for the communal living of our gospel fraternal life;
- b. it should be evident that they enjoy the physical and mental health necessary to lead our life;
- c. candidates should show by their lives that they firmly believe what holy mother Church believes and holds and are endowed with a Catholic sense;
- d. it should be established that they enjoy a good reputation especially among those who know them well;
- e. they should be endowed with the required maturity and a fervent will, and certainty should be had that they have entered the Order to serve with sincerity God alone and the salvation of people, according to the Rule and way of the life of Saint Francis and our Constitutions;
- f. they should be taught according to the standards of each one's region and there should be hope that in the future they will be able to carry out their respective duties with fruitfulness;
- g. especially if there is question of older candidates or of those who have already had some experience of religious life, all useful information concerning their earlier life should be obtained;
- h. if it be a matter of admitting secular clergy or of those who have been admitted into another institute of consecrated life or seminary, or of the re-admission of some candidates, the prescriptions of the universal law should be observed.

18

Christ, our most wise teacher, when responding to the young man who manifested a desire to achieve eternal salvation, said that whoever wanted to be perfect should first sell all that he had and give to the poor.

His imitator Francis not only fulfilled this in deed and taught it to the others whom he received, but also decreed in the Rule that it should be observed.

Let the provincial ministers, therefore, take care that these words revealed in the Holy Gospel be made known and explained to the candidates who, invited by an interior love of Christ, come to our Order. In this way, at the proper time before their perpetual profession, they may renounce their goods above all in favor of the poor.

Candidates should prepare themselves interiorly for the future renunciation of goods and condition themselves for the service of all peoples, especially the poor.

Let the brothers, however, avoid involving themselves in any way in these arrangements, according to the Rule.

Moreover, let the candidates be ready to contribute to the entire fraternity their strengths of intellect and will as well as their gifts of nature and grace in fulfilling the duties which they accept in the service of the people of God.

19

In addition to the general minister, it is the responsibility of the provincial minister in each province, to receive candidates to the postulancy, novitiate and profession. He can delegate this faculty to the provincial vicar, vice provincial and superior regular.

Before they admit candidates to the novitiate, superiors should consult their own council or three or four brothers named by that council. Before they can admit them to first profession and to perpetual profession, they need the consent of their council.

If need be, they should also consult those who have special competence in the matter.

20

The master of novices is responsible for conducting the rite of receiving novices by which the novitiate begins, unless the provincial minister decrees otherwise.

The provincial minister himself, however, receives, in the name of the Church, the vows of the professed. He can, nevertheless, delegate another brother of the Order for this.

Let the prescribed liturgical rites be observed in the reception to the novitiate and the making of profession.

Religious profession is made ordinarily within the solemnity of the Mass, using the following formula approved by the Holy See for the Franciscan families:

"Since for the glory of God, the Lord has given me this grace of living more perfectly and with a firm will the Gospel of Jesus Christ, I N.N., in the presence of the assembled brothers, and into your hands, Father N.N., vow for three years (or. . . year[s]) (for all the days of my life) to live in obedience, without anything of my own, and in chastity according to the Rule of Saint Francis confirmed by Pope Honorius III and according to the General Constitutions of the Order of Capuchin Friars Minor. Therefore with all my heart I give myself to this Brotherhood that through the work of the Holy Spirit, the intercession of the Immaculate Virgin Mary, our Father Francis and all the saints, and with the help of my brothers I may fulfill my consecration to the service of God and of the Church."

21

The nature and goal of the three gospel counsels, promised by vow at profession, is that, with a heart liberated by grace, we may be united with Christ in a chaste, poor and obedient life for the sake of the Kingdom of heaven following the footprints of Saint Francis.

The gospel counsel of chastity for the Kingdom of heaven, a sign of the world to come and a fountain of a more abundant fruitfulness in an undivided heart, entails the obligation of perfect continence in celibacy.

The gospel counsel of poverty in imitation of Christ, Who though he was rich was made poor, entails, in addition to a life poor in fact and in spirit, a dependence upon superiors, a limitation in the use and disposition of goods and also a voluntary renunciation, before perpetual profession, of the capacity of acquiring and possessing goods. Let [this renunciation be made] in a form which, as far as possible, is also valid in civil law.

The gospel counsel of obedience, promised in a spirit of faith and love in the following of Christ who was obedient even to death, requires, for God's sake, a submission of the will to legitimate superiors whenever they command according to our Constitutions "in everything that is not contrary to our conscience and the Rule."

ARTICLE III: FORMATION IN GENERAL

22

Formation is the development of the brothers and fraternities in such a way that our life may daily become more conformable to the holy Gospel and to the franciscan spirit according to the requirements of places and times. This formation must be continuous, extending throughout our entire life as regards not only human values but also those of our gospel and religious life.

Our integral formation looks to the entire person, especially in its psychological, religious, cultural and even professional or technical aspects. But it embraces two phases: initial and ongoing formation.

23

All formation is primarily the work of the Holy Spirit That gives life from within to those forming and those being formed.

Active formation demands the cooperation of those being formed, who are the principal authors of and the ones responsible for their own growth.

Throughout his life, every brother is at the same time the person needing to be formed and the one forming because everyone always has something to learn and to impart. This principle should be laid down as the program for formation and should be put into practice in our life.

To live together as lesser brothers is a principal part of our Franciscan vocation. Therefore fraternal life should always and everywhere be a basic requirement of the formation process.

In order that individual fraternities, especially those specifically formational, be capable of carrying out this primary function, it is necessary that they draw inspiration and encouragement from the primary fraternity, the provincial fraternity.

Although all of the brothers are the ones forming, some brothers are required to be charged with greater responsibility for this duty. Foremost among these are the provincial minister and the guardians, who are the ordinary animators and coordinators of the formation process of the brothers. Then there are qualified formators who assume this particular duty in the name of the fraternity.

24

The Order shall have at its disposal the means of formation that respond to the requirements of its own charism.

Since particular attention must be given to brothers in the initial stages of formation, each jurisdiction should provide adequate educational programs.

The process of education requires above all a team of responsible brothers who work according to consistent norms throughout the entire journey of formation. Let such a group have the appropriate assistance of the entire fraternity.

Since the Secretariate and centers of formation are of great importance, care should be taken that they be provided for and made effective.

Let the General Secretariate for Formation be at the disposal of the general superiors and the superiors of the different jurisdictions, providing them assistance and information that they may promote all that pertains to formation.

Likewise, let each province have a Council of Formation and, in centers of formation, let there be a brother with the particular responsibility of promoting whatever pertains to formation.

Let individual provinces or groups of provinces, according to local circumstances, have their own program of formation in which the goals, plans and specific guidelines of the entire formation process are expressed.

ARTICLE IV: INITIATION INTO OUR LIFE

25

Initial formation into our life requires that candidates, under the guidance of formation personnel, gain the necessary experience and knowledge and gradually enter into the Franciscan Gospel way of life.

During the period of initiation the formation of the candidates, which harmoniously unites the human dimension with the spiritual, should be thoroughly sound, integrated and adapted to the needs of places and times.

Suitable means of education should be employed. Above all, let the candidate perform tasks and duties that gradually lead them to acquire self-control as well as psychological and emotional maturity.

Taking into consideration their individual personalities and gifts of grace they should be introduced into a spiritual life that is nourished by the reading of God's word, by active participation in the liturgy, and by personal reflection and prayer. In this way they may be drawn more and more to Christ, the Way, the Truth and the Life.

The brothers in formation should acquire a thorough knowledge of the Capuchin Franciscan spirit and its practice not only by studying the life of Saint Francis, his mind concerning the observance of the Rule, the history and sound traditions of our Order, but, most of all, by assimilating internally and practically the life to which they are called.

Let them especially cultivate fraternal living both in a community and with other people whose needs they are ready to meet, so that they may learn to live each day more perfectly in active partnership with the Church.

The special initial formation of the brothers should be arranged with a view to the various duties they must perform and according to the unique circumstances and statutes of the circumscriptions.

All periods of formation must be spent in fraternities that are specifically suited for living our life and for imparting formation and that have been designated for this purpose by the provincial minister with the consent of the definitory. The provincial minister, however, with the consent of the definitory, may permit the period of the postulancy to be spent outside our fraternities.

The establishment, transfer and suppression of a novitiate house pertains to the general minister with the consent of the definitory and must be done in writing. In particular cases and by way of exception, the same authority may allow a candidate to make his novitiate in another house of the Order under the guidance of some approved religious who takes the place of the master of novices.

A major superior can permit a group of novices to live for a certain period of time in another house of the Order designated by him.

26

Every brother, given to the fraternity by God, brings joy to it and, at the same time, is an incentive to renew ourselves in the spirit of our vocation.

Indeed, the work of initiation rests with the entire fraternity since the candidates belong to it.

However, let the provincial minister, with the consent of the definitory, determine the manner and limits within which the initiation is to take place and entrust its direction to brothers who are experienced in the spiritual, fraternal and pastoral life and are endowed with learning, prudence, discernment of spirits and knowledge of souls.

The directors of postulants, novices and professed must be free from all duties that could interfere with the care and direction of the candidates.

Whenever circumstances suggest, associates may be given them especially in those matters concerning the care of the spiritual life and the internal forum.

27

The period of initial formation begins on the day when, after being accepted by the provincial minister, one enters the fraternity and continues until perpetual profession. It is carried out according to the norms of universal law and our own. A document should be drawn up concerning this.

From that day the candidate must be gradually considered a member of the fraternity in regard to his formation, life and work, in a manner to be determined by the provincial minister with the consent of the definitory.

Initial formation, as the integration into our fraternity, embraces the postulancy, novitiate and postnovitiate.

28

The postulancy is a period of initial formation and of the choice of accepting our life. The time and different ways of this first period are determined by the provincial minister with the consent of his definitory. During this period the candidate comes to know our life, while the fraternity, on its part, comes to know the candidate better and is able to discern his calling.

The formation of postulants aims primarily at completing their catechesis in the faith and includes an introduction to liturgy, methods of prayer, franciscan instruction and an initial experience of

apostolic work. It must also reinforce and promote human maturity, especially emotional maturity, and an ability to discern the signs of the times in light of the Gospel.

29

The novitiate is the period of a more intense initiation and a more profound experience of the Capuchin Franciscan life of the Gospel according to its basic demands and presupposes a free and mature choice of religious life.

The direction of the novices, under the authority of the major superiors, is reserved to one director, a brother of the Order who has professed perpetual vows.

The formation of the novice should be based on the values of our consecrated life as known and lived in light of the example of Christ, the Gospel insights of Saint Francis, and the sound traditions of the Order.

Let the rhythm of the novitiate respond to the primary aspects of our religious life, particularly through a special experience of faith, contemplative prayer, fraternal life, contact with the poor, and work.

In order to be valid, the novitiate must comprise twelve months spent in the novitiate community itself. Its inception and form are determined by the provincial minister with the consent of the definitory.

An absence from the novitiate house that exceeds three months, either continuously or intermittently, renders the novitiate invalid. An absence that exceeds fifteen days must be made up. Everything else required by universal law must be diligently observed.

A document is to be drawn up attesting to the beginning of the novitiate by which life in the Order begins.

30

The post-novitiate is the period in which the brothers, progressing further in maturity, prepare themselves for the definitive choice of our gospel life that is undertaken through perpetual profession.

Since the fraternal gospel life holds the principal place in our calling, priority should also be given to it during the time of the post-novitiate. Therefore let the same religious formation be provided for all brothers for the period of time and in the manner determined by the provincial minister with the consent of the definitory.

Let the brothers, according to each one's gift and grace, apply themselves to a more profound study of sacred scripture, spiritual theology, liturgy and the history and spirituality of the Order; let them also exercise various forms of the apostolate as well as domestic work. But such formation should always be made in view of the life and careful maturation of the individual.

ARTICLE V: THE PROFESSION OF OUR LIFE

31

Let us frequently consider how great is the grace of religious profession.

For through it we embrace, under a new and special title, a life dedicated to the honor and service of God that impels us to the perfection of charity. Firmly and more intimately consecrated to the service of God, we represent Christ united by an indissoluble bond to his spouse the Church.

In order that through this consecration we may gather more abundant fruit from the grace of baptism we bind ourselves to live out the gospel counsels according to the Rule and Constitutions.

In this way we intend to free ourselves from the impediments that can draw us away from perfect charity, spiritual freedom, and the perfection of divine worship.

By means of profession, finally, while we enjoy a special divine gift within the life of the Church, we help its salvific mission by our witness.

We, therefore, exhort the brothers to prepare themselves for profession with great care, by spiritual exercises, by an intense sacramental life, especially one that is Eucharistic, and by fervent prayer. Let this be done more intensely and in a special way before perpetual profession.

32

When the novitiate has been completed and the fitness of the novice has been proven, temporary profession of vows may be made for a period determined by the provincial minister with the novice himself, [and] renewed freely until perpetual profession. But if a doubt arises concerning suitability, the time of probation can be prolonged by the provincial minister although not beyond six months. If the novice is judged unsuited, let him be dismissed.

Of itself the time of this profession shall not be shorter than three years nor longer than six; if it seems appropriate, however, it may be extended, but only in such a way that the entire period during which the brother is bound by temporary vows does not exceed nine years.

If a brother is judged suitable and freely petitions for it, perpetual profession is made at a time determined by the provincial minister after consultation with the one making profession, safeguarding the integrity of the three years of temporary profession and never before the completion of his twenty-first year. By means of this profession a candidate is definitively incorporated into the fraternity with all rights and obligations according to the norm of the Constitutions.

When the time of temporary profession is completed, a brother can depart and, if there are just causes, can be excluded from subsequent profession by the competent major superior after he has heard his council.

We should observe all other prescriptions of the universal law that concern profession, especially those concerned with the disposition of goods before temporary and perpetual profession.

33

The religious habit is given during the rite of religious profession, even though the clothes of probation may have been previously received. Let us remember the clothes we wear must be a sign both of our consecration to God and of our minority and fraternity.

Clothed as we are with the meek and humble Christ, let us not be fraudulent minors but those who are sincere in heart, word and deed.

The signs of humility that the brothers wear outwardly contribute little to the salvation of souls unless they are animated by a spirit of humility.

Following the example of Saint Francis, therefore, let us make every effort to become good and not merely to appear so, to be the same in word and in life, within and without and, considering ourselves less than all others, as the Rule admonishes us, let us surpass others in showing respect.

Our habit, according to the Rule and custom of the Order, consists of a tunic with a hood, chestnut in color, a cord and sandals, or, for a just cause, shoes.

Let the brothers, as a sign of their consecration and a witness of poverty, wear the habit of the Order. The norm of pluriformity applies to the custom of wearing the beard.

34

At the times determined by the provincial minister with the advice of his definitory, let the local fraternity, after hearing the director's report, conduct a communal reflection and discussion about the suitability of the candidates and its own program for dealing with them.

During the novitiate and before the time of perpetual profession, the perpetually professed brothers who have lived for four months in the respective fraternity should also express their opinion by a consultative vote in the manner determined by the provincial minister.

Nor should the brothers in temporary vows be overlooked; they may express their opinion even though they do not have a vote.

A report is to be sent to the provincial minister concerning every such meeting and the results of the votation.

35

Moreover, a document of both temporary and perpetual profession is to be drawn up, together with a record of a brother's age and other necessary information. This document should be signed by the professed, the one who receives his profession and two witnesses.

This document, together with others prescribed by the Church, should be carefully kept in the provincial archives; let it also be recorded by the provincial minister in a book of professions to be kept in the archives.

In the case of perpetual profession, the provincial minister should notify the pastor of the place of the baptism of the professed brother.

36

The faculty of dismissing a postulant or novice whom he judges unfit for our life belongs to the provincial minister and also, by special mandate, to the others mentioned in number 19.

The master of novices or postulants possesses the same faculty, but with the consent of the council of the fraternity, when there is a grave reason that will not permit any delay. The provincial minister is to be notified immediately of this action.

The general minister, with the consent of the definitory, can grant an indult of departure to a professed brother in temporary vows who requests it for a grave reason. This indult, ipso jure, contains a dispensation from the vows as well as from all obligations arising from profession.

The prescriptions of the universal law of the Church should be observed in those other cases concerning the transfer to another institute of consecrated life or to a society of apostolic life, leaving the Order, and the dismissal of a brother after either temporal or perpetual profession.

ARTICLE VI: SPECIAL FORMATION

37

Saint Francis writes in the Testament: "Let those who do not know how to work, learn."

This admonition reveals a new and, in our day, more urgent meaning for us. Work can hardly be performed properly without special and adequate formation.

It is the responsibility of the Order to help every brother to develop his own grace of working. Thus, while working, let the brothers mutually encourage one another in their calling and foster the harmony of their fraternal life.

Each brother according to his gifts should be formed for the various tasks that must be performed. Therefore some may learn skills and technical trades, while others may engage in pastoral or scientific studies, especially those of a sacred character.

38

While serving the Lord in minority, however, let all the brothers be aware that they must desire above all else to have the Spirit of the Lord and Its holy activity.

Let the brothers take care, therefore that, while becoming skillful with their hands and well equipped intellectually, at the same time they be proficient in the special grace of working and be holy.

Let them apply themselves according to their abilities to the work of special formation in a spirit of self-denial and discipline that, through the development of their personality and the cultivation of their mind, they contribute to the good of the Order, the Church and human society.

Let studies, enlightened and inspired by the charity of Christ, be entirely in keeping with our life.

When engaged in studies, therefore, let the brothers develop their minds and hearts in such a way that, in keeping with the intention of Saint Francis, they progress in their calling. In fact, formation for any type of work is an integral part of our religious life.

39

The brothers who are called to sacred orders must be taught according to the norms laid down by the Church taking into account the nature of our brotherhood. The consent of the provincial minister and his definitory is required for the reception of sacred orders.

The same care should be provided in each province for the intellectual, apostolic and technical formation of the other brothers according to each one's gifts.

Formation in philosophy and theology, especially according to franciscan teaching, should harmoniously and gradually reveal the mystery of Christ to the minds of the students.

In our apostolic Order, a pastoral concern should so permeate the entire formation that all the brothers, according to each one's abilities, may be able to proclaim by deed and word the Kingdom of God as disciples and prophets of our Lord Jesus Christ. The pastoral needs of the regions as well as the missionary and ecumenical responsibilities of the Church should be kept in mind.

The provincial ministers, with the consent of the definitory, may establish in their provinces appropriate centers for the brothers' special formation. Let them provide for this in other ways, especially through collaboration between provinces or the franciscan families in so far as local circumstances permit.

However, if the brothers in the period of initial formation attend centers of instruction outside the Order according to the conditions and needs of the region or province, their Capuchin Franciscan religious formation must be meticulously supplied.

The provincial ministers should take care that suitable brothers receive special training at institutes, schools and universities in the sacred sciences, as well as in the other sciences, and in the arts and technical skills, as it seems appropriate for the service of the Church and the Order.

40

Let those responsible for formation be aware that the brothers in formation are the principal authors of their own formation, the responsibility for which rests primarily upon them in trusting collaboration with formation personnel.

In their method of teaching, in conversations with students, and in conducting classes, formation personnel should ensure that the brothers in formation acquire a living and consistent cultural development.

Let them manifest diligence in preparing and presenting their lectures, under the guidance of the Church's magisterium; let them keep up with the progress of their own disciplines and adapt their lectures to their demands.

Finally, it is recommended that they exert their energies upon scholarly research, writing and publication, especially in franciscan matters. To this end, Franciscan Institutes promoted by the Order can offer assistance to these and other brothers.

In addition to a central or regional library, which is highly recommended, there should be a common library in all our houses adequately supplied to meet the needs of the particular fraternity. Access to our libraries, where it is possible, should be provided for outsiders, while taking the necessary precautions.

ARTICLE VII: ONGOING FORMATION

41

Ongoing formation is a process of personal and community renewal and of harmonious adaptation of structures by which we continue to be capable of living our vocation according to the gospel in the actual circumstances of the time.

Though it involves the person as a unified whole, ongoing formation has a two-fold dimension: spiritual conversion through a continual return to the sources of Christian life and to the primitive spirit of the Order and their adaptation to the times; and, cultural and professional renewal by means of a quasi-technical adaptation to the conditions of the times. All these contribute to greater fidelity to our vocation.

42

A brother who has completed the period of initial formation can hardly claim to be fully equipped for all his life. Ongoing formation, therefore, is intended for all brothers.

Without a doubt, it is primarily both the personal obligation as well as the right of each brother to apply himself to his own continuing formation, since this is nothing other than a continuous implementation of our vocation.

At the same time, however, this formation must be regarded as the ordinary and pastoral duty of all superiors.

43

Particular norms for ongoing formation should be developed in each province according to the different places and conditions of persons and times.

The program should be organic, dynamic and integral, embracing the entire religious life in the light of the gospel and in the spirit of brotherhood.

The manner in which our daily life is led greatly assists ongoing formation. The first revered school of formation is the daily experience of religious life, in a normal rhythm of prayer, reflection, community life and work.

Moreover, extraordinary means or resources are also highly recommended, e.g., new or renewed ventures in ongoing formation, with the help of either the local or provincial fraternity, within each province or region, or with that of the Conference of Major Superiors.

Our International College established in Rome is recommended for fostering the spirit of brotherhood in the whole Order, for pursuing formation and for promoting franciscan learning.

44

Let each brother take special care to walk worthily in the Capuchin Franciscan vocation to which he has been called by God.

Therefore, all of us should strive to maintain and strengthen for ourselves and for others the gift of a religious vocation and of perseverance by faithful cooperation, prudent watchfulness and consistent prayer.

Let us also beware, brothers, of apostasy of the heart which occurs when, because of tepidity, someone hides a worldly heart beneath a religious exterior, abandons the spirit and love of his vocation, and yields to a worldly spirit of pride and sensuality. Remembering the apostle's admonition: "Do not be conformed to this world," let us, rather, avoid whatever savors of sin and weakens religious life.

After we have left the world, therefore, let us desire nothing else, let us wish for nothing else, let nothing else please us than to follow the Spirit of the Lord and Its holy activity and to please Him always that we may truly be brothers and men poor, meek, thirsting for holiness, merciful, clean of heart, those, in fact, through whom the world may know the peace and goodness of God.

CHAPTER THREE

THE BROTHERS' LIFE OF PRAYER

45

Prayer to God, as the breathing of love, has its origin from a movement of the Holy Spirit through which an interior person listens to the voice of God speaking to the heart.

For God, Who has loved us first, speaks to us in many ways: in all creatures, in the signs of the times, in people's lives, in our heart, and, above all, in His Word in the history of salvation.

As we respond to God speaking to us, we achieve fullness in prayer to the extent that we move from our love of self and pass over into Christ, the GodMan, in communion with God and people.

For Christ Himself is our life, our prayer and our activity.

We truly carry on a filial conversation with the Father, therefore, when we live Christ and pray in His Spirit which cries in our heart: Abba, Father!

Since we have been more intimately consecrated for divine worship through the profession of the evangelical counsels, let us strive in freedom of spirit to pursue this life of prayer faithfully and continually.

Let us above all cultivate the Spirit of holy prayer and devotion to which all temporal things should contribute that we may become true followers of Saint Francis who was seen not so much as praying as having totally become a prayer.

Desiring above all things the Spirit of the Lord and Its holy activity, praying always to God with a pure heart, let us offer people a witness of authentic prayer in such a way that they may see and sense in our faces and in the life of our fraternities the goodness and kindness of God present in the world.

46

Let our prayer be a special manifestation of our calling as lesser brothers.

We truly pray as brothers when we gather in mutual love in the name of Christ so that the Lord may be really in our midst.

And we truly pray as lesser ones when we live with the poor and humble Christ, presenting the cry of the poor to the father and effectively sharing their lot.

As the prophets, psalmists and Christ himself taught us, our prayer should not evade reality, but, after the example of Saint Francis, who found the Lord in a leper, let it become each day more incarnated in life's situations, in the events of history, in the popular religiosity and practices of the people, and in the particular culture of the regions.

Thus prayer and work, inspired by one and the same Spirit of the Lord, far from being opposed to each other, complement one another.

Franciscan prayer is affective, a prayer of the heart, which leads us to an intimate experience of God. When we contemplate God the Supreme Good from Whom all good flows, our hearts cannot but break in adoration, thanksgiving, admiration and praise.

Beholding Christ in all creatures, let us go throughout the world proclaiming peace and penance, inviting everyone to the praises of God as witnesses of His love.

47

Since we have been consecrated to the service of God by baptism and religious profession, let us place the highest value on the sacred Liturgy, which is an exercise of the priestly office of Jesus Christ, the summit of all the Church's activity, and the source of all Christian life. Let us strive to nourish our spiritual life and that of the fraternity from the liturgy, and to open its treasures to the faithful.

For that reason, we should have the greatest respect for the mystery of the Eucharist and the Divine Office, which Saint Francis wished to shape the entire life of the brotherhood.

To this end, it will be beneficial for the fraternities to designate brothers to prepare the liturgical celebrations, so that each day, in fidelity to the liturgical norms and in their spirit, these may be ever more renewed with creativity and spontaneity.

As for the rite, the brothers should conform to the prescriptions issued by the competent ecclesiastical authority of that region in which they live.

48

Let us fully, consciously and actively participate in the Eucharistic sacrifice in which we celebrate the paschal mystery of Jesus Christ until He comes, holding back nothing of ourselves so that He Who gives Himself totally to us might receive us totally.

Each day a Community Mass should be celebrated in our fraternities so that it may be more obvious that in the breaking of the Eucharistic Bread we are lifted up to communion with Christ and with one another. Where this cannot be done each day, it should at least be celebrated periodically and participated in by all the brothers.

Where an individual celebration [of the Eucharist] is not necessary, it is laudable to concelebrate to manifest the unity of the sacrifice, of the priesthood and of the fraternity.

The Eucharist in which our Lord Jesus Christ is present to us under the consecrated species should be reserved in our oratories or churches in a preeminent place and manner.

Following the example of Saint Francis, let us venerate above all else Jesus Christ present in the Eucharist. With Him let us offer ourselves and our actions to God the Father, and frequently pour out devout prayers before Him Who is the spiritual center of the fraternity.

49

In the celebration of the Eucharistic Sacrifice and in our prayers, conscious of the catholic sense of Saint Francis, let us implore God for Holy Mother Church, for those who govern us, for all peoples, and for the salvation of the whole world, especially for the whole Franciscan family and for all our benefactors. With a devout sense of charity, let us also commend to God all the deceased.

Regarding suffrages, it is decreed: a Mass for the Dead shall be celebrated by each fraternity at the death of the Roman Pontiff, of a general minister, and of a former general minister. Let the same be done for general definitors and former general definitors in each fraternity of the group to which they belonged.

It is the responsibility of the provincial chapter to determine the suffrages to be offered for deceased provincial ministers, former provincial ministers and for deceased brothers, parents and benefactors. Every year, after the solemnity of Saint Francis, each local fraternity shall celebrate a memorial liturgy for all deceased brothers and benefactors.

50

The Church joins in Christ's song of praise and intercessory prayer not only in celebrating the Eucharist but in other ways as well, especially in celebrating the Liturgy of the Hours, and it unites us to such a gift.

Therefore, let the entire fraternity gather together each day in the name of Christ to celebrate in common the Liturgy of the Hours. Where this cannot be done in its entirety, at least Morning Prayer and Evening Prayer should be celebrated in common.

It is recommended, moreover, that the brothers do the same wherever they may be or meet one another; and, according to the circumstances of the place, the Liturgy of the Hours should be celebrated with the faithful.

The local chapter, with the approval of the major superior, should arrange the schedule and work of the house in such a way that the course of the day may be sanctified by the praise of God, taking into account the special circumstances of persons, times and cultures.

Let those who cannot celebrate the Liturgy of the Hours in common remember that, even when celebrating in private, they are united spiritually with the whole Church and especially with their brothers. Let those brothers who say the Office of the Lord's Prayer privately according to the Rule, pray it with the same profound intention.

51

In the Liturgy of the Hours we speak to God with His words taken from Scripture and God Himself comes to meet us in His word and speaks to us.

That the word of God may penetrate our hearts more profoundly and form our entire life more effectively, let the Liturgy of the Hours be living and vibrant, with praise worthy intervals of silence that very fittingly contribute to an attentive and fruitful celebration.

In imitation of Saint Francis who frequently expressed his feelings with song and music, let the Liturgy be celebrated with song, as far as possible, at least on feast days.

Let the brothers pay attention not so much to the melody of the voice as to the harmony of the mind, so that the voice may be in harmony with the mind and the mind with God.

52

Let us preserve and promote that contemplative spirit that shines in the life of Saint Francis and our forebears. Therefore let us give a greater place to it by fostering mental prayer.

Authentic mental prayer leads us to the spirit of true adoration, unites us intimately with Christ, and renders the Sacred Liturgy continually efficacious in our spiritual life.

Moreover, that the spirit of prayer may never grow cold within us but be ever more inflamed from day to day, we must give ourselves to its exercise in our daily lives.

The ministers and the others to whom the care of the spiritual life is entrusted should take pains that all the brothers make progress in the knowledge and practice of mental prayer.

Let the brothers, then, draw the spirit of prayer and prayer itself from the genuine sources of Christian and Franciscan spirituality that they may acquire the eminent knowledge of Jesus Christ.

Mental prayer is the spiritual teacher of the brothers who, if they are true and spiritual lesser brothers, pray ever more interiorly. To pray, in fact, is nothing other than to speak to God with the heart; in fact, whoever speaks to God with his lips alone does not pray at all. For this reason everyone should apply himself to mental prayer or contemplation and, according to the doctrine of Christ, the best teacher, endeavor to adore the eternal Father in spirit and truth, striving earnestly to enlighten the mind and enkindle the heart rather than to formulate words.

53

Let the primacy of the spirit and of a life of prayer be totally brought into effect both by the fraternities and the individual brothers, wherever they may be, as the words and example of Saint Francis and sound Capuchin tradition demand.

It is of the greatest importance to form one's conscience about the vital necessity of personal prayer. Each brother, wherever he lives, should take sufficient time every day for mental prayer, for example, an entire hour.

The provincial and local chapters should see to it that all brothers have that time necessary for mental prayer, whether this is done in common or in private.

In its chapters, let the local fraternity examine itself concerning the common and personal prayer of the brothers. Let the brothers, especially the superiors as their pastoral duty, feel themselves responsible for inspiring a life of prayer.

As disciples of Christ, although poor and weak, let us so apply ourselves to prayer that those who sincerely seek the Lord may be invited to pray with us.

Above all let us cultivate among the People of God the spirit and the development of prayer, especially interior prayer, for from the beginning this was a charism of our Capuchin Fraternity and, as history testifies, the seed of genuine renewal.

54

As sons of God, let us allow ourselves to be led in our prayer by the Holy Spirit so that It may make us grow day by day in communion with Father and with our brothers.

In the spirit of the Holy Gospel, let us especially reflect on and preach to the faithful the mysteries of the humanity of Christ, especially His nativity and passion in which Saint Francis marveled at the love and humility of the Lord.

Let us, in particular, venerate, especially through liturgical worship and the rosary, the Virgin Mary, the Mother of God, conceived without sin, daughter and handmaid of the Father, mother of the Son, and spouse of the Holy Spirit, "[the virgin] made Church," according to the words of Saint Francis, and let us especially promote devotion to her among the people. For she is our mother and advocate,

the patroness of our Order, the companion of her Son's poverty and suffering, and, as experience witnesses, the way to arrive at the spirit of the poor and crucified Christ.

In the same way, let us venerate, according to ancient tradition, Joseph her spouse.

Let us encourage and promote, according to local custom, veneration of our holy Father Francis, the form of the minors, and of the saints, especially our own, but in a way that such veneration is always in conformity with the spirit of the sacred liturgy.

55

In order to renew our religious life continually, all the brothers should make an annual retreat and also have other occasional periods of recollection which might laudably be organized in various ways according to a diversity of duties.

To this end, the ministers should provide the necessary time and opportunity for each one, including those who live outside a house [of the fraternity].

56

Every fraternity must be truly a praying fraternity. In order to achieve this, it is useful, according to the manifold grace of God, to encourage, either in provinces or in regions, fraternities of recollection and contemplation in which brothers can devote themselves for some time to the spirit and life of prayer, as God gives them the grace.

Let those brothers, in communion with the provincial fraternity, be mindful of what Saint Francis wrote for those who wish to live religiously in hermitages.

It is the responsibility of the provincial chapter or of the Conference of Major Superiors to determine the advisability of such fraternities and to provide for their administration.

57

Let silence, which is the faithful guardian of the interior spirit and required by charity in community life, be held in great esteem in all our fraternities in order to preserve a life of prayer, study and recollection.

It is the responsibility of the local chapter to protect the atmosphere of prayer and recollection in our fraternities, keeping out of them whatever might impede it.

58

The reading of Sacred Scripture and other spiritual books is an effective means of nourishing true devotion and of fostering the experience of God. Let each brother faithfully take a sufficient period of time for himself to do such reading.

That we might always have before our eyes the way and life that we have professed, norms should be promulgated in each province concerning the public reading of Sacred Scripture, the Rule, the Testament and the Constitutions and the renewal of profession in common.

CHAPTER FOUR OUR LIFE IN POVERTY

ARTICLE I: OUR COMMITMENT TO POVERTY

59

Jesus Christ, the Son of God, Who receives everything from the Father and, with the Father, communicates everything in the Spirit, was sent to evangelize the poor. Although He was rich, for our sake He was made poor and in our likeness that by His poverty we might become rich.

From His birth in a manger until His death on a cross He loved the poor and, as an example for His disciples, bore witness to the love of the Father Who seeks them.

The Church recognizes voluntary poverty, especially in religious, as a sign of the following of Christ and proposes Saint Francis as a prophetic image of evangelical poverty.

Through our poverty for the sake of the Kingdom of God we participate in the filial attitude of Christ toward the Father and in His condition of being a brother and servant among people.

Evangelical poverty embraces availability in love, conformity with the poor and crucified Christ Who came to serve, and leads to solidarity with the little ones of this world.

Let us not make the gifts of nature and grace our own as if they were given only for ourselves, but let us strive to use them entirely for the benefit of the People of God.

Let us use temporal things with gratitude by sharing them with the indigent and, at the same time, by giving an example of the proper use of things to people who desire them excessively.

We will truly proclaim to the poor that God Himself is with them in so far as we share in their lot.

60

Since evangelical poverty is a very great commitment of our way of life, let us deliberate in general, provincial and local chapters on how to observe it more faithfully each day in ways that are adapted to the changing times and, therefore, always in need of reform.

Chapters should consider in a special way the social use of the goods entrusted to [our] fraternities, whether money, houses or lands, that we might willingly commit ourselves to use them for the advantage of others.

For, in order that our individual and communal poverty be authentic, it must be a manifestation of an interior poverty that needs no explanation.

Poverty demands a frugal and simple way of life in clothing, food, dwellings, and a renunciation of every form of social, political and ecclesiastical power.

Let us live in conscious solidarity with the countless poor of the world and, through our apostolic labor, lead Christian people especially to works of justice and charity that further the development of peoples.

Those who, in the particular circumstances of a region, urge the poor to social and cultural development and to an eschatological hope by living with them, sharing their lot and their aspirations are worthy of praise.

61

Let us preserve a common life and willingly share among ourselves whatever we receive as individuals.

All [those] goods that in any way come to us, including salaries and pensions, insurance policies and grants, should be handed over for the use of the fraternity, so that individuals may receive from the fraternity the same food, clothing and other necessities.

Let superiors give the other brothers an outstanding example of the observance of poverty and promote its observance among them.

ARTICLE II: POVERTY CONCERNING GOODS AND MONEY

62

Let us observe the poverty we have professed, remembering of the mind and words of Saint Francis: 'Let the brothers not make anything their own, neither house, nor place, nor anything at all.' Therefore, as pilgrims and strangers in this world, while we are on our way to the Land of the Living, let us serve the Lord in poverty and humility.

Let us use temporal goods for the necessities of life, for the apostolate, and for works of charity, especially for the poor.

Superiors, whether personally or through others, can perform civil acts concerning temporal goods, if and when this may be necessary for the brothers or for the works entrusted to us.

The major superiors should designate the physical or juridical persons in whose name the goods entrusted to us may be registered before the civil law.

63

As children of the eternal Father, putting aside anxious care, let us place our confidence in divine providence and entrust ourselves to His infinite goodness.

Therefore we should not be immoderately preoccupied about goods, even about what is necessary for food.

Let us acquire the means and resources for the necessities of our life and apostolate, especially by our own labor.

When these are inadequate, let us confidently have recourse to "the table of the Lord" according to the laws of the universal and particular Church. Let this be done in such a way that, while we seek donations from people, we give them a witness of poverty, fraternity and franciscan joy.

64

Saint Francis, according to his own charism of poverty and minority in the Church, commanded his sons not to accept money in any way in as much as it is a sign of riches, a danger of greed, and an instrument of power and domination in the world.

But since the use of money is necessary because times have changed, the brothers, wishing to fulfill the intention of their Father, may use money only as an ordinary means of exchange and social life, necessary even for the poor, and according to the norms of the Constitutions.

65

Superiors, who by office have the responsibility of caring for the needs of the brothers, may use money for the necessities of life as well as for works of the apostolate and charity.

For the same reasons the other brothers, with the permission of the superior, can use money with the obligation of accounting for it.

But for everyone, whether superiors or not, the use of money must be such that it does not exceed the degree appropriate to those who are truly poor.

To safeguard poverty, the brothers should not have recourse to their friends, relatives or neighbors for money or other things without permission.

66

In compliance with the norms promulgated by the provincial minister with the consent of the definitory, it is lawful for superiors to use insurance policies and other forms of social security where this is prescribed by ecclesiastical or civil authority for everyone or for those of certain professions or where such things are commonly used by the poor of the area.

But let them diligently avoid all those forms of security which have the appearance of affluence or profit-making in the area in which they live.

It is appropriate, however, that they, like people of modest means, invest whatever money is really necessary for them in banks and similar institutions, even at a moderate rate of interest.

But they may not accept foundations, perpetual legacies or inheritances that have perpetual rights and obligations attached to them.

67

Let the brothers show people by their life that voluntary poverty liberates them from greed, the root of all evil, and from anxious concern for tomorrow.

Therefore, superiors should carefully avoid every accumulation or speculation in the use of money, although modest financial security may be maintained.

For every use of goods, including money, the provinces, fraternities and brothers should use as a precise and practical criterion: the minimum necessary, not the maximum allowed.

That we may not become degenerate sons of Saint Francis by keeping things unjustly, the goods not needed by a fraternity should be handed over either to the major superiors for the needs of the jurisdiction, or to the poor, or for the development of peoples, according to the norms established by the provincial chapter. Let the local chapter frequent make a common reflection on these matters.

Let the brothers initiate in the local chapter a reflection on the correct use of goods, recreation, the accumulation of clothes, personal gifts, travelling, and similar things according to the mind of the Constitutions.

The individual fraternities of the same area and even the provinces of the Order should be ready to share their goods or necessities among themselves and with others in cases of necessity.

It is the responsibility of the general minister with the consent of the definitory to dispose of the surplus goods of the provinces.

The other prescriptions of the universal law concerning contracts and alienation [of property] should be exactly observed.

Article III: Poverty in Our Buildings

68

We must spend our lives in humble and poor dwellings, always living there as pilgrims and strangers.

In choosing the site of a new house, we should keep before our eyes our life of poverty, the spiritual good of the brothers, and the various ministries that must be exercised. Let the dwellings be arranged in such a way that they do not appear inaccessible to anyone, especially to the lowly.

Nevertheless, let houses be suited to the needs and ministries of the fraternity, and conducive to prayer, work and fraternal life.

69

The construction, acquisition and alienation of our houses pertains to the provincial minister with the consent of the definitory, while observing the prescriptions of the law.

When the construction of houses has been completed, a local superior may not construct or demolish anything or enlarge a building without consulting the local chapter and obtaining the consent of the councilors and the permission of the major superior.

The local superior should carefully provide for the maintenance of the house and the care of the property obtaining the consent of the councilors in matters of greater importance.

70

Churches should be simple, becoming and clean.

Let great care be taken to see that they are appropriate for celebrating liturgical functions and eliciting the active participation of the faithful.

Sacristies must be suitable and sufficiently provided with sacred furnishings.

Everything that is used for divine worship should be becoming and in conformity with liturgical norms without offending poverty and simplicity.

ARTICLE IV: THE ADMINISTRATION OF GOODS

71

For the administration of money and other goods, treasurers should be appointed in the general and provincial curias by the respective major superior with the consent of the definitory.

Individual houses may also have local treasurers, appointed by the provincial ministers with the consent of the definitory. The office of treasurer in larger houses should ordinarily be distinct from that of the superior.

Treasurers should be truly qualified and fulfill their office under the direction and vigilance of the respective superior according to the norms of law and to prescriptions of the definitory.

All treasurers, administrators and local superiors should give an exact account of their administration to their respective superiors, local councilors and local chapter at a time and in a manner determined by the major superiors.

When they make their triennial report, the provincial ministers shall draw up a document signed by the definitory and present it to the general minister. This should contain an accounting of the financial situation of the province so that its needs may be appropriately provided for and the observance of poverty effectively supervised.

Vice provincials and superiors regular should also provide a financial statement for their respective major superiors, signed by the councilors if this can be conveniently arranged.

The general minister should provide a statement on the financial condition of the Order at the general chapter in a manner determined by the chapter itself.

Major superiors shall do the same at their respective chapters.

As far as possible, let the administration of goods be entrusted to lay people, especially when it pertains to social or charitable works in which the brothers are only spiritual directors.

The prescriptions of the universal law should be scrupulously observed in the administration of goods.

72

It is recommended that one or more committees on financial matters be established in the provinces and vice provinces. Their function will be to offer advice concerning the administration of goods, and the construction, maintenance and alienation of houses.

The chapter establishes these commissions and also determines their competence. However, the major superior with the consent of the council appoints their members, some of whom may be lay people.

73

After consulting the major superiors or, if necessary, the Conference of Major Superiors, the general minister with the consent of the definitory is to establish limits, according to the differing values of currencies, beyond which major superiors are bound to ask either the consent of the council or the permission of the superior given in writing before contracting obligations, alienating goods or making extraordinary expenses.

The major superior, with the consent of the Council, shall do the same with appropriate adaptations for the local superiors of his territory.

Expenses are considered extraordinary, however, that are unnecessary either for the major superior to exercise his office or for the ordinary service of the brothers or for the local superior in those matters that do not pertain to the ordinary care of the fraternity entrusted to him.

74

Called to the gospel way of poverty, let us accustom ourselves to being in need after the example of Christ and mindful of Saint Francis who wished to be poor in such a way that, liberated from all things and from the chains of the heart, he might give himself completely to the Father Who cares for us all.

Let us not wish to be numbered among those who go by the fictitious name of "poor" who love to be poor in such a way as to lack nothing.

Let us acknowledge that Gospel poverty and its perfection consist principally in being totally available to God and people.

Therefore, let us not cling to earthly goods with an inordinate affection so that we may use this world as though not using it for the glory of the Father and the good of His children.

CHAPTER FIVE THE MANNER OF WORKING

75

God the Father Who continues to work calls upon us through the grace of working to cooperate in perfecting creation and, at the same time, in developing our personalities. In this way we are united with our brothers and move society toward a better condition.

Jesus Christ has conferred upon work a new dignity and has made it an instrument of salvation for all people. He achieved this by working with His own hands, alleviating human misery, and preaching the message of the Father.

Saint Francis admonished his brothers to work faithfully and devotedly and through his example presented a witness to the dignity of work. In this way he also became a participant in the human condition.

As his faithful followers, according to the earliest tradition of the Capuchins, and as true minors identified with the condition of a great many laborers, let us devote ourselves each day to work with a joyful spirit for the glory of God, to avoid idleness and to offer a service to our brothers and to others in a spirit of solidarity.

76

Work is the fundamental means of our support and of our exercise of charity for others, especially when we share with them the fruit of our work.

Let the work of each brother be an expression of the entire fraternity. Let each one, according to his God-given talents and the condition of his age and health, make full use of his energies with joy, keeping in mind the needs of the fraternity.

The brothers should be careful not to place their final goal in work itself, to put an inordinate stress upon it, or to impede the Spirit of holy prayer and devotion to which all temporal things must contribute.

Therefore, let them avoid excessive activity which also impedes ongoing formation.

77

Each one of us, according to each one's capacity and God's special gifts, is suited for different kinds of work .

Let us assume services and ministries in so far as they are compatible with our fraternal life or the necessities of the Church and people require them.

Activities that more clearly manifest poverty, humility and fraternity are especially appropriate for us; in fact, let us not consider any work more demeaning than another.

To render the grace of working more fruitful for ourselves and for others, let us take care to preserve a community character in a variety of initiatives, be eager to help one another as we work together and, in this way, make progress in the conversion of our heart.

Nevertheless, we should always keep in mind our apostolic calling so that, in any activity, we may offer to people a witness to Christ.

78

The brothers, each in his own position or role, should strive throughout all their lives to further a spiritual, academic and professional education and to develop their personal talents, so that our Order may be able to respond continually to its vocation in the Church. For this reason intellectual initiatives, in the same way as other kinds of work, must be regarded as expressions of a person's life-giving energy.

According to the earliest tradition of the Order, the brothers should be ready to undertake manual work to the extent that fraternal charity or obedience demands, saving, nonetheless, the particular responsibilities of each one.

While discerning as far as possible, the gifts and talents of the individual brothers and the needs of the fraternity and the Church, superiors should offer them the opportunity of acquiring expertise in particular subjects and willingly provide time and assistance for this.

For the good of the Church, the Order, and the brothers themselves, let superiors, in assigning responsibilities and duties, pay attention to their aptitudes and proficiency and not easily remove them from works in which they are experts.

79

According to the differing situations of the provinces and in conformity with the norms promulgated by the provincial minister with the consent of the definitory or by the Conference of Major Superiors as well as by the bishop of the diocese, the brothers may also work among people outside the Order as zeal for souls or the desire to alleviate ours' or others' needs may demand.

We should always insist that the brothers engaged in outside employment live together whether among themselves or among other brothers.

Let them offer a gospel witness to everyone, make the charity of Christ present, and give aid to those in need, without ever involving themselves imprudently in activities that are unbecoming our state.

80

Whatever the brothers receive as payment for their work belongs to the fraternity and, therefore, should always be handed over totally to the superior. The work of the brothers should not be valued merely on the basis of the payment received for it.

Let the brothers not engage in activities that arouse a desire for profit or encourage personal vain glory contrary to the spirit of poverty and humility.

Moreover, let them always be ready to work without payment when charity demands or suggests it.

81

The brothers should each day enjoy appropriate recreation to foster fraternal life and to renew their energies; everyone should be given a period of time for himself.

According to the customs and possibilities of the regions, special times for recreation and vacation may be given to the brothers; let these times of recreations and vacation be spent in a way consistent with our state as lesser brothers.

82

The Apostle Paul warns: 'While we have the time, let us do good to all.'

Knowing, therefore, that our salvation depends on favorable moments that never return and that people and communities do not progress except over the course of time, let us respond with attentiveness to God Who thus encounters us through time.

That we do not pass up opportunities or waste them uselessly, our activities and work should respond to the conditions of the present moment with wise foresight and planning for the future and [with the help of] modern technical means.

Let us use our free time in appropriate occupations of mind and body. It will become precious to us, especially if, by a variety of appropriate means, we arrive each day at a better knowledge of the ways of thinking and feeling of our contemporaries. In this way, through our work, we may more effectively cooperate in the christianization of the world.

CHAPTER SIX OUR LIFE IN FRATERNITY

83

Jesus Christ, the first born among many brothers, fashions a true brotherhood out of the human race. He is present as the bond of unity in the midst of those who gather together in his name.

The Church, as the community of all believers, favors institutes whose members renew fraternal harmony in a sharing of life and charity.

In such a way not only does the human dignity of the children of God develop in freedom, but apostolic efficacy is strengthened as well.

Inspired by God, Saint Francis initiated a gospel form of life that he called a brotherhood according to the example of the life of Christ and his disciples.

We who profess this form of life, therefore, truly constitute an Order of brothers.

For this reason, united by faith in God our Father and nourished at the table both of the divine word and the Eucharist, we love one another that the world may know we are Christ's disciples.

Article I: The Cultivation
of Fraternal Life

84

As brothers given to each other by the Lord and endowed with different gifts, let us accept one another with a grateful spirit. For this reason, wherever we may be gathered together in the name of Jesus, let us be of one heart and one mind, always striving to advance to greater perfection. As true disciples of Christ, let us love one another from the heart, bearing one another's burdens and faults, applying ourselves without interruption to divine love and fraternal charity, striving to give an example of virtue to one another and to everyone, and doing violence to our own passions and evil inclinations.

Let us cultivate mutual dialogue, sharing experiences with confidence and manifesting our needs to one another. Moreover, let the spirit of brotherly understanding and sincere esteem permeate everyone.

By reason of the same vocation the brothers are equal. For this reason, according to the Rule, Testament and earliest custom of the Capuchins, let all of us be called brothers without distinction.

The precedence necessary for the service of the fraternity flows from the responsibilities and roles actually exercised.

Moreover, within the Order, province and local fraternity, all offices and responsibilities are to be available to all brothers, although paying attention to those which require sacred orders.

Everyone should help the another according to the gifts he has received, even in daily household chores.

85

Let us take care that, in our fraternities, differences of age contribute to a harmony of spirit and a mutual enrichment.

Signs of loving care and gratitude should be shown to the brothers of advanced age.

Let the young brothers show proper esteem for the older ones and willingly profit from their experience.

Let the older brothers, however, try new and sound forms of life and activity and let both, [young and old], share their unique treasures with one other.

86

When a brother falls sick, the superior should immediately provide with fraternal charity all that is necessary for his body and soul, according to the example and teaching of Saint Francis, and entrust the sick brother to the care of a competent brother and, if necessary, to a doctor.

There should be an infirmary located in an accessible part of the house even outside the enclosure.

In provinces where it seems useful, a provincial infirmary may be established.

Let each brother, reflecting that the person of Christ is hidden in the sick, consider what he would wish to be done for him in case of sickness and recall what Saint Francis wrote in the Rule: no mother is as tender and caring toward her son, as each one of us should be toward our spiritual brother.

Therefore, each one should strive to take care of a sick brother, visit him willingly and comfort him fraternally.

Let the superior frequently and fraternally visit the sick brother and not neglect to provide for his soul, either personally or by means of another, and, if he knows that he is seriously ill, to inform him of the gravity of his situation with prudence and prepare him for the sacraments.

87

The sick brothers should remember our position as lesser brothers.

Let them leave their care to the doctor and to those who nurse them, so that they do not violate holy poverty with injury to their soul but give thanks to the Creator for everything.

Let them remember that they are called, in accordance with their vocation, to a willing acceptance of sickness and infirmity in order to be made more fully conformable to the suffering Christ and to strive to experience with a heart centered on God some small part of His passion. Let them imitate St. Francis who praised the Lord for those who patiently endure trials and infirmity according to His most holy will. Let them also remember that, by filling up in their own body what is lacking in the suffering of Christ the Redeemer, they can contribute to the salvation of the People of God as well as to the evangelization of the whole world, and strengthen fraternal life.

88

Superiors should constantly foster common life.

In establishing fraternities, whether in our own houses or in rented dwellings, they should consider the different personalities of the brothers and the necessities of life and apostolate, fostering in this way the work of the whole.

While favoring access to our houses or dwellings, the entrance of outsiders should be so regulated with prudence and discretion that an atmosphere conducive to privacy, prayer and study may be safeguarded.

An enclosure or an area reserved for the brothers alone should be maintained in our houses in order to safeguard religious life.

However, where an enclosure cannot be maintained because of particular circumstances, the major superior with the consent of his council shall provide norms adapted to the local circumstances.

It pertains to the major superior to determine the precise boundaries of the enclosure or to change them for legitimate reasons and remove it for a time.

The local superior can dispense from [the enclosure] in urgent cases per modum actus.

In order to encourage the quiet demanded for prayer and study, let those who enter our houses be ordinarily received in visiting rooms that are furnished according to requirements of simplicity, prudence and hospitality.

89

Let our fraternities not confine their charity within the walls of the house but rather, according to the unique character of each house, be open to peoples' needs with a gospel concern.

Laymen who wish to share more in our life whether for prayer, fraternal exchange or an apostolate may be admitted to the fraternity.

If it is to be a temporary stay, consent of the local chapter should be had; but if the stay is to be protracted, the consent of the major superior is also required.

The major superior with the consent of the council may admit laymen perpetually dedicated to God as members of a family, after drawing up an agreement before hand concerning their mutual rights and obligations.

90

The fraternity itself by means of a common reflection under the direction of the superior, should supervise its use of the social means of communication so that poverty, a life of prayer, fraternal life and work are all protected and the good and activity of all [these media] serve.

Let them use these media with moderation and mature discrimination; those that are dangerous to faith, morals and religious life should be studiously avoided.

Let the brothers, especially the superiors, take care that accomplishments of greater importance, whether in the fraternities, provinces or the entire Order be made known by appropriate means.

91

Before leaving the house, the brothers should ask permission of the superior according to the custom of the province.

As for undertaking journeys, let each brother, before asking permission, conscientiously weigh the reasons in light of our state of poverty, spiritual and fraternal life, and the witness given to people.

Superiors should use prudence in giving permission for traveling. It is the responsibility of the general minister with the consent of the definitory to issue norms regarding permission to travel for the whole Order; and of the provincial minister with the consent of the definitory for his province.

The norms of universal law shall be observed when it is a matter of living outside a house of the fraternity for an extended period.

Let the brothers be mindful of our state of poverty and humility in the use of the means of transportation.

Judgment about the appropriateness of having vehicles useful for a ministry, office or service of a fraternity as well as about their use belongs to the provincial minister, after listening to the definitory.

92

Let all the brothers who visit us be received with fraternal charity and a joyful spirit.

Wherever possible, brothers who are travelling should willingly stay in houses of the Order, at least for passing the night.

Of their own accord let them show the superior letters of obedience, share in the life of the fraternity and conform to the customs of the place.

As far as possible, they should inform the superior in advance of their arrival.

Brothers who have been sent to other provinces for formation or other reasons should be received by the ministers and the local fraternity as their own members; they should adapt completely to the fraternity attentive to the prescriptions of number 133,5 of the Constitutions.

But if brothers, for reasons of study, stay for a long time in a house of another province, the major superiors of those involved may fraternally come to an agreement about payment for living expenses.

93

Brothers who, in particular circumstances, must live outside a house [of the fraternity] with the blessing of obedience, enjoy the benefits of that fraternity to which they have been assigned since they are members of it.

They should always feel united to the fraternity and, in turn, not neglect to contribute to the spiritual growth and economic support of the Order.

As true brothers in Saint Francis, let them visit our houses and love to stay there for a while especially for reasons of spiritual recollection.

Let them be received with charity and offered whatever spiritual and material help they need.

The provincial and local superiors should care for them with fraternal sollicitude and visit and encourage them frequently.

Major superiors especially are encouraged to observe justice and gospel charity toward brothers returning to the world.

94

The variety of religious groups, which has developed by the plan of God for the good of the Church, flourishes as well within one and the same franciscan spiritual family so that the charism of the Founder may spread and exercise its vigor through many brothers and sisters, including the Secular Order.

Let us live, therefore, in a brotherly communion of the same spirit and willingly promote through mutual cooperation the study and common initiatives of franciscan life and activity.

We should cultivate a special bond with our sisters who, in the contemplative life, offer a sacrifice of praise each day, seek to hold fast to God in solitude and silence, and promote the Church with a hidden apostolic fruitfulness. After consulting the major superior, the general minister with his definitory will collegially decide the matter of associating a monastery of Capuchin Poor Clares with our Order according to the norms of canon 614 ff. The major superior enjoys real authority over the associated monastery as determined by the Constitutions of these sisters. In the same way let us be united with fraternal affection with those religious institutes that are spiritually united with our Order.

Let us properly fulfill our religious and familial responsibilities to our parents, relatives, benefactors, supporters and all those who belong to our spiritual family; and let us commend them to God in our community prayers.

95

Within the ambit of the franciscan family, the Secular Franciscan Fraternity or Order occupies a special place that both shares and promotes its authentic spirit. It should be esteemed as necessary for the fulness of the franciscan charism.

In it, the brothers and sisters, moved by the Holy Spirit, are prompted to attain the perfection of charity in their secular state by professing to live the Gospel after the manner of Saint Francis.

The Secular Franciscan Order, united to our Order by its origins, history and sharing of life, has been entrusted to our care by the Holy See.

Let the brothers, therefore, be eager to show from their heart a truly brotherly attitude for members of the Secular Order, nourish by their example fidelity to the gospel life, and effectively foster the Order itself among the secular clergy and the laity.

Our superiors have the right to establish fraternities of the Secular Franciscan Order in all our houses and elsewhere, observing the prescriptions of law. Let them be vigilant so that a true, vital sharing be fostered between the fraternities of our Order and those of the Secular Order.

Superiors should take care that by sharing and coordinating resources with the other franciscan families continual and zealous spiritual and pastoral assistance be provided for the Secular Franciscan Fraternity especially through suitable brothers properly assigned to this ministry according to the norms of its particular legislation and the universal law.

Let the brothers willingly offer spiritual assistance to this Order. Always mindful of its secular status, they should not interfere in its internal government, excepting in cases mentioned in law.

As a sign of co-responsibility, the governing board of the respective Secular Franciscan fraternities should be consulted whenever it is a matter of appointing spiritual assistants or of establishing fraternities.

Likewise, let all associations cultivating the spirit of Saint Francis, especially those of young people, be promoted and assisted spiritually. Let our houses become centers of fraternal gathering and inspiration for all, clergy and laity, who wish to follow the footprints of Christ under the direction of Saint Francis.

96

Christ, himself a pilgrim on earth, at the last judgement will say to those on his right: 'I was a stranger and you made me welcome.'

Saint Francis desired as well that anyone who came to our houses would be received with kindness. Therefore let us welcome everyone with the greatest charity, especially the afflicted and the unfortunate, and help them in their needs.

Let those whom we are permitted to receive into our houses according to local circumstances, especially priests and religious, be treated by the fraternity with total graciousness.

ARTICLE II: THE LIFE OF THE BROTHERS IN THE WORLD

97

Greatly rejoicing in the created and redeemed world, Saint Francis felt united by a fraternal bond not only to people but to all creatures as well, as he himself celebrates with wonderful praise in the Cantic of Brother Sun.

Enlightened by such contemplation, let us admire and protect the works of creation of which Christ is the beginning and the end. These become even more transparent through scientific research and lead us to adore the Father in his wisdom and power.

Therefore we should have great esteem for all that human genius has drawn forth from created things, especially in works of culture and art in which God reveals His gifts to us.

In the mystery of Christ, let us also gaze upon the world of people which God so loved that He gave His only begotten Son.

For, although weighed down by many sins, yet endowed with great opportunities, [the world] provides the living stones that are used in the building of the dwelling-place of God that is the Church.

98

Through divine inspiration, Saint Francis recognized that he had been sent to reform peoples in a newness of life.

Initiating a new form of gospel life, therefore, though no longer of the world, he, nevertheless, remained in the world and wished that his fraternity would also live and work among people to bear witness by deed and word to the joyful message of gospel conversion.

Therefore, since we participate in his mission, let us live in the midst of the world as a gospel leaven so that people, seeing our fraternal life centered in the spirit of the beatitudes, may realize that the Kingdom of God has already begun in their midst.

In this way we will be present in the world to serve the living God and, in charity, humility and franciscan joy, we will devote ourselves to promoting the peace and well-being of the world and of the Church.

99

According to the spirit of Saint Francis, let us not only proclaim by word but spread peace and salvation as well by deeds inspired by fraternal charity.

Moved by this spirit, let us attempt, in a gospel manner, to guide into a peaceful and stable way of life those divided by hatred, jealousy, contrasting ideologies, class, race and nationality.

Therefore, let us blend the energies latent in our fraternity with those initiatives and institutions, whether they be national or international, that appropriately work vigorously for the unity of the human race, universal justice and peace.

100

Trusting above all in the providence of God, let us so walk in the world with hope and Franciscan joy that the confidence of our contemporaries may be strengthened.

Freed from the useless anxieties of the present age, and as collaborators with divine providence, let us feel obliged to relieve the needs of the poor by our action and, especially in times of public disaster, to offer the services and goods of the fraternity to all the needy.

After the example of Saint Francis, who had great compassion for the poor, and the founders of the Capuchin fraternity, who helped those suffering from the plague, we should live close to brothers in need, especially the sick, eager to offer fraternal service to them.

Knowing that divine providence is revealed to peoples not only through events and deeds, but also through currents of thought and ideologies that are valued as signs of the times, we should look upon them with an open and confident spirit so that we might cooperate with God who acts in the history of the world and in the evolution of society.

Thus, living the truth in charity, we will be witnesses of hope in the Lord God and collaborators of people of good will whom we will guide to recognize God the almighty Father and the Supreme Good.

CHAPTER SEVEN

THE BROTHERS' LIFE OF PENANCE

101

While proclaiming the Kingdom, Jesus Christ called people to penance, that is, to a complete transformation of themselves, through which they begin to think, judge, and conduct their lives according to that holiness and love of God that are manifest in the Son.

This conversion into a new creature, which has its beginning in faith and baptism, demands a continuing effort of renouncing ourselves more thoroughly each day. Living for the Lord alone and having new ties with people, especially with the poor, we are strengthened by penance to build a gospel fraternity.

Saint Francis, by the grace of the Lord, began his life of penance-conversion expressing a heart full of mercy toward lepers and left the world.

With great fervor of spirit and joy of mind, he ordered his life according to the Beatitudes of the Gospel, preached penance without ceasing, inspiring everyone by deed and word to carry the cross of Christ, and desired that his brothers be men of penance.

The spirit of penance in an austere life is characteristic of our Order; for we have chosen a strict life after the example of Christ and Saint Francis.

Moved by that same spirit and perceiving sin in ourselves and in human society, let us continually strive for our conversion and that of others so that we may be conformed to the crucified and risen Christ.

Through such striving, by completing what is lacking in the suffering of Christ, we participate in the work of the Church, holy and at the same time always in need of purification. We promote the coming of the Kingdom of God within the human family which is in need of being united through perfect charity.

102

Penance, as an exodus and conversion, is a disposition of the heart that demands an external manifestation in daily life.

Penitent Franciscans must always be conspicuous by their gentle and affectionate charity and joy like our saints who, while harsh with themselves, were filled with kindness and respect toward others.

At all times, moved by the spirit of conversion and renewal, let us devote ourselves to works of penance according to the Rule and Constitutions and, as God inspires us, so that the paschal mystery of Christ may be more and more at work within us.

First of all, let us remember that our consecrated life is in itself an excellent form of penance.

For our salvation and that of others, therefore, let us offer our poverty, humility, the hardships of life, the faithful fulfillment of daily work, the availability for the service of God and neighbor, and the fostering of fraternal life, the burden of sickness and old age, even persecution for the Kingdom of God. Thus, suffering with those who suffer, we might always rejoice in our conformity with Christ.

Let us follow the same path of conversion of Saint Francis especially by going out to meet those who, in our times, are marginalized and in need of help.

103

Christ the Lord, the exemplar of all, after accepting a mission from His Father and being led by the Holy Spirit, fasted in the desert for forty days and forty nights. His disciple, Saint Francis, burning with the desire of imitating the Lord, also spent his life in fasting and prayer.

The time of Advent and, above all, the Lent before Easter, as well as every Friday, should be considered by us as times of more intense private and communal penance.

Moreover, [the observance of] the Lent, commonly called the 'Lent of Benediction', and of the vigils of the Solemnities of Saint Francis and of the Immaculate Conception of the Blessed Virgin Mary is also recommended.

On these days let us dedicate ourselves more readily to those works that favor conversion: prayer, recollection, listening to the word of God, bodily mortification and communal fasting. In a brotherly spirit, let us share by our greater frugality with other poor people whatever comes to us from the table of the Lord, and let us practice works of mercy more fervently according to our traditional custom.

As regards the law of abstinence and fasting, let the brothers observe the prescriptions of both the universal and the particular Church.

It is the responsibility of the provincial chapter, however, to determine more precisely both days of fasting and abstinence as well as the manner of fasting according to various circumstances of place and time.

104

To lead a truly gospel life and mindful of the passion of Christ, let our life be simple and frugal in all things as is appropriate for the poor, after the example of Saint Francis and our holy brothers. Let us also practice voluntary mortification, willingly moderating ourselves in food and drink, in attending the theater and other forms of entertainment.

Superiors should keep in mind the precept and example of charity of Saint Francis when providing things, especially for the sick.

105

Grieving in our hearts over our sins and those of others and desiring to walk in newness of life, let us practice works of penance adapted indeed to the differing mentalities of time and place.

Explicitly recommended are: the fraternal correction that Jesus taught, an exchange among the brothers concerning each one's life in light of the Gospel, and other forms of penance, especially those done in common.

Let the provincial chapters promulgate appropriate norms concerning these and other forms of communal penance according to local conditions.

106

In the sacrament of penance or reconciliation not only the brothers but the community of brothers as well are purified and healed for the restoration of their union with the Savior and, at the same time, for their reconciliation within the Church.

By means of the sacrament [of penance], moreover, we participate more intimately in the Eucharist and in the mystery of the Church while we experience the benefit of the death and resurrection of Christ.

Purified and renewed by means of the sacraments of the Church, we live our Capuchin Franciscan life each day more perfectly.

For this reason, let us place great value on frequent confession of our sins, as well as on daily examination of conscience and spiritual direction. The communal celebration of penance is also recommended.

107

In addition to the local Ordinary, the major superior may grant the faculty for hearing the sacramental confessions of the brothers. The local superior may also do so ad modum actus in individual cases.

Any priest of the Order, approved by his own major superior, may hear the confessions of the brothers anywhere in the world.

The brothers may freely confess their sins to any priest having faculties from any Ordinary.

Let confessors keep in mind the warning of Saint Francis that they do not become angry or disturbed at the sin of another but treat him with all kindness in the Lord.

108

Loving one another with that love with which Christ loved us, should a brother be in difficulty, let us not avoid him, but rather be eager to help him. If he falls, let us not be his judges but his protectors, preserving his reputation; let us love him even more, remembering that each one of us would have done worse had not God in His goodness preserved us.

Let the ministers show a heart of fatherly mercy to sinful brothers or to those in danger so that they might offer them appropriate and efficacious help as God would have it.

Let them not impose penalties, especially canonical ones, unless compelled by manifest necessity, and then with all prudence and charity, maintaining nonetheless the prescriptions of universal law.

Let them always remember the words of Saint Francis in his letter to a certain minister: "In this way I wish to know that you love the Lord and me, His servant and yours, if you do this: may there not be any brother in the world who has sinned - however much he could have sinned - who, after he has looked into your eyes, would ever depart without your mercy, if he is looking for mercy. If he is not looking for mercy, you should ask him if he wants mercy. And if he sins a thousand times before your eyes, love him more than me that you may draw him to the Lord".

CHAPTER EIGHT

THE GOVERNMENT OF THE ORDER OR OF THE FRATERNITY

109

Our Fraternity, led by the Holy Spirit, is an integral part of the Mystical Body of Christ through which the brothers, united in following Christ, contribute to the building up of the Church in love by various offices and ministries.

Let the brothers, therefore, feel obligated to favor the good of the Church and the Fraternity according to their own grace and vocation, so that they may be fully incorporated into the mystery of Christ.

In order to strengthen the spiritual and visible unity of our Order, chapters and ministers bind the members together and, in a spirit of service, exercise offices and responsibilities received from God through the ministry of the Church.

ARTICLE 1: THE STRUCTURE OF THE ORDER

110

Our Order or Fraternity, as far as its government is concerned, is divided into provinces, vice-provinces, custodies and houses or local fraternities; these structures, taken individually, are true fraternities.

A province is a group of brothers and local fraternities having its own territory presided over by a provincial minister.

A vice-province is a part of the Order established in a particular territory entrusted to some province or directly subject to the general minister and presided over by a vice-provincial as vicar of the provincial or general minister.

A custody or mission is a group of brothers who are dependent on a province and engaged in missionary work in some determined territory and governed by a superior regular as vicar of the provincial minister.

A local fraternity is a group made up of at least three professed brothers who dwell in a legitimately established house presided over by a local superior or guardian.

The general minister with the consent of the definitory can decide that a particular local fraternity or house is immediately dependent on himself. If the situation warrants it, it may have its own statutes. Whatever in these Constitutions is said of a province also applies to a vice-province and custody unless the contrary is evident from the nature of the case or from the text or context.

111

It is the responsibility of the general minister with the consent of the definitory, after consulting the Conference of Major Superiors of the region, as well as the provincial ministers and definitories concerned, to decide on the establishment, union, division, alteration, or suppression of provinces, observing the requirements of law.

In the same way, because of particular circumstances, the general minister with the consent of the definitory can establish provinces consisting of a number of regions. Such provinces may have special statutes approved by the general minister with the consent of the definitory. Should there ever be a difficulty in applying the Constitutions in these [statutes], the general minister with the definitory can advise concerning the more appropriate way of proceeding.

For the brothers to constitute a new province, there must be a sufficient number of them according to local conditions. The new province must be able to contribute to both an apostolic witness and the life of the Order, and have a certain geographical unity.

The general minister with the consent of the definitory, after consulting the brothers in perpetual vows, appoints the major superiors and definitors of new jurisdictions and determines the composition of the first chapter.

112

It is the responsibility of the provincial minister, with the consent of the definitory, after obtaining the consent of the chapter, to establish houses canonically, observing the prescriptions of law.

It pertains to the general minister, however, with the consent of the definitory, to suppress houses, either at the request of the interested party, observing strictly the prescriptions of the first paragraph concerning the required consent, or for some other cause, observing the norms of law.

If it is an urgent case, the vote of the provincial chapter is not required, but, if the establishment of a house is involved, both the consent of the provincial definitory and that of the general minister and his definitory is required.

113

Each brother, incorporated into the Order by profession, is a member of the province, vice-province or custody for which the major superior has accepted his profession.

Seniority in the fraternity is determined by temporary profession.

It pertains to the general minister, after consulting his definitory, considering the good of the whole Order and the needs of the provinces or individual brothers, and listening to the respective provincial ministers and their definitories, to send brothers from one province to another either temporarily or, with the consent of the definitory, permanently.

Let the provincial superiors, in a spirit of fraternal collaboration, be willing to meet such needs by sending brothers temporarily into another province.

Each brother exercises his right to vote only in one circumscription of the Order, unless he has it in another territory as well by reason of office. Those who have been sent into another circumscription by reason of service exercise rights only in that circumscription and not in their own. But brothers who for another reason dwell in a different circumscription exercise rights only in their own circumscription.

ARTICLE II: SUPERIORS AND OFFICES IN GENERAL

114

Under the supreme authority of the Supreme Pontiff, these are the superiors of the Order with ordinary power in their own right: the general minister in the whole Order, the provincial minister in his province, and the local superior or guardian in his fraternity.

There are also superiors with ordinary but vicarious power: the general vicar, the provincial vicar, the vice provincial, the superiors regular, and the local vicar.

All the above, with the exception of the guardian and his vicar, are major superiors.

Whatever is said in these Constitutions concerning the provincial ministers applies equally to the vice provincials and superiors regulars, unless the contrary is evident by nature of the case or from the text and context.

115

Offices in the Order are conferred by either election or appointment.

In conferring offices let the brothers proceed with a proper intention, simply and canonically.

For the good of the Order an appropriate preliminary consultation concerning those to be elected may be made, but it must be made in case of those to be appointed.

If an election requires confirmation, it must be requested within eight days of available time.

Let the brothers, as true minors, not be ambitious for office; but if they are called to it by the confidence of the brothers, they should not obstinately refuse to serve as a superior or in some other office.

Since we are an Order of brothers, according to the will of Saint Francis and the genuine Capuchin tradition, any brother in perpetual vows may assume any office or position excepting those that flow from Sacred Orders; if there is a question of superiors, a minimum of three years after perpetual profession is required for validity.

ARTICLE III: THE GOVERNMENT OF THE ENTIRE ORDER

116

The general chapter, the eminent sign of the union and solidarity of the entire Fraternity gathered together as one by means of its representatives, enjoys supreme authority in the Order.

The ordinary chapter, announced and convoked by the general minister, is celebrated every six years near to the solemnity of Pentecost, unless the general minister, with the consent of the definitory, judges another time of the year more appropriate.

For special reasons, in addition to the ordinary chapter, the general minister with the consent of the definitory may convoke an extraordinary chapter in which matters of great importance to the life and activity of the Order are discussed.

The following have active voice in a general chapter, whether ordinary or extraordinary: the general minister, the general definitors, the former general minister from the immediately preceding six-year term, provincial ministers, the general secretary, the general procurator, vice provincials, and the delegates of the provinces and custodies.

The provincial vicar goes to the chapter when the provincial minister is prevented by a grave cause known to the general minister or if the office of the provincial minister is vacant.

117

After the announcement of a general chapter, delegates and alternate delegates to the general chapter shall be elected by all brothers in perpetual vows in every province that has at least one hundred professed brothers.

A province is to elect an additional delegate and alternate for every two hundred professed brothers beyond the first two hundred.

This election is to be carried out in a manner established by a provincial chapter. The results of the election shall be published at least three months before the chapter.

Likewise, one delegate and alternate are elected in the custodies for every one hundred professed brothers.

For the election of delegates from the custodies which individually do not have one hundred professed brothers, after consulting the brothers involved, electoral groups shall be formed by the general minister with the consent of the definitory. These groups shall elect one delegate and an alternate for every one hundred professed brothers. As far as possible, geographical and cultural affinity should be taken into account in forming the electoral groups.

In special circumstances recognized and approved by the general minister with the consent of the definitory, electoral groups of custodies which do not total one hundred professed brothers may elect a delegate and an alternate who may come to the chapter with full capitular rights.

118

In an ordinary general chapter the general minister, who acquires full authority over the entire Order and all the brothers, is to be elected first, as prescribed by the 'Rite of Celebrating the General Chapter'.

The outgoing general minister may be immediately elected but only for another six years.

Eight general definitors are then elected, as decreed in the 'Rite of Celebrating the General Chapter', of whom four at the most can be from those elected in the previous chapter.

The outgoing general minister has only active voice in the election of the general definitors.

The general vicar is elected from the eight definitors and, thereby, becomes first definitor.

The duty of the general definitors is to assist the general minister in the government of the entire Order according to the norms of the Constitutions and the statutes of the general curia as approved by the general chapter.

119

Matters pertaining to the preserving and renewing of our life as well as the development of apostolic activity are to be treated in the chapter.

Let all the brothers be consulted in an appropriate manner concerning the questions put before a chapter and their suggestions sent to the general minister.

All the capitulars should be informed in good time about the agenda drawn up for consideration by the general minister with the consent of his definitory. But the chapter itself decides the questions to be treated.

120

The general minister and his definitors should reside in Rome.

When the general minister is absent from Rome, the general vicar takes his place.

However the confirmation of provincial ministers, appointment of general visitators and other matters that he has reserved to himself are reserved to the general minister.

Should the general minister be impeded from exercising his office, the general vicar is to administer the Order in all things. He should report important matters to the general minister at an appropriate time.

If the general vicar is also impeded, the next definitor according to the order of election takes the place of the general minister.

121

If the office of the general minister becomes vacant, the general vicar succeeds him and notifies the Apostolic See of the vacancy as soon as possible.

Should the office of the general vicar become vacant more than a year before the chapter, after the election of an eighth definitor, a general vicar is to be elected by the general minister and his definitory by secret ballot from among the definitors.

Should the office of a general definitor become vacant more than a year before the chapter, the general minister and the definitory, after hearing the Conference of Major Superiors of the capitular group to which the definitor being replaced belonged, elect another who takes his place as the last definitor.

122

The following assist the general minister and his definitory in carrying out their responsibilities: the general secretary, the general procurator concerned with matters dealing with the Holy See, the general postulator responsible for dealing with the Holy See concerning the causes of the canonization of the Servants of God, the general assistant of the Secular Franciscan Order, the general secretary for the promotion of the missions, and other officials sufficient in number for expediting matters.

All of these are chosen and appointed by the general minister from different regions with the consent of the definitory.

The responsibilities and duties of the general curia are assigned and carried out according to the norms of the special statute approved by the general chapter.

123

A Plenary Council of the Order is intended to express the vital exchange between the whole Fraternity and its central government, to promote an awareness of the corresponsibility and cooperation of all the brothers, and to foster unity and harmony in the pluriformity of the Order.

The members of the Council are the general minister, the general definitors and delegates of the Conference of Major Superiors according to a certain proportion established by the general minister with the consent of the definitory.

The delegates need not be selected from among the members of the Conferences of Major Superiors.

The manner of their selection is determined by each Conference.

The responsibility of the Plenary Council is: to foster communication between the general definitory and the Conferences and among the Conferences themselves; to establish a center for reflection; to examine the problems of greater importance and propose solutions to the Order; to offer to the general minister and definitors through constructive collaboration assistance in bringing about an updated renewal of the Order; and to care for the growth of the Order and the formation of the brothers.

The Plenary Council has a consultative vote. In order that the value of its reflections as a directive norm may not be lost, it is appropriate that the general minister, by his judgement and with consent of the definitory, confirm with his authority the acts of the Council and propose them to the Order. As a general rule, a Plenary Council of the Order may be convoked by the general minister, with the consent of the definitory, once or twice in a six-year term.

The Plenary Council is governed by its own statute that is drawn up by itself and approved by the general minister and his definitory.

ARTICLE IV: THE GOVERNMENT OF PROVINCES

124

The provincial chapter in which the members gather in fraternal communion in the name of the whole province is the primary provincial authority.

The ordinary provincial chapter is announced and convoked every three years by the provincial minister with permission of the general minister and his definitory. The faculty of permitting the celebration of a chapter, for a just cause, six months before or after a three year term belongs to the general minister with the consent of the definitory.

An extraordinary chapter, convoked by a provincial minister with the consent of the definitory, may be held in which the principal matters concerning the life and activity of a province and its vice-province and custody are discussed.

125

The general minister, if he presides, the provincial minister and the definitors of the province, the brothers to whom the provincial chapter shall give the right, the vice provincials, superiors regular, delegates of the province and delegates of the vice-provinces and custodies have active voice in ordinary and extraordinary chapters, attentive to those matters prescribed in number 113,5.

Provinces that wish to celebrate the Chapter with direct suffrage, that is, with the participation of all the perpetually professed brothers, decide this by a majority of two-thirds of all the perpetually professed brothers. This fact is then recorded in the directory for the celebration of the chapter. All the brothers in perpetual vows are bound to attend the chapter. Anyone prevented from attending must report the impediment to the provincial minister and his definitory who have the right of knowing and judging the matter. Only the brothers who are actually present in the chapter have the right to vote. Moreover, a vice provincial, superior regular and delegates of a vice-province and custody may participate in a provincial chapter according to the directory for the celebration of a provincial chapter.

Should the superior of a vice-province or custody be impeded for a serious reason known to the provincial minister and his definitory, or his office become vacant, the first or another councilor participates in a chapter if possible.

126

After the announcement of a provincial chapter, all of the currently perpetually professed brothers, excepting those belonging to other vice-provinces and custodies, may elect delegates and alternates, unless all the brothers are obliged to attend the chapter.

Brothers of the vice-provinces and custodies shall elect their delegates and their alternates.

The number of delegates whether of a province or of vice-provinces and custodies as well as the manner of electing them are determined by the provincial chapter.

127

Matters relating to the life and activity of the province are discussed in a provincial chapter concerning which all the brothers may be consulted beforehand.

All the capitulars are to be informed in due time about the list of proposed questions drawn up by the provincial minister and his definitory. The chapter itself, however, decides which business is to be treated.

In an ordinary chapter, the provincial minister is elected according to the directory for celebrating a chapter as approved by the provincial chapter itself.

The outgoing provincial minister, if he had been elected in the previous chapter, may be elected immediately but only for another three-year term.

According to the directory mentioned above, four provincial definitors are then elected, unless the general minister with the consent of the definitory decides that a larger number is more suitable; of these, only half may be from those elected in the previous chapter.

Then the provincial vicar is elected from among the definitors and becomes the first definitor by virtue of his election.

The outgoing provincial minister has only active voice in the election of the definitors.

The elected provincial minister exercises his office as a delegate of the general minister until his election is confirmed.

After the election or appointment of the provincial minister and definitors, the brothers continue to exercise their respective offices until other provisions are made. These norms, with the necessary modifications, also apply to vice-provinces and custodies.

128

The general minister with the consent of the definitors may appoint a provincial minister and definitors for serious reasons, after obtaining in writing the consultative vote of all the brothers in perpetual vows in the province; but this cannot be done for two consecutive three-year terms.

After this appointment, a chapter should be celebrated at an appropriate time to deal with provincial affairs.

129

It is the responsibility of the provincial vicar to help the provincial minister in whatever has been entrusted to him and, when the provincial minister is absent or impeded, to manage the affairs of the province, excepting those which the provincial minister has reserved to himself.

If the office of provincial minister becomes vacant, the provincial vicar is bound to have immediate recourse to the general minister and governs the province until he receives further instructions.

Should the vacancy occur more than eighteen months before the provincial chapter, the general minister, with the consent of the definitory, after a consultative vote of all the brothers in perpetual vows, shall appoint a new minister to complete the three-year term. When it is completed, a chapter is celebrated.

If the provincial vicar is impeded, the next definitor in line exercises his office.

When the office of a provincial definitor becomes vacant more than a year before the provincial chapter, the general minister, with the consent of the definitory, after hearing the provincial minister and his definitory, shall appoint another definitor who then becomes the last definitor. If the office of the provincial vicar becomes vacant, the provincial minister and his definitory elect by secret ballot another provincial vicar from the body of the definitory. The general minister is informed of this matter.

130

The provincial secretary, as well as officials needed for business transacted in the provincialate and, if necessary, for directing other special offices, may be appointed by the provincial minister, with the consent of the definitory, from among the brothers in perpetual vows.

The provincial secretary is subject only to the provincial minister. It is the responsibility of the provincial chapter, however, to decide whether other officials may be accountable to the provincial minister alone.

It is recommended that commissions be established in individual provinces by the provincial minister, with the consent of the definitory, to deal with special matters.

131

Conferences consisting of provincial ministers, vice provincials and superiors regular of a particular region or territory, are established by the general minister, with the consent of the definitory, to promote collaboration among provinces, vice-provinces and custodies, with Episcopal Conferences, with Unions of Major Superiors of Men and Women, to deal with current questions, and to preserve uniformity of administration, as far as this is possible.

These Conferences have their own statutes approved by the general minister with the consent of the definitory and meet at least once a year.

It is within their competence to carry out the duties entrusted to them by the Constitutions, by their own statutes and by the general minister, and to provide for the common good of the Order in their territory, as well as to promulgate, for their territories, special norms. In order to take effect, these norms must be approved by the respective councils and by the general minister with the consent of his definitory.

In order to foster solidarity between the brothers of our Order living in a particular continent, let major superiors take care that the brothers, by united efforts, pursue updated forms of Franciscan witness that transcend the boundaries of their own nations or political areas to renew Christian life and promote peace, justice and tranquility.

Article V: The Government of Vice-Provinces

132

Among the principal goals of vice-provinces is the implantation of the Order in a particular Church to give Gospel witness to the Franciscan charism.

For this reason care must be taken in the viceprovinces for the vocations of inhabitants of the place. To this end that life and pastoral activity must be properly fostered which are adapted to the conditions of the region.

Let a province send, as far as possible, as many religious to a vice-province committed to it as the needs of the vice-province require.

In selecting religious to be sent or recalled, the superiors, after listening to the vice provincial and his council, should consider the specific qualifications of the brothers in relation to local conditions, the formation of the young and the apostolate exercised in the viceprovince.

The vice provincial, with the consent of the council, considering the needs of the vice province and with the consent of the provincial and general ministers, may enter into appropriate agreements with other provinces or Conferences of Major Superiors. These agreements are to be submitted to the provincial and general minister for ratification.

133

A vice provincial with two councilors governs each vice-province.

It belongs to the general minister, with the consent of the definitory, and after consulting the provincial minister, to determine a larger number of councilors.

The vice provincial and councilors are elected for a three-year term, after which they can be re-elected. The vice provincial may be immediately re-elected for only another three-year term.

The vice-provincial chapter determines whether the outgoing vice provincial has passive voice in the election of councilors.

The vice provincial and councilors may be elected by all the brothers in perpetual profession, in the manner established by the vice-provincial chapter and after they have obtained consent of the provincial or general minister. If there is a just cause, the general minister with the consent of the definitory can permit in particular cases the election of superiors and councilors by a chapter with delegates.

If the election by the chapter is done by direct suffrage, the vice provincial, with the consent of the provincial or general minister, himself convokes the chapter in which the brothers present have an active voice as well as the provincial or general minister, if they preside. Whatever is said for the provincial chapter concerning brothers prevented from participating in a chapter is valid in this instance.

When the voting takes place outside a chapter, let the votes be tallied in the vice-province itself by the vice provincial, his councilors and two brothers elected by the local chapter of the place where the tally is taken in the presence of the provincial or general minister or the respective delegate. The elections are then promulgated.

The elected vice provincial exercises his office as the delegate of the provincial or general minister until the election is confirmed.

From the moment his election is confirmed, the vice provincial enjoys juridical power to exercise his office with ordinary vicarious power. At the same time, the faculties spoken of in numbers 19 and 36 of the Constitutions should be expressly conferred on him by the provincial or general minister.

The provincial minister then informs the general minister of that election.

With the permission of the provincial or general minister, the vice provincial may convoke a chapter to treat various matters. It is appropriate that the provincial or general minister preside and have active voice.

Should the vice provincial be absent or impeded, the first councilor or, if he is impeded, the next councilor in order of election takes his place.

Should the office of viceprovincial or councilor be vacant for whatever reason, the matter is be referred to the provincial or general minister who shall proceed as prescribed in number 129.

In the statutes drawn up by the vice-provincial chapter and approved by the general or provincial minister, other matters concerning government shall be treated. These statutes may determine, among other things, the vocals of a chapter to take charge of various matters as well as those matters that can be dealt with only with the permission of the provincial or general minister.

134

The vice provincial is to meet with his councilors at least four times a year. He needs their counsel or consent in the same cases that, according to the Constitutions, the provincial minister needs the counsel or consent of his definitory.

Let him propose to the provincial or general minister innovations that involve burdens of greater moment for the province or vice-province.

ARTICLE VI: THE GOVERNMENT OF CUSTODIES

135

A superior regular with two councilors governs each custody.

The number of councilors may be increased to four by the provincial ministers with the consent of the definitory after consulting those concerned and according to the need or welfare of the custody that requests it. The general minister is to be informed if this is done.

136

A superior regular and councilors may be elected for a three-year term by the brothers with perpetual vows assigned to the custody, while being attentive to those matters contained in number 113, 5. If there is a just cause, the general minister with the consent of the definitory can permit in particular cases the election of superiors and councilors by a chapter with delegates.

A superior regular may be immediately reelected but only to another three-year term.

The chapter of a custody determines whether an outgoing superior regular may have a passive voice in the election of the councilors.

To hold an election, either by a chapter or some other way, the consent of the provincial minister is necessary; if he presides [at the chapter], he has active voice.

All those are considered members of a custody who have received letters of obedience for missionary work from the general minister, even if temporarily, as well as, all brothers affiliated to a custody by profession, even if they live elsewhere for formation or some other reason.

137

The election of a superior regular and councilors takes place either in a chapter with direct suffrage in which only the brothers who are present have active voice, or in another way as the superior regular shall decide with the consent of the councilors, after weighing the conditions of the custody and listening to the wishes of the brothers, while being attentive to what is contained in number 113,5. The same norms prescribed for the provincial chapter apply to those prevented from going to the chapter.

It belongs to the provincial minister to confirm an election; if he is not present, the elections are promulgated and the elected superior regular exercises his office as delegate of the provincial

minister until his election is confirmed. The provincial minister is to notify the general minister of the election that has taken place.

From the moment of his confirmation, the superior regular enjoys ordinary vicarious power to fulfill his office. At the same time the provincial minister should confer upon him the faculties mentioned in numbers 19 and 36 of the Constitutions.

The general minister with the consent of his definitory may appoint a superior regular and his councilors for grave reasons, after consulting the minister provincial and his definitory and having obtained a written consultative vote of the brothers of the custody.

138

Should a superior regular be absent or impeded, the first councilor or the next councilor in order of election, if the first is impeded, takes his place.

Should the office of the superior regular or councilors of the custody become vacant, for whatever reason, the matter should be referred to the provincial minister who may follow the norms given in number 129 making the needed adaptations.

139

The superior regular should meet with his councilors at least four times a year.

He needs their counsel or consent in the same cases that, according to the Constitutions, the provincial minister needs the counsel or consent of his definitory.

It is proper that a custody have statutes, approved by the provincial minister with the consent of the definitory, in which matters of government of greater moment are determined.

ARTICLE VII: LOCAL GOVERNMENT

140

At the provincial chapter, or afterwards at an appropriate time, the provincial minister with the consent of his definitory shall form the local fraternities and appoint local superiors according to number 115,3, after consulting the brothers as much as possible and paying attention to preserving the form of our life, to fostering fraternal relationships, as well as to the special services to be done in individual houses.

The fraternities and their superiors in viceprovinces and custodies are to be established in the same way, keeping in mind their special circumstances.

Local superiors are appointed by the provincial minister with the consent of the definitory for a three-year term. They may be appointed for a second or, in case of manifest necessity, a third three-year term, even in the same house if there are just reasons.

Those who have exercised the office of local superior for six or, in case of necessity, for nine consecutive years shall remain free from such a responsibility for at least one year.

141

In each fraternity a vicar is to be appointed by the provincial minister with the consent of the definitory. He has the responsibility of assisting the superior as a councilor in governing the community and of governing the fraternity himself when [the superior] is absent or prevented or his office becomes vacant.

In every house with at least six brothers, in addition to the vicar, who is the first councilor by law, let one or two councilors be elected by all the perpetually professed brothers. Their responsibility is to advise the local superior in spiritual and material matters.

In matters of greater importance, the councilors have a deliberative vote according to the Constitutions and regional and provincial statutes.

When the guardian and vicar are absent or impeded, the brother designated by the norms of the provincial chapter presides over the fraternity.

If the office of the local superior becomes vacant more than six months before a provincial chapter, another shall be appointed by the provincial minister with the consent of the definitory. Should the office be vacated within six months of the provincial chapter, the vicar governs the fraternity.

142

The local chapter consists of all the professed brothers.

In the chapter loving obedience, a distinctive characteristic of our fraternity by which the brothers serve one another, finds its best expression, the creativity of everyone is fostered, and personal gifts contribute to the good of all.

It is the responsibility of the local chapter, under the guidance of the guardian, to strengthen the fraternal spirit, promote an awareness of the common good among all the brothers, establish a dialogue concerning everything that regards fraternal life, especially when it touches on fostering prayer, preserving poverty, and promoting fraternal formation so that the will of God may be sought together.

The local chapter is to be celebrated frequently in the course of the year and the major superiors should effectively promote and animate it at times by their own presence.

Let the superiors not only inform but also consult the brothers by suitable means about matters that should be treated in a chapter.

The votations of a local chapter are consultative unless universal or particular law determines otherwise.

Only perpetually professed brothers have the right to carry out elections and to vote regarding the admittance of brothers to profession according to the norms of the Constitutions.

143

In the generalate and provincialate, in the houses of the vice provincial and superior regular, as well as in each of our houses there should be an archive in which all necessary documents are preserved diligently and with confidentiality and all matters worthy of remembrance are accurately recorded by the one to whom this has been entrusted.

Let there be an inventory of the documents kept in the archive.

CHAPTER NINE

THE BROTHERS' APOSTOLIC LIFE

144

The Son of God was sent into the world by the Father so that, assuming our human condition, he might bring the good news to the poor, heal the contrite of heart, proclaim liberty to prisoners, and restore sight to the blind.

Christ established the continuation of this mission within the Church by the power of the Holy Spirit.

This same Spirit raised up Saint Francis and his apostolic Fraternity so that, according to the more urgent needs of its time, it might offer all its energies to the Church in its mission to all peoples, especially to those who are most in need of hearing the gospel message.

Our Fraternity, therefore, obeying the Spirit of the Lord and Its holy activity, fulfills a debt of service to all peoples by bringing them the gospel in deed and word in the Church.

145

In our apostolic activity, let us preserve the proper characteristics of our charism, adapting them to different times and circumstances.

The principal apostolate of a lesser brother is: to live a gospel life in the world in truth, simplicity and joy.

Let us show respect for all people and [manifest] a spirit ready for dialogue with them.

Although we prefer the evangelization of the poor according to the example of Christ and Saint Francis, we should not hesitate to proclaim the message of the conversion to justice and the responsibility of preserving peace to those in positions of power and those ruling others.

We should willingly assume any ministry or apostolic activity as long as it is in harmony with our form of life and responds to the needs of the Church. Aware of our minority, let us generously undertake those ministries that are regarded as especially difficult.

Let the Fraternity, whether provincial or local, promote and coordinate various apostolic initiatives as expressions of the entire fraternity.

As disciples of Christ and sons of Saint Francis, the brothers should keep in mind that a spirit ready to suffer the cross and persecution, even martyrdom, is required by the faith and the salvation of our neighbor.

146

The brothers should willingly engage in any kind of apostolate, even if it is of private inspiration, under obedience to the competent authority.

Saving the right of the Supreme Pontiff to use the service of the Order for the good of the universal Church, the exercise of each apostolate is subject to the authority of the diocesan Bishop, from whom the brothers, after they have been approved by their ministers, receive the necessary faculties. When they are invited by a bishop to serve the people of God and their salvation, the ministers may freely accept [these invitations], in as much as they are able, according to our charism.

While preserving our Capuchin-Franciscan characteristics, it is the responsibility of the provincial chapter to adapt our apostolic labors to the needs of the times. But it pertains to the provincial minister with the consent of the definitory to coordinate the apostolic resources of the province.

After consulting the local chapter in matters of greater importance, the superior of a fraternity should allocate work, while keeping in mind the needs of the Church and the conditions of the individual brothers, [and] in close collaboration with any pastoral organization established by the episcopal hierarchy.

Let the brothers willingly collaborate in the works and initiatives of the other religious institutes of the Church.

147

In order that our apostolic initiatives may respond to the demands of evangelization and to peoples' needs, let the brothers accustom themselves to read the signs of the times through which the divine plan is perceived by the eyes of faith.

They should foster the customary works of the apostolate such as popular missions, retreats, the sacramental confession of the faithful, the spiritual care of religious women, especially Franciscans, care of the sick and of those in prison, works of education and of social development.

When taking on new forms of the apostolate, let the brothers show special care to those peoples who are deprived of ordinary pastoral care because of the conditions of their life: the young during decisive moments of their Christian life, emigrants, laborers, those burdened with financial pressures, or those harassed by hostility or racial prejudice.

Let them undertake with special zeal an ecumenical dialogue of charity, truth and prayer with non catholic Christian brothers and sisters that they may share the Church's concern for restoring unity.

Likewise let them attempt to establish a salutary discussion with those among whom they live or to whom they are sent who profess another religion and who do not believe.

All ministries undertaken for the people must be founded upon a life shaped by the Gospel. The witness of brothers who live close to the people and [who] are simple of heart and minors by the condition of their life and speech is more easily understood and more willingly received.

148

As he went throughout cities announcing the mystery of Christ in few and simple words, Saint Francis, the herald of Christ, confirmed by the authority of the Church, scattered the seeds of the Gospel everywhere.

Following his example and the tradition of our Order, the brothers should preach the word of God clearly, and adhere to the Sacred Scriptures faithfully.

Let the brothers make every effort to imprint the word of God, Christ, upon their own hearts and give themselves totally to Him, so that He may impel them to speak out of an abundance of love. In this way they shall preach Christ Himself by their life, work and speech.

That this may occur, let them strive to make continual progress in the wisdom of Christ that is acquired above all in the course of life, and especially through persistent reading, meditation and careful study of the Sacred Scriptures.

149

Through the celebration of the sacraments Christ is present to the faithful with His power, sanctifies them, and builds up His body. Therefore, let the brothers be ready to assist the faithful when administering the sacraments either by virtue of their office or when invited to do so by the clergy. Thus, on these occasions, the faith may be nourished, strengthened and expressed.

The brothers who are priests, in the spirit of Christ the Shepherd, should proclaim the remission of sins in the sacrament of reconciliation and willingly offer themselves for hearing the confessions of the faithful, especially since it is a ministry highly appropriate to lesser ones and is often exercised on behalf of people who are spiritually very poor.

Let zeal for the holiness of God and His mercy, as well as respect for the dignity of the human person, charity, patience and prudence be resplendent in them.

Confessors should strive to make continual progress in pastoral knowledge and in the proper exercise of their ministry.

150

After the example of Saint Francis and the enduring tradition of the Order, the brothers should willingly undertake the spiritual, and even the bodily, care of the sick and infirm.

Thus by following Christ Who went about the cities and villages healing every sickness and infirmity as a sign of the coming of the Kingdom of God, they will fulfill the mission of the Church which, through its children, unites itself with people of every condition, especially the poor and afflicted, and willingly spends itself for them.

Let the ministers encourage this ministry since it is an excellent and efficacious work of charity and of the apostolate.

151

In keeping with the character and tradition of our Order, let the brothers be ready to offer pastoral assistance to the clergy in the parishes of a particular

While being attentive to the urgent needs of the faithful, major superiors, with the consent of the council, may accept with prudence the care of a parish in the spirit of service to a particular Church. That we might be faithful to our vocation in assuming this ministry, those parishes should ordinarily be preferred in which we can more easily give a witness of minority and lead a form of life and work in fraternity. In this way the people of God can appropriately share in our charism. Shrines entrusted to our Order should be centers of evangelization and sound devotion.

152

As they recognize the role of the laity in the life and activity of the Church, let the brothers encourage the lay people to assume the different ministries proper to them, especially in the work of evangelization. Likewise [the brothers] should promote associations of the faithful whose members strive to live and proclaim the word of God and to change the world from within.

Among these associations, the Secular Franciscan Order should be close to our heart. Let us cooperate with Secular Franciscan that their fraternities may progress as communities of faith endowed with a special effectiveness for evangelization, as well as in the formation of individual members. Thus they may spread the Kingdom of God not only by the example of their life but also by various kinds of apostolic activity.

153

Saint Francis used to encourage his brothers to proclaim the Kingdom of God even with songs and praises in the language of the people; he himself strove to serve the salvation of all peoples through many writings.

Therefore, let us also greatly esteem the modern means of social communication for their power to influence and move the masses and the entire human society and as instruments suitable for evangelizing peoples of our time.

That the various forms of the apostolate may be strengthened in our fraternities by these means of social communication, superiors should take care that brothers who are found qualified for this receive appropriate training.

All the brothers should be suitably instructed in a responsible use of these means of social communication that, through them, they may acquire an accurate and realistic understanding of the condition of human society and the needs of the Church.

With combined efforts, let them also exercise the apostolate of the printed page, especially in publishing matters of Franciscan interest. It is strongly recommended that offices for this purpose be established in provinces or nations, and even in the Order as a whole.

The prescriptions of universal law are to be observed in matters pertaining to the instruments of social communication. When it is a matter of writing about religion or morals, it should be remembered that permission is also required from the major superior.

Let the brothers have the equipment necessary for carrying out their duties without this being a detriment to fraternal life and with due consideration to our Capuchin-Franciscan vocation.

154

In whatever capacity they are dedicated to the apostolate, let the brothers integrate their life and activity in the exercise of love to God and people that is the soul of every apostolate.

They should also remember that they cannot pursue their mission unless they are continually renewed in faithfulness to their own vocation.

Let them, therefore, perform works of the apostolate in poverty and humility, not making a ministry their own, that it may be clear that it is Jesus Christ alone whom they seek. Let them preserve that unity of the fraternity which Christ wished to be so perfect that the world would know the Son was sent by the Father.

Let them cultivate a life of prayer and study in a fraternal exchange, so that they may be intimately united with the Savior and, moved by the power of the Holy Spirit, offer themselves with a magnanimous and ready spirit to witnessing to the joyful good news in the world.

CHAPTER TEN OUR LIFE IN OBEDIENCE

155

By virtue of our commitment to live in obedience, without regard to distinction of office, let us strive for the last place in the community of Christ's disciples, serving one another in a spirit of charity and remaining subject to every human creature for God's sake.

This is true obedience, as manifested in the life of Jesus Christ in the form of a servant.

Docile to the Holy Spirit [and] in a fraternal sharing of life, let us search for and fulfill God's will in every event and action.

Thus it will come about that the ministers or superiors, who spend themselves in the service of the brothers entrusted to them, and the other brothers, who are subject to them in faith, will always do what is pleasing to God.

ARTICLE I: THE PASTORAL SERVICE OF THE MINISTERS

156

Christ did not come to be served but to serve. To show this he washed the feet of the apostles and recommended that they do the same.

Therefore the ministers, the servants of the others, should not exercise authority as masters, but serve the other brothers, giving them spirit and life by example and word.

157

Since they must render God an accounting of the brothers entrusted to them, let the ministers preside over their fraternities in charity, becoming an example to them from the heart.

Therefore they should exercise the office entrusted to them with wisdom, be solicitous for the brothers, and take care of all things, especially the spiritual.

With intense prayer and prudent discernment, let [the ministers] seek together with them the will of God.

In a gospel spirit let them willingly initiate dialogue with the brothers, whether communally or individually, and accept their advice. All should remember, however, that it is the responsibility of the ministers, in virtue of their office, to make the final decision.

Let the ministers strive to lead the brothers to observe our life faithfully and to foster the good of the Church everywhere.

For the good of the whole fraternity, let them promote the harmonious activity of all, especially of those who have specific responsibilities in the house.

158

All the ministers are responsible for ministering the word of God to the brothers and for carefully providing for their appropriate instruction and religious formation.

In each province this may be done in a variety of ways according to circumstances of time and place, as decided by the provincial minister with the consent of the definitory, as, for example, through a spiritual discussion, whether with individuals or in the local chapter, by homilies to the brothers during the celebration of the Eucharist or of the Word of God, by the circular letters of the major superiors, or by workshops concerning religious and franciscan themes.

159

Desiring that each brother be conformed to the design of the Father Who calls him out of love, the ministers should urge [all the brothers] to seek out and fulfill the divine will actively and responsibly.

Let them guide the brothers entrusted to them as sons of God [and] with respect for the human person so that they may offer obedience voluntarily.

They should not impose commands by virtue of the vow of obedience unless charity and necessity demand it and [it is done] with great prudence in writing or before two witnesses.

160

They should exercise the office that belongs to them by virtue of the Rule of admonishing, encouraging and, when necessary, correcting the brothers, with firmness and, at the same time, kindness and charity.

Let them make an effort to correct the failings of individual brothers privately through a fraternal discussion, keeping in mind the person and the circumstances.

Let the brothers, however, willingly accept the correction of superiors for the betterment of their soul.

Superiors should discuss the failings or omissions of the fraternity with the brothers themselves, especially on the occasion of a local chapter. Let all of them together seek and apply effective remedies.

161

The pastoral visitation of major superiors prescribed by the Rule and universal law contributes much to the vivacity of our life and to the renewal and unity of the brothers.

During his term of office, the general minister should visit all the brothers either personally or through others, principally through the general definitors.

The other major superiors should make such a visitation to all the fraternities in their own territories at least twice in a three-year term.

The vice-provinces and custodies, in addition to a visitation of the vice provincial or the superior regular, should be visited by the provincial minister during each three-year term.

Moreover, when the opportunity arises, let the general minister visit the brothers in different countries and occasionally be present at meetings of the Conferences of Major Superiors.

Let the other major superiors as well, in their concern for individuals and their work, willingly take advantage of opportunities of meeting with the brothers.

162

The visitators should initiate a sincere discussion with the brothers, whether individually or gathered together for communal dialogue, about everything that supports and fosters the life of the brothers, whether spiritual or temporal. Let them not neglect the visitation of the houses.

Let them act with a thorough understanding and with an adaptability to the times and conditions of different regions. In this way the brothers may express their judgement freely and sincerely and work together for whatever leads to the perennial renewal of our life and growth of our activity.

163

Once the visitation is completed, the delegated visitator should send a complete report to his respective superior.

Within the time set by the visitator, let the superiors, whether major or local, inform their own immediate superior concerning what they have put into practice after the visitation as well as how the requirements of the Constitutions, the provincial chapters and the superiors have been implemented.

Once during a three-year term let the major superiors send a report concerning the state of their own jurisdiction to their respective superior.

ARTICLE II: THE LOVING OBEDIENCE OF THE BROTHERS

164

Following the footprints of the Lord Jesus Who was subject throughout his entire life to the will of His Father, the brothers, by the profession of obedience, offer their will as a sacrifice of themselves to God, conform themselves continually to the salvific will of God, Whom they love above all else, and bind themselves to the service of the Church.

Moreover, by living in obedience, they discover, together with the fraternity, the will of God more securely and strengthen fraternal union itself.

In the spirit in which they have freely promised the gospel counsels, let them manifest an active and responsible obedience to superiors with faith and love for God's will.

They may rest assured that a freely made offering of their own will to God greatly fosters their personal perfection and becomes a witness of the Kingdom of God for others.

165

While showing themselves ready to obey their superiors in a spirit of faith, the brothers should present their own judgements and initiatives to them for the common good. It is the responsibility of the superiors to decide and direct what must be done, after willingly considering everything with the brothers.

Whatever good a brother may do with a right intention and by his own choice is also true obedience, when he knows that [what he does] is not contrary to the will of the superior or detrimental to fraternal unity.

If, after fraternal dialogue, a brother sees something better and more useful than what a minister commands, let him sacrifice his judgement willingly and strive to follow that of the superior. In fact, this is the true and loving obedience that satisfies God and neighbor.

166

Those who, because of personal reasons or external circumstances, cannot observe the Rule spiritually may, and should, have recourse to the minister confidently asking advice, encouragement, and remedies.

The minister should welcome and help them with fraternal charity and concern.

167

Let all of us, the ministers and the other brothers alike, walking in truth and sincerity of heart, have a sense of familiarity among ourselves and serve and obey one another willingly through charity of spirit.

Let us foster mutual respect in such a way that, when a brother is absent, we would never say anything that, in charity, we would not dare to say were he present.

By acting in this way, in a world that is meant to be consecrated to God, we will be a sign of that perfect love which flourishes in the Kingdom of heaven.

Should we sometimes suffer want, persecution and tribulation because of our witness to the gospel life, let us place all our hope in God, Whom we love above all else.

Moved and sustained by the Spirit of the Lord and Its holy activity, as poor men and men of peace, let us courageously undertake great initiatives and, if we persevere until the end, enjoy God's reward.

CHAPTER ELEVEN

OUR LIFE IN CONSECRATED CHASTITY

168

Chastity must be esteemed among the gospel counsels as an extraordinary gift of God that is willingly embraced for Christ and His Kingdom through an impulse of the Holy Spirit.

The reason for leading our life in chastity is the preferential love of God and of all peoples; in a unique way, in fact, it confers a greater freedom of heart through which we are able to cling to God with an undivided love and to become all things to all peoples.

By always guarding and cultivating this gift, our fraternity becomes a splendid sign of the mystery through which the Church is united to her only Spouse. The charism of celibacy, which not everyone is capable of grasping, is an option for the Kingdom of God, prophetically proclaims that kingdom in our midst, and offers a witness to the future life in which those who have risen are brothers to one another before God Who will be all in all for them.

169

One of the noted characteristics of Saint Francis is the richness of his affections and his capacity for expressing them.

Francis, captivated by a love of God and all peoples, indeed of all created beings, is a brother and a friend of all.

Thoroughly courteous and refined, sensitive to everything beautiful and good, he wishes that his brothers sing joyful songs of penance-conversion, immersed in peace and in a universal, even cosmic, brotherhood.

170

While we are on the way to the Kingdom of God, chastity always involves a certain privation that must be recognized and accepted. Diligent recourse to supernatural and natural means makes it possible to maintain equilibrium and to avoid the dangers that threaten a celibate brother such as boredom, loneliness of the heart, love of comforts, excessive gratification, or, on the other hand, morbid aversion to displaying affection.

Chastity consecrated to God, a gift given to human beings, is nourished, supported and increased by participation in a sacramental life, especially in the Eucharistic Banquet and in the Sacrament of Reconciliation, and by persevering in diligent prayer and intimate union with Christ and His Virgin Mother.

Therefore, let us strive to respond generously to this gift, not relying on our own strength but on God's help.

171

Affective and sexual maturity gradually travels a path of conversion from a self-centered and possessive love to one that is self-sacrificing and capable of giving itself to others.

Let all the brothers, especially superiors, remember that love for one another in familiar companionship and fraternal service is an excellent support of chastity.

A fraternity that is genuine, serene and open to others makes the natural development of each one's affectivity easier. Fraternal commitment demands a continual renunciation of self-love and requires a dedication that favors authentic and profound friendships that greatly contribute to the fulfillment of an affective life.

Besides a discipline of the senses and of the heart, let us joyfully dedicate ourselves to diligent work, living in humility and penance, and use other means that foster health of mind and body.

172

Let the brothers love all people in Christ and, through a brotherly and friendly rapport, seek to lead them to share in the Kingdom of God.

Following the example of the noble affection Brother Francis had for Sister Clare, our attitude toward women should be conspicuous by its courtesy, respect, and sense of justice.

Friendship is a great gift that fosters human and spiritual growth. In virtue of our consecration and because of the respect due to the vocation of those with whom we associate, we should avoid binding others to ourselves; rather let us give ourselves to them. In this way a friendship is established that is liberating and not destructive of fraternity.

The relations of the brothers with their own family further affective growth; but let us not forget that the fraternity is our new family.

173

We should frequently reflect upon the words of Saint Francis in which he encourages his brothers that, after they have put aside all anxiety, they love and adore the Lord God in all creatures with a clean heart, a chaste body and a holy activity.

Therefore let nothing hinder us, nothing separate us that the Spirit of the Lord may act and be manifested in us and in our fraternity.

CHAPTER TWELVE

SPREADING AND FOSTERING THE FAITH

TITLE I: THE MISSIONARY COMMITMENT OF THE ORDER

174

Christ Jesus, God's Good News, the first and greatest preacher of the Gospel, gave to all his disciples through them, to the community of faith that is the Church, the grace and mandate of spreading the gospel.

All the baptized, and especially religious by the special gift of themselves, are united to the Pilgrim Church. Through Christ's mission and that of the Holy Spirit, [the Church] is the universal sacrament of salvation and, therefore, missionary by its nature.

Through divine inspiration, Saint Francis renewed the missionary spirit of his time by the example of his life and the power of his Rule. Moreover, he added momentum to those initiatives of the Church that are called missionary and through which the Gospel is proclaimed. In this way the coming Kingdom of God transforms the human person, creates a new world that is just and full of peace, [and] each day the Church is established and, day after day, becomes more perfect.

Our Order accepts as its own the responsibility of spreading the Gospel that belongs to the whole Church. It regards and takes on this missionary work as one of its principal apostolic obligations.

Missionaries are those brothers who bring the good news of salvation to all those in any continent or region who do not believe in Christ.

We recognize, however, the special situation of those brothers who engage in missionary activity in the service of newly established Churches.

175

As Saint Francis provided, missionary brothers can conduct themselves spiritually among non-Christians in two ways: either, while being subject to every human creature for God's sake, they give witness with great confidence to the Gospel life by their charity; or, when they see that it pleases God, they openly proclaim the word of salvation to non-believers that they may be baptized and become Christians.

The brothers should willingly listen to members of the newly established Churches and dialogue with them, recognizing that particular Churches have already acquired a preferred role in the work of evangelization. In this way it becomes clear that they have come to serve those Churches and their pastors.

As they evaluate historical, religious, social and cultural conditions in light of the Gospel, let them act in a spirit of charity, with the freedom of the sons of God, and impelled by a prophetic spirit.

Let them promote, in dialogue with Christian churches and non-Christian religions, those changes that foster the coming of a new world and be attentive to ideas that influence the mentality and activity of peoples.

176

Brothers who feel they are called by divine inspiration to missionary activity in another region where evangelization is more urgent should make this known to the provincial minister. The provincial minister, however, may also call upon other qualified brothers willing to assume such work.

After a special doctrinal and practical preparation in missiology and ecumenism in keeping with each one's ability, the same minister should present them to the general minister who is responsible for granting letters of obedience.

The ministers should not refuse to send suitable brothers because of a scarcity of brothers in the province, but let them cast their care and thought upon Him Who has continuing care of us.

Different provinces of the Order should generously offer mutual assistance as opportunities arise and, through the general minister, offer missionaries and support to other circumscriptions in need of them.

Brothers may be invited to share in missionary work even for a while, especially to provide special services.

The brothers should cooperate with lay missionaries, especially catechists, in work and programming and, with them, zealously care for the spiritual animation of the people, as well as their social and economic welfare.

Let superiors foster among the brothers a love and spirit of cooperation for missionary work. Let this be done in such a way that everyone, according to his own state and ability, may satisfy his missionary responsibility in fraternal communion with missionaries, by praying for the newly established Churches in union with them, and by awakening a concern among the Christian people.

177

Since the state of those who profess the gospel counsels belongs to the life and holiness of the Church and, for that reason, should be zealously promoted even from the period of the implantation of the Church, let missionary brothers strive to foster our charism in the particular Churches.

It is the responsibility of major superiors, therefore, to provide that brothers qualified for forming candidates of the Order be present among the missionaries.

Let the form of our life and the spiritual heritage of our Order, which is universal and embraces all the rites of the Catholic church, be transmitted and expressed according to the circumstances of a region as well as to the unique character of each nation and particular church. Customs peculiar to one region should not be transplanted into another. It is the responsibility of the general minister, with the consent of the definitory, to decide the rite of individual jurisdictions, while observing the prescriptions of law.

178

The general minister, with the consent of the definitory and in union with ecclesiastical authority, has the responsibility of promoting and coordinating missionary activity in the particular churches.

After receiving the approval of the general minister with the consent of the definitory, the provincial minister, with the consent of the definitory, has the responsibility of accepting a missionary commitment proposed by the general minister as well as to underwrite agreements with the respective ecclesiastical superior.

The general minister as well as the provincial ministers, with the consent of the definitory, should establish a secretariat for missionary promotion and cooperation and determine its responsibility.

The brothers should cooperate diligently with religious institutes that are engaged in missionary activity in a particular Church in the same territory or in missionary promotion at home.

The summit of missionary activity should be considered the building up of the particular church in which the clergy, religious and laity shall have responsibility according to each one's competence.

179

Let the brothers be mindful of Saint Francis who wished to send his companions into the world after the example of the disciples of Christ, in poverty with full trust in God the Father, proclaiming peace everywhere by their life and word.

Let us commend this great undertaking to the intercession of the blessed Virgin Mary, Mother of the Good Shepherd, who gave birth to Christ, the light and salvation of all nations, and who, with the work of the Holy Spirit, was present on the morning of Pentecost at the beginnings of evangelization.

ARTICLE II: THE BROTHERS' LIFE OF FAITH

180

As true disciples of the Lord and sons of Saint Francis, let us preserve, with the help of divine grace, the faith that we have received from God through the Church. With all our energies and sound judgement, let us enter more profoundly into [this faith] and apply it ever more fully to our life.

We should implore God through diligent prayer for an increase of this inestimable gift and live in intimate union with the entire People of God.

Led by the Holy Spirit, let us bear witness to Christ everywhere and, to those who ask, let us explain that hope of eternal life which is within us.

181

Saint Francis profoundly desired to adhere faithfully to the magisterium of the Church as the guardian of the written and spoken word of God as well as of the gospel life.

In order to preserve this spiritual heritage intact, let us nourish a special devotion to holy Mother Church.

Let us be one with the Church in all things: in thought, word and action, diligently avoiding false or pernicious doctrines.

Led by a sense of an active and responsible conscience, let us offer religious submission of intellect and will to the Roman Pontiff, the supreme teacher of the universal Church, as well as to the bishops who, as witnesses to the faith, teach the people of God in union with the Supreme Pontiff.

At the beginning of their term of office, the superiors and the other brothers should make a profession of faith, as decreed in law.

182

Responding to the divine vocation through which God each day requests us to take part in carrying out His plan of salvation, let us remember how closely we are bound to Christ before the people of God by virtue of profession.

Let us strive, therefore, to walk worthily and to excel all the more in the vocation to which we are called, remembering that God never gives His gifts or, therefore, a vocation in vain. His grace will not fail us in overcoming difficulties on this narrow path that leads to life.

Zealously dedicating ourselves to our renewal, let us persevere with a joyful heart in the commitment of our life. Yet, conscious of our human frailty, let us move forward on the way of conversion with the entire Church that is always being renewed by the Holy Spirit.



183

By virtue of our profession, we must observe the Rule of Saint Francis, confirmed by Pope Honorius, simply and in a catholic manner.

Its authentic interpretation is reserved to the Holy See which has abrogated earlier pontifical declarations on the Rule only as regards their preceptive force, excepting those contained in the existing universal law and in these Constitutions.

Furthermore, the Holy See recognizes the right of the General Chapter to adapt the Rule to new circumstances when appropriate. But these adaptations obtain the force of law only through the approval of the Holy See.

184

The authentic interpretation of the Constitutions is reserved to the Holy See. The General Chapter, with the consent of two-thirds of the vocals, may add to, change, repeal or abrogate the Constitutions, according to the needs of the times, so that appropriate renewal, with a certain continuity, may be fostered. [Such acts, however, require] the approval of the Holy See.

Outside the chapter, the general minister, with the consent of the definitory, has the right to settle doubts or to fill in the lacunas that may occur in our own law; these solutions remain in force until the next chapter.

In particular cases, superiors may dispense their own subjects and guests according to circumstances from disciplinary regulations of the Constitutions, whenever they judge that it would be beneficial for their spiritual good.

A temporary dispensation of an entire province is reserved to the general minister, of an entire fraternity to its own major superior.

Provincial chapters or the Conferences of Major Superiors may enact special statutes that must be approved by the general minister with the consent of the definitory, so that the prescriptions of the

Constitutions may be appropriately applied according to the circumstances of provinces and regions.

All questions of conflicting rights whether between religious or houses or between circumscriptions of the Order are resolved according to our *Modus procedendi*.

185

Our Order is governed by the universal law of the Church, the Rule and the Constitutions. Only this text of the Constitutions has juridical force in the entire Order.

Since laws and statutes cannot be made for every particular case, in all our actions let us keep before our eyes the Holy Gospel, the Rule we have promised to God, the sound traditions and the example of the saints.

Let superiors lead the brothers in the life of our fraternity and in the observance of the Constitutions, and inspire them in adhering to these Constitutions as a daring adventure of love.

CONCLUSION

186

When near death, Saint Francis imparted the blessing of the most holy Trinity, together with his own, upon sincere observers of the Rule. Therefore, after casting aside every negligence, let all of us endeavor with fervent love to follow the gospel perfection manifested in the Rule itself and in our Order.

Let us remember, dearest brothers, the text on which our seraphic Father preached to a chapter of the brothers: 'Great things have we promised to God, but greater things has He promised to us.' For this reason, let us strive to observe these Constitutions and whatever we have promised, and, with a burning desire, aspire to those goods that have been promised to us, with the help of Mary, the Mother of God and our Mother.

While pursuing all these things, let us cast our eyes upon our Redeemer that, knowing his good pleasure, we may strive to please Him with pure love. Observance of the Constitutions will help us not only to observe the Rule we have promised but also to fulfill the divine law and follow the gospel counsels. As our labors abound so will our consolation in Christ Jesus. We will be able to do all things in Him Who strengthens us, for He Who is the Wisdom of God grants us understanding in everything and gives abundantly to all.

Christ then, Who is the Light and Expectation of the nations, the End of the Law, the Salvation of God, the Father of the world to come, the Word and the Power that upholds all things and, lastly, our Hope, in Whom all things are possible, delightful and easy, and to Whom our frailty is known, will not only give us strength for following His commands and counsels, but will also pour out His heavenly gifts in such abundance that, after overcoming all obstacles, we may be able to follow and imitate Him with the greatest eagerness of our hearts, using visible things as passers-by and as those yearning for things eternal.

In Christ,
Who is God and Man,
the True Light, the Splendor of Glory,
and the Brilliance of Eternal Light;
in Christ,
the Mirror without blemish,
the Image of the Goodness of God;

in Christ,
appointed by the Father as the Judge, Law-giver,
and Savior of all peoples;
in Christ,
to Whom the Father and Holy Spirit
have borne witness
and in Whom are our merit,
model of life, help and reward;
in Christ,
Who by God has been made for us
Wisdom and Justice,
be all our thought, meditation and imitation.

Lastly,
to Christ,
Who lives and reigns
with the Father and the Holy Spirit,
one God,
co-eternal, consubstantial, and co-equal,
be everlasting praise, honor and glory
for ever and ever.
Amen.