

Commissio Constitutionum

Proposed Revision of Chapter X

CHAPTER X

OUR LIFE IN OBEDIENCE

Rome — General Curia — 2010



General Curia of the Capuchin Friars Minor

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To all the brothers in the Order

Dear Brothers

May the Lord give you His peace!

As I forward to you for your consideration the Proposal for the revision of Chapter Ten of our Constitutions which deals with the subject of obedience I can imagine some of the reactions that a few of you might have. Today it has not only become difficult to talk about obedience, but more difficult to accept it and put it into practice.

In every society, in some more than in others, great store is set upon the relationship between the individual and serious emphasis on his inalienable right to self-fulfilment. Thus it would appear that there is no longer a place for the concept of obedience in so far as this means doing what somebody else tells you to do. What is more we are witnessing a progressive questioning of all objective values and the exaltation of assertions by the individual. This causes frequent changes of judgement, or in other words, "what is black in the morning, might be white by nightfall."

If these are the opposite poles in a society which is focused exclusively on the individual, it is also true that they are positive effects that deserve to be taken into consideration in their own right.

It is impossible to exercise authority today without the involvement of the one of whom obedience is expected in some way or other, just as it is no longer possible to dictate decisions without previously listening to the person involved. In as much as we are concerned in the very project of renewing our Constitutions we must engage all the brothers in the process.

Without further ado, I offer a heartfelt invitation to you to read the proposal for the renewal of the text of the chapter on obedience, which is well baked up by explanatory notes, and an interesting introduction. I also invite you to consider and keep in mind the present cultural context in which we live and that the phenomenon of globalisation is swiftly spreading.

At first glance one might think that the Commission was concerned exclusively with Franciscan references, references to the documents of the Church and in an ongoing dialogue with what had been said in "Project 2006." If we dwell more closely on the text we will become aware of many additions and insertions that reflect a greater emphasis on the person who is to be called upon to obey. In this regard the Ministers are invited to *listen attentively* (n. 157, 3), and to arrive at the final decision which *evaluates as far as possible the free conduct of all the brothers* or are bound to *take care to supply the brothers with adequate information involving them in active participation in the life and initiatives of the fraternity itself, encouraging the responsible collaboration of all their efforts especially of those who carry out special undertakings*. (n. 157. 5).

Therefore this does not mean that the principle of obedience or its exercise is being set aside rather it is an attempt to promote an activity which in the first place respects the individual and at the same time involves him in the decision that concerns him.

In this regard the invitation to *accept the limitations of human mediation of the will of God* (162, 5) which is extended to the brothers who are bound to obey is also interesting, since as you will recall in the notes: *the criterium veritatis* (guarantee of truth) requires that even the Constitutions take into account that obedience is difficult and that all mediation of the will of God is always limited and imperfect." (note n. 4).

Wishing to be more than ever aware of intervening, the Commission introduced and strengthened this Chapter with a more explicit Christological motive, by recalling and emphasising how, the execution of authority such as obedience should be directed towards the implementation of the will of God in the present. Without a strong spiritual and evangelical motive it becomes impervious to living dimensions that are definitely going against the tide.

In conclusion if my introductory note I stress how the Commission, by means of a specific reference to Admonition 3 of Saint Francis, has brought an explicit reference to *perfect obedience* (164, 5) into the text, where it is stated that where "I cannot in conscience obey the Superior, I will not separate myself from him and am also prepared to accept persecution and love him more for the love of God". This is not a light commitment, and it requires effort and fidelity. However, it makes sense in a judgement made in faith as *being a part of the work of redemption* (n 164, 5). The source of an action of this kind arises from a disposition, which accepts the explicit invitation of Saint Francis, to renounce my idea of things as being better and more suitable than that of my Superior. The act of accepting what was requested out of obedience stands in its own right and is the consequence of a new way of living that is animated by the Spirit of God. (Cf. Admonition 3).

By acting like this I will fully comply with the perfection of poverty which proposes possessing nothing of one's own and includes, not only the renunciation of goods, but also of all of one's wishes.

The kind of life which Saint Francis proposes to us for closely following his Gospel project is very demanding. Our Constitutions do us a service by presenting to us once more this type of journey in an integrated manner. This is our way of life! We wish to conform to this without the fear of being continually debating the issue and by accepting the journey of abnegation of self as it was proposed by Jesus Christ to those who wished to follow Him without compromise and unconditionally. (Mk 8, 31-35).

Once more nothing remains but for me to wish that your reading will be a moment of reflection and prayer and that it will lead each one of us to a more experiential experience of the kind of obedience that merited our salvation.

Br. Mauro Jöhri
General Minister OFMCap

Points for fraternal reflection

1) *Obedience for Christians in general and for the Consecrated Life in particular, has its roots in the Trinitarian life revealed in Christ, who became obedient unto death on the cross.* However the topic of obedience is objectively among the most debated issues in the modern and post-modern eras which are characteristic elements of our present cultural environment. It comes up for discussion firstly under the heading of autonomy which should be a characteristic of the human person who is regarded as being an adult only is so far as he is emancipated from all external authority. Subsequently obedience is discussed primarily because, in an atmosphere of pervasive relativism, there is a tendency to no longer recognise the binding value of truth.

- These objections are sometimes present within our own fraternities. Do you notice the signs of this in your own fraternity? What are the consequences for fraternal relationships, particularly in the living out of obedience?
- How is it possible to evaluate what is good in what contemporary culture is suggesting in this regard, but also recognize its unauthentic and negative aspects?
- From the point of view of the Gospel, obedience to truth has always been a source of freedom and liberation from false dependencies: “the truth will make you free” (Jn 8, 32). How can we live and witness to the profoundly liberating meaning of obedience in our own day?
- As a liberating journey obedience to the truth presupposes a relational anthropology of sonship. What are the signs in the spiritual life of individuals and the fraternity that we really are brothers because we are sons in the only-begotten Son of God?

2) One of the most delicate aspects of the pastoral service of the ministers is to harmonize the need to evaluate the suggestion that comes from each brother, while involving everyone in the journey of the fraternity at different levels, and the need to make a decision in concrete circumstances, while taking care to put it into effect.

- What are the difficulties and obstacles that arise in this respect in the life of the fraternity?
- What do the ministers and other brothers have to do to bring about the real involvement of everyone while still preserving real obedience to the directions given by the one who has to carry out the service of authority?

3) *Charitable obedience* is all-embracing both of the obedience of one brother to another and of the obedience owed to the superiors. Both of these statements have their justification in charity.

- Can we recognize the desire for charitable obedience in ourselves? How can we practice real charitable obedience among ourselves? What are the signs in fraternal life that we are living out this attitude among ourselves?
- Saint Francis invites us to renounce as much as we can the appearance of being better on a given matter than what the minister decides? How can we help ourselves to develop this attitude not in a manner that is passive and surrenders responsibility but in a manner this is truly charitable obedience that helps our freedom to advance on the journey towards the fullness of love?

4) *What makes obedience authentic and worthy is the constant search for the face of God and of His will.* One of the greatest difficulties that we can experience comes from the fact that the will of God is always communicated to us *through a human medium*, that is limited by its nature and has to be accepted through faith.. Sometimes this can involve very serious trials that require us to recognize the crucial meaning of the Paschal Mystery, through which our salvation was achieved.

- How can we help ourselves to positively accept the limits of the human mediation of the will of God? Can our limits become a resource in discovering the will of God? Under which conditions?
- How can we help ourselves to live the more difficult commands of obedience as moments of authentic purification and growth towards a greater maturity?

OUR LIFE IN OBEDIENCE
PROPOSED REVISION OF CHAPTER X

Introduction

1. Chapter Ten of the Constitutions was revised by one of the members of the Commission. The Sub-commission then examined the text on 3 July, as did the full Commission on 5-8 July (2010).

The text agrees substantially with the one formerly prepared by *Commissio Capitularis Legislationis* (CCL)¹ and presented to the 1968 General Chapter. That text presented a close harmony between the insights and intentions of Saint Francis on the one hand and with the teaching of Vatican II and the difficulties concerning authority and obedience on the other.² The 1968 Chapter welcomed the work of the CCL³ and made only a few changes to the Schema presented. The 1970 and 1974 General Chapters made no changes to the 1968 text. The 1982 General Chapter later inserted some new paragraphs and made some changes to the content, mostly regarding the style of the text.⁴

2. The changes our Commission has made in fulfilment of the mandate of the 2006 General Chapter do not alter the text currently in force. Their simple purpose is to enrich the text in the light of the post-conciliar Magisterium, especially the recent instruction of the CIVCSVA, *The Service Of Authority and Obedience. Faciem Tuam, Domine, Requiram* (11 May 2008).⁵ Regarding Chapter Ten there is nothing to draw from the Documents of the Order since in recent decades our Fraternity has not made any special reflection on authority and obedience. However, in compiling this text, constant reference has been made to the *Writings* of Saint Francis.

3. Above all the changes concern the *introduction* (Const. n.155), which further underlines the Christological foundation for obedience, and highlights its ecclesiological aspect, given that obedience is fundamental to the life of the Church and for each Christian, as well as the example and teaching of Saint Francis. The text, therefore, is expanded with four new paragraphs, while the current paragraphs are placed after the elements just listed. The anthropological aspect of obedience and the relationship between freedom and obedience are underlined in the drafting to the texts.

Article I is on *The pastoral service of the Ministers*. With the changes and additions to the text we have tried to give greater emphasis to the profile of the ministers (what they should avoid and what they ought to be), while also pointing out some of the difficulties in the exercise of authority (n.156). Other more salient aspects that emerge in changes to the text of Article I concern: dialogue and listening (n.157); the ministers' commitment to the formation of the friars and their faithfulness to their vocation (n.158); mercy and forgiveness (n.160) and the pastoral visitation (n.161). No modifications are proposed for this last question, but rather the transfer of some norms to the complementary Code following the suggestion of the *Project 2006*. Therefore, the three numbers (161, 162, 163) that the current text dedicates to the pastoral visitation are reduced to one, and the text assigned to the complementary Code has eight paragraphs.

¹ Cf. *Schema provisorium capitulum VII - XII Constitutionum OFMCap. a Commissione Capitulari Legislationis elaboratum et sudicio Provinciarum submissum. Pars prima. Textus continuus cum notulis* (Pro Manuscripto). Romae, Officium Secretariatus C.C.L., 1968; 287-371; *Schema Constitutionum nostrarum. Textus continuus quinque emendatus...* Romae, Officium Secretariatus C.C.L., 1968; 139-149.

² Cf. *Acta Capituli generalis specialis Ordinis Fratrum Minorum Capuccinorum Romae a die 19 Augusti ad 25 Octobris 1968 celebrati*. II vol. Romae, Curia generalis OFMCap., 1969; 39-45. In seguito l'opera verrà indicata solo con: *Acta 1968*.

³ Cf. *Acta 1968*, II, 80-85.

⁴ Cf. *Acta Capituli Generalis LXXIX Ordinis Fratrum Minorum Capuccinorum. Romae a die 1 iunii ad 11 iulii 1982 in Collegio S. Laurentii a Brundisio celebrati*. Roma, Curia Generalis OFMCap., 1983; 274-278; FR. IGLESIAS (a cura di), *Constitutiones Fratrum Minorum Capuccinorum post Concilium Vaticanum II retractatae (a.1968-1988)*. I. *Textus*. Romae, Curia generalis OFMCap., 1988; 145-152. Herein these works will be referred to as *Acta 1982* and *Iglesias I*.

⁵ Herein this document of the Congregation For Institutes of Consecrated Life and Societies of Apostolic Life (or Congregatio pro Institutis vitae consecratae et Societatibus vitae apostolicae = CIVCSVA) will be referred to as *Faciem tuam*).

Article II is on *The loving obedience of the brothers*. The more important additions concern: the meaning of obedience as a sharing in the work of redemption and as a path to holiness (n.162); difficulties in obedience (n.162); the relationship between the brothers and their ministers (n.163), the relationship of the ministers with brothers in difficulty (n.164).

4. In the drafting of the texts the Commission did not adopt any preference between the terms *superior* and *minister*. The Commission respected the choice made at the time of the first compilation of Chapter Ten by the CCL and in the 1968 General Chapter. Therefore the undifferentiated use of the two terms in the present current text remains unchanged, while in the new texts preference is given to the term *minister* and *ministers*. The terms *minister* or *superior* refer to all superiors, including guardians. From the context it will be clear whether the terms refer to major superiors or to those and to guardians. The noun *guardian* has only been used twice (cf. n.156,7; 158,4).

Lastly, given the specific character and structure of Chapter Ten with its distinction between the ministers (Article I) and the other brothers (Article II), we have kept the use of the verbs in the third person plural – except in the introduction and in the final number. After checking the texts we were convinced that the use of the first person plural would not have been satisfactory, especially in some numbers and paragraphs (e.g. n.163).

5. It is necessary to pause a moment on the headings of the two articles of the Chapter: *The pastoral service of the ministers* (Article I) and *The loving obedience of the brothers* (Article II).⁶

Before going any further with a reflection on this matter, it seems opportune to refer back to when these headings were first chosen: “Articulus primus disserit de superioribus, et quidem sub titulo ‘de pastoralis ministrorum servitio’, in quo ideae fundamentales de servitio et de munere pastoralis, postea evolvendae, iam clare praenuntiantur. Secundus articulus tractat de oboedientia, addita iam in titulo qualificatione ‘caritativae’ oboedientiae, ut motivum specificum supernaturale et peculiaritas franciscana inde ab initio innuantur.”⁷

6. From this consideration it follows, first of all, that the pastoral aspect endows a defining meaning to the action of the ministers. Superiors exercise their office by way of an ecclesial mandate. They share in the three-fold pastoral office (*docendi, sanctificandi, regendi*) of the Church herself: “Superiors are to exercise their power, received from God through the ministry of the Church, in a spirit of service” (Can. 618). “Superiors fulfil their duty of service and leadership within the religious institute in conformity with its distinctive character. Their authority proceeds from the Spirit of the Lord through the sacred hierarchy, which has granted canonical erection to the institute and authentically approved its specific mission. Considering then the fact that the prophetic, priestly and royal condition is common to all the People of God (cf. LG 9, 10, 34, 35, 36), it seems useful to outline the competency of religious authority, paralleling it by analogy to the three-fold function of pastoral ministry, namely, of teaching, sanctifying and governing without, however, confusing one authority with the other or equating them” (*Mutuae relationes*, 13).

7. The adjective “loving” which according to the statement quoted above expressed the particular character of Franciscan obedience, deserves a more detailed consideration.

First of all it should be said that the current Constitutions sufficiently underline the aspect of mutual obedience. Now in some passages the *Proposed Revision* has further highlighted and sometimes reinforced this aspect. At the same time, it should be noted that an excessive or unilateral insistence on mutual obedience does not entirely conform to the teaching to Saint Francis. Based on the Writings of Saint Francis, the Constitutions speak of *mutual obedience* as well as *loving obedience*. And no contradiction is to be found between these expressions of obedience in either the *Opuscula* or in the Constitutions.

It should also be clarified that the value of *mutual* obedience is highlighted in the New Testament writings (cf. *Gal 5,13-14; Rom 13,8-10*). It is especially underlined in the experience and legislation of pre-Franciscan religious life. Saint Francis is situated against a pre-existing background of an evangelical, New Testament tradition in religious life.

⁶ “il dovere pastorale dei ministri” and “l’obbedienza caritativa dei frati” (Translator).

⁷ Cf. *Acta 1968*, II, 40.

The Document *Faciem tuam* (cf. n.20 g) has two passages from the Benedictine Rule: “The service of obedience by all is not to be rendered to the Abbot only, but the Brethren shall also mutually obey each other, knowing that by this path of obedience they shall go unto God” (chapt. 71, 1-2). “Let them bear patiently with each other’s infirmities, whether of body or of mind. Let them contend with one another in the virtue of obedience. Let no one follow what he thinks profitable to himself, but rather that which is profitable to another” (chapt.72,4-7). The same Instruction of the CIVCSVA also includes the thought of Saint Basil the Great, where he asks himself: “In what way do we have to obey each other?” He responds: “As servants to their masters, as the Lord has ordered us: ‘Let him who would be great among you become the servant of all (cf. *Mk* 10:44)’; Then he adds these words which are still more impressive: ‘Like the Son of Man who came not to be served but to serve’ (*Mk* 10:45); and as the Apostle says: ‘Through the love of the Spirit, be servants to each other’ (*Gal* 5:13).”⁸

Saint Francis also refers to *Gal 5,13* to advise his brothers, “Let no brother say or do anything evil to another; on the contrary, *through the charity of the Spirit, let them serve and obey one another* voluntarily. This is the true and holy obedience of our Lord Jesus Christ” (*RnB* V,13-15). This text, meaningful as it is, is not referred to in the Document *Faciem tuam* when it speaks about fraternal and mutual obedience (n.20, g). Nevertheless the Document is particularly aware of Francis’ idea about authority and obedience.⁹ The CIVCSVA document suggests that the aspect of mutual obedience is not the most specific aspect of the message of Saint Francis. Nor is his reference to *Gal. 3,15* something novel or unique. This in no way devalues the text in the *RnB*. There the *Poverello* establishes a close bond between *to serve* and *to obey* and makes it clearly understood that *true and holy obedience* can only be spoken of in the case where the friars serve and obey one another out of love. For it is only in such a case that obedience conforms with the model received from *Our Lord Jesus Christ*.

It should also be noted that Francis, as did others, read the Galatians text according to the *Vulgate* version (*per caritatem spiritus servite invicem*), while the original text has: *διὰ τῆς ἀγάπης δουλεύετε ἀλλήλοις*. The *New Vulgate* rightly translates this as *per caritatem servite invicem* and the version authorised by the Italian Episcopal Conference has: *mediante la carità siate a servizio gli uni degli altri*. Aside from this philological detail and in the light of its Pauline context, it can be said that the meaning in the *Vulgate* text, and therefore in Saint Francis, the meaning of the construction *charity of spirit* is clear, namely, *charity of the Spirit* (possessive subject), gift of fruit of the Spirit.¹⁰ Therefore, in the expression cited above, Saint Basil says, “Through the love of the Spirit, be servants to each other (*Gal 3,15*).” Charity has its origin in the Spirit. In fact, the Spirit is the *agapē* of the Father and the Son, poured out in the hearts of believers. The relationship between *charity* and *spirit* in *Gal 5* is so fundamental that the two terms may be swapped around. To say *per caritatem* is the same as saying *per Spiritum*. Saint Francis touched the depths of the Pauline message about Christian *liberty* that is the fruit of the *liberation* realised by Christ (*For freedom that Christ has set us free (Gal. 5,1): Τῆ ἐλευθερία ἐμὰς Χριστὸς ἐλευθέρωσεν*) in his Paschal Mystery of death and resurrection and the outpouring of the Spirit. Freedom is a gift of the Spirit of Christ, but is a freedom realised in life in the Spirit and in charity. In fact the Apostle warns that the universal call to freedom should not become an excuse to live according to the flesh (5,13); rather it is necessary to allow oneself to be guided by the Spirit (5,18); to walk according to the Spirit (5,16); to live by the Spirit and walk according to the Spirit (5,25). [Translator: *sic*]. This is realised concretely in loving mutual service (5,13) because the whole law finds its fullness in just one precept: You shall love your neighbour as yourself (cf.5,14) This is life in the Spirit. Its fruits are love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control (5,22).

In his *Writings* Francis uses two expressions from medieval Latin:¹¹ the adjective *caritativus* in The Admonitions n.3, and the adverb *caritative* in the *Rb* 10, 1.5. Saint Francis’ third Admonition, in particular, qualifies defines as *caritativa* (charitable, loving): “Should a subject see that some things might be better and more useful

⁸ SAN BASILIO, *Le Regole più brevi* 115; PG 31, 1161. An anthology of texts on mutual obedience can be found in: *Il cammino del monaco. La vita monastica secondo la tradizione dei padri*. Introduzione, scelta traduzione dalle lingue originali a cura di Luigi d’Ayala Valva. Magnano, Edizioni Qiqiaon, 2009; I,42; II,14; VII,110; X,26-45; XI,15; XII,19. Cf. also A. PIGNA, *Obbedienza cristiana e religiosa*. Roma, Edizioni O.C.D. [s.d.]; 53-58.

⁹ Cf. *FACIEM TUAM* N. 25 D; 26.

¹⁰ O. VAN ASSELDONK, *SPIRITO SANTO IN DIZIONARIO FRANCESCANO*. PADOVA 21995; 1932-1933.

¹¹ Cf. *LEXICON LATINITATIS MEDII Aevi* (CORPUS CHRISTIANORUM. CONTINUATIO MEDIEVALIS). TURNHOLTI 1975; 149.

for his soul than what a prelate commands, let him willingly offer such things to God as a sacrifice; and, instead, let him earnestly strive to fulfil the prelate's wishes. For this is loving obedience because it pleases God and neighbour." (FF 149; *Francis of Assisi – Early Documents* vol 1: *The Saint*, p.130; herein cited as SF1).

Various editions of Francis' Writings and studies about them highlight how the expression *loving obedience* has a biblical origin in *1 Pet 1,22* and that Saint Francis took the formula from the first Letter of Peter where the construction *loving obedience* constitutes a *hapax* in the Bible.¹² In fact, in the Vulgate we find, "Animas vestras castificantes in oboedientia caritatis in fraternitatis amore simplici ex corde invicem diligite adtentius" (*1 Pet 1,22*). Instead *Nova Vulgata* follows the Greek text (*en tē upakoē tēs alēthēias*) more closely and translated it, "Animas vestras castificantes in oboedientia veritatis ad fraternitatis amorem non fictum, ex corde invicem diligite attentius." In Italian, the CEI version of the Bible renders the whole sentence in this way: Dopo aver purificato le vostre anime *con l'obbedienza alla verità*, per amarvi sinceramente come fratelli, amatevi intensamente, di vero cuore, gli uni gli altri, rigenerati non da un seme corruttibile, ma incorruttibile, per mezzo della parola di Dio viva ed eterna» (*1Pt 1,22-23*). "The Petrine context is clearly about fraternal charity lived in a sincere and reciprocal loving service."¹³ This is quite true, bearing in mind that the section *1 Pet 1,13-25* develops in three parts: "As sons" (vv. 13-16); "like the Lamb" (vv.17-21); "as brothers" (vv.22-25). However it is also true that in the third part the Petrine catechesis expresses the invitation to holiness not only through fraternal love, but also through obedience. The Apostle appeals to them to keep their "souls purified" after having been purified with "obedience to the truth." Here the formula refers to their having become believers. The term "truth" in *1 Pet* only occurs here and is used to summarise that into which Christians have been introduced by their regeneration.¹⁴ For Paul in *Gal 5,7* sanctification flows from obedience to the truth, so too for Peter (cf. *1 Pet 1, 2.14*). Clearly the goal of "obedience to the truth" and baptismal purification is that of fraternal love. Love springs from the truth and is inconceivable apart from the truth, but also obedience to evangelical truth should result in love.¹⁵

In light of this, reference to *1 Pet* to establish a biblical foundation for Francis' formula *loving obedience* seems to be rather weak and it should be assumed that the *Poverello* would have drawn on the biblical versions in use at his time. On the other hand, it seems that the same formula may have been used by Saint Bernard,¹⁶ and perhaps by others,¹⁷ prior to Saint Francis, with meanings similar to the one Francis attributed to it himself.¹⁸

¹² O. VAN ASSELDONK, *Le Lettere di S. Pietro negli Scritti di s. Francesco in La Lettera e lo Spirito*. II. Roma 1985; 436. A *hapax* is a word or expression that is unique within a particular literary corpus, in this case, the expression *loving obedience* occurs only once in the Scriptures, namely, *1 Pet 1,22*.

¹³ "Il contesto pietrino tratta chiaramente della carità fraterna, vissuta in una sincera e servizievole carità reciproca." *Ibid* 436.

¹⁴ M. MAZZEO, *o. c.* 80.

¹⁵ Cf. E. BOSETTI, *o. c.* 62.

¹⁶ "Perfect obedience. In reality, perfect obedience ignores the law. It does not let itself be coerced by its limitations. Unsatisfied with the restrictions contained in profession, with one impulse of the will it reaches the vast domain of charity. Giving itself spontaneously to every command, with a vigorous and generous spirit, intolerant of every boundary, it moves about with infinite freedom. The Apostle Peter speaks about this especially when he states, "Purifying your hearts in the obedience of charity." He happily distinguishes this obedience then from impassive and servile obedience, so to speak, which does not respond to the call of charity but to the demands of necessity. This is the proper obedience of the just person for whom the law was not instituted: not because the perfect man should live without law, but because he is not a slave to the law. Far from being satisfied by the vows he professes he surpasses their limits with the devotion of his spirit. Even the Rule ignores this kind of obedience when it exhorts, "If a brother is ordered to do impossible things, let him obey out of charity, trusting in God's help." Moreover the same Rule describes the third degree of humility in this way: "let the monk submit to the superior in complete obedience." The expression, "complete obedience" does not mean that he should be satisfied with the terms imposed by profession, nor to simply hold himself to the obligations contained in his promise, or hold formal observance in special consideration. Rather he is invited to carefully transcend even his vow and to obey in everything. If there is a limitation to obedience in time it is the end of time. By this the end of obedience is identified with the find of life. Above all, this is the example of the Only Begotten Son who showed himself obedient to the Father even unto death. Each time this attitude is diminished, one can speak of disobedience, sin, transgression or prevarication" (trans. of S. BERNARDO, *Il precetto e la dispensa* VI, 12 in IDEM, *Trattati [Opere di san Bernardo I]*. Roma 1957 – Milano 1984; 519).

¹⁷ K. SYNOWCZYK (*op.cij.* 353 + note 36) refers to *De natura et dignitate amoris* di William of St. Thierry 9.

Given all this, one should note that in *1 Pet* obedience to charity and/or the truth is considered in terms of mutual love. In his third Admonition, however, the context is not mutual love but it is obedience to ones' superiors that Francis wants to be loving, that is, done in love. The relationship of the friars towards their minister and vice versa, that of the minister towards their friars (cf. *RnB* IV,2; *Rb* X,1.5: FF 13. 100.102) is not by nature official or juridical, but flows from love and naturally relates to communion. Therefore one should conclude that the mutual obedience among the brothers and the obedience of the brothers towards their ministers are not opposed to each other, nor are they alternatives to each other. One obedience cannot be preferred to the other. The two aspects are harmonious given that on the hand the text of the *RnB*, with its reference to *Gal 5,13* and *1 Pet 1,22*; and on the other hand, from the passage from Saint Francis' third Admonition the conclusion can be drawn that the *category of loving obedience* has a broader meaning than *mutual obedience*. *Loving obedience includes both fraternal obedience (mutual) and obedience to superiors*. In both cases it is a question of obedience for the sake of love, of obedience in charity. Moreover, for Francis charity and obedience are sister virtues: "Lady holy charity, may the Lord protect you, with your sister, holy obedience" (Salutation of the Virtues 3; FF 256; SF1, 164,3). Therefore there can be agreement in stating that Saint Francis' idea about obedience belongs to his perspective about communion, and that communion requires both obedience to the superiors and obedience to all the friars – but also obedience to the Church and to all persons and creatures. Moreover, in the light of the *Opuscula* we do not know whether the development of Saint Francis' idea of obedience can be reliably read as starting from the horizontal dimension – obedience related to fraternity - and ending up with the vertical, i.e. with obedience owed to superiors.¹⁹ The hypothesis of such a evolutionary process does not seem to be well founded and may be quite unrelated or even have little in common with the character of Saint Francis for whom obedience finds its justification and foundation in charity. Instead, it is truly fundamental to grasp that the expression "loving obedience", in addition to being wider than "mutual obedience" in terms of its theological and spiritual meaning, gives a special character to our obedience. It is loving because it is modelled on and inspired by the heroic love of Christ himself, the obedient Servant. This loving obedience is truly more characteristic for us Franciscans,²⁰ called to live the Gospel as lesser brothers. With these preliminary notes we send out the revised text of Chapter Ten of the Constitutions to the whole Order. And we await the contribution of the Brothers.

For the Commission

Br. Felice Cangelosi
Vicar Generale OFMCap
President of the Commission

Br. Francesco Polliani, OFMCap
Secretary of the Commission

Rome, 21 July 2010, The Feast of Saint Lawrence of Brindisi.

¹⁸ Cf. K. SYNOWCZYK, *o.c.* 352-353.

¹⁹ K. SYNOWCZYK, *o.c.* 368.

²⁰ Cf. K. ESSER, *Le Ammonizioni ...* 53-63; L. IRIARTE, *Vocazione francescana. Sintesi degli ideali di san Francesco e di santa Chiara*. Quarta edizione italiana a cura di Th. Jansen e W. Block (Teologia spirituale). Bologna 2006; 239-263; J. MICÓ, *Vivir el Evangelio. La espiritualidad de Francisco de Asís*. Valencia 1998; 308-309.

Technical Notes

The Commission invites the brothers to keep in mind the suggestions already set out in the *Introductory Notes* to Chapter One. With regard to Chapter 10 be especially aware that

- 1) To facilitate the understanding and study of the proposals, the new texts have been placed side by side in columns: the first column contains the text of the Constitutions in force at present *in one's own language*; the second column contains the text of the "revised version" *in one's own language*; when required, the third column contains the text of the norms that are envisaged as belonging to the supplementary Code, again *in one's own language*.
- 2) In the second and third columns the text of each paragraph is preceded by a rubric: *current text* (when the text currently in force has not be changed); *current text with additions* (when the text that is currently in force has been retained with new elements added); *current text with changes and additions* (when the text which is currently in force has been partly changed and new elements have been added); *new text* (when the text is completely new).
- 3) Each proposal is accompanied by explanatory notes, which appear after the summary of each individual number in the text. The explanatory notes contain only what in the opinion of the Commission is regarded as necessary for the understanding of changes or additions or the introduction of a new text. Reference to the documents of the Church or of the Order is restricted to what is necessary and the bibliographical references have been greatly reduced.
- 4) The following are presented in another table: the *Latin* text of the Constitutions appears in the first column; the *Latin* text of the "revised proposals" appears in the second column; when required the *Latin* text of the norms that are envisaged as belonging to the supplementary Code is presented.
- 5) The Order is invited to consider the proposed text, evaluating in particular the changes put forward, the new additions and in some cases the new arrangement of the content presented with some transfer of text.
- 6) Respecting the freedom of each brother to express individually his own opinion, the work would be greatly assisted if the observations were shared by groups of brothers or collected and sent in by the Ministers themselves, using the sheets provided following the attached models.
- 7) The evaluation of each number or paragraph is to be made using the sheets provided following the model prepared by the Commission Secretariat.
All the parts of each sheet must be filled in, keeping in mind that anonymous sheets are not acceptable, or those sent in by "a group of brothers..." without any signature.
Whether you agree with the proposed text or not it is sufficient to "briefly" express your own opinion.
If instead you propose an alternative text this should be presented clearly and concisely. You must provide the reason for the alternative text which is being proposed.

The evaluation sheets for chapter 10 and the proposals for the same should reach the Commission by 31st December 2010.

Rome, 21 July 2010

Br. Francesco Polliani, OFM^{Cap}
Secretary of the Commission

Model form to be sent to the Secretary of the Commission
(PLEASE SEND BY E-MAIL NO LATER THAN 31ST DECEMBER 2010)

C o m m i s s i o C o n s t i t u t i o n u m

costituzioni@ofmcap.org

EVALUATION

of each no. or § of the “Proposed revision of Chapter X”.

Indicate as clearly and concisely as possible whether you agree with the proposed text or not. You may propose an alternative text, giving your reasons.

♦ Name of the Circumscription:

♦ Brother/s:

Name:

Surname:

Name:

Surname:

Name:

Surname:

Name:

Surname:

(...)

♦ THE EVALUATION refers to n. () of the “Proposed revision of Chapter X”.

♦ EVALUATION:

♦ Proposed alternative text (if you think it is necessary):

♦ Reasons for the alternative text:



Commissio Constitutionum

CHAPTER X OUR LIFE IN OBEDIENCE

N. 155

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
155, 1. 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.	
155, 2. This is true obedience, as manifested in the life of Jesus Christ in the form of a servant.	<p>New text with elements of the Current text (n. 155,2)</p> <p>1. Jesus Christ, by accepting the condition of a servant, <i>became obedient even to death on the cross (2). Thus, freeing us from slavery to sin (3), he revealed to us that human freedom is a journey of obedience to the Father's will and of progressive attainment of true freedom (4).</i></p>
	<p>New text</p> <p>2. <i>Listening religiously to the Word made flesh, in whom God fulfils every profound aspiration of the human person in search of life's meaning (5), the Church, docile to the action of the Spirit, makes the response of obedience to the loving plan of the Father, who has revealed Himself in the Son and made known to us the mystery of His will (6).</i></p>
	<p>New text</p> <p>3. <i>Therefore, following Jesus, whose food was to do the Father's will, the Christian is called to grow each day in the freedom of the children of God through trustful obedience (7), in which humanity has its foundation and grows to its full stature.(8). So the human person, going out of himself and purifying himself of every idol, opens up to the horizons of the divine life and accepts a salvific will which, far from damaging his dignity, anchors it and makes it grow (9).</i></p>
	<p>New text</p> <p>4. <i>Saint Francis taught us that the life of the lesser brothers is to obey Jesus Christ present in the Gospel and in the sacraments (10). He gave himself to Christ totally, keeping back nothing for himself (11), recognising in obedience the perfect expression of living with nothing of his own (12) and the foundation of communion with God and with the Church, with the brothers and with all men and women, and with every creature (13).</i></p>
155, 1. 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	<p>Current text (n. 155,1) with changes</p> <p>5. <i>Therefore (14), in virtue of our commitment to live in obedience, we should serve and obey one another with the charity of the Spirit (15), and, without regard to distinc-</i></p>

and remaining subject to every human creature for God's sake.	tion of office, <i>seek the lowest place in the community</i> (16) of the Lord's disciples and be subject to every human creature for God's sake.
155, 3. 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.	Current text (n. 155, 3) 6. Docile to the Holy Spirit in a fraternal sharing of life, let us search for and fulfil God's will in every event and action.
155, 4. 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.	Current text (n. 155, 4) with change 7. Thus it will come about that the ministers and <i>guardians</i> (17), who spend themselves in the service of the brothers entrusted to them, and the other brothers who submit to them in faith, will always do what is pleasing to God.

Explanatory notes

- (1) The present § 1 of n. 155 is transferred.
- (2) The proposed revision maintains the current Christological proclamation derived from *Phil 2, 7* and expands it, by making explicit the aspect of Christ's obedience to death on the cross (*Phil 2,8*).
- (3) The text brings out the salvific aspect of Christ's obedience: by His redeeming death he has saved us from sin. Human freedom results from an act of liberation, according to the original text of Gal 5,1: *For liberty Christ has set us free - Té eleutheria emàs Cristòs eleuthérosen* in His Paschal Mystery of death – resurrection – outpouring of the Spirit.
- (4) This number underlines – as the effect of Christ's obedience – the anthropological dimension of obedience and its relationship to freedom. The text is derived from *VC 91*: “Obedience re-proposes the obedience of Christ to the Father and, taking this mystery as its point of departure, testifies that *there is no contradiction between obedience and freedom*. Indeed, the Son's attitude discloses the mystery of human freedom as the path of obedience to the Father's will, and the mystery of obedience as the path to the gradual attainment of true freedom. It is precisely this mystery which consecrated persons wish to acknowledge by this particular vow”.
- (5) § 2 stresses the ecclesiological foundation of obedience, with the insertion *in Whom* (the Word made flesh) *God fulfils every profound aspiration of the human person who searches for life's meaning* highlighting the existential condition of the human being in his thirst for the Absolute: “Your face, O Lord, I seek” (*Ps 27:8*) is the response of the person who has understood the uniqueness and the infinite greatness of the mystery of God and the sovereignty of his holy will but is also the response, even if it is only implicit and confused, of every human creature in search of truth and happiness. *Quaerere Deum* has always been the quest of every being thirsting for the Absolute and the Eternal. Many today tend to consider any kind of dependence humiliating, but the status of creature in itself implies being dependent on an Other and, therefore, as relational being, dependent on others.
The believer seeks the living and true God, the Beginning and the End of all things, the God not made in his or her image and likeness but the God who made us in his image and likeness, the God who makes known his will, who indicated the ways to reach him: “You will show me the path of life, fullness of joys in your presence, delights at your right hand forever” (*Ps 16:11*)”. (*Faciem tuam 4*).
- (6) Obedience is considered as a condition for the life of the Church, which is grounded in obedience precisely because its very being depends on divine revelation, and its fundamental task is to respond to the saving plan. The proposed text is inspired by *Dei Verbum 2* and 5. The Trinitarian dynamic of the proposed text should be noted, as well as the relationship between *Word of God - Obedience of faith* (cf. *Rom 1, 5; 16, 26; cf. also 2Cor 10, 5*), which is particularly underlined also in *Faciem tuam* (nn. 5-7).
- (7) “In him everything is a listening to and acceptance of the Father (cf. *Jn 8:28-29*); all of his earthly life is an expression and continuation of what the Word does from eternity: letting himself be loved by the Father, accepting his love in an unconditional way, to the point of deciding to do nothing by himself (cf. *Jn 8:28*) but to do always what is pleasing to the Father. The will of the Father is the food which sustains Jesus in his work (cf. *Jn 4:34*) and which merits for Him and for us the superabundance of the resurrection,

the luminous joy of entering into the very heart of God, into the blessed company of his children (cf. *Jn* 1:12). It is by this obedience of Jesus that “many will be made righteous” (*Rm* 5:19).

He also lived obedience when it presented a difficult chalice to drink (cf. *Mt* 26:39, 42; *Lk* 22:42), and he made himself “obedient to the point of death, death on a cross” (*Phil* 2:8). This is the dramatic aspect of the obedience of the Son, wrapped in a mystery which we can never totally penetrate, but which for us is very relevant, because it uncovers for us even more the *filial* nature of Christian obedience: only the child who senses that he or she is loved by the Father and loves him with his whole self, can arrive at this type of radical obedience. (*The service of authority and obedience*, n.8).

- (8) The text refers once more to the document of CICLESAL, again stressing the anthropological value of obedience, which “is not a humiliation, but the truth on which humanity in its fullness is built up and grows to perfection” (n. 8).
- (9) The second statement in § 3, which refers to a similar formula in *Const* 45, 3 (cf. *Proposed revision* n. 47, 3), brings out the paschal dimension of a life of obedience. This involves a journey of conversion, enabling a person to go out of self, to open up to the divine life and accept the Father’s will, which is the foundation of human dignity.
- (10) In compiling this text the point of departure was a proposal found in *Project 2006*: “Saint Francis conceived his life as obedience to Christ speaking in the Gospel which is lived in the Church by lesser brothers. He understood that the brothers’ relationship among themselves was one of mutual obedience (n. 118,3). The first part of this formulation is justified by an exegesis of the Prologue and of chap. I of *Rnb*. From these we can deduce that the life of the lesser brothers is obedience to Jesus Christ speaking in the Gospel which is lived in the Church²¹. But Saint Francis considers obedience as an expression of communion, first of all with God, and therefore he refers it to the Spirit (obedience to the Spirit), the Word (obedience to the Word), and to the Eucharist (obedience to the Eucharist)²². In view of this, the Commission feels justified in deriving from the teaching of Saint Francis the truth that our obedience has its primary reference in *Christ present in the Church in Word and Sacrament*. The proposed text agrees with the Instruction *Faciem tuam*, which says, “However, even before being the model for all obedience, Christ is the One to whom all true obedience is directed. In fact, it is putting his words into practice that renders one a disciple (cf. *Mt* 7:24) and it is the observance of his commandments which concretizes love for Him and draws the love of the Father (cf. *Jn* 14:21). He is at the centre of the religious community as the One who serves (cf. *Lk* 22:27) but also as the One to whom one professes one’s own faith (“You have faith in God; have faith also in me” [*Jn* 14:1]) and to whom one gives his or her own obedience, because discipleship, if it is to be well-grounded and persevering, can only consist in this. “In fact, it is the Risen Lord himself, newly present among the brothers and sisters gathered in his name, who points out the path to take” (n. 8).
- (11) The text recalls the spiritual experience of Saint Francis, his unconditional following of Christ and his total conformity to Him. It is inspired by the *Letter to the Entire Order*: “Keep nothing of yourselves for yourselves, so that He can receive you totally, who gives Himself totally to you”. This also introduces the following sentence about the relationship between obedience and poverty.
- (12) The concept of obedience as the *perfection of poverty* was one of Saint Francis’ insights. He presents it clearly in Admonition III: “The Lord says in the Gospel: ‘anyone who does not renounce all that he possesses cannot be a disciple’ and ‘anyone who wants to save his life, shall lose it.’ The person who offers himself totally to obedience in the hands of his prelate leaves all that he possesses and loses his body”. Further on, in the same Admonition, Francis uses similar words: “And should a subject see that some things might be better and more useful for his soul than what a prelate commands, let him willingly offer such things to God as a sacrifice, and instead let him earnestly strive to fulfil the prelate’s wishes”. The concept of *expropriation*, linked to *submission in obedience*, recurs in the *Salutation of the Virtues*: “Holy obedience confounds every corporal and carnal wish, binds its mortified body to obedience of the Spirit and obedience to one’s brother, so that it is subject and submissive to everyone in the whole world, not only to people but to every beast and wild animal as well, that they may do whatever they want with it insofar as it has been given to them from above by the Lord”. “Obedience is one part of our Franciscan

²¹ Cf. D. DOZZI, *Il Vangelo nella Regola non bollata di Francesco d’Assisi* (Bibliotheca Seraphico-Capuccina, 36). Roma 1989; 132-136; 150-153.

²² Cr. K. SYNOWCZYK, *L’obediienza secondo san Francesco d’Assisi. Alcune chiavi essenziali di lettura*. Roma 1987; 97-143.

poverty, of our life “without anything of our own”, as Francis puts it. Obedience as renunciation of one’s own will, of every whim of one’s own volition, is certainly the most important part of being poor Franciscans. It generally becomes more burdensome and more of a sacrifice than the renunciation of things or external goods, because it is about divesting oneself of all interior possessions and inward acts of the will”²³.

- (13) The II Admonition shows clearly that obedience is the basis of our relationship with God (2nd Admonition: *The evil of one’s own will*). But the same *writings* of Saint Francis also contain the other aspects of obedience: as an expression of communion with the Church, the brothers and with every creature²⁴, and as the means by which to live that communion.
- (14) This text is § 1 in the current Constitutions. The Commission did wonder about the sequence of sentences in this number, and thought it preferable to place first the exhortation *let us serve one another with a spirit of charity*. The new order seems more logical: 1) first comes the service of obedience within the fraternity (*let us serve one another with a spirit of charity*); then, minority 2) both within the Church (*without regard to distinction of office, let us strive for the last place in the community of Christ’s disciples*); 3) and in the world and society (*and remaining subject to every human creature for God’s sake*).
- (15) *Project 2006* had proposed to say *let us obey one another in a spirit of charity* instead *let us serve one another in a spirit of charity*. On this point it is good to remember that the text initially proposed by the C.C.L. said *caritate spiritus invicem obedientes*, [obeying one another in charity of spirit] but strangely, instead of referring to *Rnb V,14*, the C.C.L. only referred to *Eph 5,21: Subiecti invicem in timore Christi*²⁵. [“Give way to one another in obedience to Christ”] At the Chapter of 1968 it was proposed to change *obedientes* to *servientes* and this proposal was accepted *to remove any ambiguity and because obedience had already been clearly mentioned*. The text was never subsequently changed, but the motivation adduced in the 1968 Chapter should perhaps be clarified. Our Commission chose to follow closely the text of *Rnb (V, 13-15)*, where Francis says: “Let no brother do or say anything evil to another; on the contrary. *Through the charity of the Spirit* let them serve and obey *one another* voluntarily. This is the true and holy obedience of our Lord Jesus Christ”.
- (16) We did not think it appropriate to change *community* to *fraternity* (cf. *Project 2006*, 118, 6). The change is unnecessary and does not enhance the meaning of the text. The noun *community* is clearly understood here as *communion* and in drafting the text the intention was to refer explicitly to the summaries given in *Ac 2, 42; 4,32*, to *PC 15* and *LG 9*.²⁶
- (17) Instead of maintaining the alternative *ministers or superiors*, in this § we preferred to mention *the guardians* explicitly.

**ARTICLE I
THE PASTORAL SERVICE OF THE MINISTERS**

N. 156

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
156. 1. 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.	Current text (n. 156,1) 1. 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.

²³ K. ESSER, *Le Ammonizioni di san Francesco*. Roma, 1974; 46.

²⁴ Cf. The text follows the study of K. Synowczyk, quoted earlier. Cf. also K. ESSER, *Le Ammonizioni ...* 42-52; IDEM, *Impegno alla libertà (L’obedience secondo S. Francesco d’Assisi)* in *Temi spirituali* (Presenza di san Francesco 11). Milano 1973; 95-117.

²⁵ *Schema provisorium capitulum VII - XII Constitutionum OFMCap...* n. 181, note 4.

²⁶ *Schema provisorium capitulum VII - XII Constitutionum OFMCap...* n. 181, note

	<p>New text</p> <p>2. <i>His servant Francis, faithful to the words of the Gospel, wanted his brothers to exercise no power or dominion, especially among themselves (1).</i></p>
	<p>Current text (156,2 and 157,1) with changes and additions</p> <p>3. Therefore the ministers (2), <i>who are</i> servants of the brothers entrusted to them and for whom they will have to account to God, <i>should serve them humbly</i> (3), <i>remembering that they themselves have to obey God and the brothers</i> (4). <i>Let them welcome the service of the brothers as a grace, living it in true obedience, especially in times of difficulty or misunderstanding</i> (5).</p>
<p>156,2. 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.</p> <p>157. 1. 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.</p>	<p>Current text (n. 156,2 + n. 157,1) with changes</p> <p>4. They should not exercise authority as masters (6), <i>but</i> preside over their fraternities in charity <i>and with a generous spirit</i> (7). <i>Let them gladly become models for the brothers</i> (8), ministering spirit and life to them by their example and their words (9).</p>

Explanatory notes

- (1) The current text (§ 1) begins with an explanation of the Christological foundation and by highlighting Christ's example. *Project 2006* (n. 119,1 refers instead directly to Saint Francis, and states that *he reminds us of Christ's attitude and of His commandment ...* It seems preferable to keep the current text and add a second § referring to what Saint Francis says in *Rnb*: "Likewise, let all the brothers not have power or control in this instance, especially among themselves. For, as the Lord says in the gospel: "the rulers of the Gentiles lord it over them and their great ones make their authority felt. It shall not be so among the brothers. Whoever wishes to be the greater among them must be their minister and servant (V,9-11).
- (2) Nos. 156,2 and 157,1 of the current text have been reworked in order to highlight, in two separate paragraphs, first of all the aspect of service and secondly that of example.
- (3) The adverb 'humbly' is intended to make explicit a basic characteristic of the service which the ministers are to give to the brothers.
- (4) This expression comes from *Project 2006* (n. 125, 1).
- (5) The second sentence of the proposed text goes back to the *Letter of Saint Francis to a minister*. The intention is to express in the Constitutions one of the real difficulties encountered by those called to exercise the ministry of authority. This aspect is underlined in the Document *Faciem tuam*: "But persons in authority can also become discouraged and disillusioned. In the face of the resistance of some members of the community and of certain questions that seem insoluble, he or she can be tempted to cave in and to consider every effort for improving the situation useless. What we see here, then, is the danger of becoming managers of the routine, resigned to mediocrity, restrained from intervening, no longer having the courage to point out the purposes of authentic consecrated life and running the risk of losing the love of one's first fervour and the desire to witness to it.
When the exercise of authority weighs heavily and is difficult, it is good to recall that the Lord Jesus considers such a task an act of love towards him: "Simon, son of John, do you love me?" (*Jn* 21:16). And listening again to the words of Paul becomes beneficial: "Rejoice in hope, be patient in suffering, persevere in prayer, and contribute to the needs of the saints" (*Rm* 12:12-13).
The silent interior struggle that accompanies fidelity to one's own task, marked at times by solitude or misunderstanding of those to whom one gives oneself, becomes the way of personal sanctification and a means of salvation because of what he or she suffers" (n. 28).

- (6) The current text of the Constitutions refers to *1Pt* 5, both in § 2 (*we should not exercise authority as masters* = *1Pt* 5,3a: *do not lord it over the persons entrusted to your charge*) and in n. 157, 1 (*becoming an example to them from the heart* = *1Pt* 5,3b: *be an example to the flock*). It seemed more appropriate to put the references to *1Pt* in the same sentence, making the portrait of a minister or superior clearer, and highlighting what they ought to avoid and what they should be. First of all, *they should not exercise authority as masters* (what they ought to avoid). The expression is more faithful to *1Pt*, which says: *do not lord it over them*, or literally *do not act as masters*. Therefore, ministers are not to dominate or subdue anyone: neither the presbyters, who are referred to in *1Pt*, nor the superiors referred to in the Constitutions, have any right of ownership over others. In the Church and in the Order authority is not exercised like that of a boss, or like the great ones of this world “who make their authority felt” (cf. *Mk* 10, 42). Jesus states categorically: “It must not be like that *among you*; anyone who wishes to be great *among you* must become your servant, and anyone who wants to be first *among you* must be the servant of all” (*Mk* 10, 43). Francis kept this commandment of the Lord clearly in mind and passed it on to his brothers in words very similar to those of the Gospel itself. For this reason we propose to insert § 2 to complement § 1, which refers to Jesus’ words in the Gospel of Mark, where He points to His own example and to the new ideal that should animate the disciples: “The Son of God did not come to be served, but to serve, and to give His life as a ransom for many” (*Mk* 10, 45).
- (7) *With a generous spirit* translates the adverb *prothumōs* in *1Pt* (5,2), which refers to the heart, to magnanimity, generosity and enthusiasm, all of which are qualities required in anyone who is invested with authority or who holds an office.²⁷ It indicates the action of one who is moved by love.
- (8) We re-present the final part of n. 157, 1 with one change: according to the current text, the ministers are to be models for their *fraternities*; we propose to say: models for their *brothers*. This change is more in line with the intention of St. Francis, who in his writings speaks more often of the brothers than of the fraternity. Furthermore, it should be noted that the adverb *spontaneously* (*ex animo* in the Latin text) follows the Vulgate literally (*forma facti gregis ex animo*), but this does not correspond to the Greek original: *tūpoi ghinōmenoi tou poimniou*. The New Vulgate therefore deletes *ex animo* and simply says: *formae facti gregis*. We cannot deduce from this that the phrase *ex animo* should be deleted from the Constitutions. Indeed, even *1Pt* in v. 2 expresses the idea of *spontaneity* or rather, of *willingness*: *Feed the flock of God among you, caring for it not by coercion (anagkastōs) but of your own accord (ekousiōs), not for the sake of vulgar profit, but willingly (prothumōs)*. Therefore, in this proposed text of the Constitutions, the two senses of “freely” and “willingly” are combined, to suggest a positive attitude of encouragement to ministers: at times of difficulty the minister ought not to experience his office as a heavy burden²⁸. As for the term models (which the ministers ought to be), its full meaning is seen in the light of *1Pt*, which in the original Greek uses the word *tūpoi* (*tūpoi ghinōmenoi tou poimniou*). This term suggests a concrete model which has the capacity to form or mould someone or something.²⁹ (cf. the English words *prototype* and *archetype*, derived from it). So the term refers to the “being” of the ministers, much more than to their actions; their authority comes from the consistency of their lives, from the fact that their deeds match their words. “This calls for a great consistency on the part of those who guide institutes, provinces (or other sections of the institute) and communities. Persons called to exercise authority must know that they will be able to do so only if they first undertake the pilgrimage that leads to seeking the will of God with intensity and righteousness. The advice that St. Ignatius of Antioch gave to one of his fellow bishops is valuable for them: “Nothing is done without your agreement, but you do not do anything without God’s agreement”.²⁵ Persons in authority must act in such a way that the brothers or the sisters can perceive that when they give a command, they are doing so only to obey God.” (*Faciem tuam* n. 12). In *1Pt* the absence of a specific indication of “what” they are to model could lead one to think that presbyters should be models in everything. But the previous warning against lording it over people suggests that the example in question has to do first of all with service and humility. In short, presbyters are expected to be “concrete models” of Christian discipleship. It is a matter of a *duty* that presbyters have (or in our case, ministers), corresponding to

²⁷ Cf. *Dizionario esegetico del Nuovo Testamento* 2, 1114: E. BOSETTI, *o.c.* 204.

²⁸ Cf. M. MAZZEO, *o.c.* 166-167.

²⁹ Cf. M. MAZZEO, *o.c.* 168.

the *rights* of the flock (in our case, of the friars); rights that express the dignity and vocation of the brothers³⁰.

(9) We re-propose the expression present in *Const* 156, 2, derived from the *Testament* of Saint Francis.

N. 157

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
2. 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.	Current text (157,2) 1. <i>The ministers</i> (1) should exercise the office entrusted to them with wisdom, be concerned for the brothers, and take care of all things, especially the spiritual.
3. With intense prayer and prudent discernment, let [the ministers] seek together with them the will of God.	Current text (157,3) with additions 2. Together with the brothers, through intense prayer and prudent discernment, they should <i>assiduously</i> (2) seek the will of God <i>and faithfully put it into practice</i> (3).
4. In a gospel spirit let them willingly initiate dialogue with the brothers, whether communally or individually, and accept their advice.	Current text (157,4) with additions 3. In a gospel spirit they should willingly initiate dialogue with the brothers, whether communally or individually, <i>listen to them attentively</i> (4) <i>and open-mindedly consider</i> (5) their advice.
All should remember, however, that it is the responsibility of the ministers, in virtue of their office, to make the final decision.	Current text (157,4) with additions 4. All should remember, however, that it is the responsibility of the ministers, in virtue of their office, to make the final decision. (6). <i>The ministers in their turn should remember that they cannot arrive at the final decision by themselves, but rather by valuing the greatest possible free contribution of all the brothers</i> (7).
5. Let the ministers strive to lead the brothers to observe our life faithfully and to foster the good of the Church everywhere.	
157, 6. 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.	Current text (157,6) with additions 5. <i>Therefore, for the good of the whole fraternity, let them see to it that the brothers are adequately informed, and actively involved in the life and initiatives of the fraternity. Let them promote the responsible</i> (9) <i>collaboration of everyone, especially of those who have specific responsibilities [...]</i> (10).
for the good of the whole fraternity, let them promote the harmonious activity of all, in the house.	New text 6. <i>Since the more we share those things which are central and vital, the more the bond of brotherhood grows in strength, ministers should promote the sharing of personal talents and skills, especially of spiritual resources, listening to the Word of God and of the life of faith</i> (11).

³⁰ Cf. M. MAZZEO, *Lettere di Pietro. Lettera di Giuda. Nuova versione, introduzione e commento*. Milano 2002; 168; E. BOSETTI, *Prima lettera di Pietro. Introduzione e commento*. Padova 2004; 206.

Explanatory notes

- (1) Given the redrafting of the previous number, the text is no longer a deduction from it. Hence the deletion of the conjunction *therefore*, and the subject is made explicit: *the ministers*.
- (2) *Project 2006* merged §§ 2 and 3 of the current text: “Therefore they should diligently fulfil the office entrusted to them and show concern for the brothers and take care of all things, always seeking the will of God together with them through prudent discernment” (n. 120,2). The Commission has accepted this approach. Therefore the adverb *assiduously* has been inserted in § 3.
- (3) The addition is made in accordance with the wishes of a majority of the Commission.
- (4) The current text has been amplified to bring out the fact that listening is a service: “The exercise of authority implies that persons in authority should gladly listen to those who have been entrusted to them.⁵² St. Benedict insists: “The abbot calls the whole community together”; “all of us have been called to give advice...because often it is to the youngest that the Lord reveals the best solution”⁵³.
Listening is one of the principal ministries of superiors for which they must always be available, above all for those who feel isolated and in need of attention. In fact, listening means accepting the other unconditionally, giving him or her space in one's own heart. For this listening conveys affection and understanding, declares that the other is appreciated, and that his or her presence and opinion are taken into consideration.
Whoever presides must remember that the one who does not listen to his brother or sister does not know how to listen to God either, that an attentive listening allows one to better coordinate the energy and gifts that the Spirit gives to the community and also, when making decisions, to keep in mind the limits and the difficulties of some members. Time spent in listening is never time wasted, and listening can often prevent crises and difficult times both on the individual and community levels.” (*Faciem tuam* n. 20 a).
- (5) The expression found in the current text *accept their advice* has been reformulated as *open-mindedly consider their advice*, both because the ministers are required to be ready (*with an open mind*) to listen and to discuss, and also because, realistically, it is impossible to accept the advice of everybody. But it is necessary that everyone's advice be taken into consideration, and be the object of discernment by the ministers.
- (6) This statement has been removed from the previous § not only because the text has been expanded but also to strengthen what is said in § 3 itself.
- (7) Text expanded in the light of the example and experience of Saint Francis: “What the Lord asked of him at the beginning, during and at the end of his journey of conversion and consecration was not always one and the same thing, neither did the Lord always reveal to him all at once the profound meaning of what He was asking.. He had to reflect, ponder, pray and ask for prayers, endure inner suffering, fraternally beg the prayerful help of Sister Clare and Brother Sylvester; he had to communicate with his sons, hold chapters and repeatedly appeal to the Word of God and the authority of the Church. It was an exhausting journey involving a wise reading of events”³¹. All of which tells us that we must avoid the risk of holding on to a static concept of God's will, as if it were a thing, when in fact it needs to be discovered, through a dynamic process of prayer, searching, sacrifice and real involvement of all those concerned. In such a process the final decision of the superior can never be a matter of “having the last word first.” This is why the Church recommends: “Whoever is in charge has the responsibility for the final decision,⁵⁴ but must arrive at it not by him or herself but rather by valuing the greatest possible free contribution of all the brothers or sisters. The community is what its members make it. Therefore, stimulating and motivating a contribution from every person, so that each one feels the duty to contribute his or her own charity, competence and creativity, will be fundamental. In fact, all the human resources are strengthened and brought together in the community project, motivating and respecting them.” (*Faciem tuam* n. 20 c).
- (8) The text is transferred to the following number, § 3, and expanded with new elements.
- (9) The current text is expanded to bring out a number of aspects that are important for the growth of fraternity life (*information, participation, sharing, co-responsibility*), on which the Documents of the Church and the Order insist. “An authority conducive to unity is one concerned to create a climate favourable to

³¹ Br. FLAVIO ROBERTO CARRARO, Min. gen., *Our Ongoing Formation. Circular Letter* n. 13, 3 b.

sharing and co-responsibility; to encourage all to contribute to the affairs of all; to encourage members to assume and to respect responsibility; to promote, by their respect for the human person, voluntary obedience; to listen willingly to the members, promoting their harmonious collaboration for the good of the institute and the Church; to engage in dialogue and offer timely opportunities for encounter; to give courage and hope in times of difficulty; to look ahead and point to new horizons for mission.”³². “Persons in authority will have to be concerned with creating an environment of trust, promoting the recognition of the abilities and the sensitivities of individuals. Moreover, with words and deeds they will nourish the conviction that the community requires participation and therefore information.

In addition to listening, persons in authority will value sincere and free dialogue — sharing feelings, perspectives and plans: in this atmosphere each one will be able to have his or her true identity recognized and to improve his or her own relational abilities. Persons in authority will not be afraid to recognize and accept those problems that can easily arise from searching, deciding, working and together undertaking the best ways of realizing a fruitful collaboration. On the contrary, they will look for the causes of any possible uneasiness and misunderstandings, knowing how to propose solutions, shared as much as possible. Moreover, they will commit themselves to finding ways of overcoming any form of childishness, and discourage whatever attempts are made to avoid responsibility or to evade major commitments, to close oneself in one's own world and in one's own interests or to work in an isolated manner”. (*Faciem tuam* n. 20 b).

- (10) The words *in the house* are deleted because they do not seem to be required by the context. What is said in this § refers not only to a local fraternity, but is much wider, including circumscriptions and the Order as a whole.
- (11) A new § is added to underline some of the richest aspects of inter-fraternal relationships. At the same time, the aim is to show that *information, participation, sharing, and co-responsibility* cannot be understood merely as factors of correct administration, but must be the features of the profound communion that exists among the brothers. The proposed text is derived from *Faciem tuam* n. 20 c.

N. 158

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
	<p>New text (1) 1. <i>The ministers should work to ensure that our fraternities are places where God is sought and loved in all things and above all things</i> (2). <i>Being the first to cultivate the spiritual life themselves, let them sustain the brothers on their journey towards holiness</i> (3) <i>by providing the brothers and fraternities with quality prayer time and ensuring their daily fidelity to it.</i> (4).</p>
<p>158. 1. 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.</p>	<p>Current text (158,1) with change 2. <i>Let them remember, therefore, that they have</i> (5) <i>a duty to minister the word of God to the brothers and to take care to provide them with appropriate instruction and religious formation.</i></p>
<p><i>Ex 157.5.</i> Let the ministers strive to lead the brothers to observe our life faithfully and to foster the good of the Church everywhere.</p>	<p>Current text (157,5) with additions 3. <i>Let them endeavour</i> (6) <i>to promote knowledge of our charism and encourage the brothers to observe the Rule and these Constitutions faithfully</i> (7). <i>Let them help them to maintain a lively sense of faith and ecclesial communion and to foster the welfare of the People of God everywhere.</i></p>

³² CICLSAL, *Fraternal Life in Community*. “*Congregavit nos in unum Christi amor*” (2 February 1994) n. 50 b. The Document is subsequently abbreviated to *VFC*.

<p>158.2. 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.</p>	<p>Current text (158,2) with changes and additions 4. <i>For this purpose</i>, according to the circumstances of time and place, <i>appropriate ventures can be undertaken, such as, for example, study of the documents of the Church and of the circular letters of the major superiors, or conventions on religious and Franciscan topics. The ministers and guardians should not neglect</i> spiritual conversations, whether with individuals or in the local chapter, <i>or</i> homilies to the brothers during the celebration of the Eucharist or of the Word of God.</p>
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Explanatory notes

- (1) In this number the Constitutions speak of the duty of the ministers to care for the formation of the brothers. It seemed advisable to add a new § to make it clear that this pastoral duty of formation (initial and ongoing) concerns, in the first place, the spiritual life of the brothers.
- (2) The expression is similar to that of can. 619: “Superiors are to devote themselves diligently to their office and together with the members entrusted to them are to strive to build a community of brothers or sisters in Christ, in which God is sought and loved before all things”. The formulation of this text for the Constitutions was also inspired by the collect for the XX Sunday in Ordinary Time: *ut te in omnibus et super omnia diligentes*. (so that, loving you in all things and above all things ...) Furthermore, it should be pointed out that *quaerere Deum* is the *leitmotiv* of the latest Instruction of CICLSAL on *The service of authority and obedience*: “It is your face, O Lord, that I seek” (*Ps 27:8*) is the response of the person who has understood the uniqueness and the infinite greatness of the mystery of God and the sovereignty of his holy will but is also the response, even if it is only implicit and confused, of every human creature in search of truth and happiness. *Quaerere Deum* has always been the quest of every being thirsting for the Absolute and the Eternal. Many today tend to consider any kind of dependence humiliating, but the status of creature in itself implies being dependent on Another and, therefore, as a being in relation, dependent on others.
The believer seeks the living and true God, the Beginning and the End of all things, the God not made in his or her image and likeness but the God who made us in his image and likeness, who makes known his will, and who has indicated the ways to reach him: “You will show me the path of life, fullness of joys in your presence, delights at your right hand forever” (*Ps 16:11*).
To seek the will of God means to seek a friendly and benevolent will, which desires our fulfilment, desires, above all, a free and loving response to its love, in order to make us instruments of divine love. It is along this *via amoris* that the flower of listening and obedience blooms”. (*Faciem tuam* n. 4).
- (3) The text once more puts forward the idea of the exemplarity (*models - τῆποι*) of the ministers in relation to the other brothers, because in the consecrated life authority is first of all a spiritual authority.³³ It makes explicit the fact that consecrated life is a journey towards sanctity.
- (4) One of the primary duties of the ministers is spelled out here, because the first aim of formation should be to ensure that the primacy of God and His supreme demands find expression in everyday life.
- (5) The opening of the text has been reformulated in the light of the preceding number and in order to connect the two.
- (6) § 5 of n. 157 has been inserted into this number, and the text expanded and reformulated in the light of some ideas of *Faciem tuam* (cf. n.13 e. f). In fact, it is the task of formation, and therefore a primary duty of the ministers, to impart knowledge of our charism and to promote among the brothers a sense of communion with the Church (*sentire cum Ecclesia*) and the ecclesial community.
- (7) To make the text more concrete the Commission intends to replace *to observe our life faithfully* by *to observe the Rule and these Constitutions faithfully*.

³³ Cf. *VFC* 50; *Faciem tuam* n. 13 a.

(8) *Project 2006* proposes to transfer this text to the General Statutes. In order to do this, and to place it in its proper context, it is necessary to adapt or reformulate the actual text, the content of which is extremely important. The Commission proposes some changes: in our view, some ongoing formation initiatives can be undertaken also as collaborative ventures between jurisdictions. At the same time there is also a reference to the *study of the Church's documents* and, in a special way, *spiritual conversation* and *homilies in liturgical celebrations*.

N. 159

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
159. 1. 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.	Current text (159,1) 1. Desiring that each brother should follow the plan of the Father Who called him out of love, the ministers should urge each one to seek out and fulfil the divine will actively and responsibly.
2. 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.	Current text (159,2) 2. Let them guide the brothers entrusted to them as sons of God with respect for their human personality, so that they may give their obedience spontaneously.
3. 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.	Current text (159,3) 3. They should not impose commands by virtue of the vow of obedience unless charity and necessity demand it, and it should be done with great prudence in writing or in the presence of two witnesses.

N. 160

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
	New text 1. <i>Mindful of the instructions of Saint Francis, the ministers should be signs and instruments of the welcoming, forgiving love of God. Let them work to ensure that their fraternities conform to the teaching of the Gospel on mercy (1).</i>
160. 1. 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.	Current text (160,1) 2. They should exercise the office which the Rule imposes on them to admonish, encourage and, when necessary, to correct the brothers, with firmness and, at the same time, kindly and charitably.
2. 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.	Current text (160,2) 3. They should try to correct the failings of individual brothers privately through fraternal discussion, keeping in mind the person and the circumstances.
3. Let the brothers, however, willingly accept the correction of superiors for the betterment of their soul.	Current text (160,3) 4. Let the brothers, however, willingly accept the correction of superiors for the betterment of their soul.
4. Superiors should discuss the failings or omissions of the fraternity with the brothers themselves, espe-	Current text (160,4) 5. Superiors should discuss the failings or omissions

cially on the occasion of a local chapter. Let all of them together seek and apply effective remedies.	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.
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Explanatory notes

- (1) The new paragraph highlights the aspect of forgiveness and mercy, so forcefully recommended by Saint Francis in the *Letter to a Minister* (vv. 9-17). Moreover “Persons in authority are called to develop a pedagogy of forgiveness and mercy, that is, to be instruments of the love of God that welcomes, corrects and always gives another chance to the brother or sister who makes a mistake and falls into sin. Above all they will need to remember that without hope of forgiveness a person finds it hard to get back on the path and tends inevitably to add wrong to wrong and failings to failings. The perspective of mercy, instead, affirms that God is able to draw out, even from sinful situations, a way that leads towards the good.⁷¹ May persons in authority spare no efforts so that the whole community may learn this merciful style.” (*Faciem tuam* n. 25 d).

N. 161 (+ 162-163)

CONSTITUTIONS IN VIGORE (2002)	PROPOSED REVISION: CONSTITUTIONS	PROPOSED REVISION: COMPLEMENTARY CODE
161. 1. 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.	Current text (161,1) 1. The pastoral visitation [...] prescribed by the Rule and universal law contributes much to the vivacity of our life and to the renewal and unity of the brothers.	
	New text 2. <i>Therefore the ministers should apply themselves to it with particular dedication, either personally or through others, according to the precepts of the Church and our own law (2).</i>	
161, 2. During his term of office, the general minister should visit all the brothers either personally or through others, principally through the general definitors.		Ex Current text (161,2) 1. During his term of office, the general minister should visit all the brothers either personally or through others, principally through the general definitors.
3. 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.		Ex Current text (161,3) 2. 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.
4. 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.		Ex Current text (161,4) 3. The vice-provinces and custodies, in addition to a visitation of the vice provincial or the <i>custos</i> (3), should be visited by the provincial minister during each three-year term.

<p>5. 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.</p>		<p>Ex Current text (161,5) 4. 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.</p>
<p>6. 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.</p>		<p>Ex Current text (161,6) 5. 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.</p>
<p>162. 1. 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.</p>	<p>Current text (162,1) with changes and additions 3. <i>During the visitation, the ministers and other brothers delegated to conduct it</i> (4) should have 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.</p>	
<p>2. 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.</p>	<p>Current text (162,2) with additions 4. Let them act with <i>great understanding and prudence</i>, adapting themselves to the times and conditions of different regions. In this way the brothers may express their judgement <i>trustfully</i> (6), freely and sincerely and work together for whatever leads to the perennial renewal of our life and growth of our activity</p>	
<p>163, 1. Once the visitation is completed, the delegated visitor should send a complete report to his respective superior.</p>		<p>Ex Current text (163,1) 6. Once the visitation is completed, the delegated visitor should send a complete report to his respective superior.</p>
<p>2. Within the time set by the visitor, 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.</p>		<p>Ex Current text (163,2) with changes and additions 7. <i>In a spirit of obedience the brothers should welcome the recommendations made after the Visitation and seek to implement them faithfully. There should be suitable community evaluations of the recommendations, and the superiors, at an appropriate time, should report to their own immediate superior on</i></p>

		what has been implemented. <i>Similarly, they should inform them</i> (7) how they have put into practice those things which the Constitutions delegate to provincial chapters or to the superiors.
3. Once during a three-year term let the major superiors send a report concerning the state of their own jurisdiction to their respective superior.		8. Once during a three-year term let the major superiors send a report concerning the state of their own jurisdiction to their respective superior.

Explanatory notes

- (1) Instructions for those conducting a pastoral visitation (cf. *Const* n. 161, 2-5) and concerning the reports on those visitations (cf. *Const* n. 163) are transferred to the complementary Code. *Project 2006* (cf. n. 123) had also suggested this.
- (2) The transfer mentioned just now in note (1) suggests the introduction of a new text as § 2, exhorting the *ministers* to *apply* themselves to the pastoral visitation *with particular dedication, personally or through others, according to the prescriptions of the Church and of our own legislation*. The introduction of this new § means that in § 1 it is sufficient to say *the pastoral visitation*, deleting the words *of the major superiors*. This is because the task of conducting the visitation may be delegated to other brothers who are not major superiors. This is true in the case of the general definitors (who are not major superiors or ministers), who may conduct a visitation by mandate of the General Minister, and he in turn may also delegate other brothers to do so. (cf. *Const* n. 161,2). However, the points made in subsequent notes should be kept in mind.
- (3) In line with the decision taken when revising chapter VIII, we substitute *custos* for *regular superior*.
- (4) To explain the proposed change it is useful to look back at the history of this text. The draft prepared at the time by the C.C.L. said: “*Superiores maiores in visitatione ...*”³⁴; and this wording was kept throughout the passage of this text in the 1968 Chapter³⁵. However, in the final text approved by the Chapter the subject *Superiores maiores* was deleted, leaving the opening words of the § as: *In visitatione*³⁶. These opening words were kept by successive Chapters, but after the Chapter of 1982 the editorial commission changed these to *Visitatores*³⁷. Out of this process, it seems, emerged the figure of the “Visitor”, which is somewhat alien to the tradition of our Order, in which the pastoral visitation is reserved to the major superiors and only exceptionally delegated to others. However there are delegated visitors in our Order too, and even the current Constitutions mention them in n. 163,1. For this reason, and bearing in mind the history of the text, the opening words of the current text have been modified.
- (5) The text is slightly modified and expanded in line with the suggestion of *Project 2006* (cf. n. 123,3).
- (6) Once again we accept the suggestion of *Project 2006* (cf. n. 123,3). Cf. also CIC: “Members are to act with trust toward a visitor, to whose legitimate questioning they are bound to respond according to the truth in charity. Moreover, it is not permitted for anyone in any way to divert members from this obligation or otherwise to impede the purpose of the visitation.” (can. 628,3).
- (7) The current text has been modified and expanded to give greater prominence to the conclusions of the pastoral visitation and to highlight the need to implement its recommendations. In particular, note the insistence on the *assessment by the fraternity* of how the conclusions of the visitation have been implemented.

³⁴ *Schema provisorium capitulum VII - XII Constitutionum OFMCap...* n. 195, p. 311; *Schema Constitutionum nostrarum. Textus continuus quinquies emendatus...* n. 195, p. 142.

³⁵ Cf. *Acta 1968*, II, 217. 311.

³⁶ Cf. *Acta 1968*, II, 457.

³⁷ Cf. *Iglesias* I, 149, note 12.

**ARTICLE II
THE LOVING OBEDIENCE OF THE BROTHERS**

N. 162

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
164, 1. 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.	Current text (164,1) with change 1. Following in the footsteps of the Lord Jesus, who throughout his entire life <i>placed His will in the will of the Father</i> (1), the brothers, by the profession of obedience, offer their will as a sacrifice of themselves to God, conform themselves continually to the saving will of God, Whom they love above all else, and bind themselves to the service of the Church.
2. Moreover, by living in obedience, they discover, together with the fraternity, the will of God more securely and strengthen fraternal union itself.	Current text (164,2) with additions 2. Moreover, by living in obedience, together with the fraternity (2) they discover the will of God more securely, <i>manifest the communion of the three Divine Persons</i> (3) and strengthen fraternal union itself.
3. 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.	Current text (164,3) 3. 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.
4. 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.	Current text (164,4) 4. 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.
	New text 5. <i>Setting themselves close to Christ</i> (4), <i>who although He was Son learned obedience through His sufferings</i> (5), <i>let them accept the limits of the human ways in which the will of God is mediated</i> (6). <i>Mindful that the cross is the proof of the greatest love</i> (7), <i>which calls for the gift of oneself, let them persevere in fraternal communion, thus living in perfect obedience</i> (8) <i>and sharing in the work of redemption</i> (9).

Explanatory notes

- (1) While the concept itself remains unchanged, it is reformulated using the literal words of St Francis in the *Letter to the Faithful* (second version), 10.
- (3) This §, inserted into the Constitutions by the General Chapter in 1982³⁸, highlights the relationship between obedience and fraternal life, and as such clearly refers to *mutual* obedience, sufficiently rendered by the addition *together with the fraternity*.
- (2) The proposed insertion seems pertinent, since fraternal life finds its archetype in the life of the Trinity and given that the evangelical counsels are a reflection of that same life of the three Divine Persons. The proposed text is derived from *Vita consecrata* 21: "Obedience, practised in imitation of Christ, whose food was to do the Father's will (cf. Jn. 4:34), shows the liberating beauty of a dependence which is not

³⁸ Cf. *Acta* 1982, 277; *Iglesias* I, 150, note 12.

servile but filial, marked by a deep sense of responsibility and animated by mutual trust, which is a reflection in history of the loving harmony between the three Divine Persons”.

- (4) The *criterium veritatis* (= reality principle) requires that the Constitutions should take account of the fact that obedience is difficult, and that any human mediation of the divine will is always limited and imperfect. The proposed text opens with the words *Setting yourselves close to Christ*. This is a reference to *1Pt 2, 4: Come close to him: he is the living stone, rejected by men but chosen by God and precious to him....* Here, the initial verb *come close* indicates a strong and decisive movement [...]. In the gospels, the same verb indicates the movement of the crowds pressing around Jesus in order to listen to Him and be healed by Him, and also the way in which the disciples *followed* Him. In the text proposed for the Constitutions, therefore, the intention was to indicate the *dynamic* commitment involved in *following Christ*, a spiritual movement of *advancing towards Him*, holding fast to him in faith, exactly as it says in *Hb 10, 22* or in John’s gospel, where “moving towards Christ” is parallel to “believing in (*pistèuein eis*) Him”.
- (5) The dynamic nature of the *following of Christ* implies adherence to His process of humiliation, the acceptance of the entire mystery of His passion and resurrection. It is a sharing in the events that marked His whole life. Hence the proposed text presents the example of Christ, who *learned to obey through suffering*. This expression, from *Hb* (5, 8) is of fundamental importance. The original Greek text [...] means: “from (*apó*) what He suffered, He learned obedience”, in other words, “He learned obedience from his sufferings”. This brings out the educational value of suffering, [...] not simply as a feature of human life, but highlighting the role of suffering in one’s personal relationship with God, making it closer and more genuine. Through suffering, God purifies and transforms the person, endowing him with His own life (*Hb 12,10*), so that he is capable of sharing intimacy with God³⁹. Such is the human journey: by suffering, we learn obedience which unites us to God. This was Christ’s journey, too, although He personally had no need of education through suffering. He submitted Himself to this discipleship of suffering “although he was Son” (*Hb 5, 8*). This clearly brings out the difference between the totally unique manner in which He becomes Son (cf. *Hb 1, 3; 4, 14*), and our redemption as sons, which necessarily implies a “correction” (cf. *Hb 12, 8*). Despite this, Christ did suffer, and not only did He suffer, He was transformed by suffering; through it, He learned obedience. This bold affirmation reveals the whole meaning of incarnation and redemption, through which our “flesh and blood” nature, deformed by disobedience and in need of healing, has been recast in the crucible of suffering and transformed by the action of God. In the Son, who accepted to share in the human condition, a new human creature was created, who corresponds perfectly to the divine Plan, because he was constituted by the most total obedience⁴⁰. To “set oneself close” to Christ, therefore, while progressively advancing towards Him, leads one to become fully docile to God, because Christ’s obedience was superabundant and can overflow even onto us. Ours is a derived obedience; it comes from Christ, from an ever closer contact with Him. At the same time this Christological reference also highlights the dynamic aspect of a life of obedience, in which one must grow and mature. Obedience is learned day by day, especially by facing difficult situations. “It is precisely in these cases of suffering that the consecrated person learns to obey the Lord (cf. *Ps 119:7*), to listen to him and to remain devoted only to him, waiting patiently and full of hope for his revealing Word (cf. *Ps 118:81*), in complete and generous openness to accomplishing his will and not one’s own (cf. *Lk 22:42*).” (*Faciem tuam* n. 10)
- (6) Following the line of *Faciem tuam* (cf. especially n. 9), the text points to some of the “human mediations” through which God manifests His will. His will is always absolute and perfect, but the same cannot be said of its human instruments. “Mediation by its nature is limited and inferior to that to which it refers, even more so if it is a question of human mediation in relation to the divine will.” (*Ibid.* n. 10). This aspect is expressed in the Constitutions because of their value for formation: we need to acquire the wisdom of the Spirit, who enables us to recognise the Lord Himself in the person who exercises authority, but who at the same time preserves us from the (far from theoretical) danger of acting on the principle of “the boss knows best, and he is always right”. Wisely, and very practically, Saint Francis foresaw that *a subject might see some things that would be better or more useful for his soul than what a prelate commands* (*Adm III*). The sphere in which the religious life and religious obedience normally operate is not that of a choice be-

³⁹ Cf. F. URSO, *La sofferenza educatrice nella Lettera agli Ebrei*. Bologna 2007; 17-83.

⁴⁰ Cr. A. VANHOYE, *Sacerdoti antichi e nuovo Sacerdote secondo il Nuovo Testamento*. Torino-L 1985; F. URSO, *o.c.* 85-145.

tween good and evil, but of giving attention to various forms of good, and it requires the habitual disposition (in the superiors as well as in the other brothers) to choose the greater good. In other words, this is an area where opinions will differ, and on that level the brother's opinion is as valid as the minister's. But Saint Francis warns us that, where the issue is a matter of opinion, in order for there to be true loving obedience, the subject should *willingly offer such things [his better opinion] to God as a sacrifice, and instead earnestly strive to fulfil the prelate's wishes* (*Adm III*, 5). The superior's decision "concern(s) a field in which the calculation of the greater good can vary according to the point of view. To conclude from the fact that a directive seems objectively less good than it is unlawful and contrary to conscience would mean an unrealistic disregard of the obscurity and ambivalence of many human realities" (*Evangelica Testificatio* 28). Conscience is not a law unto itself; it must refer to objective norms and, if necessary, must reform and correct itself.

- (7) Using an expression of Paul VI (cf. *Evangelica testificatio* n. 29) the text puts forward once more the example of Christ and the requirement to follow Him by denying oneself and carrying one's cross, in the conviction that our life of obedience would be meaningless outside of this logical framework. Saint Francis expresses all this in the Salutation of the Virtues when he says that "Holy obedience confounds every corporal and carnal wish, binds its mortified body to obedience of the Spirit and obedience to one's brother". The expression *binds its mortified body to obedience of the Spirit*, in language typical of the Poverello, corresponds to the saying of the gospel: "If anyone wishes to come after me, let him deny (*abneget*) himself" (*Mt* 16,24). The redemptive self-denial of obedience means "saying no" to one's own will. In obedience, the salvific "expropriation of self" (*expropriatio*) is realised, by which a human being once again belongs fully to God, and becomes His property. All of this is accomplished through submission to the Spirit of the Lord, and by imitating the obedience of Christ, by carrying the cross with Him and like Him. "We must also deny ourselves and place our bodies under the yoke of service and of holy obedience, as each of us has promised to the Lord" (*Letter to the Faithful* [2nd version] 40)⁴¹.
- (8) The exhortation *let them persevere in fraternal communion, thus living in perfect obedience* is based on the III Admonition. Referring to this, the Constitutions (cf. n. 165, 2-3) speak of the first two degrees of obedience according to the teaching of Saint Francis: 1° *true obedience*, when the brother *does or says anything which he knows is not against his [the prelate's] will, provided that what he does is good* (*Adm III*, 4; cf. *Const* 165,2); 2° *loving obedience*, when *the subject sees that some things might be better or more useful for his soul than what a prelate commands, let him willingly offer such things to God as a sacrifice and instead let him earnestly strive to fulfil the prelate's wishes* (*Adm III*, 5-6; cf. *Const* 165,3). Now we propose to introduce into the Constitutions an explanation of the third degree of Franciscan obedience: *perfect obedience*, because it cannot be considered as an extreme case or something entirely theoretical in the life of our fraternities. It could not be more relevant and topical, both on the level of mutual obedience and at the level of relationships between ministers. Francis teaches us: "If the prelate, however, commands something contrary to his conscience, even though he may not obey him, let him not, however, abandon him. And if he then suffers persecution from others, let him love them all the more for the sake of God. For whoever chooses to suffer persecution rather than be separated from his brothers truly remains in perfect obedience, because he lays down his life for his brothers" (*Adm III*, 7-9). In St Francis' mind, not to abandon the superior in a difficult case, or even when he commands something that is against our conscience, means not only remaining juridically united with the minister, but also avoiding all forms of psychological distancing, lack of charity, refusal to co-operate or to share responsibility. Even the life of the local fraternity, in pastoral work and inter-personal relationships, must shun any such "distancing", whenever there may be a variety of opinions and the management of the fraternity may seem to us to be less than ideal. St. Francis leads us to the most extreme, hardest and humanly speaking least justifiable consequences, and offers us a code of conduct for such extreme circumstances, in which the primacy of charity and love, and the unity with the brothers we have sworn to God in our religious profession, can never be brought into question. In the last analysis it is a question of *giving one's life to God for the sake of the brothers*, in other words, of *redeeming* them, if relationships within the fraternity have become so onerous that life becomes impossible. At precisely that point, a stronger and more generous love ought to emerge. Commenting on Saint Francis' Admonition, the Instruction *Faciem tuam* says: "This reminds us that love and communion represent su-

⁴¹ Cf. K. Esser, *Impegno alla libertà...* 111-112.

preme values to which even the exercise of authority and obedience are subordinated.... It is in saying these difficult “yeses” that one can understand in depth the sense of obedience as a supreme act of freedom, expressed in total and confident abandoning of oneself to Christ, the Son freely obedient to the Father, and one can understand the sense of mission as an obedient offering of oneself that brings the blessing of the Most High: “I will bless you with every blessing...(and) all the nations of the earth shall gain blessing for themselves, because you have obeyed my voice” (*Gen* 22:17, 18). In that blessing obedient consecrated persons know that they will again find all that they left with the sacrifice of their being detached; within that blessing is also hidden the full realization of their own humanity (cf. *Jn* 12:25).” (n. 26).

- (9) The aspect of obedience as a sharing in the redemption accomplished by Christ is also present in Admonition III of Saint Francis⁴². The Apostolic Exhortation *Redemptionis donum* is significant in this regard: “In the counsel of 'obedience they wish to discover their own role (in Latin: *proprias partes*) in the redemption of Christ and their own sanctification” (n. 13).

N. 163

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
165, 1. While showing themselves ready to obey their superiors in a spirit of faith, the brothers should present their own judgments 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.	Current text (165,1) with addition 1. Let the brothers <i>treat their ministers with charity and respect and consider their actions thoughtfully and carefully</i> (1). Ready to obey <i>them</i> (2) 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.
2. 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.	Current text (165,2) 2. Whatever good a brother may do with a right intention and by his own choice is also true obedience, when he knows that this is not contrary to the will of the superior or detrimental to fraternal unity.
3. 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.	Current text (165,3) 3. 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. This, in fact, is the true and loving obedience that satisfies God and neighbour

Explanatory notes

- (1) *Project 2006*, introduces this text into its prologue to chapter X: “This is why he warns that lesser brothers are to serve and obey one another, and describes the service of the ministers and guardians as an aid to such mutual obedience, and he does not omit to recall the need for fraternal vigilance, which the other brothers are to exercise over their ministers” (118,4). Accepting the final part of this sentence in the *Project*, we propose to begin the text with an expression drawn from 1T’s 5, 13 and from *Rnb* V,3.
- (2) The change is due to the introduction of the preceding sentence.

⁴² Cf. K. ESSER, *Le ammonizioni...* 59-63; IDEM, *Impegno alla libertà...* 111-113.

N. 164

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
166, 1. 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.	Current text (166,1) 1. 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.
2. The minister should welcome and help them with fraternal charity and concern.	Current text (166,2) 2. The minister should welcome and help them with fraternal charity and concern.

N. 165

CURRENT CONSTITUTIONS (1990)	PROPOSED REVISION: CONSTITUTIONS
167, 1. 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.	Current text (167,1) with addition 1. All of us, ministers and the other brothers alike, walking in truth and sincerity of heart, should show one another what it means to belong to the same family and serve and obey one another willingly through charity of spirit, <i>accepting one another as instruments of God's will</i> (1).
2. 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.	Current text (167,2) 2. 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.
3. 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.	Current text (167,3) 3. 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
4. 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.	Current text (167,4) 4. 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.
5. 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.	Current text (167,5) 5. Moved and sustained by the Spirit of the Lord and His holy activity, as poor men and men of peace, let us courageously persist in the great things we have undertaken (2) and, if we persevere until the end, may we enjoy God's reward.

Explanatory notes

- (1) The proposed insertion at the end of the § links up with what we have said previously. Here, we wish to strengthen the sense of reciprocal obedience among the brothers. The text expresses St Francis' intention: starting from his convictions about universal brotherhood, he speaks of obedience to one's own brothers and of being "subject and submissive to everyone in the world, not only to people but to every beast and wild animal as well, that they may do whatever they want with (him) in so far as it has been given to them from above by the Lord" (*SalV*). Human beings and all creatures are related, each is a gift of God to the other and a representative of God's will. "True fraternity is based on the recognition of the dignity of the brothers or sisters and becomes concrete in the attention given to others and to their needs, in the capacity to rejoice in their gifts and their fulfilment, in placing at their disposition the proper time to listen and to be enlightened; however, this demands being interiorly free. Rather, free are those persons who live constantly attentive and reach out to take advice in every situation in life, and above all from every person who lives next to them, a mediation of the will of the Lord, however mysterious. "It was for liberty that Christ freed us" (*Gal* 5:1). He has freed us that we might be able to encounter God in the innumerable ways in daily life." (*Faciem tuam* n. 20 g).
- (2) We do not propose any change to the text, simply an improved translation, closer to the meaning of the original. In the phrase *magna incepta fortiter aggrediamur*, *incepta* refers not so much to new initiatives, but rather to things that are already under way, have already been begun. Similarly, the verb *aggredio*, simply means "to advance, or walk towards"⁴³. This can be deduced both from the history of the Constitutions and from the first translations of the current text, at least into Italian. The Constitutions in force until 1968, in n. 233 (the last number of chapter X) had a commentary on the corresponding text of the Rule: "I admonish and exhort the brothers in the Lord Jesus Christ to beware of all pride, vainglory, envy, avarice, care and solicitude for the things of this world, of detraction, and murmuring. And those who are illiterate shall not be anxious to learn, but let them endeavour to have what is to be above all things desired, the Spirit of the Lord and His holy operation; let them endeavour to pray always with a pure heart, and to have humility and patience in persecution and infirmity, and to love those who persecute, reprove and censure us, because our Lord says "Love your enemies and pray for those who persecute and calumniate you. Blessed are they who suffer persecution for justice sake, for theirs is the Kingdom of Heaven. He who perseveres to the end, he shall be saved" (X, 7-12). The C.C.L., which prepared the new text for the General Chapter of 1968, wanted to remain faithful to the original structure, at least as far as the basic content was concerned. Therefore, in his presentation to the 1968 Chapter, the relator said: "And so we come to the final number (193), the intention of which was... to comment on this profound and very beautiful exhortation of our holy Father. According to the text of the Rule, this commentary ought to be expanded with the following elements: *a*) a warning against what could be called "spiritual sins", which should be most carefully avoided by brothers who are consecrated to God, namely, pride, vainglory, envy, avarice, care and solicitude for the things of this world, detraction and murmuring; *b*) an exhortation to cultivate the desire for the Spirit of the Lord and His holy operation, especially through prayer that is humble and pure; *c*) a profound respect for the spirit of evangelical humility, patience and love for persecutors of whatever kind; *d*) the consolation of hope that is founded in God, by which those who are poor in spirit are raised up by the desire to possess the kingdom of heaven; *e*) fortitude and perseverance, that they may obtain their final reward from God. And indeed, all of these things are contained, according to the mind of our holy Father, in the epilogue to the chapter on obedience. Praiseworthy virtues, and the richest fruits of a theological, spiritual and social kind, are in evidence from that brotherhood of men who, for the sake of God whom they love above all else, have renounced everything, who willingly obey one another, and live in subjection to every creature in poverty of spirit"⁴⁴. The Chapter then approved the prepared text, which has come down to us with slight stylistic variations introduced in 1982. In the light of the fundamental principles which inspired the drafting of the text, we can understand the first (Italian) translations of the phrase in question: *let us courageously tackle the great things we have undertaken* (Italian ed., 1969 and 71); *let us courageously tackle the great works we have undertaken* (1978); *let us steadfastly persevere... in the sublime way upon which we have embarked*. (Italian ed., 1990).

⁴³ Cf. A. ERNOUT – A. MEILLET, *Dictionnaire étymologique de la langue latine. Histoire de mots*. Paris 42001; 279-280.

⁴⁴ Cf. *Acta* 1968, II, 44.