

CONSTITUTIONS

OF THE ORDER OF FRIARS MINOR
CONVENTUAL



ROME **2019**

CONSTITUTIONS

OF THE ORDER OF FRIARS MINOR CONVENTUAL

Published by order of
The Most Reverend Marco Tasca
the 119th Minister General of the Order
after the Seraphic Father Saint Francis

ROME
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constitutiones

ORDINIS FRATRUM MINORUM
CONVENTUALIUM

The present text in English,
translated from the original Italian by Nerbini International (Florence, Italy),
and published and edited in 2020 by the CFF (Conventual Franciscan Federation of
English Australia, Great Britain, Ireland, and North America),
was reviewed by the 120th Minister General of the Order,
the Most Reverend Carlos Trovarelli, OFM Conv.,
and adjudged to be in conformity to the original text
approved by the Vatican's Congregation for
Institutes of Consecrated Life and Societies of Apostolic Life.

All translations of the original Latin texts from the Writings of St. Francis and other
early Franciscan sources are taken with permission from the first three volumes of
the following publication: Francis of Assisi: Early Documents: The Saint,
The Founder, The Prophet, Regis Armstrong OFM Cap., Wayne Hellmann OFM
Conv., William Short OFM, eds. (New York: New City Press, 1999, 2000, 2001).

The Congregation for Institutes of Consecrated Life and Societies of Apostolic Life

Prot. n. C. 86/2018

DECREE

The 201st Extraordinary General Chapter of the Order of Friars Minor Conventual, as a result of an in-depth study, conducted with a view towards greater adherence to the founding charism and the Magisterium of the Church, has revised the Constitutional Text approved by the Holy See on October 2, 1984.

In his letter dated September 25, 2018, the Minister General thus submitted a request for the approval of the revised text of the Constitutions, voted on by the Capitular Assembly, celebrated from July 24 to August 25, 2018.

This Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, after a careful examination of the document, to which some corrections have been made, by virtue of this Decree, does hereby approve the new Constitutions, according to the example drawn up in Italian which is kept in its archives.

It is greatly hoped that, in fidelity to the founding charism and with the help of the Constitutions, the Friars Minor Conventual, devoted followers of the “glorious and most blessed Mother Mary, Virgin made Church”, shall always seek the presence of the “Most High, all-powerful, good Lord” to “live and witness the Holy Gospel in fraternal communion, minority, obedience, without anything of one’s own and in chastity,” according to the mandate they received from the Seraphic Father Founder, St. Francis of Assisi.

Notwithstanding any contrary provision.

From the Vatican, November 29, 2018

Feast of All Saints of the Seraphic Order

João Cardinal Braz de AVIZ, Prefect
José Rodriguez CARBALLO, O.F.M., Archbishop Secretary



Letter of Accompaniment to the Decree

Prot. n. C. 86-1/2018

Reverend Father,

This letter is in response to your very important letter dated September 25, by which you forwarded, through your Procurator General, a request for the approval of the revised text of your Constitutions, voted on by the Extraordinary General Chapter of the Order of Friars Minor Conventual.

The text presented is of great value. The commitment in elaborating its normative formulations is evident. It is enriched by appropriate references to foundational and magisterial texts, which harmonize well with the juridical elements.

Therefore, after careful study, this Dicastery grants the request and attaches to this letter the Decree approving the new Constitutional Text.

However, the following corrections are to be made: Article 34 §2: replace “deliberative vote” with “consent”; Article 191 § 1: replace [the paragraph] “3” with “4”; Article 221 §3: replace “proper” with “vicarial”.

After publication, we kindly ask you to send two copies of the Constitutional Text so that one may be kept in the Archive and the other in the Library of this Dicastery.

I hereby take this opportunity to convey to you my esteem in the Lord.

Vatican City, November 29, 2018
José Rodríguez CARBALLO, O.F.M., Archbishop Secretary



Letter of Promulgation

Prot. N. 865/18

Dear brothers,
Peace be with you!

The Ordinary General Chapters of 2007 and 2013 decided upon and confirmed the work of revising the Constitutions. This work has been a commitment of the Order for over a decade. We have finally reached the end of this formative journey, which has helped us to reflect upon and renew our identity and mission within the Church. The Constitutions, in fact, are expected to be, and must be, an actualization of the Rule in the context of the Church and of the societies in which we Friars Minor Conventual live.

In the first of two sessions during 2007-2013, our common commitment was to learn more about some fundamental topics. To begin, reflections were initiated in all the communities of the Order through common worksheets to use as guides during House Chapters and the publication of various studies carried out *ad hoc* and published in *Commentarium Ordinis* and on the Order's website.

At the 2013 Ordinary General Chapter, the process of revising the Constitutions was given a renewed and decisive boost. The Chapter called for a committee composed of some friars working full-time to promote the process of working on, discussing, studying and debating particular topics. Then they would propose the revised text for the Constitutions. The General Chapter indicated three guidelines for the revision process of the previous text. This text had gone into effect on March 25, 1985, concluding work that started in 1969. The guidelines were to be considered during the process of rewriting the new charismatic-legislative text: (1) to deepen our knowledge of our charism, in light of the development of studies on Franciscanism in recent years; (2) to understand more deeply the evangelical and theological principles related to the consecrated life in the Church, in the light of the fact that the ecclesial magisterium has profoundly renewed its vision and language (starting first in the area of ecclesial and interpersonal communion); (3) to seriously consider the significant demographic changes and the geographical delocalization of the Order in these last



decades. In fact, the Constitutions must respond to the needs of an increasingly global, diverse and pluralistic fraternity.

The 2013 General Chapter called for the involvement of the entire Order in the revision process, through the study and discussion of the draft of each chapter of the Constitutions, which would be reviewed during the House Chapters of all the individual communities scattered throughout the world. The faithful commitment of many friars and of many local fraternities has made a surprising contribution to the growing consensus on our identity as Friars Minor Conventuals and has given us a better understanding of the witness and mission that the Church asks of us and which the world needs. Ongoing formation throughout most of the Order has received a considerable boost precisely because of our shared effort to reflect on our identity and mission. It has also benefited the quality of fraternal life in our communities.

The 2018 Extraordinary General Chapter has just concluded. It was a profoundly fraternal event, precisely because we began with different visions and opinions and still, the Chapter managed to make us come together on those differences, so that we could review and approve a text of the Constitutions that adhered to our vocation and faithfully reflected not only who we are, but who we are called to be—in the light of the richness of our charism—in the Church today. The Capitulars, almost unanimously saw in the fruits of their labor, results that were inspired and blessed by the “Most High, all-powerful, good Lord.” The Chapter was thus an invaluable aid in living our Gospel call wherever Providence calls us.

I therefore invite the friars from all backgrounds and Jurisdictions to accept, with humility and fidelity, the initiatives that will be promoted by the Ministers Provincial and Custodes in the coming years—as the main task of their office—in cooperation with the Minister General and his council and to allow to the new Constitutions to provide a common foundation in the mentality, discernment and lifestyle of each Jurisdiction, community and individual friar.

May the Immaculate Virgin, Queen and Patroness of our Order, sustain and guide us during this journey. The Constitutions describe our devotion to her as the “golden thread” that runs through our history. May the Seraphic Father Saint Francis and all the Saints of the Seraphic Order assist and inspire us. We are called to holiness, a holiness realized in our total dedication to the Lord



“who performs wonders,” in our joyful, fraternal daily life and in our missionary commitment in which we always try to reach all human peripheries.

Having completed this years-long process and being open to the journey that the Lord indicates for us; having obtained the definitive approval of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life by decree dated November 29, 2018, I, through this letter, by virtue of my office, submit for publication and do hereby promulgate the definitive text of the Constitutions of the Order, which **shall go into effect starting February 2, 2019**, the Feast of the Presentation of the Lord and World Day for Consecrated Life.

Rome, Friary of the Twelve Holy Apostles, December 8, 2018, the Solemnity of the Immaculate Conception of the Blessed Virgin Mary.

Friar Marco TASCA

Minister General

Friar Vincenzo MARCOLI

Secretary General



THE RULE

**OF OUR SERAPHIC FATHER
SAINT FRANCIS**

The Later Rule

(*Rebola Bullata*)

1223

BULL OF POPE HONORIUS III

Honorius, Bishop, Servant of the servants of God, to His beloved Son, Brother Francis and the other brothers of the Order of the Lesser Brothers, Health and Apostolic Benediction.

The Apostolic See is accustomed to grant the pious requests and favorably to acceded to the laudable desires of its petitioners. Therefore, beloved sons of the Lord, attentive to your pious prayers, We confirm with our Apostolic Authority, and by these words ratify, the Rule of your Order, herein outlined and approved by Our predecessor, Pope Innocent of happy memory, which is as follows:

[Chapter I]

IN THE NAME OF THE LORD! THE LIFE OF THE LESSER BROTHERS BEGINS

The Rule and Life of the Lesser Brothers is this: to observe the Holy Gospel of Our Lord Jesus Christ by living in obedience, without anything of one's own, and in chastity.

Brother Francis promises obedience and reverence to our Lord Pope Honorius and his successors canonically elected and to the Roman Church. Let the other brothers be bound to obey Brother Francis and his successors.

[Chapter II]

THOSE WHO WISH TO ADOPT THIS LIFE, AND HOW THEY SHOULD BE RECEIVED

If there are any who wish to accept this life and come to our brothers, let them send to their provincial ministers, to whom alone and not to others is permission granted to receive the brothers. Let the ministers examine them careful-



ly concerning the Catholic faith and the sacraments of the Church. If they believe all these things, will faithfully profess them, and steadfastly observe them to the end, and if they have no wives, or if they have wives who have already taken a vow of continence and are of such an age that suspicion cannot be raised about them, and who have already entered a monastery or have given their husbands permission by the authority of the bishop of the diocese, let the ministers speak to them the words of the holy Gospel that they go and sell all they have and take care to give it to the poor. If they cannot do this, their good will may suffice. Let the brothers and minister be careful not to interfere with their temporal goods that they may dispose of their belongings as the Lord inspires them. If, however, counsel is sought, the minister may send them to some God-fearing persons according to whose advice their goods may be distributed to the poor.

Then they may be given the clothes of probation, namely, two tunics without a hood, a cord, short trousers, and a little cape reaching to the cord, unless, at times, it seems good to these same ministers, before God, to act otherwise. When the year of probation has come to an end, they may be received to obedience promising always to observe this rule and life. On no account shall it be lawful for them to leave this Order, according to the decree of our Lord the Pope, for, according to the Gospel: *no one who puts his hand to the plow and looks to what was left behind is fit for the kingdom of God.*

Those who have already promised obedience may have one tunic with a hood and another, if they wish, without a hood. And those who are compelled by necessity may wear shoes. Let all the brothers wear poor clothes and they may mend them with pieces of sackcloth or other material with the blessing of God. I admonish and exhort them not to look down upon or judge those whom they see dressed in soft and fine clothes and enjoying the choicest food and drink, but rather let everyone judge and look down upon himself.

[Chapter III]

THE DIVINE OFFICE, FASTING AND HOW THE BROTHERS SHOULD GO ABOUT IN THE WORLD

Let the clerical [brothers] recite the Divine Office according to the rite of the holy Roman Church excepting the psalter, for which reason they may have breviaries. The lay [brothers], however, may say twenty-four *Our Fathers* for



THE LATER RULE

Matins, and five for Lauds; seven for each of the Hours of Prime, Terce, Sext, and None, twelve for Vespers, and seven for Compline. Let them pray for the dead.

Let them fast from the Feasts of All Saints until the Lord's Nativity. May those be blessed by the Lord who fast voluntarily during that holy Lent that begins at the Epiphany and lasts during the forty days which our Lord consecrated by His own fast; but those who do not wish to keep it will not be obliged. Let them fast, however, during the other [Lent] until the Lord's Resurrection. At other times they may not be bound to fast except on Fridays. During a time or obvious need, however, the brothers may not be bound by corporal fast.

I counsel, admonish and exhort my brothers in the Lord Jesus Christ not to quarrel or argue or judge others when they go about in the world; but let them be meek, peaceful, modest, gentle, and humble, speaking courteously to everyone, as is becoming. Into whatever house they enter, let them first say: "peace be to this house!" According to the holy Gospel, let them eat whatever food is set before them.

[Chapter IV]

LET THE BROTHERS NEVER RECEIVE MONEY

I strictly command all my brothers not to receive coins or money in any form, either personally or through intermediaries. Nevertheless, the ministers or custodians alone may take special care through their spiritual friends to provide for the needs of the sick and the clothing of others according to places, seasons and cold climates, as they judge necessary, saving always that, as stated above, they do not receive coins or money.

[Chapter V]

THE MANNER OF WORKING

Those brothers to whom the Lord has given the grace of working may work faithfully and devotedly so that, while avoiding idleness, the enemy of the soul, they do not extinguish the Spirit of holy prayer and devotion to which all temporal things must contribute.

In payment for their work they may receive whatever is necessary for the bodily support of themselves and their brothers, excepting coin or money, and let them do this humbly as is becoming for servants of God and followers of most holy poverty.



[Chapter VI]

**LET THE BROTHERS NOT MAKE ANYTHING THEIR OWN:
BEGGING ALMS, THE SICK BROTHERS**

Let the brothers not make anything their own, neither house, nor place, not anything at all. As pilgrims and strangers in this world, serving the Lord in poverty and humility, let them go seeking alms with confidence, and they should not be ashamed because, for our sakes, the Lord made Himself poor in this world. This is that sublime height of most exalted poverty which has made you, my most beloved brothers, heirs and kings of the Kingdom of Heaven, poor in temporal things but exalted in virtue. Let this be your portion which leads to the land of the living. Giving yourselves totally to this, beloved brothers, never seek anything else under heaven for the name of our Lord Jesus Christ.

Wherever brothers may be and meet one another, let them show that they are members of the same family. Let each one confidently make known his need to the other, for if a mother loves and cares for her son according to the flesh, how much more diligently must someone love and care for his brother according to the Spirit! When any brother falls sick, the other brothers must serve him as they would wish to be served themselves.

[Chapter VII]

THE PENANCE TO BE IMPOSED ON THE BROTHERS WHO SIN

If any brother, at the instigation of the enemy, sin mortally in regard to those sins concerning which it has been decreed among the brothers to have recourse only to the provincial ministers, let him have recourse as quickly as possible and without delay. If these ministers are priests, with hearts full of mercy let them impose on him a penance: but, if the ministers are not priests, let them have it imposed by others who are priests of the Order, as in the sight of God appears to them more expedient. They must be careful not to be angry or disturbed at the sin of another, for anger and disturbance impede charity in themselves and in others.



THE LATER RULE

[Chapter VIII]

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

Let all the brothers always be bound to have one of the brothers of this Order as general minister and servant of the whole fraternity and let them be strictly bound to obey him. When he dies, let the election of his successor be made by the provincial ministers and custodians in the Chapter of Pentecost, at which all the provincial ministers are bound to assemble in whatever place the general minister may have designated. Let them do this once in every three years, or at longer or shorter intervals, as determined by the aforesaid minister.

If at any time, it appears to the body of the provincial ministers and custodians that the aforesaid general minister is not qualified for the service and general welfare of the brothers, let the aforesaid brothers, to whom the election is committed, be bound to elect another as custodian in the name of the Lord.

Moreover, after the Chapter of Pentecost, the provincial ministers and custodians may each, if they wish and it seems expedient to them, convoke a Chapter of the brothers in their custodies once in the same year.

[Chapter IX]

PREACHERS

The brothers may not preach in the diocese of any bishop when he has opposed their doing so. And let none of the brothers dare to preach in any way to the people unless he has been examined and approved by the general minister of this fraternity and the office of preacher has been conferred upon him.

Moreover, I admonish and exhort those brothers that when they preach their *language be well-considered and chaste* for the benefit and edification of the people, announcing to them vices and virtues, punishment and glory, with brevity, because our Lord when on earth kept his word brief.



[Chapter X]

THE ADMONITION AND CORRECTION OF THE BROTHERS

Let the brothers who are the ministers and servants of the others visit and admonish their brothers and charitably correct them, not commanding them anything that is against their soul and our rule. Let the brothers who are subject, however, remember that, for God's sake, they have renounced their own wills. Therefore I strictly command them to obey their ministers in everything they have promised the Lord to observe and which is not against their soul or our Rule.

Wherever the brothers may be who know and feel they cannot observe the Rule spiritually, they can and should have recourse to their ministers. Let the ministers, moreover, receive them charitably and kindly and have such familiarity with them that these same brothers may speak and deal with them as masters with their servants, for so it must be that the ministers are the servants of all the brothers.

Moreover, I admonish and exhort the brothers in the Lord Jesus Christ to beware of all pride, vainglory, envy and greed, or care and solicitude for the things of this world, or detraction and murmuring. Let those who are illiterate not be anxious to learn, but let them pay attention to what they must desire above all else: to have the Spirit of the Lord and Its holy activity, to pray always to Him with a pure heart, to have humility and patience in persecution and infirmity, and to love those who persecute, rebuke and find fault with us, because the Lord says: *Love your enemies and pray for those who persecute and calumniate you. Blessed are those who suffer persecution for the sake of justice, for theirs is the kingdom of heaven. But whoever perseveres to the end will be saved.*

[Chapter XI]

THE BROTHERS MAY NOT ENTER THE MONASTERIES OF NUNS

I strictly command all the brothers not to have any suspicious dealings or conversations with women, and they may not enter the monasteries of nuns, excepting those brothers to whom special permission has been granted by the Apostolic See; and they may not be godfathers to men or women, so that scandal may not arise among the brothers or concerning them on account of this.



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[Chapter XII]

THOSE GOING AMONG THE SARACENS AND OTHER NON-BELIEVERS

Let those brothers who wish by divine inspiration to go among the Saracens or other non-believers ask permission to go from their provincial ministers. The ministers, however, may not grant permission except to those whom they see fit to be sent.

In addition to these points, I command the ministers through obedience to petition from our Lord the Pope for one of the Cardinals of the Holy Roman Church, who would be the governor, protector and corrector of this fraternity, so that, being always submissive and subject at the feet of the same Holy Church and steadfast in the Catholic Faith, we may observe poverty, humility, and the Holy Gospel of our Lord Jesus Christ as we have firmly promised.

It is forbidden, therefore, for anyone to tamper with this decree which we have confirmed, or rashly dare to oppose it. If anyone presume to attempt this, let him know that he shall incur the anger of Almighty God and of His blessed Apostles Peter and Paul.

Given at the Lateran, the twenty-ninth day of November, in the eighth year of Our pontificate.



THE TESTAMENT

OF OUR SERAPHIC FATHER
SAINT FRANCIS

The Testament (1226)

The Lord gave me, Brother Francis, thus to begin doing penance in this way: for when I was in sin, it seemed too bitter for me to see lepers. And the Lord Himself led me among them and *I showed mercy* to them. And when I left them, what had seemed bitter to me was turned into sweetness of soul and body. And afterwards I delayed a little and left the world.

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

Afterwards, the Lord gave me, and gives me still, such faith in the priests who live according to the rite of the holy Roman Church because of their orders that, were they to persecute me, I would still want to have recourse to them. And if I had as much *wisdom* as *Solomon* and found impoverished priests of this world, I would not preach in their parishes against their will. And I desire to respect, love and honor them and all others as my lords. And I do not want to consider any sin in them because I discern the Son of God in them and they are my lords.

And I act in this way because, in this world, I see nothing corporally of the most high Son of God except His most holy Body and Blood which they receive and they alone administer to others. I want to have these most holy mysteries honored and venerated above all things and I want to reserve them in precious places. Whenever I find our Lord’s most holy names and written words in unbecoming places, I want to gather them up and I beg that they be gathered up and placed in a becoming place. And we must honor all theologians and those who minister the most holy divine words and respect them as those who minister to us *spirit and life*.

And after the Lord gave me some brothers, no one showed me what I had to do, but the Most High Himself revealed to me that I should live according to the pattern of the Holy Gospel. And I had this written down simply and in a few words and the Lord Pope confirmed it for me. And those who came to receive life gave *whatever they had* to the poor and were content with one tunic, patched inside and out, with a cord and short trousers. We desired nothing



more. We clerical [brothers] said the Office as other clerics did; the lay brothers said the *Our Father*; and we quite willingly remained in churches. And we were simple and subject to all.

And *I worked with my hands*, and I still desire to work; and I earnestly desire all brothers to give themselves to honest work. Let those who do not know how to work learn, not from desire to receive wages, but for example and to avoid idleness. And when we are not paid for our work, let us have recourse to the table of the Lord, begging alms from door to door. The Lord revealed a greeting to me that we should say: "*May the Lord give you peace.*"

Let the brothers be careful not to receive in any way churches or poor dwellings or anything built for them unless they are according to the holy poverty we have promised in the Rule. *As pilgrims and strangers*, let them always be guests there.

I strictly command all the brothers through obedience, wherever they may be, not to dare to ask any letter from the Roman Curia, either personally or through an intermediary, whether for a church or another place or under the pretext of preaching or the persecution of their bodies. But, wherever they have not been received, *let them flee into another country* to do penance with the blessing of God.

And I firmly wish to obey the general minister of this fraternity and the other guardian whom it pleases him to give me. And I so wish to be a captive in his hands that I cannot go anywhere or do anything beyond obedience and his will, for he is my master.

And although I may be simple and infirm, I nevertheless want to have a cleric always with me who will celebrate the Office for me as it is prescribed in the *Rule*.

And let all brothers be bound to obey their guardians and to recite the Office according to the Rule. And if some might have been found who are not reciting the Office according to the Rule, and want to change it in some way, or who are not Catholics, let all the brothers, wherever they may have found one of them, be bound through obedience to bring him before the custodian of the place nearest to where they found him. And let the custodian be strictly bound through obedience to keep him securely day and night as a man in chains, so that he cannot be taken from his hands until he can personally deliver him into the hands of his minister. And let the minister be bound through obedience to send him with such brothers who would guard him as a prisoner until they de-



THE TESTAMENT

liver him to the Lord of Ostia, who is the Lord, the Protector and the Corrector of this fraternity.

And the brothers may not say: “This is another rule.” Because this is a remembrance, admonition, exhortation, and my testament, which I, little brother Francis, make for you, my blessed brothers, that we might observe the Rule we have promised in a more Catholic way.

And let the general minister and all the other ministers and custodians be bound through obedience not *to add to* or *take away* from these words. And let them always have this writing with them together with the Rule, let them also read these words. And I strictly command all my cleric and lay brothers, through obedience, not to place any gloss upon the Rule or upon these words saying: “They should be understood in this way.” But as the Lord has given me to speak and write the Rule and these words simply and purely, may you understand them simply and without gloss and observe them with a holy activity until the end.

And whosoever observes these things, let him be blessed *in heaven with the blessing* of the Most High Father, and *on earth* with the blessing of His Beloved Son with the Most Holy Spirit, the Paraclete, and all the powers of heaven and with all the saints. And, as far as I can, I, little brother Francis, your servant, confirm for you, both within and without, this most holy blessing.



CONSTITUTIONS

OF THE ORDER OF FRIARS MINOR CONVENTUAL

ACRONYMS: FRANCISCAN SOURCES

| | |
|--------|---|
| 1C | <i>The Life of St. Francis</i> by Thomas of Celano |
| 2C | <i>The Remembrance of the Desire of a Soul</i> by Thomas of Celano |
| 2LcF | <i>The Second Letter to the Faithful</i> by St. Francis of Assisi |
| Adm | <i>The Admonitions</i> by St. Francis of Assisi |
| CtC | <i>The Canticle of the Creatures</i> by St. Francis of Assisi |
| ER | <i>The Earlier Rule (Regola non-Bollata)</i> (1221) |
| LtAnt | <i>A Letter to Brother Anthony of Padua</i> by St. Francis of Assisi |
| LFl | <i>The Little Flowers of St. Francis</i> |
| LMj | <i>The Major Legend</i> by St. Bonaventure of Bagnoregio |
| LR | <i>The Later Rule (Regola Bollata)</i> (1223) |
| LtMin | <i>A Letter to a Minister</i> by St. Francis of Assisi |
| LtOrd | <i>A Letter to the Entire Order</i> by St. Francis of Assisi |
| LW | <i>The Last Wishes</i> of St. Francis of Assisi |
| OfP | <i>The Office of the Passion</i> by St. Francis of Assisi |
| RSC | <i>The Rule of St. Clare</i> |
| SalBVM | <i>A Salutation of the Blessed Virgin Mary</i> of St. Francis of Assisi |
| SalV | <i>A Salutation of Virtues</i> by St. Francis of Assisi |
| Test | <i>The Testament</i> of St. Francis of Assisi |



ACRONYMS: ECCLESIAL DOCUMENTS

| | |
|---------|---|
| CCE | Congregation for Catholic Education |
| CCEO | <i>Codex Canonum Ecclesiarum Orientalium</i> (1990) |
| CDF | Congregation for the Doctrine of the Faith |
| CIC | <i>Codex Iuris Canonici</i> (1983) |
| CICLSAL | Congregation for the Institutes of Consecrated Life and the Societies of Apostolic Life |
| CV | <i>Caritas in Veritate</i> , Encyclical Letter of Pope Benedict XVI |
| DV | <i>Dei Verbum</i> , Dogmatic Constitution of Vatican Council II |
| EG | <i>Evangelii Gaudium</i> , Apostolic Exhortation of Pope Francis |
| EN | <i>Evangelii Nuntiandi</i> , Apostolic Exhortation of Pope St. Paul VI |
| GS | <i>Gaudium et Spes</i> , Pastoral Constitution of Vatican Council II |
| LG | <i>Lumen Gentium</i> , Dogmatic Constitution of Vatican Council II |
| LS | <i>Laudato Si</i> , Encyclical Letter of Pope Francis |
| NAe | <i>Nostra Aetate</i> , Declaration of Vatican Council II |
| NMI | <i>Novo Millennio Ineunte</i> , Apostolic Letter of Pope St. John Paul II |
| OT | <i>Optatam Totius</i> , Decree of Vatican Council II |
| PC | <i>Perfectae Caritatis</i> , Decree of Vatican Council II |
| PO | <i>Presbyterorum Ordinis</i> , Decree of Vatican Council II |
| RM | <i>Redemptoris Missio</i> , Encyclical Letter of Pope St. John Paul II |
| SC | <i>Sacrosanctum Concilium</i> , Constitution of Vatican Council II |
| VC | <i>Vita Consacrata</i> , Apostolic Exhortation of Pope St. John Paul II |
| VD | <i>Verbum Domini</i> , Apostolic Exhortation of Pope Benedict XVI |



CHAPTER ONE

The Gospel Life of the Friars



Spiritual Introduction

[a]

Saint Francis of Assisi was raised up by God as a true disciple of Jesus Christ in the Church and society of his time, both of which faced wide and complex challenges. He believed that he was divinely inspired to found our religious fraternity, stating: “The Lord gave me, Brother Francis, thus to begin doing penance in this way: for when I was in sin, it seemed too bitter for me to see lepers. And the Lord Himself led me among them and I showed mercy to them. ... And after the Lord gave me some brothers, no one showed me what I had to do, but the Most High Himself revealed to me that I should live according to the pattern of the Holy Gospel.”¹

[b]

Attentively listening to the Gospel and seeing “that the Lord God was daily increasing their numbers, he wrote for himself and his brothers present and future, simply and in few words, a form of life and a rule. He used primarily words of the holy Gospel, longing only for its perfection.”² He clearly stated that “the Rule and Life of the

¹ Test, 1-2, 14.

² 1C, 32.



Lesser Brothers is this: to observe the Holy Gospel of our Lord Jesus Christ by living in obedience, without anything of one's own, and in chastity.”³

[c]

The Seraphic Father indicated two fundamental Gospel values as essential to the identity of the Order: fraternity, welcomed as a gift from the Lord (“And after the Lord gave me some brothers ...”),⁴ and *minoritas*, understood as conformity to the humble servant Christ (“Let everyone in general be called a lesser brother. Let one wash the feet of the other”).⁵

[d]

Referring to the Rule, Francis wrote: “The Most High Himself revealed to me that I should live according to the pattern of the Holy Gospel. And I had this written down simply and in a few words and the Lord Pope confirmed it for me.”⁶ “I ask all the brothers to learn and frequently call to mind the tenor and sense of what has been written in this life for the salvation of our souls. I beg God, Who is All-powerful, Three and One, to bless all who

³ LR, 1:1.

⁴ Test, 14.

⁵ ER, 6:3.

⁶ Test, 14-15.



teach, learn, retain, remember, and put into practice these things. ... I implore everyone to love, keep, and treasure them greatly.”⁷ The Rule was for the Seraphic Father “the Book of Life, the hope of salvation, the marrow of the Gospel, the way of perfection, the key of Paradise, the pact of an eternal covenant.”⁸

[e]

The observance and the interpretation of the Rule come under the guidance of the Holy Spirit in the Church: “Being always submissive and subject at the feet of the same Holy Church ... we may observe poverty, humility, and the Holy Gospel of our Lord Jesus Christ as we have firmly promised.”⁹

[f]

St. Francis admonished: “The Lord says in the Gospel: whoever does not renounce all that he possesses cannot be my disciple; and: Whoever wishes to save his life must lose it. That person who offers himself totally to obedience in the hands of his prelate leaves all that he possesses and loses his body. ... And should a subject see that some things might be better and more useful for his soul than what a

⁷ ER, 24: 1-2.

⁸ 2C, 208.

⁹ LR, 12: 4.



prelate commands, let him willingly offer such things to God as a sacrifice; and, instead let him earnestly strive to fulfill the prelate's wishes. ... If the prelate, however, commands something contrary to his conscience, even though he may not obey him, let him not, however, abandon him."¹⁰ He instructed the friars: "When they have persevered in the Lord's commands—as they have promised by the Holy Gospel and their life, let them know they have remained in true obedience."¹¹ In another place he said: "Let the brothers who are subject, however, remember that, for God's sake, they have renounced their own wills. ... Let the ministers, moreover, ... have such familiarity with them [the friars], that these same brothers may speak and deal with them as masters with their servants, for so it must be that the ministers are the servants of all the brothers."¹²

[g]

Blessed Francis became a most faithful imitator and brother of the poor Christ from the moment in which he returned all his possessions to his earthly father in the presence of the Bishop of Assisi. He entrusted himself exclusively to Divine Providence, saying: "From now on I will say freely: Our Father, who art heaven."¹³ "I, your little

¹⁰ Adm, 3: 1-3, 5, 7.

¹¹ ER, 5: 17.

¹² LR, 10: 2, 5-6.

¹³ 2C, 12.



brother Francis, wish to follow the life and poverty of our most high Lord Jesus Christ and of His most Holy Mother and to persevere in it until the end of my life.”¹⁴ Based on his example the Friars Minor humbly and joyfully embrace most exalted poverty. It has made them “heirs and kings of the Kingdom of Heaven, poor in temporal things but exalted in virtue,” those who “never seek anything else under heaven.”¹⁵ “They must rejoice when they live among people considered of little value and looked down upon, among the poor and the powerless, the sick and the lepers, and the beggars by the wayside.”¹⁶

[h]

St. Francis, moved by his desire for total conformity to Christ, embraced chastity as a choice of love. He exhorted the friars: “With our whole heart, our whole soul, our whole mind, with our whole strength and fortitude, with our whole understanding, with all our powers, with every effort, every affection, every feeling, every desire and wish let us all love the Lord God Who has given and gives to each one of us our whole body, our whole soul and our whole life.”¹⁷ “I beg all my brothers, both the ministers and the others, after overcoming every impediment and

¹⁴ LW, 1.

¹⁵ LR, 6: 4, 6.

¹⁶ ER, 9: 2.

¹⁷ *Ibid.*, 23: 8.



putting aside every care and anxiety, to serve, love, honor and adore the Lord God with a clean heart and a pure mind in whatever way they are best able to do so, for that is what He wants above all else.”¹⁸

Title I

The Principles of the Charism of the Order

1.

§1. The Order of Friars Minor Conventual is the *Religio* founded by St. Francis of Assisi within the Church under the name of “the Lesser Brothers.” From its earliest days the term “conventual” was added to this name. The ideal of the blessed Father and of the friars is to live and witness the holy Gospel in fraternal community, *minoritas*, obedience, without anything of one’s own, and in chastity. The members of the Order are called Friars Minor Conventual.

§2. The members of this Order, under the guidance of the Holy Spirit, form a brotherhood whose characteristic traits are familiarity and maternal tenderness;¹⁹ mercy;²⁰ respect, kindness, and joy;²¹ service to the

¹⁸ *Ibid.*, 22: 26.

¹⁹ cf. LR, 6: 7-8.

²⁰ cf. LR, 7: 3 and LtMin, 8-10.

²¹ cf. ER, 7: 14-16.



brothers who are ill;²² a welcome to all;²³ and Gospel simplicity in mission.²⁴

- §3. All the friars share in the same Conventual Franciscan vocation and assume the rights and the obligations proper to religious profession, except in those matters pertaining to Holy Orders, since our Order is classified by the Church as clerical.
- §4. St. Francis wished his brothers to be known as Friars Minor.²⁵ *Minoritas* is a characteristic way of following the poor and humble Christ²⁶ that urges the friars to reject power;²⁷ to be subject to all;²⁸ to serve one another;²⁹ to be in solidarity with the least and most marginalized of society;³⁰ to foster and build peace wherever they might be;³¹ and to embrace a continual process of self-emptying.
- §5. From its earliest days the Order has emphasized the conventual dimension as its particular way of living in fraternity. The conventual dimension fosters the active

²² cf. LR, 6: 9.

²³ cf. ER, 7: 14.

²⁴ cf. *Ibid.*, 16: 1-7.

²⁵ cf. ER, 6: 3.

²⁶ cf. Phil. 2: 3-11.

²⁷ cf. ER, 5: 12.

²⁸ cf. *Ibid.*, 7: 1-2.

²⁹ cf. ER, 10: 1 and LR 6: 9.

³⁰ cf. ER, 9: 2.

³¹ cf. LR, 3: 10-11.



and co-responsible participation of all the friars in fraternal life, especially by means of common liturgical prayer, the Friary Chapter, and common table. Guided by the Holy Spirit, the friars act in a conventual manner in the fields of evangelization, theology, culture, and service to the human family. In this way, they are attentive to historical, social, and cultural changes, which call for new forms of presence and witness.

- §6.** The Order was begun and developed under the particular protection of the Blessed Virgin Mary. The defense of the truth of her Immaculate Conception is recognized as “the golden thread” of the history of our Order. Therefore every work of the brotherhood is to be lived in the service of the Church of God, so that under the guidance of Mary Immaculate the Kingdom of Christ may be extended through all the earth.
- §7.** In continuity with the original charism and the tradition of the Order, devotion to “the glorious Mother, the most blessed Virgin made Church”³² was spread by means of the teaching and the holiness of friars like Anthony, Bonaventure, Duns Scotus, Joseph of Cupertino, and Francis Anthony Fasani. The unconditional entrusting of self to Mary Immaculate as taught by St. Maximilian M. Kolbe is a real way to be open

³² cf. ER, 23: 6 and SalBVM, 1.



to new challenges of mission, by listening to the Holy Spirit and by understanding the signs of the times. Our Seraphic Father, all the friar saints, and the martyr of charity, “the patron of our own difficult times”³³ leave a bequest to the friars. It is the demanding vocation to carry out effectively in one’s own time and place the audacity of mission, the total gift of self, and the beauty of holiness.

2.

It is the task of all friars to unite within themselves the contemplative and active life, so that their whole life may be penetrated by an apostolic spirit and their apostolic work with contemplation.³⁴ Therefore the friars are to seek the presence of the “Most High, all-powerful, good Lord”³⁵ in prayer, in mission, in human relationships, in different cultures, and in creation.

3.

The entire Order and each individual friar are immediately subject to the Pope, in view of the common good and as an expression of their communion with the entire People of God.

³³ cf. St. John Paul II, Angelus of August 14, 1994.

³⁴ cf. VC, 9 and CIC, canon 675.

³⁵ CtC, 1.



4.

- §1. By religious profession the friars publicly³⁶ commit themselves to live the Gospel in fraternity and *minoritas*, following Christ in obedience, without anything of their own, and in chastity, according to the Rule of the Friars Minor as interpreted by the Constitutions.
- §2. The friars profess public vows, either temporary or perpetual. In the tradition of the Order and in these present Constitutions these are also called simple or solemn.³⁷
- §3. At the solemn profession of vows the friars are definitively incorporated into the Order.

Title II

The Profession of the Rule

5.

- §1. The Rule of St. Francis, confirmed by Pope Honorius III and interpreted by successive Pontiffs, is the form of Gospel life professed by the Friars Minor Conven-

³⁶ cf. CIC, canon 607, §2 and CCEO, canons 410; 504, §1.

³⁷ cf. CIC, canons 607, §2; 654; 655; 657; 1192, §§1-2; and CCEO, canons 410; 504, §1.



tual. It binds in conscience in accordance with the norms of the Constitutions.

- §2. The Rule is the foundation of the life and of the law of the whole Order.
- §3. To understand and make their own the spirit of the Rule, the friars are to deepen their study of the Rule, of the other writings of St. Francis, of the Franciscan sources, of the Constitutions, of the documents of the Order, and of the documents of the Holy See concerning the Rule.

6.

- §1. It is the right of the Apostolic See to interpret the Rule authentically, either on its own initiative or at the request of the General Chapter.
- §2. It is the right of the General Chapter, with the consent of two-thirds of its voting members, to request of the Apostolic See both the abrogation of existing norms of the Constitutions and the approval of new ones as timely adaptations of the Rule to new conditions of the times.
- §3. It is the responsibility of the General Chapter to make a declarative interpretation of the Constitutions; however, outside of Chapter and for an ur-



gent reason, the Minister General with his Definitory, in consultation with the Ministers and Custodes if possible, can give an interpretation which is valid until the successive Chapter. In any case it is the prerogative of the Holy See to grant an authentic interpretation.

- §4. The General Chapter can likewise issue laws and decrees regarding the faithful observance of the Rule and Constitutions.

7.

- §1. For the implementation of general laws, a General Chapter may enact particular Statutes for the whole Order; a Provincial Chapter may do likewise for its respective Province.
- §2. Custodies may have their own Statutes, approved by the competent authority.
- §3. In cases of necessity Ministers and Custodes with their Definitories may interpret or change their respective Statutes, valid until the successive Chapter.
- §4. Before Provincial Statutes are promulgated they are to be sent promptly to the Minister General, who, with his Definitory, verifies and declares their conformity to the proper law of the Order.



- §5.** The Constitutions and Statutes bind in conscience proportionate to the importance of the object in matters of the vows and divine and ecclesiastical laws. For this reason each friar is to have a deep knowledge of the Constitutions.
- §6.** The friars are to strive to observe the Rule, the Constitutions, and the Statutes, principally to conform themselves to the Gospel ideal according to the spirit of the Order, as required of them by the obligation assumed at religious profession.
- §7.** The Rule and the Constitutions are to be read in common, at a time and in the manner established by Provincial Statutes.

8.

The following may grant a temporary dispensation from the disciplinary norms of the Constitutions and Statutes for a just and reasonable cause:

- a.** the Minister General for individual friars and Friaries, and with the consent of his Definitory for individual Provinces as well;
- b.** the Minister Provincial for his own friars and other friars residing in his Province and its Custodies, and with the consent of his Definitory for individual Friaries as well;



- c. the Custos for his own friars and other friars residing in his Custody, and with the consent of his Definitory for individual Friaries as well;
- d. the Guardian for his own and for other friars residing in the Friary.

Title III

The Profession of Vows

9.

- §1. By their vows to live in obedience, without anything of their own, and in chastity, the friars solemnly and publicly recognize that they have received the grace from God the Father to follow Christ in his chaste, poor, and obedient way of life. They dedicate themselves entirely to God and bring their baptismal consecration to a particular fulfillment.³⁸
- §2. By their profession of vows the friars are united in a special way to the Church and to the saving mission of Christ.
- §3. Moreover they give prophetic testimony to the possibility of a new humanity in Christ, wherein all are recognized as brothers and sisters; all live in true sol-

³⁸ cf. PC, 5 and VC, 30.



idarity with each other; and the integrity of creation, peace, justice, and the common good of society are fostered. In this way the friars proclaim a world that is to come.

§4. Therefore, every friar, called to the profession of the evangelical counsels, is to persevere in his vocation and strengthen it by faithful cooperation and prudent vigilance.

§5. By their very nature the three vows bind under pain of serious sin.

10.

With their vow of obedience the friars fully surrender their own wills to God, offering themselves to Him as a sacrifice so as to be one with the divine will, after the example of Jesus Christ, who came to do the will of the Father. In the spirit of faith they submit themselves to their Superiors in the Church. This obedience not only does not lessen the dignity of the human person; rather, it broadens the freedom of the sons of God and brings that dignity to greater maturity.

11.

The friars, as living members of the people of God and as catholic and apostolic men, conforming themselves to the



special promise and example of our Seraphic Father, are to manifest *minoritas* especially through obedience and faithfulness to the Church.

12.

- §1. The friars, by reason of the example and the command of St. Francis and by their vow, are to obey the Supreme Pontiff.³⁹
- §2. They likewise are to obey the Minister General, the successor of St. Francis,⁴⁰ and the Ministers, Custodes, and Guardians when they command in accordance with the Rule and Constitutions.⁴¹
- §3. The friars are to obey in everything which is not contrary to the Gospel, and to their own conscience.⁴²
- §4. The friars are subject according to the norms of law⁴³ to local Ordinaries in whatever pertains to their pastoral authority.
- §5. In the spirit of charity and *minoritas* the friars are to serve and obey one another.⁴⁴

³⁹ cf. ER, 1: 2 and CIC, canon 590, §2.

⁴⁰ cf. ER, 1: 3.

⁴¹ cf. CIC, canon 601.

⁴² cf. CICLSAL, *The Service of Authority and Obedience*, 27.

⁴³ cf. CIC, canon 678 and VC, 49.

⁴⁴ cf. ER, 5: 14.



13.

- §1. In the exercise of their office Ministers, Custodes, and Guardians are to be docile to God's will in a spirit of love and service. They willingly are to listen to their friars in order to foster their human and spiritual growth and to encourage their joint efforts for the good of the fraternity and of the Church.
- §2. Ministers, Custodes, and Guardians possess the authority to decide and prescribe for the friars what is to be done for the common good. At the same time, they are to be careful to guide the friars toward an active and responsible obedience and to value their talents, while remaining attentive and faithful to the promptings of the Holy Spirit.
- §3. Obedience in fraternal life creates such a strong bond among the friars that it allows them to fulfill together the apostolic mission of the fraternity and to coordinate each friar's individual activities.

14.

- §1. By the vow of Gospel poverty the friars proclaim that God, who is all good, is humanity's only real treasure.⁴⁵ They commit themselves to follow the exam-

⁴⁵ cf. VC, 21.



ple of the Son of God, who for our sakes made Himself poor in this world.⁴⁶

- §2. Since the friars have entrusted themselves to divine providence and are committed to live “without anything of their own,” they are to renounce completely the individual ownership of goods.
- §3. The friars are to practice communal discernment regarding the administration of temporal goods, both within the fraternity and for the good of the poor, placing their spiritual, cultural, and temporal goods at the disposition of others.
- §4. The friars are to abstain from any act of ownership and to be subject to their Ministers, Custodes, and Guardians in the use of temporal goods. They are to safeguard being and appearing truly poor, in fact and in spirit, assuming a simple and plain lifestyle.⁴⁷
- §5. The friars are to cede to their Province or Custody also the right to any earnings from any intellectual property.
- §6. The friars are to love and to practice most exalted poverty as befits followers of the poor and humble St. Francis. They are to know how to divest themselves of all things, and are to resist a consumer mentality

⁴⁶ cf. LR, 6: 3 and CIC, canon 600.

⁴⁷ cf. CIC, canon 668, §3; CCEO, canon 529, §3.



which leads both to accumulation and waste, which damages “our Sister Mother Earth.”⁴⁸

§7. Ministers, Custodes, and Guardians are to encourage the friars to live like the poor by their own example. They are to be mindful of not weakening the observance of poverty by the indiscriminate granting of permissions.

15.

§1. In the spirit of “without anything of one’s own,” before temporary profession a candidate is to cede administration of his goods to whomever he prefers, and to dispose freely of their use and revenues.⁴⁹

§2. Prior to his solemn profession, and on condition that profession takes place, the candidate is to renounce ownership of the goods he possesses by means of a document stipulated in Provincial or Custodial Statutes, which may also be valid in civil law. In order to change these dispositions for a just cause, and to perform any act whatsoever in matters of temporal goods, he needs the written permission of his current Minister or Custos.⁵⁰

⁴⁸ CtC, 9.

⁴⁹ cf. CIC, canon 668, §1; CCEO, canon 525, §2.

⁵⁰ cf. CIC, canon 668 and CCEO, canons 525, §2 and 529, §4.



16.

- §1.** The friars are to remember that they are poor men and pilgrims in this world⁵¹ and that all goods acquired by them or provided for them are not their own property but that of the fraternity. The fraternity uses these goods to provide for the simple and plain life-style of the friars, the fulfillment of the Order's various apostolates, and works of charity.
- §2.** All goods that a friar receives, either as compensation for work or for any other reason or as a gift, even if given to him personally, become the property of the Friary or, according to Provincial or Custodial Statutes, to some other juridical person of the Order.⁵²
- §3.** According to the declarations of the Church, the Order itself, Provinces, Custodies, and Friaries can own temporal goods; individual friars, however, may never do so. In any case the friars are not to possess and maintain goods without evident necessity for the life of the friars, or without proportionate benefit for the works of the Order. Always they are to avoid any semblance of avarice, luxury, or unwarranted accumulation.⁵³

⁵¹ cf. LR, 6: 2.

⁵² cf. CIC, canon 668, §4.

⁵³ cf. CIC, canon 634.



17.

- §1.** Following the will of St. Francis, who wrote that all the friars shall work⁵⁴ and that they can use the tools and instruments suitable for their work,⁵⁵ friars are to consider themselves bound by the common law of work in order to procure what is necessary for the life of the fraternity. If necessary, in places where the friars give witness to a poor Gospel style of life, they may have recourse to “the table of the Lord,” that is, they may beg alms or apply for and receive social welfare. They always are to place their trust in Divine Providence and be in solidarity with the poor.
- §2.** It is permissible for the friars to receive compensation and pension contributions for their labor, and to join social security plans in accordance with Provincial or Custodial Statutes, with due regard that such income devolves to the fraternity.
- §3.** The Ministers and Custodes with their Definitories are to plan for the pensions and ordinary and extraordinary medical expenses of their friars, according to the laws and systems of the different nations.

⁵⁴ cf. Test, 20.

⁵⁵ cf. ER, 7: 9.



18.

- §1. Both individual friars and the fraternity as a whole are to observe poverty faithfully in order to give clear prophetic witness to it. In all things they are to avoid luxury and fastidiousness.
- §2. The life of poverty of the friars and of the fraternities is to reflect the social condition of the poor in whose midst they dwell. Thus the friars may live gladly among the poor, in solidarity with their sorrows and struggles, working like them and with them, actively committed to better their conditions. They are to bring the Good News of the Gospel to the poor and allow themselves to be evangelized by the poor.
- §3. The friars are to be able to bear willingly the poverty of the common life and the inconveniences arising from it.

19.

The fraternity is to assure that whatever is intended for apostolic works is truly to be used for such a purpose, and for the continued expansion of the apostolates of the Order. The care and diligence of the friars in these matters is to be motivated solely by the good of others. The friars are to respect the intentions of benefactors.⁵⁶

⁵⁶ cf. CIC, canon 1267, § 3 and CCEO, canon 1016, §1.



20.

- §1.** Since Provinces, Custodies, and Friaries belong to the one worldwide brotherhood of the Order, they are to be in solidarity one with another. They are to share their temporal and human goods with one another, so that those parts of the Order that have more goods might assist those who find themselves in need. They especially are to foster the movement of friars toward Provinces and Custodies in difficulty and toward meeting the needs of the Order, particularly involving formation and new presences of the Order throughout the world.
- §2.** The General Statutes are to indicate specific norms by which the government of the Order requires and administers economic solidarity among different Provinces and Custodies. Since the Order is one worldwide family, solidarity is to express a firm and constant determination to be committed to the common good of the entire fraternity.
- §3.** Provincial or Custodial Statutes are to indicate the various methodologies for economic solidarity among the Friaries of the same Province or Custody and between the Friaries and the Province or Custody. Specific norms for such solidarity are to be studied and enacted by respective Chapters or, in case of necessity, by the respective Minister or Custos with his Definitory.



21.

They are to contribute from their own resources toward the necessities of the Church, the relief of the poor, and for the promotion of justice, peace, and the integrity of Creation.

22.

The friars may make a moderate and responsible use of money in its different forms, following the norms of Provincial or Custodial Statutes. In doing so they act under the authority of the Ministers, Custodes, and Guardians, and are to safeguard the spirit of poverty and simplicity,

23.

Because our Seraphic Father founded his brotherhood in the Church principally as a witness to Gospel poverty, the friars are to discern and adopt new forms of poverty appropriate to the times and places. It is the right of Chapters at a later time to make decisions regarding such new forms.

24.

§1. By the vow of perfect chastity lived with an unsullied heart and spirit,⁵⁷ the friars assume the lifestyle of Je-

⁵⁷ cf. Adm, 16: 2.



sus, who dedicated himself completely to the Reign of God and to the love of his brothers and sisters. They choose the celibate state of perfect continence as an expression of their love for God and others; as a pledge of eschatological treasure; and as a special source of spiritual fruitfulness⁵⁸ which has its source in Trinitarian love.

§2. In freely embracing the chaste life, the friars avoid all that which is contrary to chastity.

25.

§1. In order to live chastely in the love of god and of the brothers, the friars, sustained by divine grace, are to grow in interior transparency, in their capacity for human relationships, in psychological balance, in affective maturity, in self-control, and in creative and generous apostolic commitment.

§2. The friars are to safeguard sacramental life, deep prayer, intimate union with Christ, an intense relationship with the Blessed Virgin, joyful fraternal relationships, and in generous dedication to those in need.

§3. Trusting in the words of our Lord and relying on His help, the friars are to care for their spiritual lives

⁵⁸ cf. CIC, canon 599 and VC, 21.



and practice asceticism, keeping guard over their own hearts. They are to avoid the near occasions of sin, use means of social communication responsibly, and cultivate mature and authentic friendships.

26.

- §1. The friars are to maintain a demeanor of great respect in their relationships with others. They also are to endeavor to create healthy and safe environments.
- §2. In cases of abuse, especially those regarding minors by age or vulnerable adults, the Ministers, Custodes, and all the friars are to observe the norms of Church law.⁵⁹

Title IV

The Structure of the Order

27.

The Order of Friars Minor Conventual is one single worldwide brotherhood. Wherever they find themselves, the friars constitute a Gospel family.⁶⁰ The Ministers,

⁵⁹ cf. CDF, *Normae de delictis reservatis seu Normae de delictis contra fidem necnon de gravioribus delictis* (May 21, 2010), articles 6 and 16.

⁶⁰ cf. Mark 3:33-35 and ER, 6.



Custodes, and all the friars always are to foster, maintain, and renew unity and communion.

28.

- §1.** The Order comprises Provinces and Custodies for effective organization and guidance of the life and activity of the friars; the friars are affiliated to these Provinces and Custodies.
- §2.** Provinces and Custodies and their respective Friaries pertain to a particular geographical area described in their respective Statutes.

29.

- §1.** The stable presence of friars of one Province or Custody in the territory of another requires the consent of each of the Provincial or Custodial Chapters, the consent of the Minister General with his Definitory, and the written consent of the diocesan Bishop.⁶¹ This fosters true fraternal, social, ecclesial, and cultural integration.
- §2.** In addition, there is to be a contract between the two Ministers or Custodes with the consent of their re-

⁶¹ cf. CIC, canon 609, §1 and CCEO, canon 509, §1.



spective Definitories, which establishes clear terms of cooperation and solidarity.

30.

- §1. Provinces and Custodies are formed from Friaries or local fraternities in which friars are stationed *de familia*. The Friary is the place where fraternal life and mission are shared and renewed daily.
- §2. Provinces may erect Delegations for particular reasons according to the norms of General and Provincial Statutes.

31.

- §1. Provinces, Custodies, and Delegations are joined together into Conferences or Federations for geographical, cultural, or linguistic reasons.
- §2. In order to deepen relationships and understanding among the friars, and with regard to their various abilities and charisms, Conferences and Federations are to foster collaboration in initial and continuing formation, cooperation in economic solidarity, and coordination of apostolate and work, including the willingness of the friars to go to another Province or Custody.



- §3.** Each Conference or Federation is to draft its own statutes, which are to indicate its membership (Provinces, Custodies, Delegations, Missions), its goals and objectives, its voting members, and the frequency of its meetings. These statutes require the approval of the Minister General with his Definitory.
- §4.** The Conferences and Federations are to draft special statutes for any stable enterprise undertaken together. These require the approval of the Minister General with his Definitory.

32.

The Sacred Convent in Assisi enjoys pride of place over all other Friaries since it has been entrusted with the care of the famous shrine where the mortal remains of our Seraphic Father lie in rest. The shrine has been declared head and mother of the whole Order and has been elevated to the rank of Patriarchal Basilica and Papal Chapel. All friars are to consider the Sacred Convent as the spiritual center of the Order, its Provinces, and its Friaries, and sense a spiritual bond with it. It is therefore important to station friars from all the various Provinces of the Order at the Sacred Convent. There they can witness and strengthen the fidelity of all the friars of their Provinces to the Franciscan charism and its perfection. They will, moreover, be able to foster the vitality of the local



fraternity. The Sacred Convent is governed by its own Statutes.

33.

- §1. The erection, division, union, fusion, or suppression of a Province or General Custody is reserved to the General Chapter. Outside of General Chapter it is for the Minister General with his Definitory to undertake all these actions. In each case, all those concerned are consulted first.
- §2. To erect a Province or General Custody requires a sufficient number of Friaries and solemnly professed friars to ensure an independent life for the Province or Custody. The General Statutes additionally establish criteria regarding the quality of Gospel and fraternal life in the new Province or General Custody.
- §3. The above criteria are to be used in evaluating the possible suppression, fusion, or union of one Province or General Custody with another Province or Custody, with the aim of assuring the friars a truly fraternal life.
- §4. A Provincial Chapter may erect a Provincial Custody with an affirmative vote of two-thirds of its voting members, having verified a sufficient number of Friaries, a sufficient number of solemnly professed friars,



and the quality of Gospel and fraternal life according to the criteria established by the General Statutes, and having obtained the prior consent of the Minister General with his Definitory.

- §5.** The suppression of a Provincial Custody is reserved to the Provincial Chapter, after the friars of the Custody have been consulted; the prescriptions of canon law and the General Statutes are to be followed.

34.

- §1.** The erection and suppression of a Friary under the direct jurisdiction of the Minister General is for the General Chapter to decree, with due regard for the norms of universal law.⁶²
- §2.** The erection of a Friary is reserved to the Provincial Chapter, or, in urgent cases, to the Minister Provincial with the consent of his Definitory. Each case, however, requires the consent of the Minister General with the consent of his Definitory, with due regard for the norms of universal law.⁶³
- §3.** A filial house dependent upon another Friary may be erected or suppressed by the Minister Provincial with

⁶² cf. CIC, canons 609, §1; 610; 1215, §3 and CCEO, canons 509; 510; 870.

⁶³ cf. CIC, canons 609, §1; 610; 611, 1215, §3 and CCEO, canons 509; 870.



the consent of his Definitory, after consulting the Friary Chapter of the Friary involved and observing the regulations of universal law.⁶⁴

- §4. The suppression of a Friary is reserved to the Minister General with the consent of his Definitory, after having consulted both those concerned and the diocesan Bishop.⁶⁵

⁶⁴ cf. CIC, canons 609; 616, §1 and CCEO, canons 509; 510.

⁶⁵ cf. CIC, canon 616, §1 and CCEO, canon 510.



CHAPTER TWO

The Life of Union with God



Spiritual Introduction

[a]

St. Francis of Assisi taught the friars by word and example that the life of union with God is the foundation of both the brotherhood and the mission of the Friars Minor.

[b]

In loving God, the highest good, in the spirit of the Seraphic Father, the friars are moved to direct their hearts to the father who created and formed them to “the image of His beloved Son according to the body and to His likeness according to the Spirit.”⁶⁶ They consciously pray to the same Father: “Holy and just Father, Lord King of heaven and earth, we thank You for Yourself for through Your holy will and through Your only Son with the Holy Spirit You have created everything spiritual and corporal and ... You placed us in paradise. ... We thank You for as through Your Son You created us, so through Your holy love with which you loved us You brought about His birth as true God and true man by the glorious, ever-virgin, most blessed, holy Mary and You willed to redeem us captives through His cross and blood and death.”⁶⁷

⁶⁶ Adm, 5: 1.

⁶⁷ ER, 23: 1-3.



[c]

Prayer, according to Blessed Francis, has priority over all other things, and demands constant commitment: “In the holy love which is God, I beg all my brothers, both the ministers and the others, after overcoming every impediment and, putting aside every care and anxiety, to serve, love, honor and adore the Lord God with a clean heart and a pure mind in whatever way they are best able to do so, for that is what He wants above all else. Let us always make a home and a dwelling place there for Him Who is the Lord God Almighty, Father, Son and Holy Spirit.”⁶⁸

[d]

The person of Jesus Christ was at the center of Francis’s prayerful contemplation. The incarnation of the Son of God filled Francis with wonder: “This Word of the Father—so worthy, so holy and glorious” received from the Virgin Mary “the flesh of our humanity and frailty. Though He was rich, He wished, together with the most Blessed Virgin, His mother, to choose poverty in the world beyond all else.”⁶⁹

⁶⁸ ER, 22: 26-27.

⁶⁹ 2LtF, 4-5.



[e]

Meditating on the passion and death of Jesus moved Blessed Francis to tears and moans. It caused him to participate physically in the sufferings of the crucified Christ. Prayers of adoration and praise welled up from his heart: “We adore You, Lord Jesus Christ, in all Your churches throughout the whole world and we bless You because by Your holy cross You have redeemed the world.”⁷⁰

[f]

Our Father Francis was deeply struck by the humility of the Eucharistic mystery, which caused him to exclaim: “O wonderful loftiness and stupendous dignity! O sublime humility! O humble sublimity! The Lord of the universe, God and the Son of God, so humbles Himself that for our salvation He hides Himself under an ordinary piece of bread! Brothers, look at the humility of God, and pour out your hearts before Him! Humble yourselves that you may be exalted by Him!”⁷¹ He therefore begged his friars: “I implore all of you brothers to show all possible reverence and honor to the most holy Body and Blood of our Lord Jesus Christ, in whom that which is in heaven and

⁷⁰ Test, 5 and OffP.

⁷¹ LtOrd, 27-28 and Adm, 1: 16-19.



on earth has been brought to peace and reconciled to almighty God.”⁷²

[g]

The person of the Holy Spirit had an important and vital role in the spiritual experience of St. Francis: “Almighty, eternal, just and merciful God, give us miserable ones the grace to do for You alone what we know You want us to do and always to desire what pleases You. Inwardly cleansed, interiorly enlightened and inflamed by the fire of the Holy Spirit, may we be able to follow in the footprints of Your beloved Son, our Lord Jesus Christ.”⁷³

[h]

The Seraphic Father had great veneration for the Holy Scriptures, which contain “the fragrant words” of his Lord “Who is the Word of the Father, and the words of the Holy Spirit, which are spirit and life.”⁷⁴ He begged and implored that “these words and the others of our Lord Jesus Christ” be received “with humility and love” and put into practice.⁷⁵

⁷² LtOrd, 12-13.

⁷³ *Ibid.*, 50-51.

⁷⁴ 2LtF, 2-3.

⁷⁵ cf. *Ibid.*, 87.



[i]

St. Francis celebrated the divine office with great ardor of spirit, in communion with the Church. He invited the friars to do so “with devotion before God not concentrating on the melody of the voice but on the harmony of the mind, that the voice may be in harmony with the mind, the mind truly in harmony with God. [Let them do this] that they may be able to please God by their purity of heart.”⁷⁶

[j]

Blessed Francis always contemplated and honored Mary, the Mother of God, “daughter and servant of the most high and supreme King and of the Father in heaven, mother of our most holy Lord Jesus Christ, spouse of the Holy Spirit.”⁷⁷ He thus greeted her: “Hail, O Lady, holy Queen, Mary, holy Mother of God, Who are the Virgin made Church, chosen by the most Holy Father in heaven, whom He consecrated with His most holy beloved Son and with the Holy Spirit and Paraclete, in whom there was and is all fullness of grace and every good.”⁷⁸

⁷⁶ LtOrd, 41-42.

⁷⁷ OfP, Antiphon.

⁷⁸ SalBVM, 1-3.



[k]

Enlightened by the Holy Spirit, the Seraphic Father began “doing penance.” Led by the Lord himself he went among lepers and showed them mercy, and after a short while “he left the world.”⁷⁹ He thereby radically changed his life and embarked upon the path of discipleship of Christ crucified, following “the Good Shepherd Who bore the suffering of the cross to save His sheep.”⁸⁰ He wished that his friars also be men of penitence and conversion: “Let us produce worthy fruits of penance. And let us love our neighbors as ourselves. And if anyone does not want to love them as himself, let him at least not do them any harm, but let him do good.”⁸¹ “All of us lesser brothers, useless servants, humbly ask and beg ... all ... to persevere in the true faith and in penance for otherwise no one will be saved.”⁸²

[l]

Living this way the friars give witness to what St. Paul says: “Whatever you do, whether in speech or in action, do it in the name of the Lord Jesus. Give thanks to God the Father through him.”⁸³ They likewise imitate the spir-

⁷⁹ Test, 1-3.

⁸⁰ Adm, 6: 1.

⁸¹ 2LtF, 25-27.

⁸² ER, 23: 7.

⁸³ Col. 3: 17.



it and works of faith, hope, and charity of St. Francis according to his principle “my God and my all.”⁸⁴ Alive in Christ Jesus, Francis experienced the fullness of communion with God One and Three, with his brothers and sisters, and with all of creation.

Title I

The Life and Spirit of Prayer

35.

- §1.** By their religious profession the friars dedicate themselves totally to God who is loved above all else. They seek to live completely for the Lord, so that God might be all in all. For this reason, contemplation of things divine and assiduous union with God in prayer are to be the first and foremost duties of the friars.⁸⁵
- §2.** The consecrated life prophetically gives witness to the living presence and action of the Holy Spirit. The Spirit makes of consecrated life a school of holiness, a privileged place of the absolute love of God and

⁸⁴ cf. LFI, 2.

⁸⁵ cf. CIC, canon 663, §1 and CCEO, canon 538, §2.



neighbor, and a sign of the divine plan to make of humanity one single family of the children of God.⁸⁶

- §3. Each fraternity and each friar is to be vigilant in caring for the quality of spiritual life⁸⁷ as their response to the call of the Lord to be on watch and pray constantly⁸⁸ and to follow the example of our Seraphic Father, a man become prayer.
- §4. The friars are to pray always with a grateful and pure heart, and to be humble, patient, and loving toward all.⁸⁹

36.

- §1. The friars are to endeavor always to have the Spirit of the Lord and His holy activity.⁹⁰ Intimately connecting prayer with activity, they are to foster perfect communion with their heavenly Father and to be open to the promptings of the Holy Spirit, which allows them to be continually conformed to Christ.
- §2. The friars are to manifest in their lives and conduct what they have heard from the Holy Spirit through participating in the mysteries of Christ. Each one, af-

⁸⁶ cf. VC, 35.

⁸⁷ cf. CICLSAL, *Fraternal Life in Community*, 13.

⁸⁸ Luke 21: 36.

⁸⁹ cf. LR, 10: 8-10.

⁹⁰ cf. *Ibid.*, 8.



ter being united more intensely with God in prayer, is to preserve diligently that union with God the Father in his daily life and perfect it through the practice of virtue.

- §3.** The friars learn to discern all things in the light of faith, to overcome difficulties with the strength of hope while awaiting future glory, and to become more and more united to God in the love of Christ, in order to give glory to the Father in every moment of their lives.

Title II

Liturgical Prayer

37.

The Eucharistic Mystery is the source and summit of the entire liturgy and life of the Church; its celebration therefore is to be the center of the spiritual and apostolic life of each friar and fraternity.

38.

- §1.** All the friars are to participate every day at the table of the Word and of the Eucharist,⁹¹ uniting themselves

⁹¹ cf. DV, 21 and PO, 18.



to the Paschal Mystery of Christ and offering their own lives to the Father through the Holy Spirit.⁹²

- §2. The friars are to strive to participate daily at the Eucharistic liturgy in common, since unity and charity are deepened and strengthened in the celebration of the mystery of the Body and Blood of the Lord.⁹³ Priestly concelebration is to be encouraged⁹⁴ as circumstances permit.

39.

- §1. The friars are to hold the Liturgy of the Hours in great honor. In it they participate in the prayer of Christ, which unites his Spouse the Church to Himself in praise and intercession offered to the Father for all of humanity.
- §2. The friars are to celebrate the Liturgy of the Hours according to the norms of the Church. Accordingly, they are to strive to celebrate Morning and Evening Prayer in solemn manner and, commendably, with song, and, as circumstances permit, to foster the participation of the faithful in these moments of prayer.⁹⁵

⁹² cf. VC, 95.

⁹³ cf. *Ibid.*

⁹⁴ cf. LtOrd, 30.

⁹⁵ cf. *General Instruction of the Liturgy of the Hours*, 20, 33, and 40.



- §3. In each Friary all the friars not otherwise legitimately impeded are to celebrate the Liturgy of the Hours daily in common.
- §4. At the request of the Friary Chapter, the Minister or Custos with the consent of his Definitory, can determine which canonical hours are to be celebrated in common by a fraternity which, for serious reasons, is unable to celebrate the full Liturgy of the Hours.

40.

- §1. Solemnly professed friars who are not able to celebrate the Liturgy of the Hours in common are to celebrate them in private. In cases of necessity they may recite the Office of Our Fathers as prescribed in the Rule.⁹⁶
- §2. Temporarily professed friars who are not able to celebrate the Liturgy of the Hours in common are to pray privately at least Morning and Evening Prayer if they do not celebrate them in common. In cases of necessity they may recite the Office of Our Fathers as prescribed in the Rule.⁹⁷

⁹⁶ cf. ER, 3, 2.

⁹⁷ cf. *Ibid.*



41.

- §1. Since liturgy in particular establishes and perfects union with God, the friars are to prepare for it by frequent study of the liturgical texts, and to participate as fully as required by their state in life and by the nature of the liturgy itself.
- §2. The friars are to celebrate liturgical rites reverently⁹⁸ and according to the norms of the Church. They are to take note of the variety of rites and to value the richness of local Churches, being open to diversity and legitimate adaptations.⁹⁹
- §3. Liturgy has to follow carefully the rite of the Church and observe the prescriptions of the Order's calendar and ritual. For pastoral reasons the missal, ritual, and calendar of particular Churches may be used.
- §4. It is for the Friary Chapter to determine the circumstances and order to be followed in conducting liturgical celebrations and popular devotions, with the consent of the Minister or Custos.
- §5. The friars are to take diligent care of the church, the relics of the saints, furnishings, and whatever else is used in liturgical worship.

⁹⁸ cf. LtOrd, 14.

⁹⁹ cf. SC, 38.



42.

The friars present in other Churches *sui iuris* with proper rites are to consider it a richness to participate in the liturgy and the spiritual patrimony of these Churches. They are to conform to whatever is established by competent ecclesiastical authorities.¹⁰⁰

Title III**Other Sacred Actions****43.**

The friars are to show all possible honor and reverence to the most holy Body and Blood of our Lord Jesus Christ.¹⁰¹ The Friary Chapter is to establish common times of Eucharistic adoration. Moreover, intimate conversation with Christ during personal adoration is to be cherished by the friars.

44.

§1. The friars are to hear, read, meditate upon, and assiduously study the Word of God (ignorance of Scrip-

¹⁰⁰ cf. CCEO, canon 701.

¹⁰¹ cf. LtOrd, 12.



ture is in fact ignorance of Christ)¹⁰² and are to venerate it as they do the Lord's very own Body. The friars are to make use of and value the appropriate resources¹⁰³ in this enterprise.

- §2. The friars are to meditate assiduously, and in a particular way, upon the Gospel of our Lord Jesus Christ, source of all Christian perfection and the basis of the Rule of our Seraphic Father Francis.
- §3. Therefore they are frequently to draw near to the sacred text, both during the liturgy and during other celebrations of the Word of God.
- §4. Moreover, the Friary Chapter is to schedule times for hearing, praying, and reflecting upon the Word of God, during which the entire fraternity shares that which the Word of God has inspired in each one.

45.

The friars are to engage in meditation for at least half an hour a day, giving meditation its due importance. Provincial or Custodial Statutes are to determine the circumstances of this practice.

¹⁰² cf. DV, 25, which cites St. Jerome.

¹⁰³ cf. VD, 32-33.



46.

- §1. Each year the friars are to participate in a common retreat for a period of five complete days. Friars who are unable to make a retreat in common are to make one in another way with the permission of the Minister or Custos. The Guardian sees to it that the friars make a retreat.
- §2. There are likewise to be days of recollection held in a manner determined by Provincial or Custodial Statutes. During these times the friars are to engage in appropriate meditation, instruction, and study of the Rule and Constitutions, as well as in experiences conducive to the renewal of their lives.
- §3. It is fitting that in each Province and Custody, or in collaboration between several Provinces or Custodies, there be a hermitage or a house of prayer. There, friars who request it may, with the consent of the Minister or Custos, devote themselves more intensely to prayer for a given period of time, in the spirit of the *Rule of Life for Hermitages*.

47.

- §1. Following the example of our Seraphic Father and according to the traditions of the Order, the friars are to express their filial love of the Blessed Virgin Mary



in liturgical celebrations, in popular devotions (such as the Rosary, the Franciscan Crown, and other local expressions of piety), and in personal prayer.

- §2. All the friars are to venerate, with fervent piety, the Blessed Virgin Mary in the mystery of the Immaculate Conception, and as the special Patroness of the Order and its Queen. They are to celebrate this feast of hers everywhere and with the greatest solemnity possible, while also renewing the consecration of the Order to her, and with great zeal promoting her devotion.
- §3. Provincial or Custodial Statutes are to establish the manner of entrusting the friars to Mary Immaculate in the spirit of St. Maximilian Kolbe.
- §4. The friars are to honor and imitate St. Joseph, Protector of the Order, an outstanding example of a man who believes and is totally dedicated to God.

48.

- §1. The feast of our Seraphic Father St. Francis is to be celebrated with solemnity. The friars are to meditate constantly upon his life and writings so that his seraphic spirit may continually remain with his sons in all fidelity.
- §2. The friars are also to cultivate particular devotion to St. Clare and seek to imitate her and the other saints of



the Seraphic Order, especially the Evangelical Doctor St. Anthony and the Seraphic Doctor St. Bonaventure.

49.

- §1. The friars also are to nourish their life of union with God by means of other practices drawn from the tradition of the Order and from the popular piety of the various nations and cultures,¹⁰⁴ by means of which devotion to the life of Christ and to the mysteries of our salvation is expressed and celebrated.
- §2. In all that pertains to liturgy and popular devotions, the prescriptions of the Church are to be duly observed. Popular devotions and personal prayer are also to be imbued with the spirit of the liturgy.

Title IV

Penitence and Conversion in the Life of the Friars

50.

- §1. Since by their religious profession the friars have renewed their baptismal consecration and their com-

¹⁰⁴ cf. EG, 124 and 126.



mitment to follow Jesus, they are to live in a spirit of penitence and continual conversion to conform themselves fully to Christ.¹⁰⁵ They will thus be imbued with the love of Christ for His Father and for all.

- §2. The friars are to show their willingness for conversion by joyfully placing themselves at the service of the poor, the marginalized, and the excluded, following the example of St. Francis, who received the grace to begin to do penance by showing mercy to lepers.¹⁰⁶
- §3. Along the path of conformity to the poor and crucified Christ, the friars are to practice that asceticism indispensable for consecrated men and women.¹⁰⁷

51.

- §1. Since conformity to Christ is a process of developing maturity in which every friar knows both the work of the Father and the experience of sin, weakness, and failure, the friars are to celebrate frequently the Sacrament of Penance and Reconciliation.
- §2. Along the path of conformity to Christ the friars are to practice a daily examination of conscience

¹⁰⁵ cf. Mark 1: 15.

¹⁰⁶ cf. Test, 1-2.

¹⁰⁷ cf. VC, 38.



and, with trust, make use of spiritual direction or accompaniment.

52.

- §1. The friars are to offer to God their sufferings, persecutions, daily discomforts, and the ordinary limitations that are part of the common life.
- §2. Friars who are experiencing the reality of their own fragility are to face these situations by opening themselves to dialogue and help from their fellow friars, who are to show them mercy and understanding.¹⁰⁸
- §3. All the friars are to live out the Paschal Mystery of Christ by welcoming Sister Death with faith and hope.

53.

- §1. The friars are to unite their conversion to God to the corporal and spiritual works of mercy and to various works of penance, such as fasting, abstinence, almsgiving, silence, moderation in the use of means of communication, and voluntary renunciations.
- §2. The friars are to observe the penitential seasons and days prescribed for the entire Church according to the norms of the particular Churches.

¹⁰⁸ cf. LtMin, 10.



54.

§1. The following are to be observed as penitential times proper to the Order:

- a.** By precept of the Rule, from the feast of All Saints to Christmas and each Friday of the year. During these times the friars must fast or, in accordance with the needs of time and place, perform other forms of penance that the Minister or Custos with his Definitory will have determined.
- b.** By virtue of these Constitutions, the vigils of the Solemnities of the Immaculate Conception of the Blessed Virgin Mary and of our Seraphic Father St. Francis. The prescriptions of the Provincial or Custodial Statutes are to be observed for doing penance on these days.

§2. The Ministers and Custodes, having consulted their Definitories, may establish extraordinary days of prayer and/or penance.



CHAPTER THREE

Fraternal Life in Communion



Spiritual Introduction

[a]

Fraternity is one of the charismatic elements of Franciscan life. St. Francis viewed it as a gift from God: “The Lord gave me some brothers.”¹⁰⁹ He considered its members “all brothers, both the ministers and the others,”¹¹⁰ and quoted the Gospel saying, “All of you are brothers.”¹¹¹

[b]

The Seraphic Father wished the friars to live truly as brothers: “Let no one be called ‘prior,’ but let everyone in general be called a lesser brother. Let one wash the feet of the other.”¹¹² “Wherever the brothers may be and meet one another, let them show that they are members of the same family. Let each one confidently make known his need to the other. ... When any brother falls sick, the other brothers must serve him as they would wish to be served themselves.”¹¹³

¹⁰⁹ Test, 14.

¹¹⁰ ER, 22: 26.

¹¹¹ *Ibid.*, 22: 33.

¹¹² *Ibid.*, 6: 3-4.

¹¹³ LR, 6: 7-9.



[c]

St. Francis further said: “Let all the brothers not have power or control ... especially among themselves. ... 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.”¹¹⁴

[d]

St. Francis envisioned a fraternity based on an original concept of obedience: “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 wish to be separated from his brothers truly remains in perfect obedience because he lays down his life for his brothers.”¹¹⁵

[e]

Blessed Francis founded his fraternity upon the words of Jesus: “Let us have recourse to Him as to the Shepherd and Guardian of our souls, Who says, ‘I am the Good

¹¹⁴ ER, 5: 9, 13-14.

¹¹⁵ Adm, 3: 7-9.



Shepherd. ... All of you are brothers. Do not call anyone on earth your father; you have but one Father in heaven.”¹¹⁶

[f]

Blessed Francis entreated the friars: “Let each one love and care for his brother as a mother loves and cares for her son.”¹¹⁷ “They [the friars] must be careful not to be angry or disturbed at the sin of another, for anger and disturbance impede charity in themselves and in others.”¹¹⁸ “And if [a friar] would sin a thousand times before your eyes, love him more than me so that you may draw him to the Lord; and always be merciful with brothers such as these.”¹¹⁹

[g]

Friar Francis exhorted brotherly love toward both confreres and all others: “Let them express the love they have for another by their deeds, as the Apostle says: Let us not love in word or speech, but in deed and in truth. Let them revile no one. Let them not grumble or detract from others. ... Let them be modest. ... Let them not judge or

¹¹⁶ ER, 22: 32-34.

¹¹⁷ *Ibid.*, 9: 11.

¹¹⁸ LR, 7: 3.

¹¹⁹ LtMin, 11.



condemn. As the Lord says, let them not consider the least sins of others; instead, let them reflect more upon their own sins.”¹²⁰

[h]

The Seraphic Father used to assemble his brothers to speak with them about the Kingdom of God. The friars also yearned to be with him: “They gathered together out of desire and were delighted to stay together; but they found being apart a burden, parting bitter, and separation hard.”¹²¹ Francis commanded the friars and the Ministers to gather with the Minister General in Chapters to take care of “everything else that is not clear in the Rule.”¹²² He also asked each Minister Provincial to “come together with his brothers wherever they wish to treat of those things that pertain to God.”¹²³ What Francis wrote about the Order’s Chapters holds as well at the local level for the Friary Chapter.

[i]

The Franciscan family, like a luxuriant tree, is composed of various branches: the Friars Minor; the consecrated

¹²⁰ ER, 11: 6-12.

¹²¹ 1C, 39.

¹²² LtMin, 22.

¹²³ ER, 18: 1.



women who choose “the form of life of the Order of Poor Sisters,”¹²⁴ the Poor Clares; the religious men and women of the Third Order Regular; and all those who belong to the Secular Franciscan Order. Hence it is most fitting that all those who consider Francis their common father should constantly cultivate fraternal communion so that always and everywhere the fullness of the Franciscan charism may flourish.

[j]

Franciscan brotherhood expands to embrace all of humanity, toward whom the friars are to be always welcoming: “Whoever comes to them, friend or foe, thief or robber, let him be received with kindness.”¹²⁵ The friars are to announce peace to whomever they encounter: “The Lord revealed a greeting to me that we should say: ‘May the Lord give you peace.’”¹²⁶ The spirit of brotherhood extends to embrace all of creation, which St. Francis saw as a reflection of the beauty and goodness of God: “Praised be You, my Lord, with all Your creatures.”¹²⁷

¹²⁴ RSC, 1: 1.

¹²⁵ ER, 7: 14.

¹²⁶ Test, 23.

¹²⁷ CtC, 3.



Title I

Franciscan Fraternity

55.

- §1. The fraternal life finds its model and its unifying dynamic in the life of communion of the Blessed Trinity,¹²⁸ which transforms human relationships and creates a new type of solidarity.¹²⁹
- §2. Fraternal life is a particular manifestation of the communion which is the Church, and a sign of that universal eschatological unity to which the Church strives as its final goal. A fraternity, with its sharing of goods, its fraternal communion, and its common program of life is also a prophetic witness in a frequently deeply divided world.¹³⁰
- §3. In order better to encourage and to express the form of Gospel life which, through divine inspiration, comes from the heart of St. Francis,¹³¹ the friars are joined into a fraternity founded on the love of God, enlivened by the Holy Spirit, nurtured by the Word and Eucharist, united by identical spiritual and ju-

¹²⁸ cf. CICLSAL, *Fraternal Life in Community*, 10.

¹²⁹ cf. VC, 41.

¹³⁰ cf. CICLSAL, *Fraternal Life in Community*, 10 and CIC, canons 602 and 607.

¹³¹ cf. Test, 14.



ridical bonds, and committed to the mission of the Church.

- §4. Each day with the help of grace the friars are to strengthen their communion of life. For this reason they are to welcome each other as gifts from God; they are to love one another with their whole hearts; they are to respect their confreres' lives in all their richness and fragility; they are to cultivate wide and open dialogue; they are to share their experiences with confidence; they are trustingly to make known their needs; they are to help one another, be supported by one another, and charitably serve one another;¹³² they are to place their gifts and creativity at the service of each other, and to express their sense of belonging to the brotherhood in the Friary, in the Province, in the Custody, and in the entire Order.

56.

- §1. The friars are to be faithful to their calling by witnessing and proclaiming to all people the saving presence of the Lord Jesus Christ, which makes possible a more fraternal world for the persecuted and marginalized. For this reason they are fearless in creatively making the Gospel real, by paying particular atten-

¹³² cf. ER, 5: 14.



tion to the phenomena that are changing human relationships: namely, means of communication, migration, and cultural, social, ideological, and religious changes.

- §2. The relationship and exchanges between cultures, in the teaching of the Church,¹³³ are values that also enrich fraternal life. Therefore the wide-ranging richness of the various cultures is to be welcomed by all the friars, who are to promote encounter and dialogue among them while being aware of their own identity.
- §3. The friars are to seek to have a true understanding of the other. They are to welcome respectfully the originality of the culture of the other and value its vision.
- §4. The friars are to seek to live any eventual conflict in the fraternal life as an occasion for human and spiritual growth. Moreover, by recognizing the limits of their own experiences and viewpoints, they are to foster mutual integration between the various cultures.¹³⁴

¹³³ cf. RM, 52; CV, 26; EG, 116; and CCE, *Educating to Intercultural Dialogue in Catholic Schools*, 33.

¹³⁴ This entire paragraph is drawn from the closing letter of the Fraternal Congress of Nairobi, *Commentarium Ordinis* (III, 2011), pp. 9-14.



57.

- §1.** The Order, the Conferences and Federations, the Provinces and Custodies, and each Friary are called to be a home and school of communion.¹³⁵ Mutually beneficial relations are to be encouraged among the friars. in order to promote fraternal life, initial and continuing formation, and mission.
- §2.** In order to foster and deepen a sense of belonging, participation, cooperation, and responsibility on the part of all, an atmosphere of mutual trust and openness¹³⁶ is to be encouraged among the friars. There is to be effective communication and consultation in Chapters and in other formal meetings, in informal personal and familial discussions, and by using new means of communication.¹³⁷
- §3.** In order to deepen their fraternal spirit, the friars are to cooperate in discerning the will of God by means of prayer; evaluation of the changes occurring in the Church, in the Order, and in society; and attention to the signs of the times. The friars are to recall that they must carry out the decisions of Chapters and of

¹³⁵ cf. NMI, 43.

¹³⁶ cf. VC, 50.

¹³⁷ cf. CIC, canon 633.



the Ministers, Custodes, and Guardians, whose responsibility it is to guide and lead the fraternity.

58.

- §1. The friars are to gather in Chapter in order to discern, in the light of the Holy Spirit, the best ways to preserve and adapt the Franciscan charism and the spiritual patrimony of the Order¹³⁸ in various historical and cultural situations.
- §2. The communion of fraternal charity is fostered in a special way through General, Provincial, Custodial, and Friary Chapters. Chapters, in fact, offer the most fitting occasions for communal discernment of the will of God for the fraternity.¹³⁹
- §3. The Friary Chapter, which can act—pursuant to the Constitutions—either by way of fraternal consensus or as the council of the Guardian or as a collegial body, is in the tradition of the Order one of the most significant expressions of fraternal life. In it, communion of life is fostered, and all matters pertaining to the human, spiritual, family, and apostolic growth of the friars and of the fraternity are treated. Continuing formation happens in Chapter, and all are involved

¹³⁸ cf. VC, 42.

¹³⁹ cf. CIC, canons 631-632.



in the communal discernment, planning, and evaluation of activity, as well as fraternal correction and the review of fraternal life.

- §4. All friars who possess the right according to Constitutions 228, §1, are to participate in Friary Chapter with a lively sense of shared responsibility and a creative spirit. They are to listen to and welcome with an open heart that which others say. They are to express their own views humbly and frankly.¹⁴⁰ They are to contribute their own ideas, talents, and experiences to renew fraternal and apostolic life, to solve problems that present themselves, and to plan and accomplish common projects.

59.

- §1. Ministers, Custodes, and Guardians are to be open and sensitive to the legitimate undertakings of individual friars, begun after serious fraternal discernment, especially those concerning new forms of evangelization. In this way the friars can respond to the call of God by valuing the gifts received and by making them fruitful for the good of the fraternity, the Church, and society.¹⁴¹

¹⁴⁰ cf. the concluding speech of Pope Francis to the Third Extraordinary General Assembly of the Synod of Bishops, October 18, 2014.

¹⁴¹ cf. CIC, canon 618.



§2. The friars' personal activities and commitments are to be evaluated, discussed, and agreed-upon by the fraternity, so that they benefit both the person and the group. In each case the friars, as mature religious men, are to be willing to place the good of the fraternity before their own personal interests.

60.

§1. Ministers, Custodes, and Guardians are to exercise the service of authority with charity and familiarity.¹⁴² They are to encourage the fraternity constantly; to provide for the necessary time for prayer and to take care of its quality; to foster human dignity and the responsible active expression of obedience; to instill courage and hope during difficult times; to keep alive the charism of the Order and the sense of “being with the Church”; and to accompany the continuing formation of the friars.¹⁴³

§2. The friars are to love their Ministers, Custodes, and Guardians, to obey and respect them cheerfully, to pray for them and work with them generously by helping them bear the burden of their service.

¹⁴² cf. LR, 10: 5.

¹⁴³ cf. CIC, canon 619.



61.

- §1. Friars always are to express their mutual love by courteous and charitable Gospel conduct. They are to render spiritual and material service to one another as brothers for their mutual development and activity.
- §2. The friars are to avoid judgments and any words or actions that in any way might hinder or disturb peace and fraternal charity.
- §3. When legitimate differences of opinion do occur, the friars are to express their views with conviction and gentleness, listen respectfully to others' points of view, and seek together the best solution.
- §4. The friars are to foster a spirit of fraternal communion by avoiding any dissension caused by differences in age, culture, background, formation, interests, or activities. They are to forgive promptly any offenses that might occur.

62.

- §1. The Ministers, Custodes, Guardians and all the other friars are to have particular attention and care for friars who are older, sick, infirm, or in difficulty, as they would want for themselves in similar circum-



stances.¹⁴⁴ They are to be present to them and support them spiritually, especially through the sacraments and through concrete gestures of service. They are to offer them the necessary care and assistance.

§2. Friars who are sick or suffering are not to hesitate to disclose their condition, so that they may receive whatever is necessary for the recovery of their health or the alleviation of the suffering and discomforts of their illness. They for their part are to bear faithfully their infirmities and suffering.¹⁴⁵ They are to offer up their difficulties to God in union with the cross of Christ, knowing that in this way they contribute to their own sanctification, to the life and mission of the fraternity, and to building up the Kingdom of God.

Title II

Particular Aspects of Fraternal Life

63.

The very nature of fraternity, the icon of the Trinity requires that the friars reinforce communion in the fraternal life by means of certain exercises done in common. Like-

¹⁴⁴ cf. LR, 6: 9.

¹⁴⁵ cf. CtC, 24.



wise activities personally carried out by each friar are to be coordinated with the goals of the fraternity.

64.

The Friary Chapter is the privileged instrument for communion, planning, and evaluation. As such, it is to establish a schedule of common exercises, taking into account the daily needs of the fraternal life and of each friar. This schedule is to be confirmed by the Minister or Custos.

65.

- §1. All the friars are to participate faithfully in communal liturgical celebrations and in other times of prayer. Gathering around the Divine Mysteries strengthens communion between them and with the People of God.¹⁴⁶
- §2. Since they are members of the same family the friars are to share in the same common table, thus expressing their mutual love as akin to that of the Eucharistic banquet. A brief spiritual reading precedes the meal.
- §3. The friars are expected to take an active and joyful part in common recreation and fraternal conversation.

¹⁴⁶ cf. CIC, canon 663.



§4. As a sign of fraternal *minoritas* the friars are to take care of the house and perform daily household chores as much as possible.

66.

- §1. The Friary Chapter is to reserve part of the Friary for the privacy of the friars in order better to safeguard the freedom of the fraternal life; this declaration is to be confirmed by the Minister or Custos. For a reasonable cause and in individual instances, the Guardian may grant access as well to others.¹⁴⁷
- §2. Within the Friary the friars are to foster a quiet environment conducive to the spirit of prayer, work, and study.
- §3. The friars are to be formed in the good use of social communication. It contributes to human development, to the acquisition of knowledge, to the sharing of information, to wider relationships, and, not least, to the work of evangelization. The friars are to use media maturely, responsibly, and moderately, taking care that its use not impoverish relationships with friars in the same Friary nor cause damage to one's own consecrated life.

¹⁴⁷ cf. CIC, canon 667, §1.



- §4. Given the widespread use of the means of social communication in our Friaries, it is advisable that each Province and Custody draft a directory for good use of the same, following the indications of Church documents.¹⁴⁸
- §5. Members of the entire Franciscan family, as well as any other guests who come to our Friaries, are to be received with goodness,¹⁴⁹ charity, and hospitality.

67.

- §1. The religious habit of the friars, a sign of consecrated life, fraternal and poor, is to be simple, modest, and decent. It consists of a grey or black tunic with a capuche of the same color and a white cord, suspended from which, according to custom, may be worn the Franciscan Crown of the Blessed Virgin Mary. The choice of color of the religious habit is specified in Provincial or Custodial Statutes.¹⁵⁰
- §2. The friars are to wear the habit of the Order. Provincial and Custodial Statutes, for particular reasons and as long as these reasons last, may permit another

¹⁴⁸ cf. CIC, canon 666.

¹⁴⁹ cf. ER, 7:14.

¹⁵⁰ cf. CIC, canon 669, §1.



form of clothing. Such clothing is to be simple, modest, and decent.

68.

- §1. It is fitting that friars traveling through places where there are Friaries of the Order lodge at these insofar as possible, taking care to courteously notify them ahead of time.
- §2. Vacations are to be granted in accordance with Provincial and Custodial Statutes and the diversity of times and personal needs, in a manner, however, that is proper to the Gospel profession of the friars.

69.

- §1. The friars are to be thankful to God for their parents, relatives, friends, benefactors, and co-workers. They are to express their gratitude toward them by prayer and by supporting them in their difficulties.
- §2. Since they are now part of this brotherhood, the friars are not to become involved inopportunistly in the affairs of their relatives. If family members find themselves in need, the Ministers, Custodes, and Guardians are to assist them prudently and charitably according to Provincial and Custodial Statutes.



§3. Benefactors of the Order, the Province, and the Custody are to be remembered in prayer by the fraternity, and, if deemed advisable, they may be enrolled as friends of the Order, the Province, or the Custody with an appropriate recognition as established by the respective Minister or Custos.

70.

§1. All of those employed in Friaries or in works of the Order are to be treated charitably and respectfully. They are to be paid a just wage stipulated by contract in conformity with the norms of civil law. The friars are to comport themselves with them respectfully and discreetly.

§2. The presence of co-workers does not exempt the friars from sharing responsibility and practicing subsidiarity, both in domestic tasks and other works.

71.

The friars are to rejoice in being considered “lesser brothers” and in belonging to one family. Whenever an order of precedence is required, the General Statutes are to be observed.



Title III

Fraternal Charity toward the Deceased**72.**

- §1. It is a good and salutary thing, a sign of fraternal union, that the friars pray for the dead,¹⁵¹ especially for their confreres, relatives, friends, and benefactors. By means of the communion that exists among all the members of Christ, the departed may be granted spiritual assistance and the friars be granted the comfort of hope.
- §2. The friars are to participate as much as possible in the funerals of confreres and of the relatives of confreres as a sign of fraternal communion, as stipulated in Provincial and Custodial Statutes.
- §3. The friars are to visit and care for the graves of their confreres and maintain an updated necrology in order to keep alive their memory.
- §4. A monthly Mass is to be celebrated in each Friary for deceased confreres, relatives, friends, and benefactors, at which all friars are to participate. Those unable to be present are to perform another spiritual practice as stipulated in Provincial and Custodial Statutes.

¹⁵¹ cf. LR, 3: 4.



- §5.** During the month of November, according to local custom, each fraternity is to commemorate all the deceased of the Franciscan family. All friar priests are to offer the sacrifice of the Mass for them and all the friars to celebrate the Liturgy of the Hours.
- §6.** Other suffrages are to be established more exactly in General, Provincial, and Custodial Statutes.

Title IV

Relations with the Entire Franciscan Family

73.

The friars are to cultivate relationships of lively and reciprocal communion and cooperation among all the members of the entire Franciscan family. The friars are, moreover, to promote suitable common initiatives so as to make the Franciscan charism more visible in the life and mission of the Church.

74.

- §1.** Our Seraphic Father St. Francis promised St. Clare and her sisters special and diligent care.¹⁵² For this

¹⁵² cf. RSC, 6: 4.



reason the Ministers and Custodes are to exercise their ordinary authority over the monasteries of Poor Clares united to our Order, and attend to the spiritual assistance of all the Urbanist Poor Clares by providing them with suitable and competent friars. The Ministers and Custodes are to help the friars both to understand and to esteem the charism and mission of the Poor Clares.

- §2.** The Ministers and Custodes are to attend to the spiritual assistance of the religious men and women affiliated or aggregated to our Order in the manner decreed in their own constitutions. They are to help them foster faithfulness to the Franciscan charism, communion with the Church, and union with the Franciscan family.

75.

- §1.** The Ministers and Custodes are to attend to the spiritual assistance to the fraternities of the Secular Franciscan Order, in accordance with what is established in the General Constitutions of the Secular Franciscan Order. The friars are to know and study the spirituality of the Secular Franciscan Order and be willing to assist secular fraternities spiritually and to cooperate with them in evangelization and in the works of the apostolate.



- §2. The Ministers and Custodes have the canonical right to erect new local fraternities of the Secular Franciscan Order and to exercise *altius moderamen*¹⁵³ over them while respecting their legitimate autonomy.
- §3. The Minister or Custos appoints the spiritual assistant for the fraternities of the Secular Franciscan Order after having consulted the Council of the fraternity involved.¹⁵⁴

76.

The friars are to cooperate as much as possible with groups, scholars, and initiatives interested in or inspired by St. Francis, Franciscanism, or the “Spirit of Assisi,” in order to promote the Franciscan charism in ecclesial, ecumenical, interreligious, academic, and social realms.

Title V

Safeguarding Fraternal Life

77.

- §1. Friars in difficulty who have come to understand and recognize their inability to follow the Rule accord-

¹⁵³ cf. CIC, canon 303.

¹⁵⁴ cf. *General Constitutions of the Secular Franciscan Order*, 91, 1-3.



ing to the Spirit are to have recourse to their Ministers, who are to receive them with charity and kindness and treat them like true brothers.¹⁵⁵

- §2. All friars, and especially the Ministers, Custodes, and Guardians, are to come without delay to the aid of a confrere who is in any type of difficulty. They are to listen to him, accompany him, admonish him, and correct him humbly and charitably,¹⁵⁶ being careful to not become angry or disturbed¹⁵⁷ and always being merciful.¹⁵⁸
- §3. Those who have left the Order are to be treated with fraternal charity. The friars are to remember them in their prayers and always treat them as true brothers.
- §4. The Ministers and Custodes are to treat the friars who have legitimately left or have been legitimately dismissed from the Order with equity and Gospel charity.¹⁵⁹

78.

- §1. The following lack active and passive voice:

¹⁵⁵ cf. LR, 10: 4-5.

¹⁵⁶ cf. ER, 5: 5.

¹⁵⁷ cf. LR, 7: 3.

¹⁵⁸ cf. LtMin, 7-10.

¹⁵⁹ cf. CIC, canon 702.



- a. one who is exlaustrated for any reason, for a verified period of six months after his return to the Order; the time period may be prolonged at the judgment of the competent Minister or Custos with the consent of his Definitory, but for no more than one year;
- b. one who has requested from his Minister or Custos a dispensation from the obligations derived from sacred ordination or an indult of secularization, from the moment in which he made the request to ecclesiastical superiors;¹⁶⁰
- c. one who is illegitimately absent from the Friary for a period of up to three months, on the basis of a written declaration from his respective Minister or Custos,¹⁶¹ as long as he remains outside the Friary, and then after his re-entry for a period of six months; the time period may be prolonged at the judgment of the competent Minister or Custos with the consent of his Definitory, but for no more than two years;
- d. one who has been received back into the Order after having left it unlawfully for a period greater than three months, for a period of four years from the time of his return.

¹⁶⁰ cf. CIC, canons 290 §3 and 691.

¹⁶¹ cf. CIC, canons 665, §2 and 696, §2.



§2. In the imposition of other canonical sanctions, universal law is to be observed.¹⁶²

79.

The dismissal of a novice is the responsibility of the novice's own Minister or Custos. Should there be danger in delay, the local Guardian with the consent of the Friary Chapter may dismiss him.¹⁶³

80.

§1. In what pertains to absence from a religious house,¹⁶⁴ exclausturation,¹⁶⁵ permission to leave the Order,¹⁶⁶ and the dismissal of friars in temporary or in solemn vows,¹⁶⁷ universal law is to be observed.¹⁶⁸

§2. In each case of dismissal the reason for dismissal is to be made known to the friar in question; he is to be given full freedom to defend himself.¹⁶⁹ In any case, before the decree of dismissal is issued, the friar is to

¹⁶² cf. CIC, canons 1336-1340.

¹⁶³ cf. CIC, canon 653.

¹⁶⁴ cf. CIC, canon 665.

¹⁶⁵ cf. CIC, canon 686, §1; CCEO, canon 548, §1.

¹⁶⁶ cf. CIC, canon 691.

¹⁶⁷ cf. CIC, canons 694-696.

¹⁶⁸ cf. CIC, canons 697-702.

¹⁶⁹ cf. CIC, canon 698.



be granted, with due observance of the law, the opportunity to leave the Order of his own accord.¹⁷⁰

Title VI

The Fraternal Administration of Goods

81.

The fraternal life requires a responsible, sharp-eyed, and transparent administration of goods at every level. Such administration is to be conducted according to criteria of poverty, *minoritas*, solidarity, and charity. It is to be remembered always that God is all good, supreme good, totally good,¹⁷¹ our true riches to sufficiency,¹⁷² who in his providence entrusts goods to our wise safeguarding and care.

82.

§1. The principal responsibility for the administration of the goods of the fraternity resides in and is exercised by the Friary, Custodial, Provincial, and General Chapter. A General, Provincial, or Custodial Chap-

¹⁷⁰ cf. CIC, canons 691 and 290 §3.

¹⁷¹ cf. *The Praises to be Said at All Hours*.

¹⁷² cf. *The Praises of God*, 5.



ter may expressly authorize its respective Minister or Custos with his Definitory to handle acts of extraordinary administration.

- §2.** General, Provincial, Custodial, and Friary Chapters are to elect by counters their respective economs and exactors, choosing friars who are capable of performing these tasks competently and diligently. These friars are to act under the direction of the Ministers, Custodes, and Guardians, following the norms of universal and civil law. They are to present detailed and complete administrative reports to their respective Chapters.¹⁷³
- §3.** For the validity of any alienation, exchange, or lease of any property or goods, the written permission of the respective Minister or Custos and his Definitory is required, according to the Statutes. If, moreover, it is a matter of an act of administration that exceeds the amount set by the Holy See, or involves items given to the Church in virtue of a vow, or items of precious art or of historical value, the permission of the Holy See is required¹⁷⁴ as well as the written approval of the Minister General and his Definitory.

¹⁷³ cf. CIC, canon 636.

¹⁷⁴ cf. CIC, canons 638, §3 and 1292, §2.



83.

Friaries, Custodies, Provinces, and the Order itself, as well as other juridical persons of the Order, are to be legally incorporated according to the Provincial or Custodial Statutes. Likewise, respective legal representatives of these juridical persons are to be appointed who, personally or through delegates, and always under the dependence of the Ministers, Custodes, or Guardians, are empowered to carry out acts of administration valid under civil law. Should this be impossible, other appropriate arrangements are to be made in a manner stipulated in proper Statutes and according to civil and ecclesiastical law.¹⁷⁵

84.

§1. The administration of the Friary, the Custody, the Provinces, and the Order itself, is to be a unified model. This administration likewise coordinates the subadministrations of all the various offices, institutional activities, offerings, and the like.

§2. The whole administration of a Friary, Custody, and Province, and of the Order itself, is to be entrusted to the exactor and the econom by the respective Chapter.

¹⁷⁵ cf. CIC, canon 634, §1.



- §3. The exactor has the responsibility to receive all income, working with the econom and overseeing with him the financial registers.
- §4. The econom is to make all expenditures within the limits of his competence, procure whatever is necessary for the temporal sustenance of the community, and maintain the financial registers of his office.
- §5. The assignments of exactor and econom can be joined if allowed by the Statutes.

85.

- §1. The offices of Minister and Custos are incompatible with the duty of either exactor or econom.¹⁷⁶
- §2. The Guardian may not exercise the duty of exactor or econom of a Friary unless necessity clearly requires it and it is approved by the Minister Provincial with the consent of his Definitory. This permission is to be given in writing for a limited time period and conserved in the respective archives.

86.

- §1. Provincial or Custodial Statutes, or the Friary Chapter, are to determine which acts of administration the

¹⁷⁶ cf. CIC, canon 636, §1.



Guardian, the econom, and the exactor are authorized to carry out regularly.

- §2. Provincial and Custodial Statutes are to determine the manner in which Friaries are to contribute to the Province or Custody. The goods that belong to the stable patrimony¹⁷⁷ and the direct administrative responsibilities of the Province and Custody are to be indicated in an appendix.
- §3. The Provincial Chapter is to define the personal competence of both the Minister Provincial, acting alone as well as with his Definitory, and that of the Guardian, acting alone as well as with the Friary Chapter.
- §4. The General Statutes are to indicate in an appendix the goods that belong to the stable patrimony and the various works of the Order; they are also stipulate the regular contributions to be made by Provinces and Custodies for the needs of the Order, and declare other ordinary forms of economic solidarity.
- §5. The General Chapter is to establish any extraordinary contributions to be made by Provinces and Custodies for the needs of the Order, and to declare any other extraordinary forms of economic solidarity.

¹⁷⁷ cf. CIC, canon 1291 and CICLSAL, circular letter of August 2, 2014, "Guidelines for Management," 1.4.



§6. The General Chapter also is to define the authority of the Minister General acting alone as well as with his Definitory.

87.

§1. Bearing in mind the choice of Gospel poverty, the duty of solidarity, and the need for financial planning, the friars are to beware of any unnecessary amassing of goods. In the exercise of economic matters they are to follow the General Statutes, universal law, and civil law.¹⁷⁸

§2. Agreements entered into by officials are to be duly honored. The price of purchases is to be paid exactly and on time.

§3. Debts are not to be contracted unless it is certain that the capital and interest on the debt can be repaid from regular income or from other sources, with certainty and within a reasonable time.¹⁷⁹

88.

§1. If any official acts in the name and by mandate of a Chapter or the Minister or Custos with the consent

¹⁷⁸ cf. CIC, canons 635, §2 and 640.

¹⁷⁹ cf. CIC, canon 639.



of his Definitory, the respective juridical person is responsible and not the higher juridical person.

§2. No friar can participate in any way in the administration of the goods of a physical or juridical person outside the Order unless by way of exception and with the written permission of the Minister or Custos. In the case of a Minister or Custos, permission is required from the higher instance.¹⁸⁰

§3. Should a friar violate the law or cause damage through his own malice or fault, he alone will be responsible.¹⁸¹

89.

In a Friary where there are fewer than three Friars *de familia*, the Guardian, himself according to the Statutes shall give the Minister Provincial a written report (countersigned by the other friar) of the entire administration of the Friary. In matters that would require the consent of the Friary Chapter, the Guardian, after consulting with the other friar, is to obtain the written consent of the Minister Provincial.

¹⁸⁰ cf. CIC, canon 600.

¹⁸¹ cf. CIC, canon 639.



90.

The financial administration of the Order and of the Provinces is to be dealt with in their respective Definitories and Chapters, according to their respective Statutes.



CHAPTER FOUR

The Mission of the Friars



Spiritual Introduction

[a]

St. Francis understood the mission of Jesus in this way: “Let us, therefore, hold onto the words, the life, the teaching of the Holy Gospel of Him Who humbled Himself to beg His Father for us and to make His name known saying ... : ‘Father, I have made Your name known to those whom You have given me. The words You gave to me I have given to them. ... As You sent me into the world, so I sent them into the world.’”¹⁸²

[b]

Upon receiving at the crucifix of San Damiano the mission from the Lord Christ to restore His Church and then hearing the Gospel account of the apostolic mission, our Father Francis exclaimed: “This is what I want, this is what I seek, this is what I desire with all my heart.”¹⁸³ From this moment on he dedicated himself to proclaiming the Gospel with untiring zeal. Even in his illness he continued his commitment to mission by turning to writing: “Because I am the servant of all, I am obliged to serve all and to administer the fragrant words of my Lord to

¹⁸² ER, 22: 41-42, 51.

¹⁸³ 1C, 22.



them. Therefore ... I decided to offer you in this letter and message the words of our Lord Jesus Christ, Who is the Word of the Father, and the words of the Holy Spirit, which are spirit and life.”¹⁸⁴

[c]

When he received the gift of brothers,¹⁸⁵ he sent them out two by two to evangelize and to announce “peace to the people and penance.”¹⁸⁶ He exhorted them: “Give praise to Him because He is good; exalt Him by your deeds; for this reason He has sent you into the whole world: that you may bear witness to His voice in word and deed and bring everyone to know that there is no one who is all-powerful except Him.”¹⁸⁷

[d]

Blessed Francis urged the friars to be in communion with the Church and to be obedient to the Ministers as they fulfilled their mission: “Let no brother preach contrary to the rite and practice of the Church or without the permission of his minister. Let the minister be careful of grant-

¹⁸⁴ 2LtF, 2.
¹⁸⁵ cf. Test, 14.
¹⁸⁶ 1C, 29.
¹⁸⁷ LtOrd, 8-9.



ing it without discernment to anyone.”¹⁸⁸ “The brothers may not preach in the diocese of any bishop when he has opposed their doing so.”¹⁸⁹

[e]

The Seraphic Father urged the friars to keep the good of their audiences in mind as they evangelized: “Moreover I admonish and exhort those brothers that when they preach their language be well-considered and chaste for the benefit and edification of the people, announcing to them vices and virtues, punishments and glory, with brevity, because our Lord when on earth kept his word brief.”¹⁹⁰

[f]

Francis exhorted the friars in various ways to live the Gospel life on mission: “We must rejoice, instead, when we fall into various trials and, in this world, suffer every kind of anguish or distress of soul and body.”¹⁹¹ “When the brothers go through the world, let them take nothing for the journey.”¹⁹² Let the brothers not quarrel ... “or judge

¹⁸⁸ ER, 17: 1.

¹⁸⁹ LR, 9: 1.

¹⁹⁰ *Ibid.*, 9: 3.

¹⁹¹ ER, 17: 8.

¹⁹² *Ibid.*, 14: 1.



others when they go about in the world, but let them be meek, peaceful, modest, gentle, and humble, speaking courteously to everyone. ... Into whatever house they enter, let them first say: Peace be to this house!"¹⁹³

[g]

The Seraphic Father inserted into his Rule the novelty of mission among non-Christians: "Let any brother, then, who desires by divine inspiration to go among the Saracens and other nonbelievers, go with the permission of his minister and servant. If he sees they are fit to be sent, the minister may give them permission and not oppose them."¹⁹⁴

[h]

In the view of St. Francis the Gospel must first be witnessed in life and then proclaimed in words: "As for the brothers who go, they can live spiritually among the Saracens and nonbelievers in two ways. One way is not to engage in arguments or disputes but to be subject to every human creature for God's sake and to acknowledge that they are Christians. The other way is to announce the Word of God, when they see it pleases the Lord in order that [unbelievers] may believe ... and become Christians."¹⁹⁵

¹⁹³ LR, 3: 10-13.

¹⁹⁴ ER, 16: 3-4.

¹⁹⁵ *Ibid.*, 16: 5-7.



[i]

Father Francis also said: “Let all the friars ... preach by their deeds.”¹⁹⁶ Among these deeds is “the grace of working.”¹⁹⁷ “And I worked with my hands, and I still desire to work; and I earnestly desire all brothers to give themselves to honest work. Let those who do not know how to work learn.”¹⁹⁸ In every place and in everything, “servants of God must always apply themselves to prayer or some good work.”¹⁹⁹

[j]

St. Francis urged the friars not to glory in any successes of their activities: “In the love that is God, therefore, I beg all my brothers—those who preach, pray, or work, cleric or lay—to strive to humble themselves in everything, not to boast or delight in themselves or inwardly exalt themselves because of the good words or deeds or, for that matter because of any good that God sometimes says or does or works in and through them.”²⁰⁰ Instead the friars are to attribute it to God “from Whom all good comes.”²⁰¹

¹⁹⁶ *Ibid.*, 17: 3.

¹⁹⁷ LR, 5: 1.

¹⁹⁸ Test, 20-21.

¹⁹⁹ ER, 7: 12.

²⁰⁰ *Ibid.*, 17: 5-6.

²⁰¹ *Ibid.*, 17: 17.



Title I

**The Foundation of the Mission
and Activities of the Friars****91.**

- §1. The Son of God was sent into the world by the Father with a precise mission: to bring glad tidings to the poor; to proclaim liberty to captives, recovery of sight to the blind, and release to prisoners; and to announce a year of favor from the Lord.²⁰² He then entrusted to the Church the mission of proclaiming and establishing the Kingdom of God throughout the world.²⁰³ For this reason evangelization is the grace and calling of the Church, its deepest identity.²⁰⁴
- §2. The friars, by their profession of the evangelical counsels, participate in the mission of the Church in a particular manner. The task of devoting themselves completely to mission is included within their very calling, because the entire consecrated life, under the action of the Holy Spirit, is mission.²⁰⁵

²⁰² cf. Luke 4: 18-19.

²⁰³ cf. LG, 5.

²⁰⁴ cf. EN, 14.

²⁰⁵ cf. VC ,72.



§3. All the friars are to proclaim the Gospel throughout the world and to every creature, following the example of Christ and St. Francis by actively participating in the Church's mission of evangelization. Their entire religious life, therefore, is to be imbued with an apostolic spirit and all their apostolic work is to be informed by a religious spirit.²⁰⁶

92.

The friars offer a valuable contribution to the mission of the Church both in their consecration and in their work of evangelization. They become credible witnesses of the Kingdom of God in the world in the measure by which they live out the charism granted them by the Holy Spirit. For this reason they evangelize first and foremost by the witness of a prayerful, poor, simple, joyful, and fraternal life, which is already in itself evangelization.²⁰⁷

93.

§1. Whatever kind of mission is undertaken by the friars is always to manifest the values of fraternity and *minoritas*, which are proper to the Conventual Fran-

²⁰⁶ cf. PC, 8 and CIC, canon 675, §1.

²⁰⁷ cf. VC, 72; CICLSAL, *Fraternal Life in Community*, 54; CIC, canon 673.



ciscan charism and are prophetic signs of a world to come.

- §2.** As lesser brothers they are to make themselves always available for the service of the Church and for the assistance of others. They are to undertake the humblest of tasks joyfully, without expecting compensation. They are to choose the most suitable means of work and employ a simple style in their dealings with others.

94.

Friars generously are to dedicate themselves to their labors and mission in such a way that they do not extinguish the spirit of prayer and devotion.²⁰⁸ They are rather to be committed to fostering prayer more intensely, thus sanctifying their work and making it fruitful.²⁰⁹

95.

- §1.** The friars are to undertake and share the various the activities of mission and apostolate in obedience, consensus, and fraternal cooperation. The Ministers, Custodes, and Guardians are to assign these activi-

²⁰⁸ cf. LR, 5: 2.

²⁰⁹ cf. CIC, canon 675, §2.



ties, coordinate them, and guide them, taking into account the aptitudes and ability of the friars and the good of the fraternity and of the Church.

- §2. All friars are to be willing to place their talents at the service of other fraternities of the Province, Custody, or Order that might be in need, after due communal discernment.
- §3. The friars are to take care that their activities and projects for mission, both in planning and in execution, are an expression of a creative fraternity united together.
- §4. The local fraternity is to approve the activities and missions of individual friars and coordinate them with other fraternal commitments, in harmony with the pastoral plan of the Province or Custody and that of the local Church.

Title II

The Scope of the Mission and Activities of the Friars

96.

- §1. The friars, led by their Ministers, Custodes, and Guardians, are to carry out their mission both in pas-



toral, intellectual, artistic, charitable, or manual activity and in the witness of their Franciscan life and presence.

§2. There are essentially three Franciscan mission environments:

- a.** The mission *ad gentes*,²¹⁰ which has been part of the Franciscan charism from its earliest days and retains its contemporary validity. Its focus is peoples and groups who do not yet believe in Christ, where the Church does not yet have roots, and where the culture is not yet influenced by the Gospel.²¹¹ It involves, in particular, territorial contexts, new worlds and social phenomena, and modern areas of culture.²¹²
- b.** The traditional apostolate, such as preaching, conversions, and spiritual assistance to Christian communities that already have solid and adequate ecclesial structures.²¹³
- c.** New evangelization, especially in countries with long-standing Christian roots, but sometimes also in newer Churches where entire groups of the baptized have lost the vital sense of faith.²¹⁴

²¹⁰ cf. RM, 33.

²¹¹ cf. *Ibid.*, 34.

²¹² cf. *Ibid.*, 37.

²¹³ cf. *Ibid.*, 33.

²¹⁴ cf. *Ibid.*, 33 and EG, 14.



- §3. The friars are to respond to the urgent needs of our time and to those of different geographical or cultural areas. With bold spiritual confidence and prepared by proper formation,²¹⁵ they are to try new approaches and methodologies both in witnessing fraternal life²¹⁶ and in the exercise of the apostolate culturally appropriate to the times. To this end they are to make use of whatever means of cultural, social, or technological progress that are available, in accordance with the directives of the Church.²¹⁷
- §4. Although no form of mission or activity is foreign to the Order, the friars are to choose in the various places those activities which respond to the needs of the Church, are in the tradition of the Order, and are in harmony with the Franciscan charism. As men with nothing of their own and pledged to *minoritas*, they are to abandon readily those activities which are outdated or less opportune.²¹⁸
- §5. The friars are to come to know the people among whom they live by listening to and in dialogue with them. They are to be in communion with them and offer them their pastoral ministry.

²¹⁵ cf. PC, 18.

²¹⁶ cf. EN, 21.

²¹⁷ cf. GS, 44.

²¹⁸ cf. VC, 71.



97.

The goal of the mission activity of the friars is to bring the Gospel to all people of any social condition in order to transform and renew humanity from the inside,²¹⁹ by means of prayer, fraternal witness, preaching, the sacraments, and discerning the signs of the times.

98.

The friars are to ensure that the churches and shrines entrusted to them are centers of joyful and fruitful Christian life that radiate witness, evangelization, catechesis, dignified liturgical worship, the sharing of Franciscan spirituality, and other creative pastoral activity suitable to the place.

99.

§1. Friars are to exercise the ministry of the Word in accordance with their particular charisms by applying the perennial truth of the Gospel to the concrete circumstances of life, briefly²²⁰ and by using the most effective means of communication appropriate to the times and the audience.

²¹⁹ cf. EN, 18.

²²⁰ cf. LR, 9: 4.



- §2. Because preaching—the proclamation of the wonderful works of God in salvation history—must draw foremost upon Sacred Scripture, the friars are to read, listen to, and deepen their understanding of the Word of God every day, impressing it upon their hearts so as to be better able to witness the Gospel life and communicate to others the fruits of their own contemplation.
- §3. Friars are to proclaim the mystery of Christ and His Gospel of peace, charity, mercy, and conversion, exhorting people to an upright life of integrity in accordance with Gospel life.
- §4. In order to make their proclamation effective, friars are to prepare themselves diligently in with meditation and prayer, with study and regular practice, in order to acquire greater competency in pastoral preaching.
- §5. It is the right of the pastor [parish priest] or rector of the church to grant permission to preach in our churches and oratories to those whom he is certain have been approved as qualified by their own Ordinaries.²²¹

100.

- §1. Since the Eucharist is the source and summit of the entire Christian life,²²² its celebration is to consti-

²²¹ cf. CIC, canon 765 and CCEO, canon 612.

²²² cf. LG, 11.



tute for the friars their principal action and the most important apostolic activity of their ministerial and common priesthood.

- §2. The other sacraments, rites, and expressions of popular piety, which all flow from the Eucharist and are ordered toward it,²²³ are to be celebrated zealously by the friars so as to foster a deeper sacramental life and more profound prayer among the faithful.
- §3. Following the example of Christ who welcomed sinners, friars are to remain close to those who by sin experience human weakness, and are to proclaim to them the tremendous mercy of God, who does not will the death of sinners but that they be converted and live.²²⁴ Friar priests are to administer the Sacrament of Penance or Reconciliation diligently and compassionately, keeping in mind human dignity.

101.

- §1. The friars are to seek out charitably those who have lost their faith or who have fallen away from the practice of Christian life or from the Church, in order to bring them back into living union with Christ.

²²³ cf. SC, 10.

²²⁴ cf. Ezekiel 33: 11.



§2. Following the example of Christ, who traveled through cities and villages healing every kind of illness,²²⁵ and that of St. Francis who had mercy upon lepers,²²⁶ friars are to take special care of the sick and infirm. They are to visit them frequently, provide comfort to them, administer the grace of the sacraments, and at the proper time prepare them to meet Sister Death.

102.

The friars are to live in communion with the local Church and work with the Bishop, clergy, other religious men and women, and the laity. They are to participate in and cooperate with diocesan projects, enriching the local Church with the Franciscan charism.²²⁷

103.

§1. In a spirit of service to the Church, the friars may also accept parochial responsibilities, but in such a way as to be able to live out their own vocation and give effective witness to their fraternal *minoritas* in their life and pastoral activity.

²²⁵ cf. Matthew 9: 35.

²²⁶ cf. Test, 2.

²²⁷ cf. CIC, canon 675, §3.



§2. Ministers are not to accept parishes in which no possibility of living a true fraternal life is foreseeable.

104.

The friars are also to be engaged in popular preaching, spiritual direction, retreat ministry, and pastoral care in prisons and hospitals, and among the marginalized.

105.

§1. In traditionally Christian countries that are in part dechristianized, the friars are to find the energy, enthusiasm, and creativity to proclaim the Gospel with the witness of their lives and with new pastoral methodologies.²²⁸

§2. In countries with a more recent Christian tradition, the friars are to proclaim the Gospel in a language accessible to people of different cultures and social conditions.

§3. Since modern societies are becoming ever more ethnically, culturally, and religiously complex, the friars are to seek to dialogue and maintain good relationships with people of other cultures, other Christian

²²⁸ cf. St. John Paul II, Discourse to the XIX Ordinary Assembly of CELAM, Port-au-Prince, Haiti, March 9, 1983.



denominations, other religions, and with nonbelievers. They are to work with them in the commitment to respect religious freedom, to foster spiritual, moral, and sociocultural values,²²⁹ and to build a more human world.

106.

- §1. Friars are to recognize, appreciate, and foster the vocation, the manner, and the proper mission of the lay faithful in the Church²³⁰ and to work in communion with them in their proper endeavors.²³¹ They are to come gladly to the aid of ecclesial groups that request their assistance, always granting priority to the life and works of the fraternity. The Friary Chapter always tries to harmonize these varying commitments.
- §2. The friars are to promote everywhere the Secular Franciscan Order. They are to share reciprocal communion in life and mission with its members, to work with them, and to support them in the activities they undertake by reason of their vocation and charism.²³²

²²⁹ cf. NAe, 2.

²³⁰ cf. LG, 30 and 37.

²³¹ cf. VC, 74.

²³² cf. *The Rule of the Secular Franciscan Order*, 14-19.



- §3. The friars are to foster the vitality and expansion of Franciscan Youth (YouFra) and of other Franciscan youth groups. They are to accompany young people along the Christian path of human and spiritual maturity, and explicitly invite them to share the beauty of the Franciscan charism.
- §4. Friars are to foster the Militia of Mary Immaculate as a good expression of the Marian spirit of the Seraphic Order and as effective mission.
- §5. The friars are to spread understanding of the spirit of the Secular Franciscan Order and of the Militia of Mary Immaculate among diocesan clergy, so that they might foster their spread in their own communities.

107.

Inspired by the spirit of communion of St. Francis, the friars are to take part in ecumenical activities. They are to promote personal contacts, encounters of prayer, charitable activities, and study groups, all according to Church directives, so that the fullness of unity that the Lord Jesus invoked in prayer to the Father at the Last Supper²³³ might be realized. They are to open their hearts to other

²³³ cf. John 17: 21-23.



Christians without suspicion or mistrust, and seek together reconciliation and peace in the one true God.²³⁴

108.

- §1. The friars are to deepen their understanding of social, economic, and cultural realities in the light of the Gospel and of the social doctrine of the Church, in order to more effectively accompany their fellow men and women of our time. They are to listen to their difficulties, sufferings, and hopes, and join them in communal fraternal projects of solidarity.²³⁵
- §2. The friars are to promote conditions of greater justice and human dignity in favor of the poor and marginalized, considering them as the suffering flesh of Christ and as one with themselves.²³⁶ They are to work together with people of good will in order to identify the structural causes of poverty and to place justice and peace at the center of their commitments to the littlest and the least.
- §3. Local fraternities are to take to heart the care of the Earth as our “common home.”²³⁷ They are to em-

²³⁴ cf. EG, 244.

²³⁵ cf. *Ibid.*, 87.

²³⁶ cf. *Ibid.*, 24 and 199.

²³⁷ cf. LS, 1-61.



brace lifestyles that witness to a love for creation and that are in harmony with projects of environmental sustainability, and to promote educational initiatives regarding “integral ecological conversion.”²³⁸

109.

- §1. The friars are to commit themselves to study, in the tradition of the Order,²³⁹ as a means of holistic formation, as an extraordinarily timely task in the face of present-day cultural diversity, and as an expression of the desire for an ever-deepening knowledge of God.²⁴⁰
- §2. The Ministers and Custodes are to promote cultural activity and scholarly research in the fields of Franciscanism, Scripture, theology, philosophy, the arts, and music, and in other sciences and technologies useful for mission.
- §3. The friars are to obtain permission of the local Ordinary as well as that of their Minister or Custos²⁴¹ for their published writings dealing with faith or morals, both printed and digital.

²³⁸ cf. *Ibid.*, 137-162.

²³⁹ cf. LtAnt.

²⁴⁰ cf. VC, 98.

²⁴¹ cf. CIC canons 218, 823-824, and 832, and CCEO canons 21 and 662, §2.



§4. Friars involved in higher education as either instructors or students are to witness Franciscan life by joining the love of truth to the wisdom of Gospel living.

110.

§1. Educational activity and catechetical instruction are important element of the mission of the Order. The friars are to be open to work in schools, either their own or state, private, or non-Catholic ones, either as teachers or as campus ministers. They are to work together with other educators to offer a serious and valid Gospel witness in the wider culture.

§2. The friars are to foster and value alumni associations of their own educational institutions, in order to continue the work of formation.

111.

The friars are to dedicate themselves generously to social or charitable services, both their own as well as those of others, since this is also part of the mission of the Order.

112.

Manual labor in all its forms, both in internal service to the fraternity or outside of it, is a true contribution to the mission of the Order and to the Kingdom of God.



113.

- §1.** All the friars are to work faithfully and devotedly.²⁴²
If they are working under the authority of others, they are to carry out their contractual obligations respectfully, honestly, and in the spirit of *minoritas*.²⁴³
- §2.** Since the gifts of the Spirit are given to build up the common good,²⁴⁴ any friar who is blessed with a special gift is to use it for building up the Kingdom of God and the fraternity, under the guidance of the Minister, Custos, and Guardian and with the support of the other friars

Title III**The Organization of the Mission and Activities of the Friars****114.**

It is the responsibility of General, Provincial, Custodial, and Friary Chapters to study and assume pastoral activities and entrust them to suitable friars. The activities to be chosen are those in conformity with the Francis-

²⁴² cf. LR, 5: 1.

²⁴³ cf. ER, 7: 1-2.

²⁴⁴ cf. 1Corinthians, 14:2.



can charism and the directives of the universal and local Church and that meet the needs of people, times, and places. In the same way it is the responsibility of those Chapters to choose new forms of mission and activities which better demonstrate the prophetic aspect of fraternity.

115.

- §1.** It is the responsibility of the Provincial and Custodial Chapter to investigate and determine the general pastoral program of the jurisdiction and to formulate statutes in conformity with diocesan or regional decrees for those ministries requiring special guidelines.
- §2.** The Minister or Custos is to direct, guide, and coordinate the activities of the Province or Custody according to the plans of the Chapter, with the assistance of his Definitory, the cooperation of the Guardians, and the opportune advice of the competent commissions.

116.

- §1.** The government of the Order is to foster and support active collaboration among the various Provinces and Custodies, so that a better Gospel witness might be offered in the assuming of different forms of mission.



- §2. It is the responsibility of the Conferences and Federations of the Order to coordinate projects that the Provinces and Custodies undertake to plan and implement together; the Conferences and Federations are to find appropriate means to foster such collaboration.
- §3. The Ministers and Custodes are to foster within their Provinces and Custodies the widest possible collaboration of the friars within the Conference or Federation and throughout the whole Order.
- §4. The Ministers and Custodes are to cooperate with the whole Franciscan family, with local Episcopal Conferences or Synods, with the conferences of major superiors, and with individual bishops to better coordinate pastoral initiatives.

117.

- §1. It is the responsibility of the Guardian with the help of the Friary Chapter to coordinate the work and activities of the fraternity, to assign tasks, and to keep friars who are engaged in different pastoral activities fraternally united.
- §2. It is the responsibility of the Friary Chapter, without violation of the proper rights of the Ministers, Custodes, and Guardians, to decide what temporary



obligations are to be accepted or discontinued. The Friary Chapter is furthermore to receive reports on and discuss together the pastoral activities of each friar²⁴⁵ in order to strengthen the spirit of fraternal communion.

- §3.** In accepting pastoral activities for which a written agreement is necessary or advisable, the Minister or Custos, after consulting with the Friary Chapter and with the consent of his Definitory, is to endorse only those agreements which explicitly define all that pertains to the work to be done, to the personnel to be assigned, to financial obligations, and to the time-frame of the contract.

118.

- §1.** Ministers, Custodes, and Guardians are to assign to friars only those duties which allow for a life according to the Rule. Activities are always to be coordinated with commitments to common fraternal life.
- §2.** Attention is to be given to the religious, pastoral, doctrinal, and professional competency of the friars when assigning pastoral tasks and activities. Their adequate continuing formation is to be provided for, in order

²⁴⁵ cf. CIC, canon 671.



that they may better accomplish their mission in the contemporary world.

- §3.** Ministers, Custodes, and Guardians are to take care to form a sufficient number of trained and qualified friars in order to plan, foster, and renew the various activities of the Order by means of an attentive discernment of the signs of the times.

119.

- §1.** In whatever ministry or work assigned them the friars are to be faithful to the demands of the fraternal life and the observance of the Rule and Constitutions, in obedience to their Ministers, Custodes, and Guardians.
- §2.** Friars under contract for any work are, as religious, subject to visitation and correction by the Minister or Custos and to the supervision of their Guardian. In what pertains to the apostolic work itself they are also subject to the competent ecclesiastical or civil authority with whom the contract is made.

120.

Friars assigned to the pastoral care of souls are to adapt to the procedures of Episcopal Conferences and lo-



cal dioceses regarding pastoral choices, programs, and criteria.²⁴⁶

121.

- §1. After previous consultation with the Minister General, a parish may be accepted by the Minister Provincial with the consent of his Definitory, with due observance of all canonical requirements. A copy of the contract is to be forwarded to the Minister General.
- §2. In accepting a parish the Minister Provincial and the diocesan Bishop are to draw up an agreement clearly specifying all conditions involved.²⁴⁷
- §3. Friars engaged in parochial ministry are subject to the local Ordinary according to the norms of law in what pertains to their pastoral office and to the care of souls. Parish books and records, which are subject to the inspection of the local Ordinary, are likewise subject to the supervision of the respective Minister, Custos, and Guardian.
- §4. Parishes are entrusted to the Province or Custody. Therefore it is the responsibility of the Minister or Custos with the consent of his Definitory to pres-

²⁴⁶ cf. CIC, canon 678.

²⁴⁷ cf. CIC, canon 520, §2.



ent to the diocesan Bishop a friar for nomination as pastor [parish priest] or, if pastoral care is entrusted to several persons jointly, as friar-moderator.²⁴⁸ The same applies when a friar is presented for nomination as rector of a church.²⁴⁹ It is likewise the responsibility of the Minister or Custos, after consulting with the pastor [parish priest], to present parochial vicars.

- §5.** Although the parish is entrusted to the Province or Custody by written agreement, nevertheless the friar pastor [parish priest] is directly responsible for it.²⁵⁰ Parochial vicars, appointed by the diocesan Bishop upon presentation by the Minister or Custos, are to collaborate with the pastor [parish priest]. The pastor [parish priest] is to request the help of the other friars in the fraternity with the full approval and consent of the Guardian.
- §6.** Provincial and Custodial Statutes are to determine the precise competencies of the Guardian and of the pastor [parish priest]. It is the Guardian's responsibility to maintain the correct balance between parochial necessities and fraternal demands. In addition the

²⁴⁸ cf. CIC, canons 517, §1; 520, §1; 682, §1, and CCEO, canons 281, §2; 282; 284, §2; 287, §2.

²⁴⁹ cf. CIC, canons 556 and 557, §2, and CCEO, canons 304 and 305, §§1-2.

²⁵⁰ cf. CIC, canon 520, §1 and CCEO, canons 281, §2; 282.



same Statutes are to determine everything that concerns the administration of parish goods, with due observance of universal law.

- §7.** The friar pastor [parish priest] is to work always with his parochial vicars and staff, with diocesan offices, and with the parish pastoral council and the parish finance council. He is to make regular pastoral and administrative reports to the Friary Chapter and take the opinions of the friars into consideration.
- §8.** In the case of proposed extraordinary parish expenditures of a significant amount, the friar pastor [parish priest] is to present the project first to the Friary Chapter and to the Minister Provincial and his Definitory, taking their views into consideration before then presenting the budget to the parish finance council. Provincial and Custodial Statutes are to provide specific indications in this regard.
- §9.** The friar pastor [parish priest] is to propose first to the Friary Chapter and then to the Minister Provincial and his Definitory any long-term pastoral initiatives that might involve the service of the Franciscan fraternity, and take their views into consideration. Provincial and Custodial Statutes are to provide specific indications in this regard.
- §10.** In regard to the length of the pastor's [parish priest's] term of office, it is advisable that he possess some sta-



bility,²⁵¹ although he is removable according to the prescription of law.²⁵²

Title IV

The Order's Mission *ad gentes*

122.

- §1. Christ the Lord, sent by the Father, in turn sent his disciples to the whole world to preach the Gospel.²⁵³ Upon Jesus' invitation our Father Francis had his friars go and proclaim as witnesses the message of the Lord to all nations (*ad gentes*).
- §2. The mission of the friars *ad gentes* in the world involves a serious commitment to pastoral activity in local Churches and to the sharing of the Franciscan charism, which in turn is enriched through dialogue and the process of enculturation.
- §3. Each Franciscan presence in the world should be recognizable for its simplicity and moderation. The friars are to be on mission as brothers among sisters and brothers, witnessing with their lives that God is

²⁵¹ cf. CIC, canon 522 and CCEO, canon 284, §3.

²⁵² cf. CIC, canon 682, §2 and CCEO, canon 543.

²⁵³ cf. Mark 16:15.



the Father of all, forming sisters and brothers from all people.

123.

- §1. Initial and continuing formation helps the friars deepen their understanding that, although Conventual Franciscan life is already mission in itself, they are also called to take up the challenge and commitment of evangelization beyond the limits of their own culture. In addition, love for the missions is to be promoted through prayer, sacrifice, and experiences of solidarity.
- §2. The friars are to stimulate, share, and sustain mission awareness among the laity, particularly among Secular Franciscans and members of the Militia of Mary Immaculate. This includes mission groups, volunteer experiences, mission days, preaching, prayer, and invitations to financial and spiritual solidarity.

124.

- §1. Friars, who by divine inspiration feel called to go on mission *ad gentes* are to request in writing the consent of their Minister who, after sufficient discernment regarding the suitability of the request, is to grant permission.²⁵⁴

²⁵⁴ cf. ER, 16: 3, and LR, 12: 1-2.



§2. All friars are to be open to discernment regarding the call to go on mission *ad gentes* when their Minister proposes it to them.

125.

§1. The Ministers are to arrange that friars are prepared before they leave for missions *ad gentes* or for *implantatio Ordinis*, by means of appropriate courses of spiritual, linguistic, cultural, ecumenical, interreligious, and missiological formation.

§2. This formation is to be completed in institutions in the territory of the mission so that the friars are able to speak correctly the language of the people among whom they live, and to understand more deeply local ideas, religious beliefs, history, and culture. They are to be open to dialogue with everyone and attentive to the enculturation of the Gospel and the Franciscan charism.

126.

In order to foster the re-establishment of unity among all Christians,²⁵⁵ the friars are to seek opportune ways and

²⁵⁵ cf. CIC, canon 755.



means of collaborating correctly and knowledgeably with other Churches and Christian communities.

127.

- §1. Religious life enriches missionary activity with precious and necessary assistance. The friars are to ensure, as much as possible, the stable presence of the Order in the realities of missions *ad gentes* by means of clear fraternal and pastoral planning.
- §2. Both initial and continuing formation are to be priorities in new missionary presences. Attention is therefore to be given to vocation promotion and to planning for the preparation of formators in collaboration with the other Provinces, Custodies, and Delegations of the Conference or Federation.
- §3. Friars who are from the new missionary presence are to be prepared to assume roles of responsibility and government.

128.

- §1. It is the responsibility of the Province, possibly in collaboration with other Provinces and Custodies, to plan a new mission presence *ad gentes*; to accompany the growth of the new presence through to its effec-



tive autonomy; to provide for the preparation of formators; and to ensure the sending of friars and economic assistance.

- §2. Provinces are to collaborate with one another in opening new missionary presences, offering both friars and financial solidarity and fostering various types of twinning.
- §3. Such collaboration is to be coordinated by the Order and/or by the Conferences and Federations.
- §4. The General Secretariat for Mission Promotion, which assists the Minister General and his Definitory in all things regarding *missio ad gentes* and *implantatio Ordinis*, is to promote and foster a missionary spirit in the Order and collaborate with provincial and custodial mission promoters.
- §5. The activity of the General Secretariat for Mission Promotion is governed by a special statute.



CHAPTER FIVE

The Formation of the Friars



Spiritual Introduction

[a]

“Day by day the blessed father Francis was being filled with the consolation and the grace of the Holy Spirit, and, with all vigilance and concern, he was forming his new sons with new instruction, teaching them to walk with steady steps the way of holy poverty and blessed simplicity.”²⁵⁶

[b]

In St. Francis’s view the goal of formation is to lead the friars to live the Gospel: “The Rule and Life of the Lesser Brothers is this: to observe the Holy Gospel of Our Lord Jesus Christ”²⁵⁷ and to follow in His footsteps.²⁵⁸ “Therefore, all my brothers, let us be very much on our guard that ... we do not lose or take our mind away from God.”²⁵⁹

[c]

From the very beginning of the Order our Seraphic Father stated the premises and principles of the various stages of formation: “If anyone, wishing by divine inspiration to ac-

²⁵⁶ 1C, 26.

²⁵⁷ LR, 1: 1.

²⁵⁸ cf. ER, 1: 1.

²⁵⁹ *Ibid.*, 22: 25.



cept this life, comes to our brothers, let him be received by them with kindness. If he is determined to accept our life, let the brothers ... present him to their minister as quickly as possible. On his part, let the minister receive him with kindness, encourage him and diligently explain the tenor of our life to him. When this has been done ... the minister may give him the clothes of probation for a year. ... When the year and term of probation has ended, he may be received into obedience. After this it will be unlawful for him to 'wander outside obedience.' ... No one may be received contrary to the rite and practice of the Holy Church."²⁶⁰

[d]

The friars are to pray untiringly for vocations to the Order, since it is the Lord who gives vocation²⁶¹ and they know they have received a charism that is both humanly and spiritually rich and very useful to the Church. They cooperate actively with the Lord's grace by offering a meaningful Gospel witness.

[e]

During their entire time of probation, those admitted to the Order are to commit "to follow the teaching and footprints of our Lord Jesus Christ, Who says: 'If you wish to

²⁶⁰ *Ibid.*, 2: 1-12.

²⁶¹ cf. Test, 14.



be perfect, go, sell everything you have and give it to the poor, and you will have treasure in heaven”²⁶²; and “If anyone wishes to come after me, let him deny himself and take up his cross and follow me.” Similarly, “If anyone wishes to come to me and does not hate father and mother and wife and children and brothers and sisters, and even his own life, he cannot be my disciple.”²⁶² At the same time, the candidates should be trained to lead what blessed Francis called the life of the lesser brothers, so that “his followers might learn from this very name that they had come to the school of the humble Christ to learn humility.”²⁶³

[f]

After the time of probation, those received to obedience promise, through the observance of the evangelical counsels, to follow the example of the Lord, who says: “Everyone who has left father or mother, brother or sisters, wife or children, houses or lands because of me, will receive a hundredfold and will possess eternal life.”²⁶⁴

[g]

Calling to mind St. Francis’s exhortation “Let us begin, brothers, to serve the Lord God, for up until now we have

²⁶² ER, 1: 1-4.

²⁶³ LMj, 6: 5.

²⁶⁴ ER, 1: 5.



done little or nothing,”²⁶⁵ all the friars are to commit to continuing formation, which is to last a lifetime.

[h]

Friars in initial formation, docile to divine grace, with a generous sense of commitment, and with the help of formation directors and other friars of the fraternity, are to grow in the spirit of humility, simplicity, obedience, charity, and the desire to expropriate themselves totally in order to follow Christ.²⁶⁶

[i]

Let the friars carefully ponder the following words of our Seraphic Father as a synthesis of formation: “In the name of the Lord! I ask all my brothers to learn and frequently call to mind the tenor and sense of what has been written in this life for the salvation of our souls. I beg God, Who is All-powerful, Three and One, to bless all who teach, learn, retain, remember, and put into practice these things, each time they repeat and do what has been written there for the salvation of our soul, and, kissing their feet, I implore everyone to love, keep, and treasure them greatly.”²⁶⁷

²⁶⁵ 1C, 103.

²⁶⁶ cf. SalV.

²⁶⁷ ER, 24: 1-3.



Title I

The Principles of Formation

129.

- §1. Formation is primarily the work of the Trinity: the Father through the Spirit fashions the attitudes of the Son in the hearts of the friars.²⁶⁸
- §2. The formation of the friars is a process that uses the means offered by the Lord, the Church, and the Order to foster the friars' growth in following and conforming to the crucified, poor, chaste, and obedient Christ; the purpose being to be of service to the fraternity and its mission.
- §3. Franciscan formation is to reach the depths of the person, such that every intention, attitude, and gesture of the friar is to be an expression of his conformity to the Lord Jesus.²⁶⁹
- §4. Life in fraternity is the principal and privileged locus for formation. Each friar is called to take part in formation with faith and perseverance according to the norms and principles outlined in Chapters II-IV of these present Constitutions. The journey of grow-

²⁶⁸ cf. VC, 66.

²⁶⁹ cf. *Ibid.*, 65.



ing in love for God and one's brothers is a formative commitment that lasts a lifetime.

- §5.** Formation is to help the friars to appropriate the fundamental values of the Franciscan charism in the Conventual tradition, and to live them in their own cultural, social, and ecclesial contexts.²⁷⁰

130.

Formation as the following of and conforming to Christ is a priority commitment of the Order. The Order is to make use of every aid so that each friar reaches a sufficient maturity and understanding of his identity as a Friar Minor Conventual, in view of the service to be offered to the Church and to society, suitable to the needs of times and places.²⁷¹

131.

- §1.** Initial formation is to take place in canonically erected houses of formation of the Order,²⁷² guided by prepared formation directors. Any manner of dual dependency of candidates coming from ecclesial

²⁷⁰ cf. CIC, canon 659, §2.

²⁷¹ cf. CIC, canons 659-661.

²⁷² cf. CIC, canon 608.



movements is to be avoided.²⁷³ Formation houses are to adopt a simple lifestyle commensurate with the social environment and culture of the surrounding area.

- §2. Vocational discernment and initial formation to Franciscan life, both by the candidate and by the Order, extends over the entire period between admission to postulancy and solemn profession.
- §3. Vocational discernment and formation for ordained ministry, both by the candidate and by the Order, extends up to ordination, as indicated by universal law.²⁷⁴
- §4. Vocational discernment and formation for other apostolates or professions are to be formulated adequately according to Provincial or Custodial Statutes.
- §5. Friars are to study in institutes or major seminaries of the Order whenever possible. They may study in other suitable institutes, and are to integrate study of Franciscan history and charism when it is not offered by the academic institutions, as indicated in the *Ratio studiorum* of the Order.
- §6. The friars are to study in institutes empowered to confer appropriate ecclesiastical and/or civil degrees,

²⁷³ cf. CICLSAL, *Potissimum institutioni*, 93 (February 2, 1990).

²⁷⁴ cf. CIC, canons 659, §3 and 1027.



following the guidelines of the local Episcopal Conference or Synod.

132.

- §1. Provincial or custodial houses of postulancy are established or suppressed by the Minister Provincial with the consent of his Definitory, with the approval of the Minister General with his Definitory.
- §2. Only the Minister General with the consent of his Definitory may, by written decree, erect, transfer, or suppress a novitiate house.
- §3. Provincial or custodial post-novitiates and major seminaries are established or suppressed by the Provincial Chapter, with the approval of the Minister General with his Definitory.
- §4. Houses of formation common to more than one Province or Custody are established by the interested Ministers and Custodes with their Definitories, always with the approval of the Minister General with his Definitory.
- §5. It is preferred that Conferences and Federations have common houses of formation. These are proposed by the same Conference or Federation with the approval of the Minister General with his Definitory.



§6. The house of formation St. Bonaventure-Seraphicum in Rome, under the immediate jurisdiction of the Minister General, is to be considered a common house of formation and study for the entire Order. This formation center offers friars the opportunity for an international experience of Conventual Franciscan formation. It becomes a place for fraternal living regarding dialogue, encounter, respect for different cultures (interculturality) and an experience of the universality of the Order.

133.

- §1.** There is to be for the entire Order a *Ratio formationis* (*Franciscan Discipleship*), periodically revised and approved by the General Chapter.
- §2.** Each Province and Custody is to have its own directory of formation, approved by the Provincial or Custodial Chapter and by the Minister General with his Definitory. A Conference or Federation directory of formation is to follow the guidelines of the Constitutions 223, §2.²⁷⁵
- §3.** Each provincial or custodial house of formation is to have its own formation guidelines, approved by the Minister or Custos with his Definitory.

²⁷⁵ cf. CIC, canon 659, §2.



§4. Each house of formation common to more than one Province or Custody is to have its own formation guidelines, approved by the interested Ministers and Custodes.

134.

§1. The Ministers, Custodes, and the other friars are to consider houses of formation the heart of the Order. They are to offer them their full assistance and support.

§2. The effectiveness of formation depends above all upon the presence of an exemplary fraternity which includes formators who are distinguished for their spirit of prayer, charity, and prudence; their understanding of the human sciences; and their capacity to accompany friars in formation by witnessing and communicating to them the values of the Franciscan charism.²⁷⁶

§3. For this reason Conferences and Federations and Provinces and Custodies are to foster the formation of formation personnel, by means of their own programs or those of other institutes and in collaboration with the General Secretariat for Formation.

²⁷⁶ cf. VC, 66.



135.

- §1. Among Ministers, Custodes, Guardians, formators, and friars in formation there is to be dialogue, collaboration, and harmony of mind and objectives; these are indispensable for the formation of the friars.
- §2. The fraternity is to offer friars in initial formation an atmosphere of generosity, fervor, harmony, and mutual support, so they may more easily grow together in the spiritual and fraternal life.²⁷⁷ Friars in initial formation are to adhere to the charism and mission of the Order, in virtue of which they will progress and persevere more firmly in their own vocation.²⁷⁸

136.

The duties and the selection criteria for individual formators, as well as their competencies and the mutual relations, are to be defined in the *Ratio formationis* of the Order (*Franciscan Discipleship*), in the respective provincial and custodial directories, and in the internal guidelines of each house of formation. Their nomination is to follow common law and the proper law of the Order.

²⁷⁷ cf. CIC, canon 652, §4.

²⁷⁸ cf. CIC, canon 652, §3.



137.

- §1. Among all formators, at all levels, fraternal cooperation is to be established, and projects to promote their own continuing formation are to be encouraged.
- §2. A formation commission is to be established for the entire Order and for each Conference and Federation and Province and Custody. The membership of these commissions and their competency are to be defined in their respective directories of formation.
- §3. The General Secretariat for Formation assists the Minister General and his Definitory in all that involves formation, according to the *Ratio formationis* (*Franciscan Discipleship*).

Title II**The Dimensions of Franciscan Formation****138.**

The pathway of formation takes into account and harmonizes²⁷⁹ all the dimensions of the human person in order to foster deeper baptismal conformity to Christ in everyday life: it is progressive, taking the dynamics of human

²⁷⁹ cf. VC, 65.



maturation into account; it is personalized, adapting to the pace of growth of each friar; it is grounded in its socio-cultural context; it is ecclesial, understood as an integral part of the Body of Christ.

139.

- §1. Franciscan formation is to be seen as a journey of progressive purification and growth in relationship with God, with others, with the self, and with creation. It fosters the maturation of the friars and the development of those virtues indispensable for fraternal life, witness, and mission.
- §2. Particular care is to be taken in formation regarding psycho-sexual maturity, which is the basis of peaceful, grounded, and transparent relationships with others.
- §3. Possible signs of immaturity are to be addressed by formators in a healthy manner in order to foster authentic growth into freedom. Proven instances of abuse are to be treated by the formators, Ministers, and Custodes according to the directives of the universal and particular Church and of the Order.
- §4. From the very beginning friars in formation are to become accustomed to both manual and intellectu-



al labor, and to learn to see their lives as both gift and service.

- §5. From the very beginning formators are to guide friars in formation to recognize and develop their own talents and to place them at the service of the fraternity.

140.

- §1. Recognizing that the first and foremost duty of friars in formation is to come to know Christ and to be in relationship with Him,²⁸⁰ formators are to take particular care to deepen the Christian life of the friars in formation, guiding them to draw near to Christ and to be conformed to Him.
- §2. The celebration of the most Holy Eucharist is to be the center of the entire life of the house of formation. The friars in formation are to be nourished daily from both the table of the Word of God and that of the Eucharist, drawing from these sources the strength needed for their spiritual lives and for mission.²⁸¹
- §3. The friars are to be formed in the spirit of the liturgy and particularly in the celebration of the Liturgy of

²⁸⁰ cf. CIC, canon 663, §1.

²⁸¹ cf. CIC, canons, 246, §1 and 663, §2, and CCEO, canons 346, §2, 2 and 538, §2.



the Hours, in which they praise and invoke the Lord with the Church on behalf of all the people of God.²⁸²

- §4. Friars in formation are to be helped to develop a spirit of penitence and continuing conversion and to practice asceticism, self-offering, and the corporal and spiritual works of mercy.
- §5. Friars in formation are to be educated to accept through the eyes of the Risen Christ the realities of evil and sin in their own lives and in that of others. They are to learn to experience that forgiveness both given and received²⁸³ is the only decisive and indispensable remedy. For this reason they are to become accustomed to approach the Sacrament of Penance frequently. Each one is also to have a director for his spiritual life, chosen according to the indications of the Church, to whom he can open his conscience with confidence.²⁸⁴
- §6. All friars are to be formed in view of mission. Those who, after careful discernment with their formators, are called to ordained ministry are to be helped to discover the unity of formation to religious life and to ministerial life, including by means of a gradual insertion into pastoral practice.

²⁸² cf. CIC, canon 246, §2 and CCEO, canon 346, §2, 3.

²⁸³ cf. LtMin, 7-10.

²⁸⁴ cf. CIC, canon 246, §4 and CCEO, canon 346, §2, 4.



§7. All the friars in formation are to venerate the most Blessed Virgin Mary Immaculate at all times and to establish an intimate communion of life with her, mindful of the Franciscan tradition and of the Kolbeian heritage.

141.

- §1. Formators are to impart with care the charism of the Order, explaining to friars in formation the spiritual principles of Franciscan life and the meaning of religious profession from theological, ecclesial, Franciscan, and canonical perspectives.
- §2. Friars in formation are to be guided into living the fraternal life at the local level, at the provincial or custodial level, and at the Order-wide level by means of the witness and experience of daily life.
- §3. Friars in formation are to be led to embrace a Gospel lifestyle in a spirit of *minoritas*, simplicity, and moderation, understood as following Christ the Servant and in nearness to the poor and humble around them.
- §4. The meaning of a Conventual style of life is also to be cultivated among the friars in formation, understood as an active and co-responsible fraternity dedicated to both contemplation and mission.
- §5. Friars in formation are to study and take to heart the Rule, the Constitutions, Franciscan sources, and the



nature and history of the Order, so that they understand always more profoundly the spirit of our Seraphic Father and become his faithful followers.

Title III

Vocation Promotion

142.

- §1. With grateful hearts all friars should rejoice in response to the singular grace of their calling to the Conventual Franciscan life. They are to show enthusiasm for the gift they have received, mindful that the most effective vocation promotion is the attractive quality of their own joyful witness.²⁸⁵
- §2. All friars are to promote and foster vocations for the whole Church and for the Order through ceaseless and trusting prayer to the Master of the harvest.²⁸⁶
- §3. The friars are to accompany those who feel called to the Conventual Franciscan life by means of effective discernment, spiritual direction,²⁸⁷ sharing Scripture together, prayer, fraternal dialogue, and the in-

²⁸⁵ cf. PC, 24 and Pope Francis, Apostolic Letter for the Year of Consecrated Life, II, 1.

²⁸⁶ cf. Matthew 9: 37-38.

²⁸⁷ cf. VC, 64.



vation to come and see²⁸⁸ the fraternity's life and mission.

- §4.** Each Province and Custody is to take particular care of youth ministry and vocation promotion, choosing capable friars and appropriate means and following provincial and custodial guidelines for youth ministry.
- §5.** They are to undertake vocation promotional initiatives in cooperation with the local Church and with the entire Franciscan family.

143.

The stirrings of a vocation in young men are to be nurtured diligently, both those who are educated inside or outside the Order and those who come to our shrines and churches.

144.

Provinces and Custodies are to have a recruitment program and specific formational guidelines for those whom God has called to religious life at an older age.

145.

- §1.** Provinces and Custodies may, if their respective Chapters so deem and with the consent of the Min-

²⁸⁸ cf. John 1: 39.



ister General and his Definitory, establish a minor seminary wherein the stirrings of a Franciscan vocation may be nurtured.²⁸⁹

- §2. Students discerning their vocation in minor seminaries of the Order are to lead a life consonant with their age, spiritual growth, stage of development, and the norms of sound psychology. Their life excludes neither suitable human experiences nor relationships with their own families.²⁹⁰
- §3. In these seminaries the course of studies is to be so organized in accordance with local law and custom that the candidates who may then choose another way of life can pursue their education elsewhere without inconvenience.
- §4. Provinces and Custodies may, as necessary, establish a pre-postulancy for those in vocational discernment.

Title IV

Postulancy

146.

- §1. Postulancy is the stage of formation in which candidates undertake their initial discernment of voca-

²⁸⁹ cf. OT, 3.

²⁹⁰ *Ibid.*



tion. During this time they are to be helped to mature in their faith through continued catechesis and be guided in their reading of the Word of God, their liturgical life, their sacramental life, and their personal prayer. They are to learn about and be challenged by the ideals of St. Francis and Franciscanism; have a concrete experience of fraternity;²⁹¹ and begin to engage in some form of pastoral or charitable activity.

- §2. Postulancy is to last at least one year, as established in Provincial and Custodial Statutes. In certain cases it may be prolonged at the discretion of the respective Minister or Custos.²⁹² During this period the fraternity and the postulants can come to know one another better.

147.

- §1. Admission to postulancy is open to any Catholic male who possesses all the the qualities required by universal law and the law of the Order, and who is not prevented by any impediment,²⁹³ who is sufficiently mature and willing to deepen his own discernment of the vocation to religious life and the conditions re-

²⁹¹ cf. VC, 67.

²⁹² cf. CICLSAL, *Potissimum institutioni*, 43 (February 2, 1990).

²⁹³ cf. CIC, canons 597, §§ 1-2 and 643 and CCEO, canons 517-518.



quired for it. He must freely submit a request in writing. The Minister or Custos is then to evaluate, if necessary in consultation with experts, the maturity of the candidate and whether he possesses the signs and qualities of a true vocation to communal fraternal life.

§2. In each postulant the following are required: a right intention; freedom of choice; good physical and psychic health, determined if necessary with the aid of experts;²⁹⁴ an adequate intellectual, moral, and spiritual formation; and the ability to live the fraternal life and mission of the Order.

148.

Provincial and Custodial Statutes are to determine what testimonials and documents are to be presented for each candidate and the minimum age for entry into postulancy and novitiate, with due attention to the norms of universal law²⁹⁵ and any local requirements. Admission to postulancy is reserved directly to the Minister or Custos or to his delegate.

149.

The postulant upon his admission is to declare in a written, signed, dated, and legally binding document that

²⁹⁴ cf. CIC, canon 642 and CCEO, canon 519.

²⁹⁵ cf. CIC, canons 643, § 1 and 645, §§ 1-2 and CCEO, canon 517.



during his time in the Order, whatever work he will do is done freely and without expectation of recompense. If then he leaves the formation process he will in no way be able to request anything for such labor.

150.

The Director of Postulancy, having consulted his collaborators and considered the previous reports, is to present a written evaluation and recommendation for each postulant to his respective Minister or Custos, whose right it is, with the consent of his Definitory, to admit that postulant to novitiate.

Title V

Novitiate

151.

Novitiate, with which one begins life in the Order,²⁹⁶ is a time of more intense vocational discernment and formation in which, guided by the Novice Master, the novice is prepared for religious profession. During novitiate the novice is to deepen his personal relationship with Jesus Christ and to value consecrated life and the vows. He

²⁹⁶ cf. CIC, canon 646.



is to strengthen his understanding of and commitment to the Franciscan charism by means of study of the Rule and writings of St. Francis, of Franciscan sources, and of the Constitutions and General Statutes of the Order. He is to have experiences of prayer, interior silence, fraternity, self-emptying, work, and humble service to the poor in the style of the Order.²⁹⁷

152.

Admission to the Order occurs by reception into the novitiate in a Province or Custody by the respective Minister or Custos with the consent of his Definitory obtained by secret ballot.

153.

§1. A postulant belonging to an Eastern Church *sui iuris* cannot be admitted into novitiate licitly without permission of the Roman Apostolic See, unless that postulant is destined for a Province or house of that proper Church.²⁹⁸

§2. Even after such a friar is admitted to novitiate, he remains a member of the other *sui iuris* Church. He

²⁹⁷ cf. CIC, canon 652.

²⁹⁸ cf. CCEO, canon 517, §2.



is to foster knowledge of and esteem for his proper rite, and as much as possible he is to participate in the liturgy and spiritual patrimony of that Church.²⁹⁹

- §3. Friars who because of office, ministry, or duty have frequent contact with the lay faithful of another *sui iuris* Church are to be formed to have an accurate understanding of the rite of that Church, depending upon the importance of the office, ministry, or duty they fulfill.³⁰⁰

154.

- §1. The beginning of the novitiate is to be a public act. It is to be conducted according to the ritual of the Order, Provincial Statutes, and the guidelines of interprovincial formation houses if these have been established, and recorded in a book for this purpose.
- §2. After the postulants have been received into the Order they are to make a twelve-month novitiate in a Friary duly designated for this purpose.
- §3. The Minister or Custos of the Province or Custody in which the novitiate is located can permit the group

²⁹⁹ cf. CCEO, canon 40, §2.

³⁰⁰ cf. *Ibid.*, 54.



of novices to live for a period of time in another Friary of the Order designated by him.

- §4.** In particular cases and as an exception the Minister General with the consent of his Definitory may allow someone to make his novitiate validly in another Friary of the Order under the guidance of an approved friar.

155.

- §1.** With due regard for the prescriptions of Constitutions 154, §3 and canons 647-649, an absence from the novitiate house of more than three months, either continuous or interrupted, renders the novitiate invalid. An absence of more than fifteen days must be made up.
- §2.** The Minister or Custos can allow first profession to be made outside the novitiate and to be anticipated for a just reason, but not by more than fifteen days.
- §3.** The Minister or Custos or the Guardian of the novitiate or their delegate may admit to profession a novice who is in danger of dying. Should he recover, however, his profession will be considered annulled.
- §4.** If the Minister or Custos has some doubt regarding the suitability of a novice, after having consulted the



formators he may prolong the period of probation, but by no more than six months.³⁰¹

156.

- §1. Under the guidance of a master and pursuant to the norms of law,³⁰² the novices, continuing the progress made in postulancy, are to live their life consonant with the life they will live as professed religious.
- §2. During the period of the novitiate, novices are not permitted to undertake studies directed toward the obtaining of diplomas or for professional training required for the exercise of any office.
- §3. Although some separation of the novices is required, they may, according to the prudent judgment of their master, retain suitable contact with their families, other friars, and other persons.
- §4. The Master of Novices is responsible for the life and activity of the novitiate. He is to inform the Friary Chapter regarding the progress of the novitiate program.

³⁰¹ cf. CIC, canon 653, §2 and CCEO, canon 525, §1.

³⁰² cf. CIC, canons 650, §2 and 651, and CCEO, canon 524.



157.

- §1. Admission to temporary profession is reserved to the respective Minister or Custos, with the consent of his Definitory, who is competent to receive them into the Order pursuant to Constitutions 152, with due observance of the norms of canon 656.
- §2. The Minister General, after receiving the decision of the Minister or Custos with the consent of his Definitory, may admit friars to profession on his own authority with due observance of the norms of law.
- §3. At the end of the novitiate the novice is to submit a written request to his own Minister or Custos for admission to profession.

158.

- §1. The Novice Master, after consulting with his assistants and studying prior reports, is to present his evaluation and recommendation concerning each novice to the proper Minister or Custos whose right it is, with the consent of his Definitory, to admit the novice to profession.
- §2. The same Minister or Custos, however, either in person or through a delegate, is to inquire into the inten-



tions and the suitability of the novices and also solicit the views of the other friars of the Friary.

- §3.** If the novice is residing outside his Province, the Minister or Custos of the place is to receive the written report and recommendation of the Novice Master (cf. §1). He is to send the documents, along with his own recommendation, to the novice's own Minister or Custos to whom, with the consent of his Definitory, the deliberative vote is always reserved.

159.

Only the Minister General, with the consent of his Definitory, may re-admit a novice who has left the Order legitimately after completing the novitiate or after profession and requests to re-enter. It is for the same Minister General, before a novice's temporary profession, to determine a suitable probationary period, even without the obligation of repeating the novitiate. The Minister General is also responsible for determining, in accord with the rule of law,³⁰³ the time for making vows prior to solemn profession, according to Constitutions 131, §2 and 161.

³⁰³ cf. CIC, canons 655 and 690, §1.



160.

§1. The Minister or Custos or his delegate is to receive temporary profession according to the ritual of the Order. The act of profession is to be recorded in the register of professions.

§2. The formula of religious profession is the following:

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

161.

Unless the Provincial or Custodial Statutes determine otherwise, vows made at the end of the novitiate are tak-



en for a period of three years; if necessary they may be renewed as occasion offers until solemn profession.

Title VI

Post-novitiate

162.

The post-novitiate is the stage of formation in which the friar prepares himself for solemn profession, at which he is definitively consecrated to God and dedicated to his brothers. During this time he consolidates his following of Christ and perfects his human, spiritual, socio-cultural, theological, professional, pastoral, and Franciscan formation. He is to live his religious consecration and the vows in a committed and coherent manner. He is to continue to test his vocation and to deepen his sense of Franciscan charism and mission. He is to grow ever more active and responsible in fraternal life and to engage in charitable and pastoral activity.³⁰⁴

163.

Friars in temporary vows are bound by the same obligation as the solemnly professed to observe the Rule and the Con-

³⁰⁴ cf. CIC, canon 659.



stitutions, although they do not enjoy active and passive voice. They likewise share in all the graces of the Order as do the solemnly professed. The post-novitiate directory is to specify how they might participate in Friary Chapters.

164.

- §1. The Minister General with the consent of his Definitory is competent to grant an indult to leave to a friar in temporary vows, who for a grave reason asks to leave the Order. Unless the indult is rejected by the friar in question, in the act of notification the indult brings with it by law a dispensation from vows and from all obligations arising from profession.³⁰⁵
- §2. Ministers and Custodes are not to defer to a later date the decision to dismiss from the Order a friar found to be unsuitable.³⁰⁶ If just causes are present, including that of illness contracted after profession (in the judgment of specialists),³⁰⁷ such a friar may be excluded from subsequent profession by the above-mentioned Ministers or Custodes in consultation with their Definitories when temporary profession has expired.

³⁰⁵ cf. CIC, canons 688, §2 and 692, and CCEO, canons 546, §2 and 549, §3.

³⁰⁶ cf. CIC, canons 696, §§1-2, and CCEO, canons 551-552.

³⁰⁷ cf. CIC, canon 689 and CCEO, canon 547.



165.

- §1. The friar making his solemn profession must have reached the degree of spiritual maturity required, so that the religious state to which he knowingly is committing himself in a stable and certain fashion may really be for him a means of undertaking an authentic following of Christ.
- §2. Ministers and Custodes, with the consent of their Definitory and having consulted the formators, may extend the period of temporary profession, but not beyond nine years.³⁰⁸
- §3. Solemn profession, whereby a friar is consecrated to God forever and definitively incorporated into the Order, is to be preceded by an immediate preparation of at least one month so that it can be considered a second novitiate according to the Statutes.
- §4. Prior to solemn profession, the candidate is to submit a written request to his own Minister or Custos for admission to profession, in which he knowingly and freely expresses his reasons for doing so.

³⁰⁸

cf. CIC, canon 657, §2 and CCEO, canon 526, §2.



166.

- §1. Admission to solemn profession is reserved to the respective Minister or Custos with the consent of his Definitory, pursuant to Constitutions 152 with due observance of the norms of canon 658.
- §2. The Minister, Custos, or his delegate is to receive solemn profession according to the ritual of the Order. It may be anticipated for a just cause, but not by more than three months.³⁰⁹ The act of profession is to be recorded in the register of professions and communicated to the pastor of the place of Baptism of the professed friar.³¹⁰

167.

- §1. Only the Minister General, with the consent of his Definitory can allow a friar in solemn vows to transfer to another religious institute, or can admit to the Order a religious in perpetual vows coming from another institute, with the permission of the supreme moderator of that institute and the consent of his council.³¹¹

³⁰⁹ cf. CIC, canon 657, §3 and CCEO, canon 532.

³¹⁰ cf. CIC, canon 535, §2 and CCEO, canon 296, §2.

³¹¹ cf. CIC, canon 684, §1 and CCEO, canon 544, §1.



- §2. For the transfer to the Order of a member of a secular institute, of a society of apostolic life, or of a religious institute of another *sui juris* Church,³¹² permission of the Holy See is required and its decisions are to be observed.³¹³
- §3. In these cases whatever is prescribed regarding testimonials, the time of probation prior to solemn profession, and the requirements for its validity is to be observed.³¹⁴
- §4. The time of probation is to last at least three years, the first of which, comparable to the novitiate, is to be spent under the guidance of an approved friar. When the period of probation is over, the religious either makes solemn profession or, if he refuses to do so or is not admitted to profession by competent authority, he is to return to his own institute.³¹⁵

168.

- §1. Friars in post-novitiate are to be formed in the Franciscan school of theology, philosophy, and spirituality. In situations where the philosophical-theological

³¹² cf. CCEO, canon 544, §3.

³¹³ cf. CIC, canon 684, §5 and CCEO, canon 544, §§3-4.

³¹⁴ cf. CIC, canon 645, §§2-4 and CCEO, canons 517 and 519.

³¹⁵ cf. CIC, canon 684, §4 and CCEO, canon 545, §§1-2.



course of studies does not include adequate Franciscan formation, complementary courses are to be organized by the singular Provinces and Custodies or by the Conferences and Federations of the Order; see above, Constitutions 131, §5. Wherever possible this is to be done in collaboration with other First Order friars.

- §2.** Friars in post-novitiate are to be helped by their formators to live a simple style of life that reflects the charism of the Order. They are to be taught to live with and for the poor, and to embrace the values of justice, peace, the integrity of creation, and the “spirit of Assisi.”
- §3.** Friars in post-novitiate are to be formed in mission in all its dimensions, and to work with the Secular Franciscan Order and with the Militia of Mary Immaculate.

169.

Friars in post-novitiate are to receive that professional and pastoral formation which is suitable both to the spiritual maturity of their vocation and to the special needs of work and mission.³¹⁶

³¹⁶ cf. CIC, canon 660.



170.

Ministers and Custodes are to discern with friars in post-novitiate their training for other sciences, the arts, and/or professions, based upon their own particular skills and the needs of the Province or Custody.

171.

Friars who after careful discernment with their formators and their Minister or Custos are called to ordained ministry are to be prepared adequately in philosophical and theological programs according to ecclesiastical norms.³¹⁷

172.

Friars who intend to be instituted as lectors or acolytes are to make a written request to their Minister or Custos who, according to the norms of law, is competent to admit them to these ministries.³¹⁸ They are to be properly prepared in line with the directives of the local Episcopal Conference.

³¹⁷ cf. CIC, canon 659, §3.

³¹⁸ cf. CIC, canon 1035, §1.



173.

- §1.** A candidate for ordained ministry is to be solemnly professed and must submit a written petition to his Minister or Custos.³¹⁹ Upon completion of his course of studies and before being admitted to the presbyterate³²⁰ a deacon must exercise his diaconal ministry for a suitable period of time to be defined by the directives of the local Episcopal Conference.
- §2.** Admission to sacred orders is the right of the respective Minister or Custos with the consent of his Definitory. He first requires a report on the suitability of the candidate from the formators and, at least before ordination to the diaconate, is to have heard the views of each friar of the local fraternity of the candidate.
- §3.** If the candidate is from another Province or Custody, the Minister or Custos of the place asks for a recommendation on the suitability of the candidate from the formators, and proceeds to listen to each friar of the local fraternity (cf. §2). He then sends the documents, along with his own recommendation, to the candidate's own Minister or Custos whom, with the consent of his Definitory, the admission to sacred orders is reserved.

³¹⁹ cf. CIC, canon 1036.

³²⁰ cf. CIC, canon 1032, §2 and CCEO, canon 758, §1, 4.



§4. Prior to proceeding to a vote on admission and to issuing any dismissorial letters the Minister or Custos is to submit all information to his Definitory and obtain its consent.³²¹

174.

A testimonial of any orders received is to be sent as soon as possible to the Minister or Custos of the ordained friar's home Province or Custody, to be recorded in the register of ordinations and kept in the archives together with the other documents pertaining to the friar. A testimonial of ordination to the diaconate and presbyterate is also to be sent to the parish of Baptism of the ordained friar.³²²

175.

§1. In those places where Episcopal Conferences have introduced the permanent diaconate, Provincial and Custodial Statutes are to determine the norms of admission of a friar to that order, in accordance with the norms of universal law.³²³

³²¹ cf. CIC, canon 1019, §1.

³²² cf. CIC, canons 535, §2 and 1054, and CCEO, canons 296, §2 and 775.

³²³ cf. CIC, canons 236; 1031, §§2-3; 1032, §3, and CCEO, canons 354 and 760, §2.



§2. For the admission of a permanent deacon to the presbyterate the prescriptions of universal law and the norms of the local Episcopal Conference are to be observed.

Title VII

Continuing Formation

176.

The fundamental goal of continuing formation is the renewal of the Gospel life of the friars and of the Order,³²⁴ in order to be better conformed to Christ and to respond with courage and creativity to contemporary challenges in openness to the promptings of the Spirit.

177.

§1. Since the transition from initial to continuing formation is of particular importance in the life of a friar, Ministers, Custodes, and Guardians are to take great care regarding a first assignment into local fraternity and mission. They are to create the right conditions that make this assignment fruitful and positive.

³²⁴ cf. PC, 18; VC, 69; and CIC, canon 661.



§2. General, Provincial, and Custodial Statutes are to establish suitable programs to foster this transition.

178.

§1. Conferences and Federations and individual Provinces and Custodies are to foster continuing formation both by organizing their own programs and by providing adequate support for the friars' continuing formation.

§2. Conferences and Federations in collaboration with the General Secretariat for Formation are to foster and organize continuing formation experiences which may also be intercultural.

§3. Conferences and Federations are to promote and organize as needed continuing formation experiences for all friars; for friars at different stages of their lives; and for those engaged in particular activities or apostolates.

§4. Provincial and Custodial Statutes are to establish the program and the methodology of continuing formation for each Province and Custody.

179.

With a view toward the needs of the Order, the Conferences and Federations, and individual Provinces and Cus-



todies, and considering the particular capability of each friar, the Ministers and Custodes are to see that the friars, either in their home nations or abroad, undertake advanced studies in Franciscanism, in the ecclesiastical sciences, or in technical and professional fields, in order to obtain the respective ecclesiastical or civil degrees.

180.

Bearing in mind the multicultural nature of the Order and the particular capabilities of each friar, the Ministers and Custodes are to accede to requests from the friars for fraternal and pastoral experiences in Provinces or Custodies other than their own.

181.

- §1. Chapters, Ministers, Custodes, and Guardians are to see that the friars have adequate means at their disposal for their spiritual growth and for staying current with cultural change.
- §2. The Minister or Custos, with the consent of his Definitory, may grant to the friars who reasonably request it a period of sabbatical. Sabbatical policies are to be determined in Provincial and Custodial Statutes.



CHAPTER SIX

The Government of the Order



Spiritual Introduction

[a]

The friars find the source of all authority in God Three and One:

- The Father, to whom St. Francis addressed this prayer: “Almighty, eternal, just and merciful God, give us miserable ones the grace to do for You alone what we know You want us to do and always to desire what pleases You. Inwardly cleansed, interiorly enlightened and inflamed by the fire of the Holy Spirit, may we be able to follow in the footstep of Your beloved Son, our Lord Jesus Christ”;³²⁵
- The Son, of whom the Seraphic Father said: “Now that we have left the world, ... we have nothing else to do but to follow the will of the Lord and to please Him.”³²⁶ His Gospel is the form of life and the highest norm for the friars: “Let us, therefore, hold onto the words, the life, the teaching and the Holy Gospel of Him Who humbled Himself to beg His Father for us”;³²⁷

³²⁵ LtOrd, 50-51.

³²⁶ ER, 22: 9.

³²⁷ *Ibid.*, 22: 41.



- The Holy Spirit, whom St. Francis presented as the guide of the friars in following Christ. The Holy Spirit is “the general minister of the religion”;³²⁸ the friars are above all else “to have the Spirit of the Lord and Its holy activity.”³²⁹

[b]

Pope Honorius III confirmed and ratified the Rule of St. Francis by his apostolic authority in 1223. The Church by her Magisterium has always exercised and continues to exercise directly her authority upon the friars but has delegated to the authorities of the Order a share in her supreme jurisdiction.

[c]

The friars in positions of authority are to exercise it in the spirit of our Founder: “Let the ministers ... receive [the friars] charitably and kindly and have such familiarity with them that these same brothers may speak and deal with them as masters with their servants, for so it must be that the ministers are the servants of all the brothers.”³³⁰ “Let those who are placed over others boast about that position as much as they would if they were assigned the

³²⁸ 2C, 193.

³²⁹ LR, 10: 8.

³³⁰ *Ibid.*, 10: 5-6.



duty of washing the feet of their brothers.”³³¹ Every minister is to “have and show mercy to each of his brothers as he would want them to do to him were he in a similar position.”³³²

[d]

The friars are to “remember that for God’s sake, they have renounced their own wills.” “Therefore,” said St. Francis, “I strictly command them to obey their ministers in everything they have promised the Lord to observe and which is not against their soul or our Rule.”³³³

[e]

Our Seraphic Father himself, in replying to the question of a certain friar as related by Thomas of Celano, described what kind of a man the Minister General of this family should be: “He must be a very dignified person, of great discernment, and of praiseworthy reputation. He must be without personal favorites, lest by loving some more than others, he create scandal for all. He must be a committed friend of holy prayer. ... He must be someone who does not create sordid favoritism toward persons, but will take as much care of the lesser and sim-

³³¹ Adm, 4: 2.

³³² 2LtF, 43.

³³³ LR, 10: 2-3.



ple brothers as of the learned and greater ones. Even if he should be allowed to excel in gifts of learning, he should all the more bear in his behavior the image of holy simplicity, and nourish this virtue. He should loathe money, the principal corrupter of our profession and perfection. ... Let him be someone who comforts the afflicted, and the final refuge of the distressed, so that the sickness of despair does not overcome the sick because he did not offer healing remedies. In order to bend rebels to meekness, let him lower himself, let go of some of his rights that he might gain a soul for Christ. As for runaways from the Order, let him not close a heart of mercy to them, for they are like lost sheep; and he knows how overpowering the temptations can be which can push someone to such a fall. I would want all to honor him as standing in Christ's place, and I wish that all his needs be provided for with every kindness. He should not enjoy honors, or delight in approval more than insults. ... Finally, he must be one who would never allow the desire for preserving honor to weaken the strong figure of justice, and he must feel such a great office more a burden than an honor. And yet, excessive meekness should not give birth to slackness, nor loose indulgence to a breaking down of discipline, so that, loved by all, he is feared, nonetheless, by those who work evil."³³⁴

³³⁴

2C, 185-186.



[f]

Regarding the co-workers of the Minister General, Blessed Francis affirmed: “I would like him to have companions endowed with honesty, who, like him, show themselves an example of all good works: stern against pleasures, strong against difficulties, and yet friendly in the right way, so that they receive all who come to them with holy cheerfulness.”³³⁵

[g]

The Seraphic Father wanted the Ministers Provincial—this holds true as well for Custodes—“to be friendly to the lesser ones, and peaceful and kind so that those who committed faults would not be afraid to entrust themselves to their affection. He wanted them to be moderate in commanding, gracious when offended, more willing to bear injuries than to inflict them; enemies of vice but healers of the vice-ridden. In short, he wanted them to be men whose life would be a mirror of discipline for others.”³³⁶

[h]

“In the name of the Lord! Let all the brothers who have been designated the ministers and servants of the other

³³⁵ *Ibid.*, 186.

³³⁶ *Ibid.*, 187.



brothers assign their brothers in the provinces and places where they may be, and let them frequently visit, admonish and encourage them spiritually. ... Let the ministers and servants remember what the Lord says: 'I have not come to be served, but to serve'; and because the care of the brothers' souls has been entrusted to them, if anything is lost on account of their fault or bad example, they will have to render an account before the Lord Jesus Christ on the day of judgment."³³⁷

[i]

In the view of St. Francis the Chapters of the friars enjoyed the highest importance in conducting the government of the Order. As St. Bonaventure wrote: "With the passing of time when the number of brothers had increased, the watchful shepherd began to summon them to a general chapter ... to allot to each a portion of obedience."³³⁸ He would address the friars gathered in Chapters by letter, so that the friars might arrange all matters to promote regular observance in the whole Order: "Listen, sons of the Lord and my brothers, pay attention to my words. Incline the ear of your heart and obey the voice of the Son of God. Observe His commands with your whole heart and fulfill His counsels with a perfect mind.

³³⁷ ER, 4: 1-2, 6.

³³⁸ LMj, 4: 10.



Give praise to Him because He is good; exalt Him by your deeds; for this reason He has sent you into the whole world: that you may bear witness to His voice in word and deed and bring everyone to know that there is no one who is all-powerful except Him. Persevere in discipline and holy obedience and, with a good and firm purpose, fulfill what you have promised Him.”³³⁹

[j]

“Because he could not be physically present at the provincial chapters, he was present in spirit through his solicitous care for governing, fervor of prayer, and effectiveness of blessing”³⁴⁰ so that these Chapters would strive to treat responsibly “of those things that pertain to God.”³⁴¹ The early and then the later Constitutions of the Order assigned the duty of promoting the government of each fraternity in the Order and in the Provinces as well to the Friary Chapters.

³³⁹ LtOrd, 5-10.

³⁴⁰ LMj, 4: 10.

³⁴¹ ER, 18: 1.



Title I

The Service of Authority in the Order

182.

The service of authority in the Order is exercised in Chapters and by the Ministers, Custodes, and Guardians. The purpose of this service is to order and guide correctly the life and mission of the fraternity.

183.

- §1. Supreme authority in the whole Order resides in and is exercised by the General Chapter, eminent sign of unity and fraternal communion.³⁴²
- §2. The chief authority in each Province and in its Custodies resides in and is exercised by the Provincial Chapter.³⁴³
- §3. In a General Custody the chief authority resides in its own Chapter and is exercised according to the norms of the General Statutes.
- §4. The authority of the Friary Chapter is determined by the norms of the Constitutions and by General and Provincial Statutes.

³⁴² cf. CIC, canon 631, §1.

³⁴³ cf. CIC, canon 632.



184.

- §1. The Ministers, Custodes, and Guardians of the Order are to exercise authority according to the norms of universal law and those of our Order.³⁴⁴ They enjoy the power of ecclesiastical governance both for the internal and external forum.³⁴⁵ Before taking office they are obliged to make a profession of faith and an oath of fidelity before the Chapter or, as the case may be, before the Major Superior.³⁴⁶
- §2. Major Superiors, who go by the title of Ordinary in our Constitutions, are: the Minister General for the entire Order; the Minister Provincial for his Province; and the General and Provincial Custodes for their respective Custody; likewise, the Vicars of the above in the exercise of their office according to Constitutions 194, §3.³⁴⁷

185.

- §1. When according to the norm of universal law a Minister, Custos, or Guardian needs consent or

³⁴⁴ cf. CIC, canons 596, §2 and 129, §1, and CCEO, canons 511, §2 and 979, §1.

³⁴⁵ cf. CIC, canon 274, §1 and CCEO, canon 371, §1.

³⁴⁶ cf. CIC, canon 833, §8, and the *motu proprio* “Ad tuendam fidem,” May 18, 1998.

³⁴⁷ cf. CIC, canons 134, §1 and 620.



counsel, his action is invalid if for any reason he failed to seek such consent or counsel, or, should consent be required, if he acts contrary to the consent given.³⁴⁸

- §2.** Consent and counsel are to be sought in joint meetings unless the General Statutes state otherwise for cases in which counsel alone is required. In every case, however, a written record must show that counsel or consent was properly sought and obtained.

186.

- §1.** The Chapter and the Definitory are to fulfill their roles faithfully, and each in its own way is to express the concern and participation of all the friars for the welfare of the entire fraternity.
- §2.** Matters that rightly belong to the Chapter may not be remanded to the respective Definitory for solution except for a grave reason to be verified by a two-thirds vote of the Chapter.
- §3.** It is permissible to invite experts, including lay persons, into the Chapter or Definitory to seek their opinion.

³⁴⁸ cf. CIC, canon 127.



187.

- §1. For the validity of Chapter acts, the presence of two-thirds of the voting members is required.
- §2. A two-thirds majority is likewise required in Definitory unless it is foreseen that several voters will be impeded for more than a week and the matter is urgent, in which case an absolute majority suffices.
- §3. The consent of the absolute majority of those present is required and sufficient to expedite individual items of business unless it is expressly stated otherwise for a given case.

Title II

Offices

188.

- §1. Friars elected to an office are to accept the ministry humbly and to fulfill it faithfully and diligently in a spirit of service.
- §2. Solemnly professed Friars possessing the qualifications required by universal law and our own particular law are eligible for offices in the Order.



189.

- §1. General offices are those of Minister, Vicar, Definitor, Secretary, Procurator, and Econom.
- §2. Provincial offices are those of Minister, Vicar, Definitor, Secretary, and Econom.
- §3. Custodial offices are those of Custos, Vicar, Definitor, Secretary, and Econom.
- §4. Friary offices are those of Guardian, Vicar, and Econom of the Friary.
- §5. All other offices taken in the broad sense in these Constitutions are called duties or assignments.

190.

- §1. All general, provincial, and custodial offices are conferred in their respective Chapter through election by written ballot unless otherwise stated. When an office falls vacant outside Chapter the Vicar succeeds there-to by virtue of the law itself until new elections are held. Appointment is made to all other offices by the respective Minister with his Definitory.
- §2. Guardians are elected by the Provincial Chapter or, for just cause, outside the Chapter by the Minister Provincial with his Definitory, through balloting



with counters after proposal by the Minister Provincial. The Vicar is elected in the same manner in the Friary Chapter. Those elected to these offices are to be solemnly professed for at least two years.³⁴⁹

- §3.** Conferral of assignments is carried out by ballot with counters or by appointment, as may be determined in each instance by the Constitutions or Statutes.

191.

- §1.** In holding elections universal law and the proper law of the Order are to be observed. However, except for the prescriptions of the following paragraphs 2 and 4, a person is to be considered elected, and proclaimed as such by the presider of the electoral college, who, after the invalid votes have been subtracted, has obtained an absolute majority or who, after two inconclusive ballots, has obtained a relative majority in the third. If the result is a tie after the third ballot, the eldest person in solemn profession and then in age is to be considered elected.
- §2.** For the third and final successive election to the same office, a qualified majority, namely, two-thirds of the votes, is required and must be obtained in the first or

³⁴⁹ cf. CIC, canon 623 and CCEO, canon 513.



second ballot. The same norm regarding a qualified majority obtains also for the third and final successive institution of the Guardian to the same Friary. Care is to be taken to avoid having friars remain for too long a period in offices of governance without an interval.³⁵⁰

- §3. Election to the offices of Minister General, General Definitor, Minister Provincial, and Custos is limited to only two consecutive terms.
- §4. Five ballots are allowed for the election of the Minister General, Minister Provincial, and General Custos. After the second inconclusive ballot, candidates requiring a qualified majority lack passive voice. In the fifth ballot only the two who received the highest number of votes in the fourth ballot enjoy passive voice; if several obtain the same highest number of votes, they are all candidates; all candidates lack active voice in the fifth ballot. He is to be considered elected who receives a relative majority of the votes and, in the case of a tie, the eldest in solemn profession and then in age.
- §5. The Minister General is to be designated by canonical election according to Constitutions 191, §4. The other Ministers, Custodes, and Guardians are

³⁵⁰ cf. CIC, canon 624, §2 and CCEO, canon 514, §3.



likewise to be elected according to the norms of the Constitutions, in such wise, however, that if elected they require the confirmation of the competent Major Superior, according to law;³⁵¹ a suitable consultation should precede if they are nominated by the Superior.

192.

- §1. General offices are conferred for a six-year term; provincial, custodial, and Friary offices for a four-year term.
- §2. Assignments conferred by General Chapter are for six years. Assignments conferred by general nomination can be for a definite or indefinite time but not longer than the current six-year term; in any case these may be renewed.
- §3. Assignments conferred by Provincial or Custodial Chapter are for four years. Assignments conferred by provincial or custodial nomination can be for a definite or indefinite time but not longer than the current four-year term; in any case these may be renewed.

³⁵¹ cf. CIC, canons 179, §§1-5 and 625, §3, and CCEO, canons 959-960.



193.

- §1.** In order to foster charity and unity among the friars, Ministers and Custodes are to maintain frequent contact with their friars by means of personal dialogue, fraternal visits, correspondence, and reports on Chapter and Definitory transactions and on all matters relevant to the life of the fraternity.³⁵²
- §2.** At least once during their terms of office the Minister and the Custos, either personally or through a delegate, are to conduct a canonical visitation in the manner stipulated in the General Statutes and present a report of it at the respective ordinary Chapter.³⁵³
- §3.** In his visitation the Minister or Custos is to deal with his confreres humbly and charitably. According to the directory he attentively is to review the life and mission of the fraternity and the fulfillment of the local four-year plan and that of the Province or Custody. In the Friary Chapter he is to offer his conclusions and discuss all matters together. After a sufficient period of time has elapsed since the canonical visitation the Minister or Custos is to check upon the fraternity's progress.

³⁵² cf. CIC, canon 619.

³⁵³ cf. CIC, canon 628, §§1-3.



194.

- §1. Ministers, Custodes, and Guardians are bound by law to residence so as to be available for service to the friars.³⁵⁴
- §2. Ministers and Custodes are to keep their Vicars constantly informed about all matters of government and administration and willingly avail themselves of their assistance in ordinary matters as well.
- §3. A Minister, Custos, or Guardian about to absent himself or be impeded in the exercise of his office is to forewarn his Vicar who shall then carry on the affairs of office according to law and constantly working with the Minister, Custos, or Guardian.

195.

- §1. In the spirit of fraternal openness a friar is to resign an office conferred on him, if for the common good the Minister or Custos considers him necessary for another office.
- §2. Resignation from any office or assignment conferred by a Chapter may be accepted by the Chapter while it is in session, or outside Chapter by the Minister with

³⁵⁴ cf. CIC, canon 629.



the consent of, or together with his Definitory, as the case may require. Resignation from offices conferred in Definitory may be accepted by the Minister with the consent of his Definitory. Resignation from assignments conferred by nomination may be accepted by the nominating Minister or Custos.

- §3.** The resignation of a Minister General outside Chapter may be accepted solely by the Apostolic See. The resignation of a Minister Provincial or General Custos may be accepted by the Minister General with the consent of his Definitory. The resignation of a Provincial Custos may be accepted by the Minister Provincial with the consent of his Definitory.

196.

- §1.** No one is irremovable from an office or assignment in the Order. The friars, however, are to enjoy that stability required for the good of the friars themselves, of the Order, and of those persons entrusted to their care.
- §2.** Friars are not be removed from offices conferred for a specified time except for a grave and proportionate reason to be examined and legitimately proven by the Minister or Custos with his respective Definitory. Such a removal always is to be done in a fraternal, respectful, and charitable atmosphere with due concern



for justice and natural equity according to the norms of the General Statutes.³⁵⁵

§3. The removal of any friar from office pertains to the same authority which is empowered according to Constitutions 195 to accept resignation from that office.

§4. The Minister Provincial, with the consent of his Definitory, may remove a Guardian for a just cause, following the norms of the General Statutes.³⁵⁶

197.

The Minister General, with the consent of his Definitory, may, for a just cause, make dispensations from the law of incompatibility of offices or from the law regarding the inability of offices; these laws are sanctioned in our proper law.

Title III

The General Chapter

198.

§1. The General Chapter is to be convoked by the Minister General and held in accordance with the General Statutes.

³⁵⁵ cf. CIC, canon 624, §3.

³⁵⁶ cf. CIC, canons 193 and 624.



§2. The ordinary General Chapter, in which the Minister General is elected, is to be held at Pentecost, with due regard for Constitutions 205.

199.

The Minister General, with the consent of his Definitory or at the request of the majority of the Ministers Provincial, may convoke an extraordinary General Chapter to take up more serious or urgent items of business.

200.

§1. The capitulars for each act of the ordinary and extraordinary General Chapter are: the Minister General, former Ministers General, General Definitors, Ministers Provincial, General and Provincial Custodes, and Delegates of the Provinces according to the norms of the General Statutes.

§2. When the Minister Provincial or General or Provincial Custos is legitimately impeded, the respective Vicar is to attend the Chapter; should he also be impeded, a delegate is to be sent by the respective Minister or Custos.

201.

The Minister General himself presides over the General Chapter or, when he is absent, the Vicar.



Title IV

The Minister General and His Definitory

202.

- §1. To be elected Minister General, a friar must have been solemnly professed at least ten years.
- §2. The Minister General, as the father and servant of the entire brotherhood, takes on the duty of guiding and caring for the Order, fostering the renewal of its life and mission, and undertaking other projects for the glory of God and to build up His Kingdom.

203.

The Minister General has proper ordinary power in the entire Order, to be exercised according to the norm of universal law³⁵⁷ as well as our own.

204.

In the government of the Order the Minister General is assisted by the General Definitors, who are Assistants General. These are unable to hold provincial offices during their six-year term.

³⁵⁷ cf. CIC, canon 622.



205.

When the authority of the Minister General ceases outside Chapter, the Vicar General assumes the government of the Order and convokes the General Chapter, to be held not sooner than three nor later than six months from the vacancy of the Minister General's office.

206.

The General Definitors must know the life and mission of the Order, maintain ties with the friars of the area assigned to them, examine cases and present their appraisal of them to the Minister General or in Definitory, and assist the Minister General in his service.

207.

The Procurator, who holds a General Office, is to handle the business of the Order with the Apostolic See by order of the Minister General, excepting matters concerning the Postulator General. He is elected by the Minister General with his Definitory.

208.

As defined by General Statutes, there are to be various assignments and secretariats, to examine matters concern-



ing the life and mission of the Order, to implement decisions taken by the General Chapter or approved by the General Definitory, and to provide assistance to the Provinces and Custodies and Conferences and Federations.

Title V

The Provincial Chapter

209.

- §1.** The ordinary Provincial Chapter is to be convoked by the Minister General and held according to the norms of the General Statutes.
- §2.** The Minister Provincial, with the consent of his Definitory, may convoke an extraordinary Chapter whenever matters of great importance are pressing, communicating this decision to the Minister General in a timely manner.

210.

- §1.** The presider of the Ordinary Chapter, in the first part of the Chapter up to and including the fourth session,³⁵⁸ is the Minister General or his delegate. The

³⁵⁸ cf. the “Directory for the Celebration of the Province Chapter”.



Minister Provincial presides over the remaining sessions of the ordinary Chapter and over other Chapters.

- §2.** The voting members of the ordinary Provincial Chapter are: the Minister General or his delegate; a former Minister General in his native Province; the Minister Provincial; the former Minister Provincial, who terminated his office at the preceding ordinary Chapter (he will not be a voting member beyond this following ordinary Chapter); the Provincial Custodes; the Provincial Definitors; and delegates elected according to the General Statutes, unless the Minister General with the consent of his Definitory, in accordance with the Statutes, should determine otherwise as regards the participation of all solemnly professed friars.
- §3.** The voting members of the extraordinary Provincial Chapter are all of the voting members of the preceding ordinary Provincial Chapter, unless the Minister General with the consent of his Definitory, in accordance with the Statutes, should determine otherwise as regards the participation of all solemnly professed friars.

211.

- §1.** The election of the Minister Provincial occurs following the various methods established in the General Statutes.



- §2.** The choice of the method of election is to be established in the Provincial Statutes.
- §3.** The Provincial Statutes are to determine both the method of election foreseen in the General Statutes and the number of deputies, whether in the Province or in the Provincial Custody.

212.

If for some serious reason an ordinary Provincial Chapter cannot be held, the Minister General with the consent of his Definitory and, if possible, after consultation with the friars of the Province is to appoint the Minister Provincial and his Definitory.

213.

- §1.** A Minister Provincial or a Custos may be removed from office if he has through negligence committed or through omission facilitated acts that have caused grave harm to others. The judgment regarding grave harm is reserved to the Minister General with his Definitory, and includes physical, moral, or spiritual harm or harm through the use of patrimony.
- §2.** The Minister General with the consent of his Definitory, for a grave reason and for the good of the Church



and of the Order, has the faculty to nominate a Minister Provincial or a Custos and his Definitory,³⁵⁹ if possible after having consulted the friars of the Province or Custody.

- §3.** In such specific cases, the Minister General, after consultation with the Provincial Definitory and with the consent of the General Definitory, may name a Commissariat *pro tempore*.³⁶⁰
- §4.** In these same specific cases, the Minister General, with the consent of his Definitory, may name a fixed Visitor to govern the Province or Custody at the side of the Minister Provincial or the Custos and his Definitory. The specific faculties and the length of appointment are to be determined in the decree of nomination.

Title VI

The Minister Provincial and His Definitory

214.

To be elected Minister Provincial, a friar is to be solemnly professed for at least five years and possess maturity, pru-

³⁵⁹ cf. the *motu proprio* “As a Loving Mother”, June 4, 2016.

³⁶⁰ cf. CIC, canon 137, §1 and §3.



dence, Franciscan expertise and spirit, and the other requisites of universal law.³⁶¹

215.

The Minister Provincial, in a spirit of love and concern for all, is to be diligent in ensuring that the friars lead a life ever more in conformity with the Rule and Constitutions, for their own sanctification and for the edification of the brotherhood and of the Church.

216.

The Minister Provincial has proper ordinary power over the entire Province, over the Custodies dependent upon it, over each Friary and house, and over each and every friar according to the norms of proper law.³⁶²

217.

The Vicar and three other Definitors constitute the Definitory of the Minister Provincial, unless more are required by the Provincial Statutes.

³⁶¹ cf. CIC, canons 129, §1; 134, §1; 274, §1 and CCEO, canons 979, §1; 984, §3; 371, §1.

³⁶² cf. CIC, canons 134, §1, 617, and 620.



218.

The Vicar is to assume the role and take the place of a Minister Provincial who is absent or impeded. If the authority of the Minister Provincial ceases outside Chapter, the Vicar is to immediately notify the Minister General that the office is vacant and will succeed him until the ordinary Provincial Chapter while retaining the title of Vicar. If the office of Minister Provincial ceases before the completion of the second year of the term, the Minister General may convoke a new Provincial Chapter (cf. Constitutions 211, §1).

219.

Province commissions are to be formed in order to coordinate and promote the mission of the Province. Their number, membership, competency, and *modus agendi* are to be determined in the Provincial Statutes.

Title VII**The Custos and His Definitory****220.**

§1. What is prescribed above under Title V and Title VI concerning the Province and its officials applies also to the General Custody, with due proportion of law.



§2. Inasmuch as the authority in a General Custody is vicarious, it can for a just reason be limited by Statutes approved in the General Chapter.

221.

§1. A Provincial Custody may have its own Chapter according to the Provincial Statutes; the authority of that Chapter is determined in the same Statutes.

§2. The Provincial Custos and his Vicar and at least two Definitors are to be elected by the Provincial or Custodial Chapter according to the norms of the Provincial Statutes.

§3. The Custos has ordinary vicarial power over the entire Custody, over each Friary, and over each and every friar.

222.

§1. It is the duty of the Custos to guide the fraternal life and mission and, in conformity with Constitutions 127, §2, to promote vocational recruitment.

§2. With the consent of his Definitory, the Custos can affiliate candidates to the Custody; admit them to profession; issue dimissorial letters; name or substitute Guardians; sign written contracts with diocesan



Bishops (cf. Constitutions 117, §3); and present friars to the diocesan Bishop to be pastors.

- §3. As for other matters, especially extraordinary ones, the authority of the Custos, as vicarious, can be limited by the Provincial Chapter and the Provincial Statutes.

Title VIII

Conferences and Federations

223.

- §1. A Conference is formed by Ministers and Custodes; a Federation by Ministers, Custodes, and Delegates. Their goals and objectives are described above in Constitutions 31.
- §2. In order to foster collaboration on topics of common interest, and since Conferences and Federations do not possess jurisdictional authority, for a motion of a Conference or Federation to bind all of its Provinces, Custodies, Delegations, and Missions, it must first be accepted and then promulgated by the Minister General with his Definitory.
- §3. In order to be presented to the Minister General, this motion requires whatever majority is stipulated in the Conference or Federation Statutes.



§4. The Presidents of the Conferences and Federations, each elected according its own statutes, are to be convoked periodically by the Minister General in order to treat questions regarding the life and mission of the Order.

224.

Each Conference and Federation is to foster and maintain, in suitable manner and through its appropriate Area Assistant, close contact with the Minister General and his Definitory and with the other Conferences and Federations. The secretary of the Conference or Federation is to prepare the minutes and other reports and documents and transmit these to the individual Provinces, Custodies, and Delegations concerned. The President of the Conference or Federation is to report to all the friars the main topics or questions submitted to and treated by the Conference or Federation.

225.

The Ministers, Custodes, and Delegates are to cooperate freely with their respective Conference of Major Superiors at various levels for a better coordination of works and activities, in close union with their respective Episcopal Conference.



Title IX

The Guardian and the Friary Chapter

226.

- §1. The local fraternity is governed by the Guardian, either alone or with the Friary Chapter.
- §2. The local fraternity is made up of at least three friars.

227.

- §1. It is the duty of the Guardian to guide, direct, and coordinate the life and mission of the fraternity and of each friar in accordance with the Rule, the Constitutions, and the Statutes.
- §2. The Guardian possesses ordinary authority over all the friars *de familia* and over other friars resident in the Friary.

228.

- §1. All solemnly professed *de familia* friars enjoy Chapter rights according to Constitutions 231 and constitute the Friary Chapter that is presided over by the Guardian. The General Statutes are to be observed for houses of formation.



§2. The Guardian ordinarily is to convoke the Friary Chapter every month and whenever it seems necessary. If the Guardian is absent and the matter cannot be postponed, it is convoked by the Vicar.

229.

§1. It is the right of the Friary Chapter to elect its own officials and to establish norms for individual assignments. Proper law indicates the other matters to be dealt with in the Friary Chapter in a collegial manner.

§2. Matters already indicated in the Constitutions for which the Guardian needs the consent or advice of the Friary Chapter may also be specified in the Statutes. In these cases what is prescribed in the Constitutions and Statutes concerning Definitories also is to be applied to the Friary Chapter.

230.

The Guardian of a Friary under the immediate jurisdiction of the Minister General is elected by the Minister General with his Definitory; its officials, however, are elected by the Friary Chapter itself.



231.

- §1. All professed friars are to be assigned *de familia* to the Friary where they reside; there they exercise their rights and obligations according to the norms of the Constitutions.
- §2. Each solemnly professed friar enjoys active and passive voice in only one Friary and in only one Province or Custody, either his native or another, with the exception of what is established in Constitutions 204.
- §3. Friars legitimately assigned to the Sacred Convent and to the General Custody of Assisi by letter of obedience and contract enjoy by singular privilege active and passive voice in the Custodial Chapter, while retaining their provincial rights in the Province or Custody to which they belong. This abrogates the general norm of Constitutions 231, §2, as long as this has not been decided differently by the respective Major Superiors (cf. Constitutions 78 and 231, §4).
- §4. Friars residing in a Friary outside their Province or Custody have rights and obligations according to the contracts made between the respective Ministers and Custodes after consultation with the friar in question. The stipulations of these contracts must be clearly defined in the letter of obedience, together with the specific determination of the length of the friar's stay



outside his Province or Custody, as required by General Statutes.

- §5.** It is permissible for a friar to transfiliate from his own to another Province or Custody either permanently or for a determined length of time. This requires the consent of the friar himself and that of the Ministers or Custodes of each Province or Custody, after they have obtained the consent of their respective Definitories.



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ANALYTIC INDEX

1. A Roman numeral followed by a letter (I-a) refers to the *Spiritual Introductions* of the six chapters.
2. An Arabic numeral (17,4) refers to *the article number, then the paragraph number*.
3. An asterisk (*) refers to an analogous entry.

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