

# CONSTITUTIONS OF THE ORDER OF SAINT AUGUSTINE

## PART I

### THE SPIRIT OF THE ORDER

#### CHAPTER I

#### THE ORIGIN, NATURE, AND CHARISM, PURPOSE, AND WITNESS OF THE ORDER

1. All Christians, by reason of our baptism, are called to holiness (see 1 Thes 4:3), of which Christ is the author and goal.<sup>1</sup> However, the pathways that lead to the fullness of the Christian life and perfect charity<sup>2</sup> are diverse because charisms are different.<sup>3</sup> Certain Christians have responded to the call of the Father and the inspiration of the Spirit by the practice of the evangelical counsels in order to follow Christ with greater freedom and imitate him more closely.<sup>4</sup> Thus, throughout the course of history, various religious families, inspired by the Holy Spirit and approved by the authority of the Church, have sprung up for the progress of their members and for the benefit of the whole Body of Christ in accord with the needs of the times.<sup>5</sup> In this way, they contribute to making manifest the mystery and mission of the Church, and thereby co-operate also in the renewal of society<sup>6</sup>.

#### *Origin*

2. St. Augustine was "*an eminent member of the body of the Lord.*"<sup>7</sup> In company with his friends he decided to establish a type of religious life inspired by the early community of Jerusalem.<sup>8</sup> He did this first as a layman at Tagaste and then at Hippo as a priest and later as bishop<sup>9</sup> *in accord with the rule established by the holy apostles.*<sup>10</sup> This *ideal of the servants of God, their knowledge, continence, and profound poverty,*<sup>11</sup> spread through the north of Roman Africa, where many of his followers served as clerics in the Christian communities. The formulation of this way of life experienced by him has been passed on to us through his writings, especially the *Rule* and those documents that refer to his conception of the monastic life. For this reason, our Order from its very beginning has recognized him as its *father, master, and spiritual guide,*<sup>12</sup> not only because it has received *the Rule and the name of the Order from him, but also because it has received from him its doctrine and spirituality.*<sup>13</sup>

3. The concrete historical situation of the Christian world in the thirteenth century caused the Apostolic See to promote the formation of the *Mendicant Orders*. In this context Pope Innocent IV, with the *Rule* of St. Augustine as his basis, determined the norms according to which some groups of hermits of Tuscany were united and organized. From here the *Order of Hermits of Saint Augustine* arose juridically in March 1244.<sup>14</sup> This first nucleus was consolidated and amplified by

<sup>1</sup> See s. 96,9. LG 40.

<sup>2</sup> See *nat. et gr.* 69, 83.

<sup>3</sup> See *virg.* 46.

<sup>4</sup> See PC 1.

<sup>5</sup> See LG 43.

<sup>6</sup> See VC 1.

<sup>7</sup> POSSIDIUS 18.

<sup>8</sup> See *ibidem*, 2-3.

<sup>9</sup> See *ibidem*, 3. 5. 11.

<sup>10</sup> *ibid.*, 5. See s. 355, 2; THOMAS A VILLANOVA, *In Dom. Pentecostes concio*, I, 9: *Opera Omnia*, III, Manilae 1883, 9.

<sup>11</sup> POSSIDIUS 11.

<sup>12</sup> *Augustine, our most holy father and the initiator of our Order, intending to renew apostolic life....., Vfr.* I, I, 7.

<sup>13</sup> MIGUEL ANGEL ORCASITAS, *Letter sent to all the Friars on the occasion of the 750<sup>th</sup> anniversary of the juridical foundation of the Order*, in *Acta Ord.* XLII (1994) 39.

<sup>14</sup> See INNOCENTIUS PP. IV, *Incumbit nobis*, 16.XII.1243; *Praesentium vobis*, 16.XII.1243; *Cum vos est*, 26.III.1244; *Cum a nobis*, 28.III.1244; *Cum per dilectum*, 28.III.1244; *Pia desideria*, 31.III.1244; in *Bullarium per. formationis*, 32-36.

the aggregation of other religious groups in the *Grand Union* of 9 April 1256 promoted by Pope Alexander IV.<sup>15</sup> This singular intervention of the Apostolic See determined its activity in a specific way in service to the Universal Church. From this our Order derives its devotion and fidelity to the Supreme Pontiffs.<sup>16</sup>

#### *Nature and Charism*

4. With this historical background, the Order receives these essential elements which constitute its charism: its fundamental principles emanating from the monastic ideals of the Bishop of Hippo,<sup>17</sup> its eremitical roots, its special bonds arising from the intervention made by the Apostolic See,<sup>18</sup> and its condition as a Mendicant Order.<sup>19</sup> These elements all fused together in such a way as to bring about the very essence of our apostolic brotherhood.<sup>20</sup>

5. Through the course of our history, with the teaching of Saint Augustine as our basis<sup>21</sup> and in full consonance with our eremitical roots, we can affirm a contemplative dimension, which ought to be understood, respected, and accepted as a component of Augustinian tradition. For our Father, the life of the religious ought to be dedicated essentially to a holy leisure<sup>22</sup> in which his only ambition is to love God,<sup>23</sup> who dwells in the interior of man.<sup>24</sup> For his part, man recognizing himself as an image of his Creator ought to transcend himself to be united with God.<sup>25</sup> This holy leisure should not make us forget the love of neighbor, because love of God and neighbor form an indivisible unity in the thought of Saint Augustine.<sup>26</sup>

6. The foundation of Augustinian life is life in common, in which all the brothers by sharing themselves, construct a path directed to God in service to others, and in the communion of all their goods, perfecting themselves through the gift of divine grace.<sup>27</sup> Thus in their life, they reflect the mystery of the Trinity<sup>28</sup> and of the Church,<sup>29</sup> anticipating now on earth the reality they hope for in the future in the Father's house.<sup>30</sup>

7. Fraternity in the Order should be manifested in a special way in the equality of all the friars, overcoming distinctions arising from privileges as well as social and economic situations.<sup>31</sup> In the same way, just as all the friars are obliged to bring to the community all their spiritual qualities and

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<sup>15</sup> See ALEXANDER PP. IV, *Licet Ecclesiae catholicae*, 9.IV.1256, en *Bullarium*, 128-130. *Iis quae nostri*, 13.VI.1257, in *Anal. Aug.* 3 (1907-08) 29-31.

<sup>16</sup> *Quod ergo ipsa sancta mater ecclesia istum Ordinem per semetipsam quasi a fundamento instituit, magis authenticum aestimo quam quod quicumque homo sanctus hoc fecisset, cum dubium nulli esse liceat ipsam sanctam matrem ecclesiam regi a Spiritu Sancto, et quidquid ab ea instituitur vel statuitur ex instinctu Spiritus Sancti gestum aut editum esse nullatenus dubitatur.* *Vfr.* 69.

<sup>17</sup> See PIUS PP. XII, *Littera Sedulo pietatis*, 2.II.1956, in *Acta Ord.* 1(1956) 3 ; PAULUS VI, *Littera Ordo Fratrum*, 8.VIII.1968, in *Acta Ord.* 13(1968) 5\*. A. LUBIN, *Orbis Augustinianus*, Parisiis 1672, 14. THOMAS DE HERRERA, *Alphabetum Augustinianum*, I, Matriti, 1644, 1-2.

<sup>18</sup> See *Vfr.*, I, XIX, 70. PAULUS PP. VI, *allocutio: L'animo nostro*, 30.VIII.1965, in *Acta Ord.* 10(1965) 150.

<sup>19</sup> See BONIFATIUS PP. VIII, *Tenore cuiusdam*, 5.V.1298, en *Bullarium*, 46-47.

<sup>20</sup> See VC 21.

<sup>21</sup> *You have made us (Lord) for Yourself, and our heart is restless until it rests in You, conf.* I, 1, 1.

<sup>22</sup> *To join together in holy leisure, and to live therein as servants of God live the life of monks, ep.* CCXX, 3.

<sup>23</sup> See *ep.* V.

<sup>24</sup> *But you were closer to me than my innermost self, and higher than my highest being. conf.* III, 6, 11.

<sup>25</sup> See *trin.* XIV, 12, 15-16. en. *Ps.* XLI, 8.

<sup>26</sup> See *civ.* XIX, 19.

<sup>27</sup> See *reg.* I, 4.

<sup>28</sup> See *Io. ev. tr.* 14,9; 39,5.

<sup>29</sup> See *s.* 103, 3,4.

<sup>30</sup> See *Tractatus Augustini episcopi contra paganos* 48, en AUGUSTIN D'HIPPONE, *Vingt-six sermons au peuple d'Afrique*, ed. F. Dolbeau, Paris 1996, 403-404. *b. coniug.* 18,21.

<sup>31</sup> See *Vfr.* IV, III, 396-398. G. FLETE, *Epist. Ad fratres Prov. Angliae. Epist. Ad magistros. Epist. Ad Provincialem*, en *Anal. Aug.* 18 (1941-42) 310. 314. 322.

material resources (Acts 4:32,35)<sup>32</sup> so they will also have the right to the same opportunities in their human, moral, religious, and intellectual formation so that they can develop the gifts that God has given them,<sup>33</sup> always taking into account the common good and the concrete necessities of each friar.<sup>34</sup>

**8.** Community for an Augustinian is not limited to the house in which he lives, nor to the circumscription to which he belongs, because our family is the Order; as such the community and the friars will be at the service of the Universal Church.<sup>35</sup> For this reason, in order to facilitate an exercise of the apostolate which would respond better to the needs of the People of God, the popes placed us under their direct dependence,<sup>36</sup> granting us exemption.<sup>37</sup>

**9.** Our mendicant structure confers special characteristics on the Order: a central structure whose sign or bond of unity is the Prior General, before whom we make our religious profession;<sup>38</sup> an availability which helps us to move about without limits, wherever the needs of the Church and the Order may call us; the cultivation of studies which is oriented toward the evangelization of contemporary culture; a style of life that allows us to be signs of restraint and solidarity. All of this enables us to be at the service of society, living within it and placing before it a new style of life characterised by fraternity.<sup>39</sup>

**10.** The juridical structure of the Order reflects our brotherhood. The supreme power of governance in the Order belongs to the General Chapter, which represents all the friars. In accord with the *Constitutions*, the chapters of provinces, vicariates and of local communities share in this power, each in its own sphere.<sup>40</sup> Consequently, based on the common good, free expression through voting and the proportional representation of circumscriptions are the inalienable and basic rights and duties of the friars of the Order. All are eligible for all offices, unless they are excluded by common law (see CIC 654).

**11.** The Order entrusts the care of the friars to other friars who should govern them as sons of God,<sup>41</sup> always following the directives of the *Rule*, the *Constitutions* and the decisions of chapters, so that their service of authority is an exercise of obedience.<sup>42</sup> Therefore, they should not think themselves happy for the authority with which they govern, but rather for serving the friars in charity. Nor

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<sup>32</sup> *And do not call anything your own but let all things be yours in common.* reg. I, 4. HERMAN DE SCHILDESCHE, *Clastrum animae 775-791*, ed. A. ZUMKELLER, *Schriftum und Lehre des H. v. Sch.*, Würzburg 1959, 261-268.

<sup>33</sup> *It would be a better thing not to possess than to fail to care for what is possessed.* GULIELMUS DE CREMONA, *Littera: Quum sicut*, V, 1326, en *Anal. Aug.* 4 (1911-12) 31.

<sup>34</sup> *Not equally to all, for all do not enjoy equal health, but to each one according to his need.* reg. I, 4, V, 31.

<sup>35</sup> See ep. 142, 1. *Const. Ratisb.* c. 18, 115-116. *Vfr.* I, I, 7-9.

<sup>36</sup> See *Vfr.* I, XVI, 57-58.

<sup>37</sup> See BONIFATIUS PP. VIII, *Sacer Ordo vester*, 21.I.1298; *Inter sollicitudines nostras*, 16.I.1302, en *Bullarium*, 44-45. 50-52. CLEMENS PP. VI, *Ad fructus uberes*, 19.VIII.1347, *Ibid.*, 64-65. LG 45.

<sup>38</sup> See *Const. Ratisb.* c. 18, n. 117-118. *Rit. OSA*, 220.

<sup>39</sup> *Holy Mother Church particularly set up communities of poverty: in the first place, so that dedicated to the study of the arts they might instruct others with true doctrine; secondly, so that they might continually and devoutly be examples to others by their good conduct.* AUGUSTINUS DE ANCONA, *Sermo ad clerum*, Roma, Bib. Angélica, Ms. Lat. 158, f. 129r. See NICOLAUS PP. IV, *Pium est*, 6.II.1289, en LANGLOIS, *Les registres de Nicol. IV*, Paris 1886, 92, n. 20. JOANNES PP. XXII, *Ex dono caelestis*, 26.V.1324, en L. TORELLI, *Secoli Agostiniani, V*, Bologna 1678, 403. *Const. Ratisb.*, c. 44, n. 467. EGIDIUS ROMANUS, *Inter cetera*, a. 1292, en *Anal. Aug.* 4 (1911-12) 202-204. *Id. Tractatus contra Exemptos*, cc. 1. 6, ed. Roma 1555, f. 1r. 4r.

<sup>40</sup> See *Const. Ratisb.*, c. 32, n. 249-260; c. 33; c. 38; c. 40.

<sup>41</sup> See *Const. Ratisb.*, c. 31, n. 231.239; c.33, n. 299.

<sup>42</sup> *Within the Order it is not a position of power but of love, not an honor but a burden, not of control but of service.* *Vfr.* II, IV.

should the others consider themselves free of all responsibility for the building up of the community, for all must be aware of the common obligation to create an Augustinian community.<sup>43</sup>

**12.** The friars should carefully observe obedience as an essential condition for the building up of community. It is a necessity of the common good, born from a spirit of love and genuine freedom,<sup>44</sup> in which the responsible conduct of all lightens the burden of the superior.<sup>45</sup> Thus in imitation of the obedient Christ (Phil 2:8), they will obey the superior who serves them.<sup>46</sup>

#### *Purpose and Witness*

**13.** The purpose of the Order consists in this, that united harmoniously in brotherhood and spiritual friendship, we seek and worship God<sup>47</sup> and work for the service of his people.<sup>48</sup> In this way, we share in the Church's work of evangelization bringing the Good News to the whole world "so that we may thus transform the world from within."<sup>49</sup> This is our witness.<sup>50</sup>

**14.** In order to achieve what we propose, it is necessary to observe the following:

- a) To give priority to our consecration to God through religious vows, from which our common life and apostolic activity proceed as from their source.<sup>51</sup>
- b) To attend to divine worship as an expression of faith which is shared by brothers who are seeking God.<sup>52</sup>
- c) To live perfect common life.<sup>53</sup>
- d) To promote the experience of God through the development of the interior life and study.<sup>54</sup>
- e) To exercise apostolic activity according to the needs of the Church and of society.<sup>55</sup>
- f) To develop a diligent dedication to work, both intellectual and manual, for the good of the community.<sup>56</sup>

**15.** The official title of our fraternity is *Ordo Sancti Augustini*. This can be expressed by the abbreviation O.S.A. or OSA.<sup>57</sup> The insignia which is our symbol is a heart pierced by an arrow of

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<sup>43</sup> See *reg.* IV, 26-29; VII, 45-47.

<sup>44</sup> See *Io. ev. tr.* XLI, 8.

<sup>45</sup> See *reg.* VII, 47.

<sup>46</sup> See *reg.* VII, 44. *Const. Ratisb.* c. 31, n. 224 – 225; c. 33, n. 280; c. 40, n. 408.

<sup>47</sup> See POSSIDIUS 3. *conf.* 4,8,13. *ep.* 155,1. *en. Ps.* 132,1. s. 350,3. FERRANDO, *Vita Fulgentii Ruspensis*, ed. P. G.- G. Lapeyre, Paris 1929, c.12, 65. HERMAN DE SCHILDESCHÉ, *Sermo de S. Augustino*, 404, in A. ZUMKELLER, *Schriftum*, 120.

<sup>48</sup> See *reg.* I, 3. *Io. ev. tr.* 57,6.

<sup>49</sup> *ep. Io. tr.* 10,8.

<sup>50</sup> "Magnify the Lord with me, and let us exalt his name together. .. Therefore take hold of whomever you can, exhorting, drawing forth, beseeching, discussing, giving explanations, with mildness and gentleness: seize for love; as the Lord is magnified, let all be magnified together". *en. Ps.* 33/II, 7. See *ib.* 6. s. 78, 6.

<sup>51</sup> See *virg.* 8, 8. s. 355, 2. *en. Ps.* 131, 5. HERMAN DE SCHILDESCHÉ, *Clastrum animae*, 772-823, en A. ZUMKELLER, *Schriftum*, 260-283.

<sup>52</sup> See *Const. Ratisb.*, c. 1, n. 6-8; c.6, nn. 36-37. *Const. OESA 1581*, 1, c. 1, p. 1. *op. mon.* 29, 37. *ep.* 130.

<sup>53</sup> s. 355-356. FERRANDO, *Vita Fulgentii*, c. 24, 115. *Const. Ratisb.* c. 18, n. 117. PC 9, 12, 15. PO 8,10. AG 18,40.

<sup>54</sup> See *Const. Ratisb.* c. 17, n. 113; c. 36, n. 345. *Const. OESA, 1581*, III, c. 4, 86-87. *ep.* 21,3. *ep.* 137, 3. *ep.* 48. *op. mon.* 29, 37. *trin.* 14,1, 3. *doctr. christ.*, 2, 39, 58. POSSIDIUS 3. 11. FERRANDO, *op. cit.*, c. 11, 61; c. 24, 115. *Religiosi autem pauperes .... totam suam vitam ordinant, ut studiosi et sapientes fiant.* EGIDIUS ROMANUS, *Tractatus*, f. 4r, see *Ibid.* 1r. *Vfr.* II, XXV. XXVI.

<sup>55</sup> *Therefore, preach Christ wherever you can, to whomever you can, however you can. What you need is faith, not eloquence, the faith that speaks from within you, and Christ will speak, If you have faith, Christ dwells in you.* Incipit tractatus de dominico octavarum sanctae paschae. II, 19,2, *In Sermones Moriani ex collectione Guelferbyтана: Sancti Augustini sermones post maurinos reperti*, cur. G. Morin, Roma, 1930, 503.

<sup>56</sup> See *op. mon.*; *Const. Ratisb.* c. 2, n. 14.

<sup>57</sup> During almost all of its history, the official name of our Order was "*Ordo Eremitarum Sancti Augustini - O.E.S.A.*" (Order of Hermits of St. Augustine). Yet even at that time, the abbreviation O.S.A. was also used. In various languages, custom has determined that we are called in diverse ways.

love above an open book.<sup>58</sup> The habit which is a sign of our consecration, in its customary form, consists of a black or white tunic and capuche, with a cincture of black leather.<sup>59</sup>

## CHAPTER II THE SPIRITUALITY OF THE ORDER

**16.** The spirituality of the Order, whose principal features are presented here, proceeds from the following of Christ according to the teachings of the Gospel and the action of the Holy Spirit. Its principal point of reference is the teaching and example of Saint Augustine, complemented by the tradition of the Order. The principal document of our spirituality is the *Rule*, which must direct our lives and action. Augustinian spirituality, developed over time, and enriched by the example and teachings of our forebears, ought to be lived according to the circumstances of time, place, and culture and in harmony with our charism.

### *Evangelical and ecclesial aspects*

**17.** The fundamental norm of religious life is the following of Christ<sup>60</sup>, set out in the Gospel,<sup>61</sup> that motivates us to live in love according to our particular consecration. So above all, we must have love for God and for our neighbor (Mt 22,40),<sup>62</sup> as the supreme norm of the Gospel and the mandate of Jesus to his disciples, after the model of the early community of the Church in Jerusalem, established under the holy apostles (see Acts 2:42-47).<sup>63</sup>

**18.** To love Christ means to love the Church<sup>64</sup> which is his Body,<sup>65</sup> mother of Christians<sup>66</sup> and depository of the revealed truth.<sup>67</sup> In the Church, “*we have been made into Christ. If he is the Head, we are his members,*”<sup>68</sup> for “the whole Christ is the Head and the Body.”<sup>69</sup> Let us be, therefore, witnesses of intimate union with God and a leaven of unity for the whole human race.<sup>70</sup>

**19.** The Christian life will be renewed daily in us and will flourish in the Order if each of us will “assiduously read, devoutly listen to, and earnestly learn” the Sacred Scriptures, especially the New Testament,<sup>71</sup> because “*almost every page resounds of nothing but Christ and the Church.*”<sup>72</sup> Moreover, the friars should remember that prayer should accompany the reading of Scripture so that there may be a dialogue between God and man.<sup>73</sup>

**20.** The Eucharist is the daily sacrifice of the Church, the Body of Christ, which offers itself to God in him.<sup>74</sup> Therefore, all of us who have consecrated ourselves to Christ, who is loved above all things, should experience the same love for that great mystery that set the heart of Saint Augustine on fire. For the Eucharist is the sign and cause of the Church’s unity in the bond of love,<sup>75</sup> and inspires apostolic activity and involvement in the world and in history.

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<sup>58</sup> Sagitaveras tu [Domine] Cor Nostrum Caritate tua. *conf.* 9, 2, 3.

<sup>59</sup> See CIC, 669,1. PC 17.

<sup>60</sup> RdC 22.

<sup>61</sup> See PC 2a.

<sup>62</sup> See *reg.* 1; PC 6.

<sup>63</sup> See s. 350 A; *cons. ev.* 1,1,1; s. 265; s. 350.

<sup>64</sup> See *en. Ps.* 88,2,14.

<sup>65</sup> See s. 267,4.

<sup>66</sup> See *mor.* 1,30,62.

<sup>67</sup> See *en. Ps.* 30,2,4.

<sup>68</sup> *Io ev. tr.* 21.8.

<sup>69</sup> s. 133,8.

<sup>70</sup> See LG 1.

<sup>71</sup> See *ep.* 132.

<sup>72</sup> s. 46,33.

<sup>73</sup> DV 25.

<sup>74</sup> See *civ.* 10,6; LG 7; EE 23.

<sup>75</sup> See s. 272; 57,7; 228 B,3

21. We are all members of the Whole Christ together with Mary, the mother of Jesus. Mary is the sign of the Church: “*she gave corporal birth to the Head of this Body. The Church gave spiritual birth to the members of this Head.*”<sup>76</sup> Because of her authentic faith, firm hope and sincere love<sup>77</sup> Mary accompanies us while we journey in this life and sustains our apostolic activity.

#### *The Search for God and Interiority*

22. We tend towards God continually and insatiably, consciously and unconsciously,<sup>78</sup> in order to enjoy the infinite good that fulfils our desire for happiness, *because God has made us for himself and our hearts are restless until they rest in him.*”<sup>79</sup> For that reason, our common dedication is to seek without limits Him who should be loved without limits.<sup>80</sup> But we cannot seek God together, except in Christ Jesus, the Word made flesh for us. He is for us the way, the truth and the life, such that starting from the visible flesh we arrive at the invisible God.<sup>81</sup> For this reason, personal and community prayer, study and the cultivation of knowledge, reflection on the realities of our time and apostolic activity, are indispensable factors in our search, which lead us to the things which are the concerns of society. For nothing human is foreign to us, but rather involves us more in the world, the ambit of God's love (see Jn 3:16) and of encounter with him.

23. In God alone do we find complete and final happiness, since we have been created in his image and likeness. By way of the interior life we are made capable of knowing and loving him,<sup>82</sup> and we share in his life.<sup>83</sup> It is necessary, then, that we always turn back to ourselves, and entering within, diligently work toward perfecting our heart so that, praying with uninterrupted desire we may come to God: “*Do not go outside yourself, but turn back within, truth resides in the inner man; and if you discover that your nature is changeable, transcend yourself ... Go to where the light of reason is enkindled.*”<sup>84</sup> The light of the interior teacher enlightens temporal reality making authentic Augustinian contemplation possible: seeing the image of God in the human being, the reality of the total Christ in the Church, and the hope of our pilgrimage toward peace in history.

24. It is necessary for each one to work carefully at this renewal, because as Saint Augustine says: “*He who made you without yourself will not save you without yourself.*”<sup>85</sup> Initial renewal begins with the grace of Baptism, by which “*in putting on the new man, we are clothed with Christ through faith,*”<sup>86</sup> and we are made sons of God. This renewal is being perfected during our whole life, and will be more perfect insofar as we resemble God through knowledge and, above all, through love.<sup>87</sup> In this way is his image continually renewed in us and we draw nearer to the Father through the truth of Christ and the love of the Holy Spirit, who makes us all one as we make our pilgrimage toward God (see Rom 5,5).<sup>88</sup>

#### *Communion of life*

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<sup>76</sup> *virg.* 2,2.; See LG 53

<sup>77</sup> See *s.* 192,2.

<sup>78</sup> See *sol.* 1,1,2; THOMAS A VILLANOVA, *Sermo funebris, 5: Opera omnia, VI*, Manila 1897, 388.

<sup>79</sup> See *conf.* 1,1,1.

<sup>80</sup> See *en. Ps.* 104,3.

<sup>81</sup> *s.* 169,13.

<sup>82</sup> See GS 12.

<sup>83</sup> See *trin.* 13,8,11; AEGIDIUS ROMANUS, *De laudibus div. sapientiae*, 1, Roma 1555, f. 21r.; LG 2.

<sup>84</sup> *vera. rel.* 39,72; see *sol.* 2,1,1; *ep.* 10; *conf.* 3,6,11; AEGIDIUS ROMANUS, *Op. cit.*, 1, f. 211r.; THOMAS A VILLANOVA, *In fest. S. Catarinae concio* 1,5: *Op. cit.*, V, Manilae 1884, 463-464; GS 14.

<sup>85</sup> *s.* 169,13.

<sup>86</sup> *trin.* 12,7.

<sup>87</sup> See *ep.* 92,3; 187,6; *s.* 117,3; *en. Ps.* 94,2-4; *trin.* 9,11,16; 12,7,10; 13,1,2; 14,19,25; 15,18,32; *Io. ev. tr.* 96,4; AEGIDIUS ROMANUS, *Op. cit.*, 15, Roma 1555, f. 31r.; GS 22.

<sup>88</sup> See *c. ep. Pel.* 4,5,11.

25. Love comes from God and unites us with God, and through this unifying process it transforms us, so that overcoming all divisions, we are made one, until finally God is all in all (see 1Cor 15,28).<sup>89</sup> This communion of life which Augustine proposes to us in imitation of the primitive apostolic community (see Acts 2:42-47), is an anticipation of complete and definitive union in God and the way to achieve it. While it is true that this “*holy sharing of life*”<sup>90</sup> among the brothers is a gift of God,<sup>91</sup> still each one of us must make an intense effort at perfecting it until unity in love is achieved.<sup>92</sup> This unity in love, composed of many souls, will continue to exist in the heavenly city, which “*will be the perfection of our unity after life’s pilgrimage.*”<sup>93</sup> Our communities ought to strive on earth to be signs of this unity, keeping the example of the perfect community of the undivided Trinity before our eyes.<sup>94</sup>

26. Community is the axis around which Augustinian religious life turns: a community of brothers who live harmoniously in their house, united by a single soul and a single heart, seeking God together and open to the service of the Church.<sup>95</sup>

27. Examining carefully the mind of Saint Augustine and the tradition of the Order, “*we see that he based his entire concept of religious life on community, or better, on communion*”<sup>96</sup> on living together in the same place, on spiritual unity, on possession of material goods, and on proportional distribution.<sup>97</sup> Therefore “*all the norms of the Order, coming both from the Rule and the Constitutions are based on these elements.*”<sup>98</sup>

28. Spiritual communion is that which counts the most, and without it the sharing of life together in the same place is of little value. “*It is necessary, therefore, that if we are gathered together physically, we live together spiritually. It is of no value that we live together in the same house if different wills keep us apart. God looks more to unity of spirit than unity of place.*”<sup>99</sup> “*Many bodies, but not many spirits; many bodies, but not many hearts*”,<sup>100</sup> such should we be that “*our souls should not be many souls, but one soul, the one soul of Christ*”<sup>101</sup>. This is to be understood “*not only in what refers to unity of peace and harmony, but, doubtlessly, also to unity of purpose, understanding and heartfelt affection, such that all the religious should seem to be only one.*”<sup>102</sup>

29. Community is the fruit of charity and is expressed in friendship, which brings forth and nourishes loyalty, trust, sincerity and mutual understanding. Charity unites us in Christ through the Holy Spirit,<sup>103</sup> helping us to recognize the signs of God’s love in the the events and circumstances of life.<sup>104</sup> Thus, united in charity, we share mutually the gifts given to us and to others.<sup>105</sup> Whatever is

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<sup>89</sup> See DCE 16-18.

<sup>90</sup> *op. mon.* 16,17.

<sup>91</sup> See *en. Ps.* 132,10; *ep.* 210,1; 211,2.

<sup>92</sup> See *en. Ps.* 140,3; *ep. Io. Tr.* 2,3; 10,3; *c. litt. Pet.* 2,72,173.

<sup>93</sup> *b. coniug.* 18,21.

<sup>94</sup> See *ep.* 238,16; *Io. ev. tr.* 14,9 ; HERMAN VON SCHILDESCHE, *Contra hereticos*, en A. ZUMKELLER, *Schriftum und Lehre des H. V. Sch.*, Würzburg 1959, 176; GS 24.

<sup>95</sup> See *reg.* 1; *en. Ps.* 132.

<sup>96</sup> *Vfr* 1,1.

<sup>97</sup> *Ibid.*, pp. 7-8.

<sup>98</sup> *Ibid.*, p. 9.

<sup>99</sup> HUGH OF ST. VICTOR, *Expositio in Regulam*, 1. This work was considered the official commentary on the *Rule* up until 1685.

<sup>100</sup> *en. Ps.* 132,6.

<sup>101</sup> *ep.* 243,4.

<sup>102</sup> HERMAN VON SCHILDESCHE, *Sermo de s. Augustino*: A. ZUMKELLER, *Op. cit.*, 120.

<sup>103</sup> See *conf.* 4,4.

<sup>104</sup> See ET 44.

<sup>105</sup> See *sol.* 1,12,21; 1,13,22.

worthwhile is held in esteem by the Augustinian community and is offered to Christ, from whom all good things proceed and in whom all things are re-established (see Eph 1:10).

**30.** Friendship in Christ not only favors the development of each one's personality, but it also increases freedom in the community itself, in which a healthy openness of mind fosters dialogue and enjoys a necessary autonomy with which to serve God better.<sup>106</sup> *"No one should be denied the opportunity of expressing a contrary opinion when, without danger to the faith, a contrary opinion may be defended ..., because our intellect is not a captive in submission to man, but only in submission to Christ."*<sup>107</sup>

**31.** To preserve and increase unity among the friars prayer should never be lacking, for nothing other than common prayer is better or more suited to express and promote unity in charity.<sup>108</sup> Consequently, common prayer should flow from a generous and intimate sharing among the friars, such that we can reflect upon the prayer which flows from our heart, know how far we have advanced in it, and be moved to even greater growth.<sup>109</sup> *"Our whole life is a prayer if it is directed to God alone, and not to anything else."*<sup>110</sup>

**32.** Humility and poverty are the foundation of our common life and spiritual life<sup>111</sup>, and are so closely related that no one can be called a "poor man of God" as was Augustine, without being humble.<sup>112</sup> By reason of poverty and humility we consider all of our possessions, both material and spiritual, as the possessions of all, for we do not hold them as personal property, but as given to us by God to be administered.<sup>113</sup> We are all beggars before God,<sup>114</sup> conscious that true riches are those which once received, can never be lost.<sup>115</sup> Therefore we make use of the goods of the earth as tools on our way toward our heavenly homeland,<sup>116</sup> guided by charity which is expressed, above all, in justice.<sup>117</sup> In this way, poverty of the individual and of the community, together with humility, appear as the sign of unity in charity, which transforms our religious family into the temple of God which we must all revere; for "not only are we the temple of God individually, but all of us together constitute this temple."<sup>118</sup> Moreover, the measure of our progress is judged according to the degree of our personal commitment to what we have in common.<sup>119</sup>

**33.** The Augustinian community is called to be a prophetic sign in the world to the extent that fraternal life becomes a source of sharing and a cause of hope.<sup>120</sup>

**34.** We will not be able to live in this way if we do not embrace, for the love of Christ, our daily cross "with all humility, meekness and patience, bearing with one another out of love, striving to preserve the unity of the Spirit through the bond of peace" (Eph 4,2-3; see Gal 6,2). Then we will

<sup>106</sup> See *ep.* 243,6; 220,12; *op. mon.* 25,33; 26,35; 28,36.

<sup>107</sup> EGIDIUS ROMANUS, *De gradibus formarum*, 2, 6.

<sup>108</sup> See *en. Ps.* 132,13.

<sup>109</sup> See *ep.* 130,18.

<sup>110</sup> See SIMON DE CASSIA, litt. *Ancillis Christi*, ed. N. Mattioli, *Scritti editi ed inediti*, Roma 1898, 498.

<sup>111</sup> See CGI 1974, *Documentum Capituli*, in Act. Ord. 19 (1974) 222\*-242\*; CGI 1980, *Documentum Capituli*, in Act. Ord. 25 (1980) 153\*-155\*.

<sup>112</sup> See POSSIDIUS 31; *en. Ps.* 71,3; 131,26; 139,27; 141,5; s. 124,5; s. 356,9; *Vfr.* 2,7, 111-118.

<sup>113</sup> *en. Ps.* 125,13; 103, s. 2,11; 129,4; 130,6; 106,14.

<sup>114</sup> See s. 56,9.

<sup>115</sup> See s. 113,5.

<sup>116</sup> See *doctr. chr.* 3,3.

<sup>117</sup> See *en. Ps.* 147,12; *ep.* 153,26E1; s. 206,2.

<sup>118</sup> *en. Ps.* 131,5; see *civ.* 10,2; HUGO DE S. VICTORE, *Expositio in Regulam*, 2; ALPHONSUS DE OROZCO, *Certamen bonum*, tract. 1, c.2, Guadalupe 1887, pp. 53-54.

<sup>119</sup> See *reg.* 31.

<sup>120</sup> See CGO 1995, *Documentum Capituli*, Acta Ord. 45 (1996) 147\*; CGI 1998, *Documentum Capituli*, Acta Ord. 48 (1998) 73.76-81.

no longer have need for mutual support when the Lord will cleanse us in the city to come where “God will be all in all” (see 1Cor 15,28).<sup>121</sup> But, while we are still pilgrims, we cannot follow the Lord, without carrying the cross (see Lc 9,23-24) with love for God and neighbor.

#### *Service to the Church and Evangelization*

**35.** Following the example of Saint Augustine, love for the Church brings us to a total availability for its needs,<sup>122</sup> by accepting the tasks which the Church asks of us,<sup>123</sup> according to the charism of the Order. Friars should remember that this availability for service to the Church constitutes one of the essential characteristics of Augustinian spirituality. In addition, when we are open to the world we feel ourselves in solidarity with the human family and involved in its concerns,<sup>124</sup> especially through an openness to the needs of the poor and the suffering, in the knowledge that the more we are united to Christ the more fruitful will our apostolate be.<sup>125</sup>

**36.** Apostolic activity, as a service of charity,<sup>126</sup> ought to spring up almost as a necessity of handing on to others the ineffable riches of Christ (see Eph. 3, 8), which the friars acquire in community and pass on to others through the community. Augustinian activity, therefore, is an exterior activity springing from a deep and strong interior community life. The work of the individual friars receives help from the community and is supported by it. We are all apostles, since we all pray, work and mutually assist each other.

**37.** We must value the apostolate as an integral part of our religious life, which is transformed into mission as was the entire life of Jesus.<sup>127</sup> The works of the apostolate express and increase Christ's love, whose example, together with that of the apostles, we follow, whether we are engaged in contemplation or in proclaiming the kingdom of God.<sup>128</sup> Therefore, in all things we must try to show forth Christ, the Christ who is humble and sincere, unaffected and prudent, patient and cheerful, obedient to the will of the Father and relying on his providence.

**38.** Through the apostolate we participate in the universal mission of the Church which proclaims the Gospel to all creatures.<sup>129</sup> Stimulated by charity and the needs of the brotherhood through our lives and work, we communicate all that God has deigned to work in us and in our community,<sup>130</sup> conscious that the fundamental work of the apostolate consists in taking care of what we are within the Church.<sup>131</sup> For this reason, let us always remember that community life in itself is the essential Gospel value which calls for our total dedication<sup>132</sup> and in which we find the basis and the sustaining force of our service to the Church and to the world.

**39.** Finally, in order that our Order may always go forward in keeping with its true spirituality, the friars should strive to offer *“free service to God,”*<sup>133</sup> not forced by necessity, but moved by love. Without seeking their own righteousness (see Rom 3:10-20; Gal 2:16) let them do all things for the glory of God, who works all things in all (see 1 Cor 12,6). Let them live in the assurance that: *“It is a grace of God that the brothers live in community; it is not the result of their own doing or their*

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<sup>121</sup> *ep.* 243; see *s.* 103-104; *en. Ps.* 132.

<sup>122</sup> See *civ.* 19,19.

<sup>123</sup> See *ep.* 48,2; 243,6-8.

<sup>124</sup> See PC 1-3

<sup>125</sup> See PC 1.

<sup>126</sup> See DCE 19; *c. Faust.* 22,58; 22,54; *ep.* 21,3; 48,1; 95,9; *conf.* 11,2; *civ.* 19,19; POSSIDIUS 24; *en. Ps.* 54,8; *s.* 339,4.

<sup>127</sup> See VC 72.

<sup>128</sup> *Vfr.* 1,11.

<sup>129</sup> See LG 1; EN *passim*.

<sup>130</sup> Possidius 3,1.

<sup>131</sup> See RD 15.

<sup>132</sup> See T.TACK, *The Augustinian Community and The Apostolate.* Acta Ord. 19 (1974) 27-36; VFC 2,54.

<sup>133</sup> *ep.* 126,7; see *mor.* 1,33,70.

own merits; rather it is his gift."<sup>134</sup> This is to fulfil the saying of the *Rule* that we should observe all our obligations in a spirit of charity "as lovers of spiritual beauty ... not as slaves living under the law but as men living in freedom under grace."<sup>135</sup> We who have been freely created and redeemed, freely called and justified, should render thanks to God and carry out our mission in peace and humility, rejoicing in hope and in the expectation of *the crown of life* (Rev 2:10), by which God, in rewarding our good deeds, will in fact be doing nothing more than crowning his own gifts.<sup>136</sup>

### CHAPTER III THE EXTENT OF THE ENTIRE AUGUSTINIAN FAMILY

**40.** The Order of Saint Augustine is composed of the following:

- a) friars, whether professed or novices, who are members of the various Circumscriptions of the Order,
- b) Augustinian contemplative nuns belonging to the Monasteries of the Order, (Const. 43)
- c) the lay members of Augustinian Secular Fraternities, legitimately established by the Prior General (Const. 45- 47).

These three branches, according to their own constitutions or statutes and with their own structure, come under the Prior General, whose role it is to see to the establishment or suppression of the different communities or fraternities, as well as to the formulation and approval of their constitutions or statutes.

**41.** In addition to these three branches, the Augustinian family<sup>137</sup> also includes other groups:

- a) Religious institutes, both male and female, formally aggregated to the Order by a decree of the Prior General (Const. 48);
- b) Other groups of lay Augustinians (Const. 49);
- c) Lay faithful affiliated to the Order (Const. 50).

The union of the Order with these groups is a spiritual union of beneficial collaboration. All are united by an intimate spiritual bond and constitute one body under our father, Saint Augustine. They use similar liturgical rites, they share the same spiritual graces, but above all, with one mind and one heart intent upon God, they maintain the same goal and ideal, namely, "*the building up of the body of Christ*" (Eph 4:12).

**42.** Many religious families in the course of time freely chose for themselves the *Rule* of Saint Augustine. Some of these are named after him and imitate his manner of living; others, however, decided to live their lives simply under the inspiration of his *Rule*. Our Order has known in the past, and even now recognizes, that it is united by a certain fraternal bond with all these congregations, and it is sincerely desirous of strengthening this bond in such a way that it may live in closer union with them. The Order likewise wishes to promote collaboration with other religious families who take their inspiration from the spirituality of Saint Augustine. And so that it may be consistent with its own tradition, the Order strives carefully to strengthen its long-standing bond with the Mendicant Orders or Apostolic fraternities.<sup>138</sup>

#### *Contemplative Nuns*

**43.** The contemplative nuns, be they of papal or constitutional cloister, enjoy a special place in the Order. Many of them have been joined to us by a juridical bond from the period closest to the

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<sup>134</sup> *en. Ps.* 132,10.

<sup>135</sup> *reg.* 48.

<sup>136</sup> See *conf.* 9,13,34; *en. Ps.* 70,5; 102,7; 144,11; *ench.* 107; *gest. Pel.* 14,35; *ep.* 194,5,19.

<sup>137</sup> See IULIUS PP. II, *Prae ceteris*, in *Bullarium*, 214.

<sup>138</sup> See AEGIDIUS ROMANUS, *litt. Inter cetera*, *Anal. Aug.* 4 (1911-12), 203; G. FLETE, *Epist. ad Provincialem Angliae*, *Anal. Aug.* 18 (1941-42) 321. *De "Quatuor unum" seu de concordia et collaboratione inter hos Ordines* See *litt. Summa divinae bonitatis, ab eorum quatuor PP. Generalibus Basileae datas die 2 apr. an. 1435*, *Anal. Aug.* 3 (1909-1910) 283-285; textus integer in L. TORELLI, *Secoli Agostiniani*, v. 6, Bononiae 1680, 665-669.

Grand Union, so that "they might be better able to serve the Lord under the Rule of Saint Augustine and in keeping with the nature of the Order and its teaching,"<sup>139</sup> "seeking and worshiping God and working with all their strength for the good of God's people, joined together harmoniously, in charity and spiritual friendship."<sup>140</sup> This goal is achieved through consecration to God by means of the religious vows, divine worship, especially the liturgy, common life in fraternity and friendship, community and personal commitment to the interior life and study, and dedication to work whether manual or intellectual.<sup>141</sup> As an expression of the whole Christ, they eagerly work together with us to respond to the needs of the Church and the Order, with the result that they fulfil the apostolic life through us and we become more contemplative through them.<sup>142</sup> The nuns of the monasteries that are under the jurisdiction of the Order are bound by obedience to the Prior General according to their *Constitutions*.

**44.** There have always been among the faithful those who wished to live the Christian life drawing inspiration and guidance from Augustinian spirituality. For this reason there sprang up religious Institutes and Secular Fraternities.<sup>143</sup>

#### *Augustinian Secular Fraternities*

**45.** According to the ecclesiology of communion promoted by Vatican II<sup>144</sup> which contains profound Augustinian roots,<sup>145</sup> we share with the laity the dignity of our baptismal vocation,<sup>146</sup> full membership in the Church,<sup>147</sup> and a participation in,<sup>148</sup> and co-responsibility for,<sup>149</sup> the Church's mission. In the common house of the People of God, religious and laity are called to live in communion, each according to his or her proper vocation.<sup>150</sup> That we might be faithful to this ecclesiology of communion, which our Holy Father Augustine focused upon, circumscriptions and communities, in their programs and projects, ought to provide for the effective participation of the laity in all those areas which the Order fosters and promotes, with attention to this ecclesiology and to Augustinian spirituality.

**46.** Augustinian Secular Fraternities, which enjoy a long tradition in the Order,<sup>151</sup> consist of men and women who, as members of the laity, endeavour to be faithful to their Christian vocation under the inspiration of Augustinian spirituality. They wish to bring about a union of hearts and come together collectively as a concrete way of being actively present in the Church, living Augustinian spirituality and contributing to the building up of the city of God in the world. Members of these fraternities should receive a solid theological, ethical and social formation which ought to be completed with adequate knowledge of, and a shared experience in Augustinian spirituality. They are governed by their own statutes, approved by the Prior General, and confirmed by the Holy See.

**47.** The right to establish a Lay Fraternity pertains to the Prior General and is done through the publication of a decree.

For the canonical establishment of an Augustinian Fraternity the following are required:

- a) a written petition from a Major Superior of the Order.

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<sup>139</sup> Capit. Prov. Alemaniae, litt. *Cum nobis*, Anal. Aug. 23 (1953-1954) 136; see R. CARD. ANNIBALDI, *Ordinis protectoris*, litt. *Paci et salutis*, *ibid.*, 135-136.

<sup>140</sup> *Costituzioni delle Monache dell'Ordine di Sant'Agostino*, Roma 1988, 18.

<sup>141</sup> See *ibid.* 19.

<sup>142</sup> See *ep.* 48, 1; *ep.* 211, 2.

<sup>143</sup> See BONIFATIUS PP. IX, *In sinu Sedis Apostolicae*, in *Bullarium*, 53-54; PAULUS PP. II, *Exposcit vestrae devotionis*, *ibid.*, 275-276.

<sup>144</sup> See LG 2.

<sup>145</sup> See *en. Ps.* 56,1; 127,3.

<sup>146</sup> See ChL 8

<sup>147</sup> See ChL 9

<sup>148</sup> See ChL 21

<sup>149</sup> See ChL 32

<sup>150</sup> See ChL 20; s. 96,9

<sup>151</sup> See *Regula Fratrum et Sororum de poenitentia sacri Ordini heremitarum beati Augustini*, Romae 1479.

b) the consent of the local Ordinary, if there is no canonically erected Augustinian Religious Community in the diocese (CIC 312, 2)

c) Approval by the Prior General, who also either directly or through delegation approves the particular Statutes of each Fraternity.<sup>152</sup>

### *Religious Congregations*

**48.** Some by taking vows and living the common life, formed religious communities. From these communities, or by evolution from communities of the contemplative life, many Congregations of apostolic life sprang up, whose purpose was to assist the Church more suitably in its needs. These had their own constitutions and were officially united to the Order by a decree of aggregation. Other Institutes, however, already existing as such outside the Order, were united to it by a decree of aggregation. All these Congregations together, dedicated to different apostolic works, contribute greatly to the good of the Church and the Order. Their aggregation, as well as that of secular institutes, can be granted by the General Chapter or by the Prior General with the consent of his Council, provided that they have or accept as the firm foundation of their lives the *Rule* of our Holy Father Augustine as well as the other fundamental principles of his spirituality, and provided that they have a profound consciousness that they belong to the Augustinian family through a spiritual bond.<sup>153</sup> Congregations aggregated to the Order may use the Ritual of the Order, the liturgical calendar and the corresponding texts approved by the Apostolic See.

### *Other Groups of Augustinian Laity*

**49.** Besides Lay Augustinian Fraternities, there are other groups of lay faithful which spring up around our communities with a desire to live their Christian commitment more intensely by way of Augustinian spirituality. There are also pious associations arising out of devotion to the Virgin Mary and the Saints of the Order, which have their own organization. The friars should care for these groups and promote them in their apostolic activities, in the churches of the Order, in parishes and educational institutions for the young, instructing and strengthening them in Augustinian spirituality.

### *Affiliation of the Faithful to the Order*

**50.** The Order has the faculty of affiliating to itself the faithful who merit special recognition because of their distinguished cooperation for the good of the Order. By reason of this affiliation they belong to the Augustinian Family and share in all the spiritual benefits of the Order. All the friars, in their heart and actions, are to show their gratitude to all those who are affiliated. Affiliation is granted by the Prior General on his own initiative or upon the request of any community of the Augustinian Family. The certificate of affiliation should be granted with some solemnity. The parents of friars and sisters of solemn vows are considered affiliated to the Order from the very day of solemn profession. The Prior General can grant this affiliation to the parents of the brothers and sisters of aggregated Congregations if the Generals of these Congregations ask for it. If opportune, other expressions of honor or gratitude can also be conferred.

### *Care for the Entire Augustinian Family*

**51.** From what has been said, it is clear that all of us constitute one family under our Holy Father Augustine. The union of this family is to be promoted with the assistance of all its members, so that the oneness of heart and mind intent upon God, prescribed by Saint Augustine himself in the *Rule*, will be faithfully preserved and increased among his sons and daughters. All of us, therefore, but

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<sup>152</sup> See “*On the Way With Saint Augustine*”, *Augustinian Lay Fraternities*, 96.

<sup>153</sup> See P. General. FULGENT. PETRELLI, O.S.A., litt. *Suspirium illud*, 20 iul. 1645, Registrum P. General., Dd 80, apud AGA, 62-63, see etiam 60-62; P. General. DOM. VALVASSORI, O.S.A., litt. *Iniuncti nobis*, 20 iul. 1683, Registrum P. General., Dd 123, apud AGA, f. 107r-108r.

especially superiors, must offer all the spiritual assistance possible, so that all the branches or parts of the Order may flourish through renewal and enjoy growth day by day for the greater good of the Church and to the credit of the Order.

**52.** The Prior General, as the supreme moral head of the whole Augustinian Family, the priors provincial, and other superiors, after conferring with the Superiors General of the various branches of the Augustinian Family, should frequently convoke conferences or gatherings of an international or regional nature. These can greatly contribute to the fuller attainment of the purpose of the entire Order and of the individual Congregations, as well as promote renewal through a spirit of harmonious accord, apostolic activity, and divine worship, particularly in the Liturgy.<sup>154</sup>

## PART II THE LIFE OF THE ORDER

### CHAPTER IV CONSECRATION TO GOD

#### *Meaning of Religious Consecration*

**53.** Through the sacrament of baptism we die to sin, rise to new life, and are consecrated to God (see Rom 6:4-10).<sup>155</sup> “Put on the Lord Jesus Christ” (Rom 13:14): these words announced to Augustine his call to baptism and, likewise, the invitation to embrace the life of the servants of God.<sup>156</sup> Through the profession of the evangelical counsels, by which we freely respond to a divine vocation, our baptismal consecration is not only strengthened,<sup>157</sup> but is also made more apparent, and we are enabled to derive more abundant fruit from it while being more intimately dedicated to divine service.<sup>158</sup> The radical nature of this self-offering is clearly brought out by the fact that it is a “*living oblation*” (Rom 12, 1), a total offering of oneself to God.<sup>159</sup> The Church itself recognizes this in its liturgy by linking religious consecration with the Eucharistic sacrifice.<sup>160</sup>

**54.** By our religious profession, which is accepted and approved by the Church, we are dedicated also to the Church’s service.<sup>161</sup> Following the example of our Holy Father Augustine we must love the Church as a mother in a special manner, giving evidence of a particular fidelity to the Church,<sup>162</sup> and placing its needs before our own convenience.<sup>163</sup>

**55.** Our profession bears witness to the very divine life of the Blessed Trinity. Our communion of life is modelled after the mutual love of Father, Son, and Holy Spirit, making the Augustinian community a true “*school of charity*”<sup>164</sup>. When we faithfully correspond to our profession, we appear as a prophetic sign to the entire people of God.<sup>165</sup>

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<sup>154</sup> See PC 23.

<sup>155</sup> See LG 10. 44; *civ.* 10, 6.

<sup>156</sup> See *conf.* 8.12.29.

<sup>157</sup> See VC III.30.

<sup>158</sup> See PC 5; LG 44.

<sup>159</sup> See *en. Ps.* 64,4; THOMAS A VILLANOVA, *In professione novitii*, 3, *Opera omnia*, V, Manilae 1884, 523; *Plática y aviso al religioso que toma el hábito*, in *Obras de Sto. Tomás de Villanueva*, ed. S. SANTAMARTA, Madrid 1952, 571.

<sup>160</sup> See LG 45.

<sup>161</sup> See PC 5; CD 33.

<sup>162</sup> See PAULUS PP. VI, alloc. *L'animo grato*, Acta Ord. 10 (1965) 150. 154; litt. *Ordo Fratrum*, Acta Ord. 13 (1968) 4\*-7\*.

<sup>163</sup> See *ep.* 48, 2.

<sup>164</sup> See *trin.* 8.8.12; *en ps.* 132,12; PAULUS PP. VI *Oratio ad Patres Capitulares* CGO 1971, Acta Ord. 16 (1971) 91\*-94\*.

<sup>165</sup> See VC II.84-92.

**56.** The following of Christ is the true and genuine meaning of religious life,<sup>166</sup> and therefore constitutes its fundamental norm.<sup>167</sup> However, since the faithful imitation of Christ demands a deep spiritual life,<sup>168</sup> we must especially accompany him along the path of humility, even to the complete emptying of ourselves: “*This is the way: walk in humility that you may reach eternity.*”<sup>169</sup>

**57.** Religious consecration is strengthened by a spirit of dedication inspired by love, which calls for our sharing in the mission of Christ to the point of filling up in our flesh what is lacking in Christ's sufferings, for the sake of his body, which is the Church (Col. 1:24). This daily taking up of the cross (Lk. 9:23) even includes the often unexpected demands of the common life and the apostolate, which are to be embraced generously and faithfully. \_

**58.** In keeping with the continuous tradition of the Church and Order, communities as well as individual friars should seek to manifest a spirit of penance and conversion, in particular during the appropriate liturgical seasons. This is always to be done in moderation as the *Rule* prescribes.<sup>170</sup> In this way we are to become a sign to the world of on-going conversion to God, and a witness to the universal call to holiness,<sup>171</sup> always keeping in mind the special relation between the spirit of penance and the sacrament of reconciliation wherein all is clearly seen as God's gift in Christ.<sup>172</sup>

### *The Augustinian Ideal*

**59.** As Augustinians, we manifest our consecration to God through religious vows. Saint Augustine teaches above all that chastity, poverty, and obedience are specially marked by the common life: “*the main purpose for our having come together is to be one in mind and heart intent upon God.*”<sup>173</sup> It is this mark of love that gives special character to our profession.<sup>174</sup>

**60.** In our Order the evangelical counsels of chastity, poverty, and obedience are embraced by public vows that are either simple or temporary, perpetual or solemn. Simple vows render contrary acts illicit but not invalid, unless expressly stated otherwise. Solemn vows render these same acts invalid also, provided they are rescindable (see *CIC* 668.5; 1088; 1192).

### *Chastity Consecrated to God*

**61.** We undertake the vow of chastity for the sake of the Kingdom of Heaven (Mt 19:12). It is in the light of this teaching of the Lord that the Church has always recognized the special eschatological significance of this vow, seeing in it a love that is both universal and everlasting, and a witness to that remarkable union between Christ and his Church (see Eph.5:23-32) which will be fully manifested in the world to come.<sup>175</sup> Likewise, it is by means of chastity that our hearts become capable of a profound love of God, setting them free to be available to others. Chastity, above all, disposes our will to an undivided dedication (see 1 Cor 7:32) to the service of Christ and the Church in all forms of the apostolate.

**62.** Saint Augustine candidly reveals his own struggles to remain chaste in the *Confessions*.<sup>176</sup> Since we carry this treasure of chastity in vessels of clay while we are exiled from the Lord (see 2 Cor. 5:6), we should not presume upon our own resources, but trust always in divine assistance. With humility<sup>177</sup> we should likewise draw upon both spiritual and natural resources to preserve our

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<sup>166</sup> See PAULUS PP. VI, alloc. *L'animo grato*, *ibid.*, p. 152.

<sup>167</sup> See PC 2.

<sup>168</sup> See PAULUS PP. VI, *ibid.*

<sup>169</sup> *s.* 123, 3; see *cat. rud.* 22, 40; *ep.* 118, 3, 22.

<sup>170</sup> *reg.* III.1. See SIMON DE CASSIA, *litt. Si illa pauca*, 24 dec 1342, ed. N. MATTIOLI, 354-355.

<sup>171</sup> See VC 4. 39.

<sup>172</sup> See *Ordo Paenitentiae*, 4, in *Notitiae* 10 (1974) 46.

<sup>173</sup> *reg.* 3; *Vfr.* I.1.

<sup>174</sup> *reg.* 8, 24, 28, 41, 46; see *virg.* 44,45; 52,53; VC 4. 36-37; see VFC.

<sup>175</sup> See LG 42, 44; PC 12,1; OT 10; PO 16; see HERMAN VON SCHILDESCHKE, *Contra hereticos*, en A. ZUMKELLER, *Schriftum und Lehre des H. V. Sch.*, Wüzburg 1959, 277-278.

<sup>176</sup> See *conf.* 3,1,1; 8,7,16; 10,30,41.

<sup>177</sup> See *virg.* 31.31 – 53.54.

dedication,<sup>178</sup> always mindful of Augustine's insistence that the dignity and worth of chastity does not consist in continence as such, but in its faithful and loving consecration to God.<sup>179</sup>

**63.** Our chastity is vitally linked to the brotherhood we share and is a manifestation of true fraternal love. It is best safeguarded in a community where true fraternal love thrives among the friars, where it is protected by mutual vigilance and fraternal correction, and where the bond of friendship among the friars is cared for. Accordingly the *Rule* prescribes: "*Exercise mutual care over purity of life. Thus, by mutual vigilance over one another, will God, who dwells in you, grant you his protection.*"<sup>180</sup> This is a responsibility shared by all the friars and is to be a particular concern of superiors.

#### *Evangelical Poverty and the Sharing of Goods*

**64.** Our Holy Father Augustine, in commanding us to call nothing our own, but to let everything be ours in common<sup>181</sup>, intended to renew the ideal of the sharing of goods that existed among the early Christians (see Acts 4:32). He saw in this sharing a particularly suitable way to attain Christian love by living in a fraternal community in which all would be intent upon God in oneness of mind and heart.<sup>182</sup> It is this communion of goods, so deeply cherished by Augustine, that makes our practice of poverty distinctive, an evangelical poverty in the footsteps of the poor Christ.<sup>183</sup> Following the poor Christ, we must never lose sight that his poverty was not merely a kind of economic condition but rather, is rooted in the mystery of his profound self-emptying (see 2 Cor 8:9; Phil 2:7). Our poverty, therefore, should not be reduced to a mere giving up of temporal goods, but of all that is redolent of pride, that is, vanity, personal honors, and the like. It follows that our poverty is of little worth unless it is joined with humility of mind and heart.

**65.** Poverty not only requires a sharing of all goods with our brothers, keeping nothing as our own, but demands also that we have hearts free from the desire for material things. Therefore the *Rule* recommends simplicity of life with regard to all material goods with the result that we are less encumbered in dedicating ourselves to the service of our neighbor, especially the poor: "*it is better to want a little, than to have too much.*"<sup>184</sup> This simplicity will better equip us in our efforts to realize a more just society.

**66.** Through this sharing of goods, we give evidence that we are steeped in that love, according to which we no longer seek what is our own, but rather the common good, and prefer what is of advantage to the many before our own interests.<sup>185</sup> Thus the greatest wealth of the Augustinian community is ever "*that vast and extremely rich estate, common to all, which is God.*"<sup>186</sup> Consequently, we must earnestly cultivate poverty and, where possible and appropriate, express it in forms that are new and more suited to the understanding of today's society, as well as particular cultures.<sup>187</sup> It is not sufficient that we depend on the permission of the superior in the use of goods; rather we must be poor both in spirit and in fact (Mt 5:3), storing up our treasure in heaven (see Mt 6:20).<sup>188</sup>

**67.** It is the duty of the community to provide for the friars whatever is necessary and fitting, according to the norms of the house and the province. But the accumulation and possession of money, as though it were one's own, is entirely contrary to the vow of poverty and to the nature of the common life. Any payment received for work, therefore, and any gifts, including things other

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<sup>178</sup> See *reg.* IV.

<sup>179</sup> See *exp. Gal.* 52; *mend.* 19.40; *c. mend.* 20.40; *virg.* 51.52.

<sup>180</sup> See *reg.* IV; see *Vfr.* 2, 24.

<sup>181</sup> See *reg.* I.

<sup>182</sup> *reg.* I.

<sup>183</sup> Augustine spoke often and strongly about the poor Christ, see *s.* 389.5; *en. Ps.* 75.9; 147.13.

<sup>184</sup> *reg.* III, 18.

<sup>185</sup> See *s.* 78, 6; *ep.* 243.

<sup>186</sup> See *s.* 355, 2.

<sup>187</sup> See PC 13.

<sup>188</sup> See *ibid.*; OROZCO, c. 1, p. 50.

than money, truly belong to the community and are not to be considered personal,<sup>189</sup> even when personal use of them is granted in particular cases.<sup>190</sup>

**68.** The friars, therefore, as sincere lovers of poverty, should examine their consciences to see whether or not they possess anything as their own. In the things that they have for their use all should practice simplicity and moderation, shunning abuses and useless expenditures. Superiors and officials should willingly and courteously provide for each one, due consideration being made for different regions, as well as for the age and condition of the friars. They should also be concerned to create an attractive atmosphere in the house so as to make it pleasant to live there and to encourage brotherhood.

**69.** Because exaggerated economic inequalities arouse scandal where great wealth and destitution, abundance and famine exist side by side in the same society, the ideal of evangelical poverty impels us all the more and under a stricter obligation to bear witness to the world of the poor Christ against the unbridled lust for riches, and to faithfully observe the obligations of poverty in keeping with the nature of our Order<sup>191</sup>, the prescriptions of the *Rule*<sup>192</sup> and the example of our Holy Father Augustine<sup>193</sup>. Our spirituality of communion offers the world a prophetic voice in the face of these inequalities.

**70.** Mindful of the words of the Apostle: *if anyone does not wish to work, let him not eat* (2 Thess 3:10),<sup>194</sup> and as men striving to be poor, we cannot excuse ourselves from work. Rather, we must generously fulfill our duties, especially those of an apostolic nature. We do this, however, not for the sake of material gain, but so that we may humbly submit ourselves to the common law of labor in imitation of Christ, who did not come to be served, but to serve (Mt 20:20). Besides this, our sense of fraternity demands that all of us help and serve one another mutually, urged on by a like responsibility and concern for our brothers.<sup>195</sup>

**71.** The Church and humankind expect of us a witness to poverty which is both individual and collective.<sup>196</sup> Consequently, the friars, their houses, and provinces should avoid any appearance of excessive wealth. They should promote projects among the poor especially, such as in the missions, in parishes, and in social works, so that we may recognize the poor Christ in his needy ones and strive to serve him. Moreover, because we must preach social justice above all by example, all those who are employed by us should receive a just and generous wage. Finally, it is in keeping with the Augustinian fraternal spirit that communities and provinces should share their resources with one another, so that those who are better supplied help those who suffer need<sup>197</sup>.

**72.** Superiors should see to it that friars in solemn vows make a civilly valid document (CIC 668.1) in which they clearly state that as religious in solemn vows they cannot be the owners of any temporal goods or rights, and that any such goods which they have under any title belong to the Order, the province, or the house, and upon death must revert to the community.

### *Preferential Option for the Poor*

**73.** Saint Augustine tells us that he was profoundly moved by his reading of Mt. 25:31-46: *"I was hungry and you gave me to eat . . ."*<sup>198</sup> Because of this he affirmed that what we give to the poor, we give to Christ, and what we withhold from the poor, we withhold from Christ.<sup>199</sup> Thus, after the example of Saint Augustine, we are obliged to give a coherent and prophetic witness to the

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<sup>189</sup> See reg. 5.

<sup>190</sup> See reg. 1. For this entire number, see OROZCO, c. 1, 50-51; c. 4, 74-82; G. FLETE, *Epist. ad Fratres Prov. Angliae*, Anal. Aug. 18 (1941-42) 310.

<sup>191</sup> See *Const. OSA* Cap. I.

<sup>192</sup> See reg. I.

<sup>193</sup> See POSSIDIUS 31.

<sup>194</sup> See LE, *praefatio; op. mon.* 1.2; 2.3; 3.4; 25.33.

<sup>195</sup> See PC 15.

<sup>196</sup> See PC 13.

<sup>197</sup> See *ibid.*

<sup>198</sup> *"I confess what moves me most of all in Scripture..."* s. 389.5.

<sup>199</sup> See *en. Ps.* 75.9; 147.13.

preferential option for the poor,<sup>200</sup> and make a serious effort to imitate Christ, showing that we are in solidarity with those who are materially poor and who must live on the margins of society. This prophetic option requires that we examine our way of life and make practical decisions regarding the use of our material goods, in order to clearly manifest our concrete solidarity with the victims of that injustice that arises from the social structures of sin.<sup>201</sup> This preferential option for the poor, and the decisions which it inspires in us, cannot but embrace the immense multitudes of the hungry, the needy, the homeless, those without medical care and, above all, those without hope of a better future. We cannot ignore the existence of these realities; to do so would mean that we become like the rich man who pretended not to know the beggar Lazarus lying every day at his gate (see Lk 16:19-31).<sup>202</sup>

### *Religious Obedience*

**74.** Saint Augustine teaches that obedience is always an act of love.<sup>203</sup> Through religious obedience we offer the dedication of our wills to God as a sacrifice; we are joined to his salvific will; and we imitate Christ more fully, who for us became obedient unto death (see Phil 2:8). Religious, under the inspiration of the Holy Spirit, are obedient to their superiors out of love, and by them are led to the service of all their brothers and sisters in Christ, just as Christ himself served them by reason of his submission to the Father.<sup>204</sup> This obedience, grounded in faith and strengthened through humility and self-sacrifice, is an effective expression of love towards God and the superior; it is not a loss of freedom but rather its fulfillment.<sup>205</sup> “*Service to the Lord is freedom: when we serve in love, not under coercion, there is free service . . . Let love make you a servant, because the truth has set you free.*”<sup>206</sup> In keeping with this thought the *Rule* extols the dignity of obedience when it invites us to obey “*not as slaves living under the law but as persons living in freedom under grace.*”<sup>207</sup> This freedom under grace finds ample support if we live a type of obedience and authority which fosters mutuality, and is expressed in a spirit of shared discernment, co-responsibility, and fraternal dialogue on the part of all who are in search of God’s will.

**75.** With our Holy Father Augustine we must value the importance of religious obedience for our fraternal community. Truly “*a coordinated balance between authority and obedience among those who live together*”<sup>208</sup> is a necessary condition for domestic peace in the entire community.<sup>209</sup> The prior, therefore, is to be obeyed as a father with the respect due him so as not to offend God in his person. However, it is the duty of the prior to provide thoughtfully for the welfare of the friars, to see that precepts are observed, and, if any point has been neglected, to take care that the transgression is not carelessly overlooked but is punished and corrected.<sup>210</sup> “*The superior, for his part, must not think himself fortunate in his exercise of authority but in his role as one serving you in love.*”<sup>211</sup> Above all, he should recognize himself as a brother and a servant of the servants of God.<sup>212</sup> Truly, even superiors obey when they exercise authority, for they do not exercise it arbitrarily, but according to the norms of the *Rule* and *Constitutions* and the deliberations of chapters. By prayer and by consultation with the friars, superiors should strive to discover and carry out what God wills in regard to the friars.

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<sup>200</sup> See CGI 1980, Concerning our preferential option for the poor, see Acta Ord. 25 (1980) 153\*.

<sup>201</sup> SRS 39; Pont. Cons. Cor Unum “*Hunger in the World*”, 25.

<sup>202</sup> SRS 42; see CA 11; see *Const. O.S.A.* 185.

<sup>203</sup> See reg VII.4; s. 96.2.2.

<sup>204</sup> See s. 359B.1 (Dolbeau 2); *virg.* 31.31; *ep.* 140.28.68.

<sup>205</sup> See PC 14.

<sup>206</sup> *en. Ps.* 99, 7; see etiam LG 43.

<sup>207</sup> *reg.* c. 8

<sup>208</sup> *civ.* 19, 14.

<sup>209</sup> See *civ.* 19.13.

<sup>210</sup> See *reg.* VII.

<sup>211</sup> *reg.* VII.

<sup>212</sup> See s. 146.1; *en. Ps.* 66.10.

**76.** Consequently, as long as the friars exhibit a humble service of obedience and superiors promote voluntary collaboration, both conscious of their mutual responsibility, they will create a more solid community because of a greater spirit of unity and harmony of will.<sup>213</sup> Indeed the harmony that results should appear before all as the symbol of that love which must exist among the followers of Christ (see Jn 17:23; Acts 4:32) and as a special sign of the grace of God.

**77.** Priors therefore should take care to exercise the authority which they have received with their office in the service of the friars. They should gladly and sincerely listen to them while maintaining at the same time due authority; encourage their initiatives for the good of the Order; and impose only just and reasonable commands, so that the obedience of the friars may be truly active and reasonable.<sup>214</sup> The friars for their part should strive to fulfill these commands in a spirit of faith and love for God's will in accordance with the norms of the *Rule* and *Constitutions*,<sup>215</sup> out of respect for the superior's authority rather than any regard for his intellectual endowments.<sup>216</sup> "*Religious obedience lived in this manner will not diminish the dignity of the human person; rather will it lead him to maturity and the fullness of the freedom of the sons of God.*"<sup>217</sup> In this way both authority and obedience will be seen as a joint responsibility on the part of all.

**78.** Should it happen that what is asked of one of the friars be so difficult and burdensome that he reasonably considers it to exceed his strength, he should reverently, candidly, and sincerely explain his difficulties and reasons to the superior. At the same time, however, he should consider that there are perhaps some aspects of the question that he may either not know or not sufficiently understand, and in forming his conscience he should keep before him the full ideal of religious life and the very nature of obedience. If the problem should still remain and be truly serious, the friar has the right of recourse to the major superior together with his council so that he may seek a decision from them. This recourse, however, in no way suspends the carrying out of the decision made by the lesser superior.

**79.** Superiors should remember, moreover, that when in particular cases, and within the limits of their power, they dispense from the observance of the law, they should not so much consider the relaxation of discipline but rather the will of God and the mystery of salvation. In this fashion our obedience clearly appears as a solid spiritual bond among the friars whereby the one who is in charge seeks to be of benefit to the rest.<sup>218</sup>

## **CHAPTER V LIFE WITH GOD**

**80.** Gathered together as a community, the first service that we render to the Church and humanity as religious is witnessing to the experience of our encounter with God through his Word and the events of history. This encounter occurs always when we freely recognize the presence of God who creates us and draws us unceasingly to himself.<sup>219</sup> As happened to Augustine, the person of Christ and the pages of Scripture which reflect him are the locus of this personal experience which illumines our life by means of the circumstances that surround it. This same experience of our encounter with God is the very thing we are called to bring about for the followers of Jesus in the different situations of life.

**81.** We have access to God through his Word made visible, for "*there is no other mystery of God except Christ.*"<sup>220</sup> And when we celebrate the sacraments, the Church, the Body of Christ and

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<sup>213</sup> See *ep.* 187.13; *en. in Ps.* 99.7.

<sup>214</sup> See PC 14.

<sup>215</sup> PC 14.

<sup>216</sup> See *op. mon.* 31, 39.

<sup>217</sup> PC 14.

<sup>218</sup> See s. 340A, 1.

<sup>219</sup> *conf.* I, 1, 1.

<sup>220</sup> *ep.* 187, 34.

universal sacrament of salvation<sup>221</sup> is expressed symbolically, and efficaciously brings about the presence of the Whole Christ in the circumstances of our Christian life.<sup>222</sup>

**82.** We must foster diligent communication with God by prayer and the liturgical life. Our faithful adherence to the One who is “*deeper within us than our interior being*,”<sup>223</sup> demands faithfulness to the times of prayer, both personal and communal. Since the liturgy is the summit toward which the activity of the Church is directed and at the same time the source from which all its strength flows, it must be also the summit and principal source of our entire spiritual and apostolic life.<sup>224</sup>

**83.** In our communities the worship of God through the liturgy of the Church is expressed in a privileged way through the celebration of the Eucharist and the Liturgy of the Hours. So that the participation of all the friars may be full, conscious, and active,<sup>225</sup> the local chapter will designate, at least in the larger communities, a religious who is suited to care for the liturgical life of the community.

## I. Prayer Life

### *Personal and common prayer*

**84.** Prayer, often described by Augustine as a “*desire*” or “*the crying out of the heart*,”<sup>226</sup> is the consistent expression of our life of faith, hope, and charity.<sup>227</sup> As a consequence, we should preserve an harmonious balance between prayer and the whole of life.<sup>228</sup> Prayer is manifested in life and life becomes prayer: “*Praise God with your whole self, that is, not only with your tongue and voice but with your conscience, with your life and your works.*”<sup>229</sup>

**85.** Our personal prayer should have as its constant point of reference Holy Scripture and the prayer of Christ himself, which is the prayer of the Whole Christ, Head and Body.<sup>230</sup> His Spirit comes to our aid, *prays for us, prays in us and is prayed to by us*<sup>231</sup> and under his guidance our prayer ascends to God the Father (Rom 8:15; Gal 4:6).

**86.** Living the common life in an Augustinian community requires that places and times be set aside for sharing faith, because common life without common prayer would not be common life. Therefore, all friars are to dedicate at least a half hour to personal prayer (meditation, contemplation...) and in addition, communities are to see to it that the friars have sufficient time to devote to common prayer according to various preferences and cultural styles (*Lectio divina*, meditation in common, spiritual dialogue, common reading of the Word of God, etc.). Also, since the value of prayer in common springs from the sense of church that Saint Augustine wished to imprint on his communities, it is recommended that we share our community prayer with the laity who participate in our spirituality and celebrate their faith together with us.

### *Liturgy of the Hours*

**87.** Because the example of the early Christian community influenced our life in a special way (see Acts 4:32), all the friars should celebrate liturgical prayer in common. In this prayer the Church is expressed as the Whole Christ<sup>232</sup> and the unity and harmony of the friars is strengthened.<sup>233</sup> Saint

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<sup>221</sup> LG 48.

<sup>222</sup> *en. ps.* 100, 3.

<sup>223</sup> *conf.* 3, 6, 11.

<sup>224</sup> SC 10.

<sup>225</sup> See SC 14.

<sup>226</sup> *en. ps.* 37, 14; s. 156, 14; *en. ps.* 118, 29, 1; *en. ps.* 141, 2.

<sup>227</sup> See *ep.* 130, 9, 18.

<sup>228</sup> *civ.* 19, 19: “*No one should be so idle that in his leisure he is of no help to his neighbor, nor so busy, that he has no time for the contemplation of God.*”

<sup>229</sup> *en. ps.* 148, 2.

<sup>230</sup> See *en. ps.* 34, s. 1, 1.

<sup>231</sup> *en. ps.* 85, 1; see *en. ps.* 26, s. 2. 1.

<sup>232</sup> See *en. ps.* 100, 3.

<sup>233</sup> See *en. ps.* 30, II, s. 1, 4; *en. ps.* 132, 1 ss.; *Vfr.* 1, 5.

Augustine makes frequent reference to the external forms of this prayer when he speaks of the readings, or the chanting of the psalms and hymns.<sup>234</sup> By means of this type of prayer the Church satisfies the exhortation of Christ to pray without ceasing (see Lk 18:1). In our celebration we unite ourselves to the voice and dignity of the pilgrim Church: *"Now it is a desirous love that sings; then it will be a satisfied love."*<sup>235</sup>

**88.** This communal type of liturgical prayer unites us in Christ with all humanity,<sup>236</sup> because all of humanity is present in him as it prays. In this prayer of the ecclesial community the Holy Spirit draws man and the world closer to God. It is He who prays in us, for the power that moves our prayer is love.<sup>237</sup>

**89.** In individual cases and for a just reason, major superiors can dispense friars from the obligation to recite the Office in whole or in part, even in common, or can commute the obligation; local superiors have only the power to dispense.

**90.** The Liturgy of the Hours is to be celebrated according to the norms of the Church (see CIC c.276, 2.3; c.663, 3). In all communities special importance should be given to the recitation of Lauds and Vespers in common. Ordinarily the Liturgy of the Hours will be celebrated in the church or oratory of the community. In reciting the Divine Office communally or individually, our main concern ought to be, as the *Rule* teaches, that *"we think over in our heart that which comes forth with our voice."*<sup>238</sup> To give the people of God an efficacious witness to prayer and communion<sup>239</sup> the faithful should be invited to participate with us in this public prayer of the Church, always making sure that it is carried out with due respect and dignity.

### *Lectio divina*

**91.** As Augustine found inspiration for his style of life in Scripture, we too must listen attentively to the voice of God in the inspired text,<sup>240</sup> and allow his Word to transform our hearts, that we might be converted to a new life.<sup>241</sup> For this reason, it is recommended that all the friars frequently practice reading and meditation on the Word of God which frees us from slavery, points out our weaknesses, and shows us the love of God: *"You had wounded our heart with the arrows of your love and we bore your words fixed in our innermost recesses."*<sup>242</sup>

## II. Sacramental Life

### *Mystery of the Eucharist*

**92.** In the sacrament of the Eucharist the author of life is truly present;<sup>243</sup> he offers himself for us;<sup>244</sup> he shares his life with us;<sup>245</sup> he prays for us; he unites us to himself in the meal of fraternal communion and, through faith and hope, we have a foretaste of the eschatological banquet.<sup>246</sup> *"O sacrament of love, sign of unity, bond of charity. Whoever longs for life, has here its very source. Let him come here and believe, let him unite with you and live."*<sup>247</sup>

**93.** Since the work of our redemption is accomplished in the Eucharistic celebration, when we celebrate Mass we should keep in mind the work of Christ, and at the same time believe that we are

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<sup>234</sup> See *reg.* 10-13.

<sup>235</sup> *s.* 255, 5, 5.

<sup>236</sup> See *en. ps.* 78, 3.

<sup>237</sup> See *s.* 128, 4.

<sup>238</sup> *reg.* 12.

<sup>239</sup> See SC 99-100.

<sup>240</sup> See *conf.* XI, 2,3.

<sup>241</sup> See *conf.* X, 26, 37.

<sup>242</sup> *conf.* IX, 2, 3; see *en. ps.* 36, s. 3, 12; *en. ps.* 119, 5.

<sup>243</sup> See *s.* 235, 3; EE, 15.

<sup>244</sup> See *civ.* 10, 6; *conf.* X, 43, 69-70; EE, 12-13.

<sup>245</sup> See *s.* 228B, 3-4; *s.* 229, 3; EE 16.

<sup>246</sup> See *Io. ev. tr.* 25, 12; EE 18-19.

<sup>247</sup> *Io. ev. tr.* 26, 13.

offering the Divine Victim to God, and ourselves with him in the name of all the Church.<sup>248</sup> Moreover, just as in the Eucharistic Sacrament the unity and the invisible and visible communion of the Body of Christ is fittingly represented and brought about in a wonderful manner,<sup>249</sup> so also in our communities this unity must be accomplished and manifested, and extended to our universal fraternity through this sacrament. Since Eucharistic communion abundantly satisfies the desires of fraternal charity, we also must satisfy the hunger of the human family, especially of those who hunger for peace, justice, solidarity, and the defense of human rights, and in particular, the right to life.<sup>250</sup>

**94.** Since our community is truly rooted and centered in the celebration and sharing of the Eucharist, we must be zealous in offering God this sacrifice of praise worthily and devoutly each day in a spirit of gratitude, so that it may become the source of abundant blessings for ourselves, the Order and the Church. Each circumscription is to establish norms which will facilitate its celebration and the participation of all.

**95.** Because Christ is continually present in the sacrament of the altar for our help and consolation, we ought to respond to this gift of his with a grateful heart, in order to enjoy intimate familiarity with him and to entrust to him the unity of the Church, and the peace and the salvation of the world.<sup>251</sup> Even though we fulfill our duty of worship in the presence of the Most Holy Sacrament in our prayers and especially in the Liturgy, Eucharistic adoration is especially recommended.

**96.** In the Sacrament of Reconciliation, we celebrate the love and mercy of God the Father shown in his Son Christ Jesus, who through the action of the Spirit calls us to reconciliation with God and our brothers.<sup>252</sup> Through the ministry of the Church we receive forgiveness through the admission of our sins in confession.<sup>253</sup> The frequent and conscientious celebration of this sacrament is a diligent effort at conversion, and in this way we cooperate with the grace of Baptism and the life of Jesus is more evident in us.

**97.** Community celebrations of Reconciliation should be held where the proclamation of the Word of God invites us to conversion and renewal of life. These celebrations express the ecclesial aspect of this sacrament and can fittingly form part of chapters of renewal.

**98.** Friars who have obtained the faculty to administer the Sacrament of Reconciliation from their own Ordinary may, by that fact, exercise it in all the communities of the Order.

### *Anointing of the Sick*

**99.** By their sufferings, the elderly or gravely ill friars in our communities witness in a special way to following Jesus along the way of the cross. They need our physical, moral and spiritual support. To help them live in the spirit of faith, help should be given them through the grace of the Sacrament of the Sick to unite themselves to the suffering Christ.

**100.** When an infirm brother becomes seriously ill, the local prior will inform the major superior so that all the communities of the province may pray for him. At an opportune time, the infirm friar is to receive the Sacrament of the Sick and other spiritual aids, as far as possible in the presence of the friars of the community and his relatives and friends. The death of a friar shall be communicated to the friars of the circumscription immediately.

### *Prayers for the Deceased*

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<sup>248</sup> See *civ.* 10, 20; AEGIDIUS ROMANUS, *De corpore Christi*, Roma 1555, f. 16, 2B.

<sup>249</sup> "Therefore if you are the body of Christ and his members, your mystery is placed on the Lord's table: receive this mystery of yours". (*s.* 272); *s.* 57, 7; *s.* 229, 2.

<sup>250</sup> See *EE* 20; *DCE* 22ss.

<sup>251</sup> See THOMAS A VILLANOVA, "In Dom. Infra oct. Corporis Christi concio", 6, *Opera Omnia, III*, Manilae, 1883, 78.

<sup>252</sup> See *s.* 71, 28; *s.* 99, 9.

<sup>253</sup> See *ep.* 228, 8.

**101.** As Augustine said, honoring the memory of the dead is a consolation for the living,<sup>254</sup> because we are thereby reminded to live an honorable life and to become a living memorial of the deceased<sup>255</sup> and our faith in the resurrection is strengthened.<sup>256</sup> *"Those who have died in the fellowship of Christ's body and blood should be remembered in prayer during the sacrifice of the Eucharist when they are recalled at the proper place and it is noted that the sacrifice is offered for them."*<sup>257</sup>

- a) Accordingly, on the death of a professed Augustinian, a novice or anyone who lives with us day and night, the community to which he belonged is to remember him in prayer, to offer the Eucharist for him, and will assume the fraternal task of providing for the funeral.
- b) In all communities of the circumscription to which the friar was affiliated or assigned, even though he should have died in another, Mass is to be offered for him as soon as possible. Besides this, all the priests of the circumscription are to celebrate Mass for him; and the other friars should participate in Mass for the same intention. In the community to which the deceased belonged, Mass is also to be offered on the first anniversary of his death.
- c) On the death of the pope, Mass is to be offered in all communities. The same is to be done upon the death of the Prior General and of any of his predecessors.
- d) When notice has been received of the death of a parent, brother, or sister of one of our professed friars or of a novice, at least one Mass is to be offered for the deceased as determined by the Statutes. Also one Mass should be offered for a deceased affiliate of the Order, in the house of the circumscription which requested the affiliation, according to the statutes.
- e) Each year, in all communities, on the days determined in the calendar of the Order, Mass is to be offered for the following intentions:
  - 1) for all deceased friars and sisters of the Order;
  - 2) for our deceased fathers, mothers, brothers, sisters, relatives, and close friends;
  - 3) for our deceased benefactors.On these days every priest is to celebrate Mass for this intention, and the other friars are to participate in Mass for the intention.
- f) Every month in which some anniversary of the Order does not occur, in all communities Mass is to be offered for the deceased brothers and sisters and benefactors of the Order.

### **III. Care Of The Spiritual Life**

#### *Instruments of Renewal*

**102.** To continually renew our spirituality, each community, in accord with the proper Statutes, should arrange for days of retreat or recollection according to the more important liturgical seasons. On these days, or even more frequently, according to the statutes, celebration of the chapter of renewal is recommended. The local prior will take advantage of the opportunity to promote the religious and apostolic life of the friars with words of encouragement. He will propose to the examination of the friars what appears necessary and useful to promote communion and correct faults or transgressions. Thus in fraternal and responsible dialogue, an effort will be made to resolve difficulties and improve community life. All the friars will make a retreat of at least five days each year, during which time it is appropriate that Augustinian spirituality be reviewed, and one's following of Jesus be strengthened through the renewal of vows.

#### *Devotional Practices*

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<sup>254</sup> See s. 172, 2.

<sup>255</sup> See s. 396, 2.

<sup>256</sup> See s. 375/B, 1.

<sup>257</sup> s. 172, 2.

**103.** Devotional practices are of great value in our spiritual lives when they are carried out according to the norms of the Church and the tradition of our Order, provided they are in accord with the sacred liturgy, and in some way flow from it, and lead back to it.<sup>258</sup>

**104.** During initial formation, directors or others responsible for formation should see to it that the friars become conscious of the value of devotional practices to nourish their spiritual lives. In their turn, priors shall see that all have enough time to cultivate the interior life by these exercises and devotions, both individually and in common.

**105.** Prayer in common for the whole Order and for our benefactors is to be said every day at a convenient hour. This may be done according to the form given in the *Ritual* or during the celebration of the Eucharist or in the Liturgy of the Hours. Each year in all communities, on the days determined in the calendar of the Order, Mass is to be offered for living benefactors, whom it is fitting to invite to the celebration.

**106.** The example of the most Holy Virgin Mary is an encouragement for our religious consecration. We ought to honor the Mother of God in a special way with filial love in keeping with the practice of the Church and the tradition of the Order, which from times long past has venerated her as Our Lady of Grace, Our Lady of Help, Our Mother of Consolation and Our Mother of Good Counsel. Our veneration is to be expressed according to the calendar and *Ritual* of the Order and the particular customs of each nation or region.

**107.** In all of our houses the memorials and feasts of our saints and blessed, and especially the solemnity of our Holy Father Augustine, are to be celebrated according to the liturgical calendar and Missal of the Order. In addition, devotion to them as teachers and witnesses of our spirituality is to be zealously promoted among the faithful through forms of popular devotion and by making use of suitable local traditions.

## CHAPTER VI LIFE WITH THE BROTHERS

**108.** Our community life has its origin in the life of the Trinity.<sup>259</sup> God, the mystery of communion of Father, Son and Holy Spirit (see Jn 17:21-23),<sup>260</sup> created us in his own image and likeness (Gn 1:26-27),<sup>261</sup> and called us to bear witness to him in fraternal life.<sup>262</sup> Moreover, our community life is rooted in the common life of the Acts of the Apostles (Acts 2: 42-47; 4:32-35)<sup>263</sup> and is built from the love of God which has been poured into our hearts by the Holy Spirit (Rom 5:5),<sup>264</sup> by whom the whole Trinity dwells in us.<sup>265</sup> As members of Christ's body gathered together in his name, not only do we enjoy his presence, but above all our unity "is a symbol of Christ's coming."<sup>266</sup>

**109.** True unity of hearts demands an authentic and sincere common life according to the spirit of our Order, so that all of us, as members of one brotherhood and animated by the Augustinian spirit of love, may be able to share a single purpose of life in prayer and in the apostolate, in work and in leisure, in sadness and in joy. This love "*is tolerant in adversity, temperate in prosperity; courageous in severe suffering, cheerful in good works; in temptation completely secure, in hospitality expansive; among true brethren truly joyful, among the false truly patient.*"<sup>267</sup> Therefore, our communities should be truly human in their arrangement and circumstances, such that they promote deep, personal relationships.<sup>268</sup>

<sup>258</sup> See SC 13; S. ALONSO DE OROZCO, *Vergel de oración*, 3, 3. Salamanca 1895, 283.

<sup>259</sup> See VC 41.

<sup>260</sup> *trin* I,7-13.

<sup>261</sup> *trin*. XII,6.

<sup>262</sup> See VC 21 (ad finem).

<sup>263</sup> See etiam *reg.* I,3; VC 41.

<sup>264</sup> *trin*. VII,5; VIII,10; XIII,14; XV,31.

<sup>265</sup> *trin*. XV,32.

<sup>266</sup> PC 15.

<sup>267</sup> *s.* 350, 3; see *conf.* 4, 8-9.

<sup>268</sup> See CGI 1974, *Documentum Capituli*, Act. Ord. 19 (1974) nn 65 and 70.

**110.** In order to promote deep communion of mind and heart among the friars in community, we should be mindful that our personal relationships require the same qualities that are needed in all genuine human relationships. Sincere communication is an essential human factor that can strengthen fraternal life in community. Relationships within circumscriptions and on the level of the entire Order should be promoted together with those within a local community. Regular meetings and suggestions, newsletters and periodicals, letters and visits not only help to create closer relationships, they also nourish our family spirit, making us share in the concerns of the Order.<sup>269</sup>

**111.** The arrangement of the common life should be managed with a certain flexibility, according to differences of surroundings and occupations. Particular norms, therefore, for the good of the community and of individuals, are to be determined either by the statutes of the circumscription or by the local community, in such a manner that they truly foster the common and apostolic life.

**112.** Friars, who because of special circumstances, live outside the community with the permission of the major superiors, and cannot enjoy the fullness of the common life, should faithfully adhere to the same spirit of brotherhood. Both they and their superiors should see to it that at stated intervals they be able to gather with communities or friars who are nearby and experience the advantages and joys of fraternal love.<sup>270</sup>

**113.** As a response to the signs of the times, and in order to give witness to the Augustinian charism in our present-day multicultural society, the Order should encourage the creation of international communities as a sign of communion and universality.

#### *Requirements of Fraternal Life*

**114.** The presence of all the friars at common meals is ordinarily required, not only for the good order of the house, but also because it provides the occasion for the expression of a genuine sense of fraternity. Mindful of the admonition of our Holy Father Augustine, we should abstain "*from superfluous, harmful, and negative conversation.*"<sup>271</sup>

**115.** In all houses, at a time designated by the local chapter, recreation is to be had in common, through which the bonds of community are strengthened in relaxing conversation and enjoyment.

**116.** Fraternal love impels us to recognize that silence is one of the means necessary for encouraging and observing the common life and the conditions suitable for prayer, study, and the relaxation of the friars.<sup>272</sup>

**117.** We should observe necessary prudence in admitting lay people to places reserved to the friars so that the life of the community and of the individual friars may be preserved (see *CIC* 667.1).

**118.** a) Because mutual fraternal care and the good order of the house require it, the friars, when leaving the house, especially outside the usual hours, should ordinarily notify the prior, or in his absence the sub-prior, or the oldest by order of profession. This norm also applies to the prior and subprior of the community.

b) The major superior, with the consent of his council, has the faculty of granting friars permission to remain outside a religious house for a just and fitting reason, but not beyond one year, except in cases of illness, for studies, or for exercising the apostolate in the name of the Order. Moreover, for a serious reason, the Prior General, also with the consent of his Council, may grant a friar in solemn vows an indult of exclaustation for no more than three years; if the friar is a cleric, the prior consent of the Ordinary of the place in which he is to live must be obtained (see *CIC* 665, 1 and 686, 1). The faculties of the local prior in this matter are to be determined by Statutes of the Circumscription.

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<sup>269</sup> See VFC 30.

<sup>270</sup> See PO 8.

<sup>271</sup> POSSIDIUS, 22; see *reg.* 1, 3.8.

<sup>272</sup> *Vfr.* 4, 8.

**119.** a) Mindful of the example of our Holy Father Augustine, who taught<sup>273</sup> and *"always practiced hospitality,"*<sup>274</sup> and of our friendship founded in Christ, we should fittingly and courteously show hospitality to all, especially to members of our own Order.

b) Friars who remain as guests for some period of time in any house of their own or of another province with the permission of the major superiors should enjoy the rights of truly fraternal hospitality. Guests, however, are to observe the order and discipline of the house and respect the authority of the prior.

#### *Order of Precedence*

**120.** a) At common acts the friars are to arrange themselves as they wish, unless the statutes or good order demand otherwise in special cases, and with due regard for the prior, the older friars, and guests.

b) However, when precedence must be observed, priority according to office or jurisdiction should be respected. When necessary, the friars should follow the order of simple profession or, among those who have been professed on the same day, the order of age; novices and others in the period of probation follow afterward.

#### *The Care of the Sick*

**121.** So that they may bear their difficulties more patiently and more fruitfully, we should show the greatest concern and fraternal love in the care of the sick and the aged, for in them we serve Christ. Priors should see that all their spiritual and material needs are generously provided for, and without denying, because of poverty, whatever the doctor judges necessary for the sick.<sup>275</sup> Each Circumscription should strive to make use of insurance or social welfare, so that it may provide for the sick and the aged. The sick themselves should accept the assistance offered them with gratitude and good will. Indeed, they must be careful not to sadden those who serve them in love.<sup>276</sup>

**122.** Whatever a deceased friar had for his own use, except those things that pertained to his office, is to go to the house or circumscription of which he was a member. Books that are of some importance should be placed in the community library, or, if it seems better, in the library of another house. The archivist of the circumscription and the prior of the local community are to decide what things of a personal nature should be kept in the provincial archives.

## CHAPTER VII STUDIES IN THE ORDER

#### *Importance of Studies*

**123.** In order that we who have dedicated ourselves to the mystery and the saving mission of the Church may worthily preach Christ, the Word of God, and continuously strengthen the foundation of the spiritual life of the Order, we should have the greatest concern about the study of the arts and sciences, both ecclesiastical and secular, for the benefit of the Church, ourselves, and human society<sup>277</sup>. *"Study should be understood not as a temporary activity which ends at the time of initial formation, but as a permanent attitude of reflection upon reality, of intelligent questioning, which is a source of truth, a willingness to learn, and critical ability in the face of historical events."*<sup>278</sup> The abandonment of studies, as a reflective attitude of questioning and searching, causes us *"to fail to judge our present circumstances, or even more seriously, to cease offering life-giving alternatives for the future."*<sup>279</sup>

<sup>273</sup> See *en. Ps.* 100, 8; 140, 8; *s.* 104, 2; 217, 5; 355, 2.

<sup>274</sup> POSSIDIUS 22; see *Const. Ratisbon.* c. 19, nn. 124-126.

<sup>275</sup> See *reg.* 1, 35, 37; *Const. Ratisbon.* c. 13, n. 79.

<sup>276</sup> See *reg.* 1, 16, 18; *Const. Ratisbon.* c. 13, n. 82; *Vfr.* 2, 12.

<sup>277</sup> See PO 19; GS 44. 62.

<sup>278</sup> CGI 1998 *Documentum Capituli* n. 17, Acta Ord. 48 (1998) 83.

<sup>279</sup> CGI 1998 *Documentum Capituli* n. 16, Acta Ord. 48 (1998) 83.

**124.** As our Holy Father Augustine teaches,<sup>280</sup> studies constitute an excellent means<sup>281</sup> of intellectual formation and the perfecting of human and religious life; foster community dialogue; equip us for a more adequate response to the apostolic mission entrusted to us by the Church, which is responsible for the evangelization of culture.<sup>282</sup> For this reason, the Order should be ready to offer the Church the service of her studies as a particular dimension of pastoral commitment.

**125.** As Augustinians our vocation entails an ongoing commitment to cultivate studies and the search for truth, with love.<sup>283</sup> All friars are encouraged to pursue studies, according to each one's ability. It pertains to superiors to see that everyone fulfils this obligation,<sup>284</sup> and that they learn a language other than their own, taking into account individual abilities, the needs of the Circumscription, with a view towards better communication among members of the Order.

**126.** Our studies should be animated by a concern to respond effectively to the problems and concerns which trouble people of our times. Considering humankind's entire cultural tradition, and accepting the Church's call to keep alive the spiritual and doctrinal legacy of Saint Augustine,<sup>285</sup> we should provide ourselves with that knowledge which is in keeping with the historical development of society. If anyone in our Order shows particular ability in a specific area, whether it be technical or scientific, and in which his talents can be developed, he should be supported in his initiatives as far as possible.

**127.** The ecclesiastical disciplines hold the chief place among the sciences to be developed in the Order, for they are absolutely necessary for a deeper understanding of faith,<sup>286</sup> for the correct accomplishment of apostolic tasks, and for establishing fruitful dialogue with everyone for the good of humankind.<sup>287</sup>

**128.** The history of the Order should be carefully researched to reinforce an awareness of our identity and sense of belonging, to foster the unity of the Augustinian Family, to encourage the friars in carrying out the Order's mission in the Church, and to direct us toward the future.

**129.** The Augustinian Patristic Institute in Rome offers an important contribution to the Church today in the area of theological and patristic studies. The superiors of the Order should take care to contribute to the life of the Institute and of other similar Institutes of the Order, by supplying professors and students.<sup>288</sup>

**130.** For the sake of the unity and stability of the whole Order, as well as for training the Order's candidates for special and higher studies, major superiors should particularly keep in mind the International College of St. Monica and other international houses of formation, and provide them with students and teachers.<sup>289</sup>

### *Intellectual Training and Its Supervision*

**131.** Those who wish to enter the Order should acquire the intellectual formation that conforms to the needs of religious life (CIC 652, 659-661). All with a view to the priesthood need to possess at least the capabilities required for young people of their country to undertake university studies (CIC 234,2).<sup>290</sup>

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<sup>280</sup> See *op. mon.* 29,37; *ord.* 1,19,51: *bene vivit, bene orat, bene studet.*

<sup>281</sup> See *civ.* 19, 19.

<sup>282</sup> See EN 20; PI 90-91; VC 96. 98.

<sup>283</sup> See *trin.* 1, 5, 8: *we were grasped by the love of seeking truth; ep.* 120, 3, 13: *in truth, love knowledge greatly; CGI 1998 Documentum Capituli n. 16-20.30, Acta Ord. 48 (1998) 83-85.90.*

<sup>284</sup> See PC 18.

<sup>285</sup> See *ep.* 243, 6.8.12; AH 33-36; ; CGI 1998 *Documentum Capituli*, n. 16, Acta Ord. 48 (1998) 83.

<sup>286</sup> See *s.* 43, 9: *crede ut intellegas ... intellige ut credas; trin.* 15, 27, 49; *ep.* 120, 14. VC 100-102.

<sup>287</sup> OT 4.14-17.

<sup>288</sup> See PAOLO VI, *Inaugural Address of the Augustinian Institute*, Acta Ord. 15 (1970) 30-36; A. TRAPÈ, *Sermo inauguralis congressus studiorum in Ordine*, Acta Ord. 14 (1969) 197-198; CGI 1974, *Documentum Capituli*, Act. Ord., 19 (1974) 142-144; CGO 1995, *Documentum Capituli*, n. 10, Acta Ord. 45 (1996) 147\*; see CGO 2001 *Documentum Capituli*, A-12, Acta Ord. 52 (2001) 187.

<sup>289</sup> See CGI 1974, *Documentum Capituli*, Act. Ord. 19 (1974) 141.

<sup>290</sup> See OT 13.

**132.** Each circumscription can have its own houses of study for the philosophical and theological training of its candidates, provided there is a sufficient number of professors and students, and unless particular conditions should require otherwise. It is preferable that circumscriptions send their students to philosophical-theological schools of the Order, or to an inter-congregational or diocesan seminary, or to a Catholic university, but always providing for the Augustinian formation of the candidates marked by the teachings of Saint Augustine, of our scholars and the history of the Order<sup>291</sup>.

**133.** The Order is to maintain its schools of philosophical and theological studies where they exist in the various circumscriptions and, where opportune, establish others. In so far as possible, after consultation with the Prior General, common houses of study should be established for the students of several circumscriptions. If the circumstances of time and place should require the direct cooperation of several religious congregations for the organization of studies, priors provincial, after consulting with the Prior General, may engage in such a common undertaking.

**134.** In accord with ecclesiastical norms, philosophical and theological studies should be coordinated, both between themselves and with contemporary teachings, so that they may contribute in a harmonious way toward an ever greater opening to the mystery of Christ in the minds of the students, as well as towards fruitful ecumenical, inter-religious and intercultural dialogue.<sup>292</sup>

**135.** In order to promote studies in a more effective and expeditious manner, a consultative General Commission under the direct authority of the Prior General will be created. It should be composed of members from the entire Order chosen by the General Council, after consultation with the major superiors. The Commission will concern itself with all matters pertaining to studies, and place its conclusions before the Prior General and the Council for definitive approval. The major superior with his Council has the authority of directing studies in his circumscription. Where it may be useful in the circumscriptions a commission along the model of the General Commission should be set up to give assistance in the promotion of studies to the major superior.<sup>293</sup>

#### *Resources for Studies*

**136.** Where possible, especially in the houses of study of the Order and in the universities directed by the Order, centers of research should be established, where studies on Saint Augustine, the scholars and the history of the Order may be promoted and where more serious contemporary problems may be better investigated, offering in the various regions in which the Order is located, responses which stem from the teaching of Saint Augustine.

**137.** According to the wise advice of Saint Augustine,<sup>294</sup> in every house there should be a library, which contains books and modern media on the works of Saint Augustine, Augustinian authors and the spirituality and history of the Order. The houses of study are to be supplied with a library and other materials that are needed, according to the type and level of studies; the Augustinian section, in particular, should be carefully looked after. Each circumscription, should have a more extensive library for purposes of research and the further development of studies. The care of the library should be given to a competent and responsible person.

**138.** Besides the general archives of the Order, which are located in the Curia, there should be particular archives in each circumscription and house, where deeds and documents indicating the rights and obligations of the Order, the circumscription and the house, as well as artistic works and other historical documents, including personal ones, which may be of use either in the present or in the future, should be guarded with the greatest care. The documents of the archives or books which are precious because of age or value, belonging to any circumscription or house, must not be transferred, sold, pawned, or otherwise alienated without the express permission of the major

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<sup>291</sup> See VC 68-69.

<sup>292</sup> See OT 19; PO 19; UR 4.10; VC 100-102.

<sup>293</sup> See PDV 51-56; VC 65-66.

<sup>294</sup> POSSIDIUS, 31, 6, 8.

superior with his council, or, in the case of general houses, without the permission of the Prior General with his Council.

**139.** When books are to be disposed of, it is strongly recommended that before they be sold to outsiders, they should be offered to other libraries of the Order which may need them, especially in the case of "Augustiniana." Money gained from the sale of books is to be used for buying other ones.

#### *Special Undertakings for the Promotion of Studies*

**140.** Major superiors should see to it that friars are sent to specialized institutes or universities in keeping with the demands of the various apostolates of the circumscription. Directors of students in formation, as well as their teachers, should be carefully prepared in the diverse levels of initial formation. Special attention should be given for the training of friars who work in various aspects of the cultural apostolate.<sup>295</sup>

**141.** Opportunity should be offered to those engaged in studies to attend special courses, workshops, seminars, and scientific and technical conventions organized either by ourselves or by others.<sup>296</sup> Also recommended is the temporary exchange of teachers and students among the various centers of education in the Order, for the purpose of stimulating cooperative efforts among our schools, professors and students, and for the purpose of renewing zeal for studies.<sup>297</sup>

**142.** Superiors should so regulate the life of the house, the province, or the Order that the skills of experts can be easily directed to the common good, and that the friars can willingly share with others all the fruits of their intellectual labor. Those friars who possess a certain competence in some area should have their work published, with the permission of their major superior. Superiors for their part should support the literary efforts of the friars and assist them, as far as possible, in the publication of books and other writings. The author or the province should send to the Prior General at least two copies of any published work.

**143.** After the example of Saint Augustine<sup>298</sup>, and the tradition of our forebears, writers, conscious that their preparation is directed to the intellectual apostolate, should exercise it so that it may pervade, mold, and perfect every form of apostolic work.<sup>299</sup>

## **CHAPTER VIII**

### **Evangelization and Apostolic Activity**

#### *The Apostolate in General*

**144.** "*The Church is linked to evangelization in her most intimate being*".<sup>300</sup> This was also the experience of Saint Augustine when, after his conversion and return to Africa, he eventually was called by the Church to be a preacher of God's Word and a dispenser of God's sacraments.<sup>301</sup> In like manner, and as an ecclesial reality, the Order's "*sense of mission*" is an essential part of her identity and vocation.<sup>302</sup> It is thus that apostolic activity, by which we intend to preach the kingdom of Christ throughout the world and make all human beings partakers of his redemption,<sup>303</sup> embraces our whole life, namely, prayer, study, and activity, in forms consistent with the nature and spirit of the Order.<sup>304</sup>

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<sup>295</sup> See PC 18; OT 18.

<sup>296</sup> See GE 12.

<sup>297</sup> See CGO 2001 *Documentum Capituli*, A-12, Acta Ord. 52 (2001) 185-186.

<sup>298</sup> See POSSIDIUS 3,1.

<sup>299</sup> CGI 1998 *Documentum Capituli* n. 30, Acta Ord. 48 (1998) 90.

<sup>300</sup> EN 15.

<sup>301</sup> See *conf.* 10.43.70; 11.1.1.

<sup>302</sup> See VC III. 72; I. 3. 29.

<sup>303</sup> See AA 3; PC 2.

<sup>304</sup> See PC 5; *ep.* 48, 2; *s.* 78, 3, 6 .

**145.** Because apostolic activity is an expression of our total consecration to God and our way of living out of the mystery of Christ,<sup>305</sup> it likewise becomes a very important means of our sanctification. Accordingly, it must necessarily proceed from an intimate union with Christ and always be directed towards him.<sup>306</sup>

**146.** Our apostolic activity offers authentic witness to and service of the Kingdom of God when we ourselves share, as our Lord did, in the concerns of the human family. We should take the necessary steps to acquire an adequate knowledge of the needs of this world and explore ways of manifesting solidarity with those in need. In doing so we help men and women with lively apostolic zeal.<sup>307</sup>

**147.** Individual circumscriptions, or several together, should use all available means to meet more effectively the needs of the Church, including cooperation with other religious, with the diocesan clergy, with the laity,<sup>308</sup> with volunteers and other associations. Moreover, it is advantageous that, with the permission and encouragement of the major superior, apostolic initiatives be carried out in keeping with the needs of each nation or region.<sup>309</sup>

**148.** Superiors should willingly encourage the zeal of all the friars according to their training and talents. They should accept their initiative with understanding, direct them in such a way as to permit as much true freedom as may be judged necessary for fulfilling their apostolic work, and offer good example by their own devotion to work.<sup>310</sup> For the acceptance of an apostolic activity that might impact upon the community it is required that there be the consent of the community and of the respective superior.

**149.** Even though individual friars are often assigned authority and responsibility for a particular apostolate, nonetheless these apostolates are to be looked upon as committed to the community.<sup>311</sup> All, therefore, are to feel themselves responsible, and, as far as ability and circumstances allow, cooperate for the common good. Consequently, all who take part in the apostolate should be heard when it comes to determining plans and norms for carrying it out, safeguarding the rights of superiors of the Order regarding dealings with outside authorities whether ecclesiastical or civil.

**150.** Throughout its history the Order has sought to respond wholeheartedly to the continuous call of Jesus to proclaim the Gospel even to the ends of the earth (Mt. 28, 18-19). The mission of the Church today calls us to the needs of “*a new evangelization*”<sup>312</sup>, to which the Order strives to respond with boldness and haste.

### *Pastoral Care*

**151.** Pastoral ministry is to be exercised with apostolic zeal in churches, shrines, houses of spirituality, in parishes and in all ministries given to us by the Church. This pastoral activity will be carried out in accord with the directives of the local Church and the principles of Augustinian spirituality, offering the faithful the witness of our common life. Our life and pastoral presence should manifest a clear Augustinian character, made more evident by a communal and shared reflection on the Word of God and by its application to today’s world.

**152.** If the needs of the Church require it, and the welfare of the community is protected, our Order accepts the care of parishes, where the faithful, led by the Holy Spirit, can be led with our assistance to religious growth and come to form an authentic Christian community.<sup>313</sup>

**153.** Parochial activity entrusted to, and exercised in the name of, the community, pertains to the pastor, who will as frequently as possible engage in fraternal dialogue with the friars of the

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<sup>305</sup> See VC I. 16.

<sup>306</sup> See LG 5. 41; *civ.* 19,19.

<sup>307</sup> See PC 2.

<sup>308</sup> See PC 23; CD 34.

<sup>309</sup> See ES 1, 28.

<sup>310</sup> See PO 8.

<sup>311</sup> See PAULUS PP. VI, Litt. *Ordo Fratrum*, in Acta Ord. 13 (1968), 4\*-7\*.

<sup>312</sup> See RM 33-34.

<sup>313</sup> See PO 6; PDV 17.

community to determine what is appropriate for the life of the parish, and develop programs consonant with the tradition of the Order and the needs of the Church.

**154.** Provincial statutes are to provide norms whereby common life and the offices of prior and pastor are so harmonized with the demands of pastoral care that they mutually complement each other.

**155.** Friars who are priests have as their first duty the proclamation of the Word of God to others, in a manner that is adapted to their audiences;<sup>314</sup> they are to offer the Eucharist, sanctify others with the sacraments, promote liturgical activity, establish and strengthen the people of God<sup>315</sup> in unity and charity, and lead them to the Father.<sup>316</sup>

**156.** Special attention should be given to the pastoral, catechetical, and liturgical care of youth,<sup>317</sup> who are to be encouraged both individually and in groups to follow Christ generously after the example and spirituality of our Holy Father Augustine. To this end, gatherings of young people, locally as well as within circumscriptions and internationally, are to be promoted.

**157.** In accord with the norms of law (CIC 614), the greatest collaboration should be offered to the monasteries of nuns of our Order,<sup>318</sup> and to Augustinian Congregations of apostolic life, offering them with great care the services they require of us, for the good of the Church and the Order.

**158.** Particular care is to be given to Augustinian Lay Fraternities,<sup>319</sup> in order that we may develop a more intense Christian life together with them, and so that they can exercise within society apostolic activity which is appropriate for them.

**159.** In keeping with the mind of the Church,<sup>320</sup> cooperation with the laity is to be promoted so that they might take part in our apostolic activities and share in the running of them. Associations of apostolic activity are to be promoted according to the characteristics of every region.<sup>321</sup>

**160.** Besides all the other duties of religion and divine worship, which are to be carried out with dignity, zeal and devotion, all should be especially concerned with the poor and needy "*taking special care of the sick and dying, visiting them and comforting them in the Lord.*"<sup>322</sup>

### *Educational Apostolate*

**161.** Because "*the vocation of all those who undertake . . . the task of education in schools is a beautiful and truly solemn one,*"<sup>323</sup> as is true also in other educational centers, and in consideration of the special Augustinian contribution in this area, we should have the greatest esteem for the educational apostolate and consider it as one of the special missions of our Order. Circumscriptions should therefore promote the founding of schools.

**162.** The specific purpose of our schools is the promotion of the human person on the foundation of Christian principles.<sup>324</sup> It follows that this apostolate should always be regarded as an essentially pastoral activity, so that we teach the truth with love,<sup>325</sup> and the students acquire, along with a humanistic and scientific culture, a knowledge of the world, of life, and of humanity that is illuminated by faith.<sup>326</sup>

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<sup>314</sup> See GS 44. 62; EN 43-45.

<sup>315</sup> See PO 4; PDV 16-18.

<sup>316</sup> See PO 4-6; PDV 15; CGI 1998 *Documentum Capituli* n. 23-26, Acta Ord. 48 (1998) 86-87.

<sup>317</sup> See ChL 46; CGO 2001, *Documentum Capituli*, C16-17, Acta Ord. 52 (2001) 192.

<sup>318</sup> See Const. 43. 48; CGO 2001 *Documentum Capituli*, C 11, Acta Ord. 52 (2001) 191.

<sup>319</sup> See Const. 45-47; CGO 2001 *Documentum Capituli*, C 13-15, Acta Ord. 52 (2001) 191-192.

<sup>320</sup> See PO 6; PDV 58.

<sup>321</sup> See CGO 2001 *Documentum Capituli*, C 11, Acta Ord. 52 (2001) 191.

<sup>322</sup> See PO 6; LG 30; AA passim; ChL 20. 23. 26-29. 32-35. 455. 51.

<sup>323</sup> GE 5; VC 96; see M. A. ORCASITAS, *Letter sent to all the Friars: the Augustinian School and the New Evangelization*: Acta Ord. 42 (1994) 31-35.

<sup>324</sup> See GE, 4, 8; see *Congregation for Catholic Education, The Catholic School on the Threshold of the Third Millennium*, Rome 1997.

<sup>325</sup> See *ep. Io. tr.* 7,8; *cat. rud.* 3,6; *ep.* 193, 13.

<sup>326</sup> See GE 8; VC 96

**163.** As Augustinians, we must encourage the educational community in our schools to live the values of the Gospel from the perspective of Augustinian spirituality and pedagogy. Aware of this task, we should take special care to instruct lay professors in the spiritual and Augustinian aspects of education. In order to accomplish this, regional associations of Augustinian educators should be encouraged in order to share more profoundly our ideals of education and arrive at a better and more efficacious formation of our students.

**164.** The ideal development of the personality of students depends, in large part, on the influence of the community and on the example of others.<sup>327</sup> Therefore, those responsible for education must be concerned that there is an amicable harmony within the educational community,<sup>328</sup> and use consistent criteria in carrying out their educational responsibilities.

**165.** Since many elements are involved in the total education of students, such as family, society and school,<sup>329</sup> and because formation is not completed during the school years, there should be contacts with the parents of students, and associations for former students should be promoted.

**166.** The apostolate of education may be carried out also in private and public schools and universities,<sup>330</sup> whether through pastoral ministry or by teaching or by directing student residences.

#### *Missionary Activity*

**167.** Missionary activity, which springs up "*from the Church's innermost nature,*"<sup>331</sup> is "*the revealing and fulfilling of God's plan in the world and in its history, by which God, through the missions, clearly brings about the history of salvation.*"<sup>332</sup> Since this activity pertains to us also by reason of the nature of the Order and its history, our circumscriptions should see to it that they take up missions, or at least collaborate with another circumscription in its missions.

**168.** Missionary activity includes not only "*the preaching of the Gospel and the establishing of the Church among peoples and groups where it has never existed,*"<sup>333</sup> but also the lending of assistance to "*those churches, founded in former times, that are in a state of retrogression or weakness.*"<sup>334</sup> Our missionary activity is to respond to the demands of inculturation.<sup>335</sup> Specific concerns of inculturation such as the incarnation of the gospel, consecrated life, adaptation of our spirituality and apostolate, ways of exercising authority and overseeing formation, the use of resources and material goods, should be an integral part of our missionary endeavour.<sup>336</sup> Therefore, we must respect other cultures, and promote true dialogue and sincere collaboration with them.

**169.** It is necessary to inculcate a missionary spirit in the young from the beginning, so that a missionary awareness may be fostered and built up in them and in all the friars by prayer, sacrifices, studies, information, and every other suitable means.<sup>337</sup>

**170.** Those who are sent to the missions should be endowed with appropriate natural ability, character and other necessary talents.<sup>338</sup> They should be suitably instructed in missionary spirit and practice, as well as the history of the missions, especially our own, the study of the language and the culture of the people to whom they are to be sent, for anyone who is going to encounter another people should have a great respect for their heritage.<sup>339</sup> As far as possible, this formation should be completed in those regions to which the missionaries are being sent. The direction of a mission, moreover, should be entrusted to no one until he has acquired experience and sufficient maturity.

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<sup>327</sup> See *doctr. chr.* 4, 29, 61; *mag.* 14, 46; *en. Ps.* 14,3.

<sup>328</sup> See *s.* 101,39.

<sup>329</sup> *GS* 52; *AA*, 11.

<sup>330</sup> *GE* 10.

<sup>331</sup> *AG* 6.

<sup>332</sup> *AG* 9; see 6.

<sup>333</sup> *AG* 6.

<sup>334</sup> *AG* 19.

<sup>335</sup> *NMI* 40; see *VC* 79.

<sup>336</sup> See *RdC* 19.

<sup>337</sup> See *ES* III, 3.

<sup>338</sup> See *AG* 23.

<sup>339</sup> See *AG* 26.

**171.** As Augustinians, our missionary activity should not neglect the strengthening of consecrated life, especially in areas of greatest need. This would entail an exchange of friars, whereby weaker jurisdictions would be assisted in maintaining their principal community apostolates.

**172.** In keeping with number 167, the requirements for opening a new mission by one or several circumscriptions are:

a) the petition of a circumscription or of several together;

b) acceptance by the Prior General with the consent of his Council;

c) an agreement with the competent ecclesiastical authority and with civil authorities, where this is necessary.

**173.** Special care should be taken to have in each mission a residence where the missionaries may come at stated times to restore their strength, make retreats, attend gatherings, etc.

**174.** The duty of promoting the missions of the Order should be entrusted in each circumscription to one or several friars who will collaborate with the superiors in order to find other laborers for the harvest, and to provide spiritual and material assistance, both through their own efforts and with the cooperation of the faithful.<sup>340</sup> In mission areas attention should be given, if possible, to have Augustinian sisters work with us, and to promote volunteer activities. Provincial statutes should provide further norms so that all these things may be realized in a practical manner.

**175.** Since the purpose of every mission is the establishment and development of a Christian community which is capable of providing for its own needs insofar as possible, missionaries should make every effort to develop, with the grace of God, indigenous vocations for both the diocesan clergy and for the Order. Care should be taken that candidates receive appropriate formation, so that the Church and the Order may be firmly established for the future.<sup>341</sup>

#### *Ecumenism, Inter-religious and Inter-cultural Dialogue*

**176.** All followers of Jesus, especially consecrated religious,<sup>342</sup> should be mindful of his prayer to the Father that his disciples live in the unity which is the life of the Trinity (see Jn 17:21-23), and that prayer and conversion are necessary attitudes of ecumenical dialogue.<sup>343</sup> We Augustinians, who seek above all things unity in the Christian community,<sup>344</sup> must commit ourselves “*so that, with the power of the Holy Spirit, divisions and prejudices among Christians can be eliminated.*”<sup>345</sup>

**177.** In order that ecumenical dialogue may be effective, we must use the best means possible: the reading of the Word of God together; shared common prayer where the Lord becomes present (see Mt 18:20); friendly fraternal dialogue; hospitality offered to brothers and sisters of other confessions; mutual knowledge of the other’s history, doctrine and liturgy; the sharing of goods; and collaboration in initiatives of service and bearing witness.<sup>346</sup>

**178.** Keeping in mind the common origin and ultimate destiny of all peoples (see Act 17, 26), the Church engages in dialogue with other religious traditions who seek to respond to “*the profound enigma of the human condition,*”<sup>347</sup> always bearing in mind that the witness of one’s life and respect for freedom are the best ways for evangelizing in these contexts.<sup>348</sup> We Augustinians, whose life is founded on dialogue, truth and charity,<sup>349</sup> must make this concern of the Church our own, by encouraging mutual respect, cordial friendship and reciprocal honesty with the monastic traditions of other religions.<sup>350</sup>

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<sup>340</sup> See LG 23.

<sup>341</sup> See AG 15-18.

<sup>342</sup> See VC 100

<sup>343</sup> See NMI 48

<sup>344</sup> See Reg. 3; CGO 1995, *Documentum Capituli*, n. 17, Acta Ord. 45 (1996) 149\*; CGI 1998, *Documentum Capituli* n. 13, Acta Ord. 48 (1998) 80-81.

<sup>345</sup> VC 100

<sup>346</sup> VC 101

<sup>347</sup> NA, 1

<sup>348</sup> See VC 102

<sup>349</sup> See *Sol.* 1, 12, 20.

<sup>350</sup> RdC 42; see VC 102

**179.** Superiors, therefore, must ensure that our friars, both in initial and ongoing formation, are prepared to promote adequately this inter-religious dialogue, especially in the context of the ‘*missio ad gentes*’ and where the presence of immigrants belonging to other religions is great.<sup>351</sup> All friars in their respective apostolic work should participate in this dialogue, so that “they may joyfully and reverently uncover the hidden seeds of the Word” in all national and religious traditions, and share in these initiatives in order to further them.<sup>352</sup>

**180.** The ‘*dialogue of life*’<sup>353</sup> with other cultures, traditions and ideologies cannot be something foreign to us, for “*with the incarnation, the Son of God has united himself with every human being in a certain way,*”<sup>354</sup> and is present in the serious poverty of our times,<sup>355</sup> in the common concern for human life, in the struggle for justice, and in the safeguarding of creation. We are conscious that “the Christian message does not exempt men and women from building up the world, nor lead them to be unconcerned about the well-being of another, but on the contrary, they are more stringently obligated to these very things.”<sup>356</sup>

**181.** The challenge presented by sects and new religious groups demands special attention in the work of evangelization. The best response that Christianity can offer to all those who seek meaning for their lives in some religious group is nothing other than,<sup>357</sup>

- a) the complete presentation of the Gospel of Jesus Christ,
- b) a spiritual and contemplative life, freely committed to the service of charity, together with a faith that is lived out in a personal way,
- c) the strengthening of the ecclesial structures of communion and mission,
- d) the development of possibilities for evangelization which popular religiosity offers.<sup>358</sup>

#### *The Social Apostolate*

**182.** All apostolic activity demands social commitment, whose reason for being stems from theological virtues: faith leads to fidelity, charity leads naturally to solidarity, hope demands a commitment made visible through witness. For this reason apostolic activity leads us to discover the need for change, or for a transformation of social structures.<sup>359</sup> Our Holy Father Augustine committed himself to the human person, not only for the sake of solidarity<sup>360</sup> and asceticism,<sup>361</sup> but for the sake of justice,<sup>362</sup> whose promotion and dissemination will become the mature fruit of our Augustinian fraternity.

**183.** Our Order should witness to solidarity in the circles in which we find ourselves. For this reason the Order commits itself in a permanent and concrete way to the poor and disadvantaged. Therefore the Order has assumed a preferential option for the poor.<sup>363</sup>

**184.** The social apostolate is to be exercised by the many means that are available to us:

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<sup>351</sup> VC 102

<sup>352</sup> AG 11.

<sup>353</sup> *Pontifical Council For Inter-religious Dialogue and the Congregation for the Evangelization of Peoples, Dialogue and Proclamation*, n. 42, a

<sup>354</sup> GS, 22.

<sup>355</sup> See Mt 25, 35-36; NMI 49-50; s. 81, 9; see CGI 1974, *Documentum Capituli*, n. 81 Act. Ord. 19 (1974) 237\*.

<sup>356</sup> GS 34; see VC 102; NMI 49-52; CGO 1989, *Documentum Capituli*, 3, 2, Acta Ord. 36 (1989) 117\*.

<sup>357</sup> See VC 103

<sup>358</sup> See EA, 73; DCE, 22-25

<sup>359</sup> Paul VI, on 27 September 1974, at the first meeting of the third general synod of bishops, said: “*However, this does not mean that in the work of evangelization we can or should pass over the importance of problems which are so often discussed today, that have to do with justice, freedom, progress and peace in the world. If this were to be the case, we would be ignoring the teaching of the Gospel on the love of our suffering and needy neighbor, of which the Apostles spoke*”, in AAS 66 (1974), 562. See JOANNES PAULUS II, *Tertio Coetum Generalem Episcoporum Americae Latinae aperiens, allocutionem recitavit*, III/2, in AAS 71(1979) 199.

<sup>360</sup> See *disc. chr.* 3: “*Love your neighbor as yourself*”. *Every person is the neighbor of every other person*”.

<sup>361</sup> See *en. Ps.* 61,12.

<sup>362</sup> See *en. Ps.* 147, 12: “*Things that are possessed as superfluous are the things that belong to others*”; see s. 206,2: “*when he hears that it is almost thievery not to give to the needy the things that are superfluous to oneself*”.

<sup>363</sup> See TMA 51; Puebla 1979, p. III, c. II, 2.2.1.c); Santo Domingo 1992, p. II, c. I, 1.1.

- a) We must encourage it systematically from the very beginning of formation, so that all our candidates, according to their level of maturity, recognize and show that fraternity reaches beyond the limits of the Order.
- b) We must impart knowledge of the social teaching of the Church and the social sciences within the curriculum of philosophical-theological studies.
- c) We are to bring to all our apostolic activities this option for the poor and marginalized of society, who are those most affected by human injustice.
- d) We are to establish active groups within our communities, among the faithful and among the students of our schools, not only to provide social assistance, but especially so that they can serve as agents of Augustinian social commitment.
- e) Each circumscription is to have a solidarity fund for the sharing of our goods and personnel.

**185.** Motivated by this social commitment of ours, we are to listen attentively to the concerns of the Church and of society, and offer assistance so that the questions which the groups among whom we work present to us may be more clearly identified and more easily resolved, such as: the defense of life, human rights, the situation of migrants, the dignity of women, the protection of youth, justice and peace, a more balanced economic order, the conservation of nature, etc. Therefore, superiors, in their respective jurisdictions, are to promote those activities which lead communities and friars to participate in undertakings of the Church and civil society, especially with the non-governmental organization (NGO) of the Order at the United Nations<sup>364</sup>.

## **CHAPTER IX FORMATION OF THE MEMBERS OF THE ORDER<sup>365</sup>**

### *Fostering Vocations*

**186.** For love of the charism we have received, and so that our Order may properly continue its own mission in the Church, we should not only gladly accept those who feel themselves called by God and ask to be admitted to the Order, but we should also promote vocations in every place where the Order is active.

**187.** All the baptized, as living members united into the one People of God, and forming the one Body of Christ under one Head, must contribute continuously to the growth and sanctification of the Church according to each one's mission and charism.<sup>366</sup> The friars should remember that all are obliged to promote vocations to Augustinian religious life, as a specific element of the pastoral mission which the Order exercises in the Church. Unceasing prayer, the example of one's life and catechesis, as well as activity in the vineyard of the Lord, constitute the finest recommendation for our Order and the most appealing invitation to embrace Augustinian life.<sup>367</sup> Those especially, who are engaged in pastoral care or in the education of the young, should eagerly apply themselves in fostering vocations.

**188.** Each circumscription should have one or more vocation directors who are to seek candidates for the Order, and who, together with other friars named by the major superior with the consent of his council, constitute the "Commission for Vocations." In accordance with the statutes, they should develop a pastoral program for promoting vocations.

### *Aspects of Formation*

**189.** During the time of formation candidates are to be led to discover, discern and understand what Augustinian religious life is.<sup>368</sup>

<sup>364</sup> The Second Vatican Council promoted the presence and participation of Catholics in international alliances; cf. GS 89-90. Hence the Order is enrolled as a non-governmental organization at the United Nations.

<sup>365</sup> These are general principles of formation. For particular aspects and a program of formation, See *The Plan of Formation of the Order of Saint Augustine*, promulgated by the General Chapter of 1995.

<sup>366</sup> See LG 33.

<sup>367</sup> See PC 24.

<sup>368</sup> See PI 6.

**190.** All friars are to take to heart the importance of formation. Therefore, formators are to know the principles of pedagogy and the initiatives which seem useful. A special program of formation for individual circumscriptions, which is based on the *Plan of Formation (Ratio Institutionis)* is to provide that all these things are put into practice.

**191.** Superiors should see to it that they so coordinate their efforts with those of other provinces,<sup>369</sup> Orders, and Congregations that they might understand common problems of formation through fraternal cooperation,<sup>370</sup> and may more easily and correctly resolve them.

**192.** In as much as the formation of candidates aims at an integral development of the person, it must be one that is human, Christian, affective, intellectual, religious, and Augustinian, as well as apostolic and pastoral. These various aspects complement one another and should be attended to in a greater or lesser degree as age and maturity demand.

**193.** The purpose of formation is to so help candidates that, while their personalities develop, they grow at the same time in conformity with that new creation which they have become through baptism; and subsequently to direct all human culture to the message of salvation in such a manner that the knowledge which they gradually acquire of the world, of life, and of humanity is illumined by faith.<sup>371</sup> The affective life should take on a significant importance in this process of ongoing growth; therefore, special care is needed for the integration of mind and heart. Appropriate psychological growth will help to develop affectivity in the life of the candidate and is the basis of authentic wholistic formation. No aspect, therefore, of the human person is to be neglected, but due order is to be observed among those things which are of value.

**194.** Study is an essential formative element in this period and constitutes the specific task of the candidates.<sup>372</sup> It is an expression of our religious nature according to the example of Saint Augustine and the tradition of the Order.<sup>373</sup> Therefore, candidates must be helped to acquire serious and orderly study habits in such a way that through a knowledge of philosophy, theology and other human sciences, they will arrive at an authentic understanding of Christ and will be proficient to work in the apostolate.<sup>374</sup> At the same time, reading, study, and contemplation are indispensable requirements for the apostolate.<sup>375</sup>

**195.** Augustinian formation seeks above all that candidates follow Christ and are united to God according to the example and the teaching of our Holy Father Augustine and the saints and teachers of the Order. For this reason our candidates must know Augustinian history and spirituality, giving special attention to the *Rule* of Saint Augustine, the *Constitutions* of the Order, and to our spiritual tradition as specific norms for our life.<sup>376</sup>

**196.** Of special importance is one's ability to relate to others, a truly essential element for the common life of Augustinians who are called to be men of communion and co-responsible in community.<sup>377</sup>

**197.** Apostolic activity flows from Augustinian religious life. Thus candidates are to be initiated into pastoral activity and to participate gradually in carrying out ecclesial activities and social responsibilities, mindful always that formation for these things in the Order requires a concern for the common life (see CC. 149).

#### *Selection of Students and Sequence of Formation*

**198.** After aspirancy or the minor seminary, where it exists, or other forms of vocational discernment, whose organization depends on statutes, the gradual process of formation in the Order

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<sup>369</sup> See CGO 1995, *Documentum Capituli*, n. 6, Acta Ord. 45 (1996) 165\*.

<sup>370</sup> See VC 52.

<sup>371</sup> GE 8.

<sup>372</sup> See PDV 51.

<sup>373</sup> See CGI 1998, *Documentum Capituli* n. 16-20, Acta Ord. 48 (1998) 82-85.

<sup>374</sup> See PDV 51-54.

<sup>375</sup> See PI 65.

<sup>376</sup> See PC 2e.

<sup>377</sup> See PDV 43.

begins with the pre-novitiate, continues in the novitiate and is completed in the professorium up until the end of the period of formation as determined in the statutes, but not before solemn profession, and for candidates to the priesthood, not before the completion of theological studies.

**199.** Inter-circumscriptional houses of formation are to be governed according to norms stipulated in statutes which are to be developed by the circumscriptions involved, and approved by the Prior General and his Council.

#### *Aspirancy*

**200.** The minor seminary, where it exists, is meant to care for the seeds of a vocation and the preparation for the pre-novitiate and life in community. It requires adequate intellectual formation and affective balance, and the greatest importance is to be given to personal supervision or care. Admission to this stage, which must be preceded by a serious selection of candidates, and the formation of the candidates as well, will be governed by the norms of the *Plan of Formation (Ratio Institutionis)* and the statutes of the circumscription.

#### *Pre-novitiate*

**201.** The pre-novitiate is the time in which candidates, even though not bound by public vows, are given a gradual experience of Augustinian life in order that they can be adequately prepared for the novitiate. Admission to the pre-novitiate and its program and length are to be governed by the statutes.

**202.** Since the good of the Order depends especially on the careful selection of candidates, no one is to be admitted hastily into the Order. From the beginning of the time of the pre-novitiate, a careful examination and a psychological evaluation are to be had, respecting the rights of privacy (CIC 220), and accurate information gathered concerning the candidates' right intention and free choice, their spiritual, moral, and intellectual fitness, their sociability, and physical and mental health, certified by the judgment of a reliable physician (see CIC 642). In keeping with the age and condition of each one, their ability to bear the burdens of the religious life and to exercise apostolic duties is also to be weighed.<sup>378</sup> Each circumscription should determine in its statutes a method of arriving at the most objective assessment possible of the candidate.

**203.** The admission of candidates to the novitiate, to first profession, to renewal of vows and to solemn profession is the right of the major superior with the consent of his council (see CIC 641), after due consideration has been given to the vote of the formation team and the local chapter if the statutes of the circumscription so provide. According to the statutes of the circumscription, the vote of the formation team and the chapter may be preceded by a secret canvassing of the opinion of the friars of that same house who do not yet have active voice. This canvassing is entirely consultative.

#### *Novitiate*

**204.** A written declaration of the candidate concerning his complete freedom, as well as all those things demanded in common law and in number 202, must precede admission to the novitiate. From the beginning of the novitiate the candidates may wear the habit of the Order. The time of the novitiate is for a period of twelve months (see CIC 648), in accord with common and particular law. Those matters in the *Constitutions* which concern the religious and Augustinian aspects of formation, as well as community life, are to be imparted in a more intense manner. The novitiate year is not to be counted among the years of study (see CIC 652, 5).

**205.** The governance of the novices is reserved to one director, under the authority of the major superior (CIC 650.2). If necessary, he may be given assistants who are to cooperate with him (see CIC 651.2). It pertains to the Prior General with the consent of his Council to designate, transfer and suppress the house or houses of the novitiate (see CIC 647.1).

**206.** So that the novices can experience a full community life, the novitiate is ordinarily to have at least three novices.

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<sup>378</sup> See OT 6.

### *Professorium*

**207.** After the novitiate, if the novice is considered suitable, he is to be admitted to profession of vows, which shall be renewed each year. The time of temporary profession is not to be less than three years, nor longer than six, or, in a truly special case, nine years. (CIC 655 and 657, 2).

**208.** A friar, if he is found suitable and has completed his twenty-third year, may be admitted to the profession of solemn vows, which should be prepared in accordance with the directives of the Church and the Order. He is to manifest clearly, by means of a request signed in his own hand, his full freedom and his desire to dedicate himself forever to God in the Order.

**209.** Before a religious in perpetual vows who transfers to our Order makes his profession in the Order, he is to undergo probation for three years, one of which is to be a kind of novitiate (CIC 684.2.4).

### *Ministries*

**210.** Because God always watches over the Church, and does not allow it to be lacking in ministers who serve the Church according to the example of the Good Shepherd, only those judged suitable are to be advanced to Orders.<sup>379</sup> Therefore, the major superior, with the consent of his council, shall present for the reception of ministries or Orders only those persons, whose knowledge, conduct, and other qualities required by canon law has been established (CIC, 1029). Due consideration should be given, according to statutes, to the vote of the formation team and the local chapter, which may be preceded by the canvassing of the opinion of the friars as stipulated in number 203.

**211.** If some interruption of studies should seem necessary or useful for the sake of a more integrated formation or to discern better aptitude or abilities, this is to be done according to the judgment of the major superior after appropriate consultation. During this interval, the friars, in keeping with their age and the orders which they have received, are to be assigned to appropriate houses and apostolic works.

### *Supervision in Formation*

**212.** A true and complete formation of our candidates cannot be suitably carried out without the attentive and untiring cooperation of the entire Augustinian family, and especially of that community which makes up the house of formation. This cooperation will be particularly evident through the good example of each of the friars.

**213.** Although the formation of our candidates is the work of the whole community, a special responsibility for their formation is committed to major superiors, to local superiors, and to their director or the formation team, with due regard for the principle of subsidiarity and for the general laws of the Church and the Order. The director or formation team should be free from other incompatible duties, so that they may dedicate themselves better and more freely to their work (see CIC 651.3). Aside from the novitiate whose particular structure is spoken of in number 205, it must be a priority for all of the Order's formation houses to have a formation team coordinated by one of its members as the person with ultimate responsibility. Where there is no formation team, the director of formation may have a suitably prepared assistant or assistants, whose duty it is to help him in the supervision of formation, closely sharing with him its responsibility.

**214.** Where necessary, statutes should determine what are to be the relationships between the director or formation team, the local prior, and other members of the community. The prior and the director or formation team should work untiringly together in this task with tranquility and fraternal understanding, so that they, along with the other friars of the community and the young men, may form a united Augustinian family which responds to the prayer of the Lord: *That they may be one* (Jn 17:11), and which fosters in the young men the joy of their vocation.<sup>380</sup>

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<sup>379</sup> See *ibid.*

<sup>380</sup> See OT 5.

**215.** So that they may suitably carry out their duties, formators are to be prepared with an adequate spiritual, affective, pedagogical and psychological formation, acquired insofar as possible, in a specialized institute. They should have pastoral experience in order to be able to counsel the young men who are directed toward the priesthood. Above all, however, they should be mature, endowed with the finest qualities, and imbued with a strong experience of God and a religious and Augustinian spirit and love for the Order so that, bound to the candidates by the bond of charity, they may give witness by their life and teaching to the one Master who is Christ.<sup>381</sup>

#### *Continuing Formation*

**216.** Out of love for the gift we have received (1 Tim 4,14-16) and encouraged to renew the grace of God that is within us (2 Tim 1,6), and conscious, as well, that "*the adequate renewal of Institutes depends above all on the formation of its members,*"<sup>382</sup> we need to revitalize the grace of our own Augustinian vocation to religious life, and where applicable, to priestly life, through ongoing spiritual, theological and community practices.

**217.** Major superiors of each circumscription will provide friars with an adequate and concrete program of ongoing formation in which all are to participate.<sup>383</sup> This program may be inter-circumscriptional. A friar is to be appointed to be responsible for its coordination. Special attention should be given to those who have recently concluded the process of initial formation. There shall be friars to accompany them and gatherings should be held for them.

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<sup>381</sup> See OT 5; VC 66.

<sup>382</sup> PC 18.

<sup>383</sup> See VC 70; PDV 76, 77.

## PART III

### THE STRUCTURE OF THE ORDER

#### CHAPTER X

#### THE COMMUNITIES OF THE ORDER

**218.** Since no human society can be without an appropriate structure, our Order, from the beginning, chose for itself a structure in conformity with its nature, one, that is, in which fraternal equality governs the relationships between superiors and the other friars and in which no one is superior to the others, except by reason of an office or duty assigned to him for a time.

**219.** Our Order is a religious Institute in the Church (see *CIC* 607). Its Supreme Moderator (see *CIC* 622) is the Prior General. It is comprised of parts or circumscriptions that differ in time and place.

a) In the Order there are major circumscriptions or provinces which priors provincial govern.

b) In the Order lesser circumscriptions than provinces are also recognized, namely, vicariates and delegations, which are governed respectively by a regional vicar and a delegated superior.

c) Every circumscription of the Order is constituted of houses, each of which is governed by a local prior.

d) Two or more provinces and other lesser circumscriptions, joined together, may form federations and unions, which are governed according to the *Constitutions* and regulated by particular law.

e) Certain houses are subject directly to the Prior General. They are known as general houses and, as such, are established and suppressed by a General Chapter.

f) In addition, there are certain circumscriptions which for various reasons are immediately subject to the Prior General.

g) The Abbey of Brno is governed by particular law.

Provinces, vicariates, and delegations are all called by the generic name of circumscription.

**220.** Despite the variety of communities, all the members of the Order constitute one religious family. Therefore, among the different members as among the houses and provinces and general curia, relationships of mutual fraternity and help should exist and be cultivated in a special manner, with due regard for the freedom given by the *Constitutions* to each person, physical or moral.

**221.** To promote the good of the whole Order, however, in questions of major importance, such as vocations, formation, missions, apostolates, and similar matters, whenever the major superiors with the consent of their councils come to agreement about any kind of cooperation and collaboration, with the encouragement and approval of the Council of the Order, no circumscription shall withdraw from the agreement except for serious reasons and with the consent of the Council of the Order.

**222.** It pertains to the General Chapter to divide the Order into parts, to establish new ones, and to join, or otherwise circumscribe or suppress established ones (see *CIC* 581; 585). Outside of the chapter, when special circumstances demand it, the Prior General with his Council shall employ effective measures according to the norm of the *Constitutions* and render account of them in the next General Chapter.

**223.** The criteria for putting into practice the provisions prescribed in the preceding article are the common good of the Order and its growth, the progress of the Order in some region, the impossibility of fulfilling obligations according to the norms and spirit of the *Constitutions*, the adjusting of the structure of the Order in accord with the needs of the Church and contemporary

society. Criteria of this kind are established by the Prior General with his Council or by the General Chapter in responsible dialogue with the friars concerned in the matter.

**224.** The Prior General, priors provincial, provincial superiors and regional vicars are major superiors, who come under the term "Ordinary" in the law (see *CIC* 134.1; 620). All of them have their counselors, whose consent or advice they must seek according to the norms of the *Constitutions* and the common law (see *CIC* 127; 627; *Constitutions* numbers 381, 387, 391, 392, 465). Priors provincial, provincial superiors, and regional vicars and their counselors require the confirmation of the Prior General (see *CIC* 625.3). All superiors must personally make the profession of faith according to the formula approved by the Apostolic See in the presence of the chapter which elects them or before the superior who names them or before their delegate (see *CIC* 833.8). Major superiors have all the faculties granted by common law unless the *Constitutions* determine otherwise.

**225.** Chapters arise out of the community life of the Order; they are general, provincial, vicariate and local. Chapters and superiors, each on its own level, have ecclesiastical power and jurisdiction, to be exercised according to the norms of common law, the *Constitutions*, and statutes. The task of Chapters is not fulfilled simply by legislating norms and providing for offices, but includes also promoting the spiritual and apostolic vitality of the friars.<sup>384</sup> Where the *Constitutions* do not distinguish, general or provincial chapters are to be understood as Ordinary and Intermediate.

### Houses of the Order

**226.** The union of friars who share the same life in a single place, or in several nearby places, constitutes a house of the Order, under the direction of a single local prior (see *CIC* 608).

**227.** In order that the local chapter may be held, not less than three friars with active voice are to be assigned to a house. Otherwise, it is called a residence of the Order. Its superior is not a prior in the strict sense, and he has only that authority which provincial statutes grant him.

**228.** For the establishing of any house (see *CIC* 609.1) the following are required:

- a) a petition made to the Prior General by a provincial chapter or by a prior provincial with the consent of his council;
- b) the consent of the local Ordinary given in writing;
- c) a decree of the Prior General given in writing.

**229.** The provincial chapter or the prior provincial with the consent of his council, after consultation with the local Ordinary, may petition the Prior General to suppress a house. It is the right of the Prior General to issue the decree of suppression (see *CIC* 616.1).

### Provinces

**230.** A province is a grouping of friars and several houses that forms a part of our Order. Its government is entrusted to a prior provincial (see *CIC* 621).

**231.** In establishing a new province the needs of the Church and the particular conditions of the region are the chief things to be considered. The new province ought to have a territory separate from the other provinces, unless the good of the Order should require otherwise. Ordinarily a new province is not to be established, unless it has four houses and forty friars in solemn vows ascribed to it, possesses temporal goods sufficient for its needs and for the support of its candidates; and is clearly able, on the basis of experience, to progress by means of its vocations, especially native ones.

**232.** The establishing of a new province pertains to the General Chapter. If it is a question of dividing a province to make the new one, the petitions and other necessary documents are to be sent

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<sup>384</sup> See ES II,1.

to the Prior General by the prior provincial, who shall include the record of the vote of the provincial chapter in the documentation.

**233.** Every province enjoys the following rights:

- a) to hold a provincial chapter;
- b) to make its own statutes;
- c) to affiliate friars;
- d) to have its own houses of formation unless for the good of the Order the Prior General with his Council decides otherwise.
- e) to send the prior provincial and definitors to the Ordinary General Chapter, and the prior provincial to the intermediate General Chapter according to the criteria established for General Chapters.

**234.** In programming its life and activity, a province, as a part of the one body of the Order, should take into consideration the common good of the entire Order and should follow especially the programs, decrees, and recommendations of the General Chapters and the Prior General.

For the sake of the common good:

- a) the Prior General with his Council can commit to some province or lesser circumscription a project or particular activity of great importance for the good of the Order;
- b) provinces and other circumscriptions of the Order should collaborate with each other especially in matters of common benefit.

**235.** If a province has less than a total of thirty, affiliated plus ascribed, solemnly professed friars, for four consecutive years, then, after having advised the prior provincial, the Prior General with his Council shall declare that its ordinary governance is suspended and determine the authority on which it should depend. The province is entrusted to a provincial superior to govern. By a declaration of the Prior General and his Council, the province again regains its ordinary governance when it has at least thirty, affiliated plus ascribed, solemnly professed friars for four consecutive years. After twenty years of suspended governance the General Chapter shall make provision.

**236.** If any province does not offer the well founded hope of fulfilling the conditions required for establishing a new province within the proximate future, or when the good of the Order requires it, the Council of the Order, after rendering an account of the remedies that have been employed, shall propose to the General Chapter whatever seems to be the better solution in order that the Chapter itself may decide on effective measures.

**237.** A province whose ordinary governance has been suspended is governed after the manner of a vicariate, or a delegation in accord with the number of members prescribed by the *Constitutions* for the establishment of these kinds of circumscriptions (see Const. 240, 245).

**238.** When a province has been suppressed, it pertains to the General Chapter or, outside of the chapter, to the Prior General with the consent of his Council to determine the disposition of its goods, with due regard for the norms of justice and the will of the founders. If the province has been united with another province, or if its members have transferred to another province, then it is only right that its goods be handed over to that province.

### **Vicariates**

**239.** A vicariate is a grouping of friars and houses established with the understanding that with the endowment of sufficient vocations, especially native ones, it offers a well founded hope of becoming a province. A vicariate may also be established in special circumstances and in instances where the competent superior cannot exercise immediate governance without difficulty. A vicariate can depend on a province or a federation of circumscriptions or upon the Prior General. It is governed by a regional vicar.

**240.** The establishing of a vicariate ordinarily requires at least one established house and twenty ascribed solemnly professed friars who are working together in the apostolate. A vicariate is

established by the Prior General with his Council at the request of a provincial chapter or the council of a federation of circumscriptions. Definitive approval pertains exclusively to the General Chapter.

**241.** In special circumstances the Prior General with the consent of his Council can establish a vicariate or delegation immediately subject to himself, which a regional vicar or delegated superior will govern. Definitive approbation pertains exclusively to the General Chapter.

**242.** Any vicariate has the following rights per se:

- a) to celebrate a chapter of the vicariate;
- b) to establish its own statutes according to number 271;
- c) to affiliate friars to the vicariate;
- d) to send the vicar or a definator to the General Chapter according to the criteria established for General Chapters (see numbers 420d, 451k).

**243.** According to the statutes, the competent superior can grant the faculties:

- a) to admit candidates to the Order and to sacred ministries;
- b) to propose to the Prior General the establishment and suppression of houses in accord with numbers 228 and 229;
- c) to have the vicariate's own houses of formation when the Prior General has given his consent;
- d) other faculties which the common law grants to a major superior.

**244.** If a vicariate has less than a total of fifteen ascribed solemnly professed friars for four consecutive years, then, after advising the competent superior, the Prior General with his Council shall reduce it to the juridical state of a delegation. The vicariate again regains the status and rights of a vicariate through the declaration of the Prior General with his Council when it has at least fifteen ascribed solemnly professed friars for four consecutive years.

## **Delegations**

**245.** A delegation is defined as a grouping of a circumscription's friars and houses, located in a distant area where the major superior commends its immediate governance to a delegated superior. It can be established by a provincial chapter with the consent of the Prior General or by the Prior General himself with the consent of his Council.

## **Federations, Unions, and Conferences**

**246.** In order to enhance collaboration among circumscriptions in special circumstances, and to undertake new projects or to fulfill tasks and responsibilities prescribed in the *Constitutions*, the Prior General with his Council, can establish a juridical federation either at the request of the friars who are concerned or after they have been consulted. In this federation the exercise of some rights and duties prescribed in the *Constitutions* is transferred to the president of the federation and his council according to the *Constitutions* and particular statutes. The president of the federation is a major superior in the exercise of these rights and duties according to number 224.

**247.** In those countries where several provinces are found or work, and in larger regions which have common concerns by reason of geography, language, needs, or apostolate, a kind of union among the several communities of the Order existing there may be established under its own president. This is done to coordinate all their forces in work, to give mutual aid on a temporary basis, to maintain necessary and opportune relationships with authorities both internal and external, whether religious or civil, and to undertake any other measures that may help to render our work more effective.

**248.** The establishing of these federations and unions pertains to the Prior General with the consent of his Council in consultation with the superiors of the circumscriptions concerned. The

Prior General should not fail to establish them as soon as possible in those countries and regions where he considers their operations most necessary. The method of establishing them and coordinating their work is to be determined in each one's proper statutes which are to be developed in accord with number 271.

**249.** In addition to federations and unions, conferences or associations or societies exist among the religious institutes of the friars and sisters of our Augustinian religious family and those institutes belonging to other Augustinian religious families, or the institutes which follow the Rule of St. Augustine, all of which are found in various countries and geographic regions. The purpose of these conferences is to offer mutual aid. Such conferences are to be vigorously promoted and, insofar as possible, established in all regions. Criteria of this kind are to be developed by the Prior General with his Council or by a General Chapter in responsible dialogue with the concerned friars.

## **CHAPTER XI**

### **THE INCORPORATION, AFFILIATION, ASCRIPTION, AND ASSIGNMENT OF THE FRIARS**

**250.** A friar fully participates in our Order in four ways, namely, incorporation, affiliation, ascription, and assignment. No one can be without all four of these nor keep more than one of the same kind at the same time.

#### **InCOrporation**

**251.** A friar's initial incorporation into the Order comes through the candidate's entry into the novitiate, in virtue of which he shares in all the privileges and spiritual benefits granted to the Order and gradually acquires rights and assumes duties. Complete and definitive incorporation, however, is acquired by solemn profession.

#### **Affiliation**

**252.** Affiliation constitutes the bond by which a friar is bound to the province or vicariate for which he makes his profession of vows.

**253.** When temporary vows have expired, affiliation may be changed for a just cause, at the request of a friar and with the consent of the councils of the circumscriptions from which he is being disaffiliated and to which he is being affiliated. A change of affiliation, however, which is sought by a friar in solemn vows, may be granted by the Prior General with the consent of his Council, according to the *Constitutions* and with the previous consent of the councils of both circumscriptions as above. All of this is to be done in writing. No change of affiliation may be made, however, without the consent of the friar in question.

#### **Ascription**

**254.** Ascription, by which a friar lives and works in some circumscription, brings with it the exercise of the rights of participation and voting in the Order. It is acquired in the following ways:

a) A friar retains the ascription of his circumscription of affiliation unless he has been ascribed to another.

b) The Prior General can for a just cause ascribe any friar to any circumscription after consulting the competent superiors and the friar in question.

c) A prior provincial or a regional vicar can ascribe friars to circumscriptions subject to him.

d) Superiors are to inform the Prior General of the friars' ascription or its revocation.

**255.** The rights and obligations which arise from ascription are as follows:

a) If anyone with the previous consent of his major superior has been ascribed to another circumscription by the competent major superior, he has all rights and obligations there unless the competent superiors have provided otherwise.

b) If anyone has been assigned to a general house, he enjoys voting rights in the chapters of his own circumscription.

c) A friar, ascribed to another circumscription, enjoys passive voice as regards provincial offices in the circumscription to which he is affiliated.

### **Assignment**

**256.** Assignment, by which a friar is constituted a member *de familia* of a house is acquired either by appointment to some office of the house or by mandate of his major superiors. It is lost only by assignment to some other house.

a) The Prior General can assign friars to any house of the Order.

b) Other major superiors can legitimately assign friars ascribed to their circumscription to a house.

c) Assignment is to be made in writing and it takes effect on the day indicated in the letter or on the day that one takes possession of office.

d) Major superiors should see to it that the friars who are legitimately living apart from a house be assigned to some house, and that they be notified of this.

### **Augustinian Bishops**

**257.** Friars who, following in the footsteps of Saint Augustine,<sup>385</sup> become bishops remain members of the Order. They are obliged to observe the spirit and the prescriptions of the *Rule* and the *Constitutions* of the Order that are compatible with their apostolic service. They enjoy the rights and privileges of the members of the Order and of their own circumscription, including the right of active voice when, upon retirement from their office, they have returned to a religious house.<sup>386</sup>

### **Oblates**

**258.** The Order also has persons who live without vows in community with the friars and perform voluntary work either for life or for a time. They are called by the term oblates or some other such name. In some way they are considered equal to the members of the Order and participate in the fraternal and spiritual life of the Order and even in chapters without the right to vote if invited by the competent superior. Their offering and obligations are to be noted in a document signed by them and the major superior. They can make no demand for compensation for work done in the community, but justice and charity are to be observed in their regard.

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<sup>385</sup> See s, 355 and 356; POSSIDIUS, 8-11.

<sup>386</sup> See Congregation for Religious, Letter of 15 December 1977, number 5.

## CHAPTER XII

### THE LAW BY WHICH OUR ORDER IS GOVERNED

#### Laws of the Order

**259.** We who are motivated by love in binding ourselves to the service of God would seem not to be in need of laws. Yet, God himself willed that all things should be perfectly ordered by the eternal law,<sup>387</sup> and Christ gave laws to His Church, so that by observing them his disciples might show their love (see Jn 14:15). For these reasons, as well as for assisting human weakness, promoting peace and harmony in community,<sup>388</sup> and knowing more clearly and observing better the will of God, we have laws and precepts in our Order.

**260.** Besides the common laws of the Church affecting all religious and the prescripts given to us by the Holy See, our Order is governed by:

- a) the Rule of Saint Augustine;
- b) the *Constitutions* of the Order, which contain fundamental and complementary norms;
- c) the decrees of General Chapters and of the Prior General;
- d) legitimately established customs that are not obsolete.

**261.** Provinces and vicariates are governed also by the following norms:

- a) their own statutes;
- b) the decrees of the chapters of the circumscriptions and of their own major superior.

#### Fundamental Norms and Complementary Norms

**262.** All the norms of the *Constitutions* have the same juridical force. They differ from each other in that the fundamental norms contain the general spiritual and juridical principles while the complementary norms include applications and practical matters which can be more easily modified.

**263.** The Ordinary General Chapter alone has the right to add to, remove from, suspend, or change anything in the *Constitutions* as well as to publish new ones, or to interpret them authentically and definitively.

**264.** A two-thirds majority of the valid votes cast by the chapter members is required to modify the fundamental norms. To modify the complementary norms an absolute majority is sufficient.

**265.** Any new ordinance or interpretation of the fundamental norms of the *Constitutions* does not have the force of law unless approved in an Ordinary General Chapter and confirmed in the following Ordinary General Chapter. In the meantime it shall be observed as a decree. Conversely, no fundamental norm ceases to have the force of law, unless abrogated by two immediately successive Ordinary General Chapters, although in the meantime it does not bind. In the case of complementary norms, one Ordinary General Chapter is sufficient.

**266.** The Prior General with the consent of his Council may publish decrees for the whole Order, but unless they are confirmed in the next General Chapter, they cease to bind. Similarly, he may, outside of General Chapter, authoritatively interpret the *Constitutions*.

**267.** a) Ordinances are promulgated when they are legally published in General Chapter and they take effect immediately, unless the Chapter itself has expressly stated otherwise.

b) Decrees of the Prior General for the whole Order are promulgated by letter and they take effect on the day indicated in the letter itself.

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<sup>387</sup> See *lib. arb.* 6, 15.

<sup>388</sup> See *civ.* XIX, 14.

**268.** a) As regards the *Constitutions* of the Order, all superiors, local included, each in his own jurisdiction, unless expressly prohibited, may for a just cause and in individual instances dispense the friars, including guests, individually from laws pertaining to regular discipline. With the consent of their council, they may dispense all the friars together.

b) No superior, however, may dispense from laws that pertain to the structure and government of the Order, unless the faculty is expressly given to him in the *Constitutions*. Unless the *Constitutions* or a General Chapter shall have determined otherwise, the Prior General with the consent of his Council has the faculty of dispensing from these laws for serious reasons in urgent cases that cannot be deferred.

**269.** If anyone should need to be dispensed frequently or continuously from some norm of the *Constitutions*, let him humbly make this known, so that he may not offer occasion of scandal to the friars who are not aware of his need.

### Statutes

**270.** a) Each province, vicariate, federation, and union should make its own statutes to adapt to its particular circumstances the norms of the *Constitutions*, especially those of greater importance that deal with the various aspects of religious and apostolic life, studies, formation, and government.

b) Similarly, delegations also, if necessary, can have their own statutes, provided that the rights of the authority of the superior upon whom they depend are preserved.

**271.** a) Statutes of a province are to be approved by the ordinary provincial chapter after a previous sounding of the mind of all the friars by suitable means and are to be confirmed by the Prior General with his Council.

b) Statutes of a vicariate are to be proposed by the chapter of the vicariate after a previous sounding of the mind of all the friars by suitable means. They are to be approved by the prior provincial or the president of the federation with the consent of the respective council and confirmed by the Prior General and his Council.

c) Statutes of a federation and a union are to be prepared by the respective major superiors and approved by the Prior General with his Council.

d) Other statutes are to be approved by the competent major superiors after a sounding of the mind of the friars.

**272.** The authentic interpretation of the statutes pertains to the superior of the respective circumscription and his council with confirmation of the Prior General. The interpretation of the statutes of a vicariate pertains to the vicar with his council, with the approbation of the superior upon whom the vicariate depends and the confirmation of the Prior General.

**273.** A new determination or interpretation of the statutes of a province or a vicariate does not have the force of law unless it shall have been confirmed in the following ordinary provincial chapter or vicariate chapter. In the meantime it is to be observed as a decree.

**274.** Provincial statutes should be revised frequently according to the needs of time and circumstances, but to add, remove, suspend, or change anything, to publish new statutes, and to give them an authentic and definitive interpretation pertains to the ordinary provincial chapter. It also pertains to the intermediate provincial chapter at the written request of two-thirds of the friars who enjoy active voice. The right of the Prior General with the consent of his Council to confirm the statutes is always to be maintained.

**275.** To modify the statutes of a vicariate pertains to the vicariate chapter with the approbation of the prior provincial and the confirmation of the Prior General with the consent of their respective councils.

**276.** The major superior with the consent of his council can publish ordinances for his entire jurisdiction, provided they are not contrary to higher law. Unless these decrees are confirmed, however, in the next provincial or vicariate chapter they cease to bind.

**277.** a) General and provincial chapters and all superiors, local included, may give a precept, gravely obliging in conscience, either to individual friars or to all the friars. In order that a precept be legitimate, it must:

1) concern a matter that is grave, either in itself or from the circumstances, and which pertains to the *Rule*, the *Constitutions* or the statutes;

2) be given in writing in a legitimate document or, in case of necessity, orally, before two witnesses;

3) be expressed in due form, namely: "We command or prohibit in virtue of holy obedience," stating accurately what is to be done or avoided, and the period of its duration unless the precept is to be given for an indefinite time.

b) A precept has no effect, if it is imposed on the whole community by the local prior without the previous consent of the major superior, or on individual friars without the consent of his council, where it exists, unless it concerns an entirely secret matter. This also holds true if it is imposed by a major superior on the whole of his jurisdiction, without the consent of his council. The fact of consent must always be certified in imposing the precept.

### **Visitation for Renewal**

**278.** Visitation for renewal has been instituted chiefly to promote the good of each community and of the individual friars, to examine and to encourage the various aspects of religious and apostolic life, and to remove abuses. To attain these goals, the visitation should not be either too brief or too quick, but all the friars should be heard, both singly and together.

**279.** Visitation is to be made by the Prior General at least once in six years in accord with the norm given in number 461, and by other major superiors at least twice in each four year period. They are to carry out the visitation personally or, if they are legitimately impeded, through their delegates, to whom the necessary authority and faculties are to be given.

**280.** If within the prescribed period of time visitation has been made by the Prior General or his delegate, the other major superiors need make only one visitation. The same holds true for a regional vicar, if the prior provincial has made a visitation in the vicariate.

**281.** At the end of the visitation, the visitor, after consulting with the prior and the counselors of the house, and if he considers it necessary or appropriate, may issue decrees and promulgate them publicly. Such decrees remain in effect until the subsequent visitation for renewal is made by the same or by a higher authority.

### **Fundamental Juridical Principles Governing the Order**

**282.** So that all may more readily know the fundamental juridical principles which govern the Order and determine more easily whether the observations submitted by the friars to the chapters should be accepted or not, the main juridical principles are as follows.

a) Brotherhood in the Order is evident in the equality of all the friars and admits of no privilege or honorary title. (see Const. 7).

b) Brotherhood in the Order finds expression in the concepts of election, representation, and participation. (see Const. 10).

- c) All the friars are eligible for all offices unless common or proper law determine otherwise (see Const. 10).
- d) Unless he is prohibited by some impediment, every solemnly professed friar has the right and obligation to participate in local, vicariate, provincial, and General Chapters directly or indirectly according to particular law.
- e) In ordinary vicariate, provincial and General Chapters, or in similar kinds of assemblies of the friars, there shall be at least as many discreets or definitors as there are *ex officio* capitulars.
- f) Every solemnly professed friar has the right to participate in the election of his major superiors either directly or through representatives.
- g) Each friar has the right to vote only once in ballotings of the same rank.
- h) The rights of participation and voting are exercised in the Order on the basis of the ascription of the friars.
- i) Major Superiors are elected or nominated with the possibility of immediate reelection or renomination for one time only.

## Part IV

### THE GOVERNMENT OF THE ORDER

#### CHAPTER XIII

##### CHAPTERS IN GENERAL

**283.** In our elections the prescriptions of the common law must be observed unless the *Constitutions* expressly determine otherwise.

**284.** The progress and renewal of the Order depends much on the worthiness of superiors and, therefore, in the election of superiors two things need to be harmonized: the widest participation of the friars, and the spirit of obedience. The maturity of any community is measured by this, namely, that the friars choose for themselves superiors to whom they, as free men under grace, give ready obedience.

**285.** All the friars in solemn vows enjoy active and passive voice. The statutes of the circumscription are to determine the conditions under which these rights are to be exercised, either by deferring their exercise up to the end of the time of formation, or by restricting it to specified matters during the time of formation.

**286.** Since chapters serve the good of the communities, let the superiors to whom it pertains take care to convoke at an appropriate time the friars who ought to be present and communicate to them the business to be dealt with, so that they may deliberate the matter with sufficient forethought. If a voting member arrives after the chapter has begun, he is to be admitted to the acts following his arrival. Friars who have no part in the chapter may freely submit in writing petitions, questions, or suggestions, all of which must be given attentive consideration by the chapter, provided they have been sent in before the chapter agenda is made up, except for a case of urgent necessity.

**287.** Voting in matters of greater importance is ordinarily to be done by secret ballot. Voting by another method may be employed in matters of small importance, provided all are agreed.

**288.** In an election where, according to the *Constitutions*, several candidates are to be proposed by the Superior, the candidates themselves, if they are among the voters, may vote in the election. In an election with a simple yes or no vote, however, the single candidate proposed by the Superior may neither vote nor be present at the voting.

**289.** a) All friars are very strongly urged not to renounce the right of suffrage, with the exception of those who preside in chapter, who can, according to their prudent judgment, abstain from voting.

b) A friar who has been elected or nominated to any office has the right of resigning only for serious reasons, which are to be judged by the president of the chapter or, outside of chapter, by the respective major superior.

**290.** In chapters, for the voting of laws or decisions of any kind, the so called *modal* type of voting is to be employed, in which the friars vote by writing "yes" (*placet*), or "no" (*non placet*), or "yes with reservations" (*placet iuxta modum*). In the vote counting, the "yes with reservations" votes are to be counted as favorable, but if the simple "yes" votes do not reach an absolute majority, the questions proposed and the reasons given by those who voted "yes with reservations" must be reconsidered. Thus, no law or decision of a chapter may be considered approved, unless it obtains the aforesaid majority.

**291.** a) Unless a majority of the friars is explicitly demanded, the majority required for the validity of the voting in elections and decisions is to be based on the number of valid votes cast without counting invalid votes, blank votes, and the votes of those who are absent.

b) In the case of a tie, lots are to be cast in elections; in deliberative votes the president can break the tie with his vote.

**292.** Chapter participants are obliged to observe secrecy about the discussions held in the chapter, if divulging these matters would do harm to the good of the community or to individual persons. The same applies in special cases when the majority of the voting members of the chapter deem this necessary or useful.

**293.** The proceedings and conclusions enacted in chapters are to be recorded in the book of the *Acts*, or at least preserved in writing, and signed by all who were present at the chapter.

## CHAPTER XIV

### THE LOCAL CHAPTER

**294.** The local chapter is the gathering of those friars of the community who are assigned and have active voice, convoked for the purpose of seeking through fraternal consultation the common welfare of all, under the direction of the prior.

**295.** The local chapter is ordinarily to be held at least once a month. It should be convoked in sufficient time beforehand and an explanation of the business at hand is to be communicated to the chapter members, and especially to the counselors, who, along with the prior and the officials, should deliberate the more serious business before these matters are proposed to everyone in the chapter for decision.

**296.** The right to convoke the chapter pertains to the prior; he is to do so either on his own, or at the request of the majority of the chapter members. Each of the chapter members has the right of bringing to the attention of the prior and the counselors for consideration in the chapter whatever he judges useful to the common good, provided the matter is communicated before the chapter agenda is made up, except for a case of urgent necessity. If it seems helpful, the friars who are not members of the chapter should be heard also.

**297.** All who are convoked are obliged to attend. A chapter may not be held without the presence of the majority of the chapter members and at least one of the counselors. Friars who find it difficult to attend because of their advanced age or illness may be dispensed by the local prior. The dispensed friars are not to be counted in determining a majority.

**298.** In order that any matters taken up in the chapter may be considered approved, an absolute majority of the valid votes of the friars who have voice and are present at the chapter is required.

**299.** In houses where a local chapter cannot be held because there are not three *de familia* friars with active voice, all things of greater importance which must be decided in chapter are to be referred to the major superior and his council, unless the statutes of the circumscription determine otherwise.

**300.** In the local chapter the following must be discussed and, without its express consent, may not be decided:

- a) matters of greater importance pertaining to common life;
- b) any extraordinary contract;
- c) the report of the prior and the other officials about income and expenses;
- d) the daily schedule of the house;
- e) all matters assigned to the chapter by the *Constitutions*, or the statutes of the circumscription.

**301.** By reason of particular circumstances, the statutes of the circumscription may determine that certain questions be handed over to special groups who, after sounding out the mind of the community in chapter, are to decide these matters.

**302.** In matters for which the permission of the major superior is required by law, the prior shall apply to him in writing, so that he alone or with his council, accordingly as the case may be, may decide what is to be done.

## CHAPTER XV

### THE OFFICE AND AUTHORITY OF THE LOCAL PRIOR

**303.** A local prior presides in each house; he directs and represents the community. The friars are obliged to obey him as a father, with all reverence, and without prejudice to the authority of major superiors. In both spiritual and temporal matters the prior is to serve those whose care the Order has committed to him, and for whom he is to render an account to God, in whose name he governs.

**304.** By his fidelity and obedience to the will of God, the prior should be a model for the flock committed to him (see 1 Pt 5:3). He should concern himself about learning the rights and obligations of the whole community. Let him promote common life and unity of the friars among themselves and with the province or vicariate, foster discipline, and notify the friars of decisions of the higher superiors.

**305.** In carrying out his office he should trust more in God than in his own talents and ability. Let him humbly pray for the friars entrusted to him and offer the holy sacrifice of the Mass for them at least on the feasts of Christmas, the Annunciation, Easter, and Saint Augustine.

**306.** The friars for their part should live with him in fraternal and sincere community, helping him to bear the burden of his office; they should accept his commands in love and fulfill them faithfully.

**307.** The prior is appointed by the prior provincial after the ordinary provincial chapter or by the regional vicar after the vicariate chapter with the consent of the respective council. Unless special and serious reasons, which are to be determined as such by the council of the province or the vicariate and made known to the Prior General, should lead to conclude otherwise, he ordinarily remains in office for four years.

After this he may be reappointed a second time, but not a third time in the immediately following four years in the same house. He may, however, be appointed prior in another house (*CIC*. 624. 2.3). Both the prior and the local superior are to be at least three years solemnly professed (*CIC* 623).

**308.** Throughout his term of office he is to reside in his own house and he may not be away except for a short time. In his absence, if there is no subprior, the friar who has first place in the house according to the order of precedence, or another determined by the statutes, shall preside. If this appointment should prove seriously difficult for a friar, he may be dispensed by the local prior.

**309.** If the office of prior is vacant, the subprior takes charge, or, if there is none, the friar who has the first place in the community, until a new prior is appointed by the competent major superior with the consent of his council. The new prior shall govern the community until the next ordinary provincial chapter.

## CHAPTER XVI

### THE OFFICIALS OF THE HOUSE

**310.** In each house, according to the needs of the place and the norms of the statutes of the circumscription, certain friars are to be elected as officials who are to help the prior in his service to the community and carry out their duties under his direction.

**311.** *Subprior:* In each house there must be a subprior who takes the place of the prior in his absence. He may not introduce changes and innovations, however, except in a case of pressing need and with the consent of the chapter.

**312.** *Counselors:* It is the duty of the counselors, who may not be more than four in number, to assist both the prior and the friars with their advice and work, and to deliberate and offer their judgment about more important business.

**313.** *Sacristan:* The sacristy is to be looked after by a friar whose duty it is to take great care of the Church's worship and everything pertaining to it, and who is in charge of its ordinary administration. He shall also take care of the Mass obligations, which he accepts in the name of the community and whose offerings he keeps in the house deposit. Where it appears opportune, he should have a double record of the sacristy's goods, one to be kept by himself, and the other to be put in a safe place. In this record he is to register anything pertaining to either the renewal or depletion of said goods.

**314.** *Treasurer:* His duty is the careful administration of the goods of the house according to the norms given in numbers 491-505, and under the direction of the prior. He should willingly provide whatever is necessary or suitable for the life of the friars, particularly for the sick, the aged, and guests. He should likewise take care of those who are employed by us, and give them an honest and just wage.

**315.** *Librarian:* Where the situation requires it, a librarian should be appointed who is to fulfill his task according to the norms laid down in numbers 137-139.

## CHAPTER XVII

### THE ORDINARY PROVINCIAL CHAPTER AND THE VICARIATE CHAPTER

**316.** The friars gathered in the provincial chapter must desire the good of the province with their whole heart and strive to attain it as far as possible.

**317.** The ordinary provincial chapter is to be held every fourth year in each province of the Order in the place and at the time to be determined by the prior provincial with the consent of his council. The chapter shall be preceded by a period of preparation and followed by a postcapitular period.

**318.** Solemnly professed friars who are ascribed to a province and the circumscriptions dependent on it enjoy active voice in the processes of voting which precede the ordinary provincial chapter.

### Preparatory Period

**319.** If circumstances demand, in accord with the statutes of the province, the prior provincial with his council shall form in due time electoral groupings of the friars having active voice. He shall send these to the Prior General and his Council for approval along with the time and place designated for the Chapter. He shall request that the Prior General appoint the president of the chapter, unless he should wish to preside himself.

**320.** At the time determined by the provincial statutes, the prior provincial shall send to all the friars a letter of convocation for the chapter, together with a report on the state of the province and his own suggestions — all of which shall be sent also to the Prior General for his information — and the ballots for determining the mind of the province. He shall instruct all as follows:

a) that in due time before the beginning of the chapter all send in the observations which they believe should be made for the good of the province.

b) that all who have active voice send to the provincial headquarters by written ballot and in order of preference the names of one, two, or three of the friars whom they consider to be best suited for the office of prior provincial;

c) that all who must be present at the chapter gather at the place and time appointed;

d) that all the friars of the province offer to God prayers, especially from the very beginning of the chapter, according to the *Ritual* of the Order.

**321.** The prior provincial shall take great care that the ballots that are to be sent to the friars are so prepared that secrecy will be absolutely safeguarded.

**322.** After receiving the ballots, the prior provincial with his council, and other tellers added according to provincial statutes, perform the tally. Then the Prior General is notified of the outcome for the sake of receiving his confirmation. After his reply has been received, the number of votes received by each friar is published in preferential order. All those friars are to be recognized as candidates who have received votes from at least fifteen percent of the friars validly voting. If any of these for serious reasons should in conscience believe that he cannot be a candidate, he shall notify the prior provincial of this in writing, and the province shall be informed of his resignation.

**323.** When the observations mentioned in number 320 a) have been received, the prior provincial with his council shall see to it that at least a synthesis of them be sent as soon as possible to all the friars, so that they may give them their careful consideration.

**324.** Once the letter of convocation and the report on the state of the province have been received by the friars, the discreets to the chapter shall be elected.

**325.** a) Provincial statutes shall determine the method of electing discreets either by electoral groupings or by a single list of all the friars with active voice.

b) In the election of discreets only those may vote who do not already have a vote in the provincial chapter.

**326.** The discreets to the chapter, whose task it is to represent the friars, shall be friars who have the right of active and passive voice and are ascribed either to the province in whose chapter they are to vote or to the circumscriptions dependent on it.

**327.** Proportionally at least as many discreets shall be elected as there are ex officio capitulars.

**328.** a) In voting by electoral groupings, they are to be considered elected as discreets who have received an absolute majority of votes in the first two ballotings. If no one has received this majority, there shall be a third balloting in which a relative majority shall be sufficient. The same is to be done in the event of election by mail, unless the provincial statutes determine otherwise. In case of a tie in these elections, lots are to be cast among those who are tied.

b) In voting by a list of all the friars, a relative majority is sufficient.

c) If any of the elected discreets should withdraw from the office for any reason during the preparatory period, the one who received the greatest number of votes after those already elected shall become discreet.

**329.** When the letter of convocation has been received, local priors shall send to the prior provincial, within the time specified by him, a written report in duplicate, signed by the friars of the local chapter, concerning the personnel and the financial state of their house.

**330.** Also, local priors shall send a letter, signed by the same friars of the local chapter, certifying that Mass obligations and other similar obligations have been satisfied.

### **Celebration of the Chapter**

**331.** On the appointed day, after the Eucharistic Sacrifice and the prayers indicated in the *Ritual* of the Order, the Prior General, if present, or the prior provincial shall declare the chapter open.

**332.** Then, unless the Prior General should be present, the president of the chapter, who then holds the place of the Prior General, shall be announced. If the Prior General has not appointed anyone, then the eldest in profession of the provincial counselors of the preceding provincialate who are present shall be president until the election or confirmation of the prior provincial. After the invocation of the Holy Spirit, the president shall give an appropriate address and determine, along the lines indicated in the *Ritual* of the Order, the prayers to be said in common for the success of the chapter.

**333.** Then, the president shall recognize those who have the right to vote, according to the public list already prepared by the prior provincial and his council.

**334.** If any letter should arrive which challenges someone's right to vote or raises a question about the celebration of the chapter, the president shall appoint three examiners of documents who, after approval by the chapter through a secret yes or no vote, shall immediately deal with the issue raised.

**335.** The president shall inform the chapter members of the judgment of the examiners. If there should remain any further doubt, he shall propose that after considering the reasons pro and contra the matter be resolved by a secret yes or no vote.

**336.** The chapters members are:

- a) the president of the chapter;
- b) the prior provincial;
- c) the prior provincial elect
- d) the provincial counselors;
- e) the provincial counselors who were elected before the celebration of the chapter according to provincial statutes;
- f) the provincial treasurer;
- g) the provincial secretary, who is also secretary of the chapter;
- h) the provincial superiors;
- i) the regional vicars;
- k) those priors or other friars, to whom ex officio vote is granted by provincial statutes;
- l) the discreets.
- m) the counselor or secretary general when he accompanies the Prior General. He has the right to speak in the chapter but not the right to vote except when he fulfills the office of president in the absence of the Prior General.
- n) With the consent of his council, the prior provincial can invite to the chapter some friars and lay persons, as observers or experts whose counsel and experience may help the process of the chapter. These may be invited to commissions and plenary sessions but do not enjoy the right to vote.

**337.** By statutes and in accord with the intention of number 345 provinces can choose another method concerning the voting members of the ordinary chapter, in which all the friars enjoying active voice are members of the chapter. The following conditions apply to this situation:

- a) In this case all the friars are to be formally summoned and all are obliged to be present at the sessions of the chapter unless they have been dispensed by the president of the chapter.
- b) For the validity of elections and voting at the chapter, the presence of at least three-fourths of the friars enjoying active voice is required. Friars who have been dispensed by the president of the chapter are not counted.
- c) Everything else takes place according to the *Constitutions*.

**338.** After the names of the chapter members have been read out by the secretary of the chapter, the chapter, either in general sessions or in commissions, shall examine the principal activities, problems, and undertakings of the province, in order that the state of the province and its future possibilities may be determined with greater clarity.

**339.** Each commission shall have its chairman and secretary; it shall discuss the subject assigned to it and propose its conclusions, signed by all its members, to the chapter for public discussion by all chapter members.

**340.** With the approval of the chapter the president shall then appoint at least three tellers for all elections. The tellers, who are bound to secrecy, are to be confirmed in their office by the president.

## **Elections**

**341.** Before proceeding to the election or confirmation of the prior provincial, the president of the chapter shall declare that all the officials of the province indicated in numbers 395-406 have completed their term of office, and he shall call for new elections of the officials of the province.

**342.** The prior provincial shall then hand over to the president the seal of the province as a sign of the completion of his office. If the prior provincial, for some legitimate reason, does not come to the chapter, he shall transmit the seal through his secretary.

**343.** It is the right and duty of each province to choose whichever method it prefers for the election of the prior provincial, that is, direct, indirect, or mixed. The preferred method is to be determined in writing by an absolute majority of the friars who have active voice. The method selected is to be placed in the statutes.

**344. a) Direct Vote**

1) At an opportune time after the publication of the number of votes as prescribed in number 322, those who enjoy active voice are to submit on a written ballot the name of one friar for the election of the prior provincial. The ballots shall be sent to the headquarters of the prior provincial currently in office, so that the tally can be made by the president, named by the Prior General, and by other tellers designated according to the provincial statutes. If anyone receives an absolute majority, he shall be the prior provincial.

2) If no one receives an absolute majority, then, after the number of votes received by each friar has been made public, all the friars with active voice shall again submit a written ballot containing, in the order of preference, one, two, or three names. The tally is to be made by a preferential system. The one who receives the greater number of votes shall be prior provincial. In case of a tie, lots are cast.

Confirmation of the prior provincial shall take place at the beginning of the chapter.

**b) Indirect Vote**

When the number of votes recorded in the tally mentioned in number 322 has been made known to the chapter members, the chapter shall, by secret ballot, elect a prior provincial from the candidates approved in the investigation of the mind of the province. For a valid election an absolute majority is required in the first three ballotings. This applies also to reelection. If no candidate has obtained the above mentioned majority in the third balloting, a fourth balloting is to be held in which only the two candidates who received the greater number of votes shall have passive voice. An absolute majority is required for valid election. In case of a tie, lots are cast.

**c) Mixed Method**

All those who have active voice shall choose one of the candidates approved in the investigation of the mind of the province and send his name by mail to the chapter. Whoever receives three-fifths of the vote is considered elected prior provincial. If no one has attained this majority, the chapter members shall then proceed to the election of the prior provincial, as prescribed in number 344b.

**d) Capitular Method**

If during the pre-chapter time only one candidate remains because the others have withdrawn, or if all the candidates have withdrawn, or if during the provincial chapter the prior provincial elect shall have resigned, the prior provincial is to be elected in the chapter.

For anyone to be elected, an absolute majority of the valid votes is required in the first three ballotings. This applies also to reelection. But if in the third balloting, no one has received the required majority of votes, then there shall be a fourth balloting in which only the two candidates who obtained the greater number of votes have passive voice. An absolute majority is required for election. In case of a tie lots are cast.

**345.** If any province wishes to modify or adapt one of the above mentioned methods, while preserving the principles of the *Constitutions* then, at the written request of two-thirds of the friars who enjoy active voice, the prior provincial shall submit the new method to the Prior General with his Council for approval.

**346.** In order to be validly elected prior provincial, the candidate must be affiliated to the province or ascribed to it. He must be at least thirty years of age, five years solemnly professed (see *CIC* 623), and of good reputation.

**347.** The prior provincial who has been elected before the celebration of the chapter can present his own observations to the chapter after making a visitation of the province so that the members of the chapter can take them into account in the development of the program of the province. Before being confirmed, the prior provincial elect shall make the profession of faith in the presence of the president and the chapter members (see *CIC* 833.8).

**348.** The *Acts* of the election, accurately recorded by the secretary, and signed by the president of the chapter and the tellers, shall be preserved in the archives of the province.

**349.** After the election or confirmation of the prior provincial, on the day and hour established by the president, the provincial counselors shall be elected.

**350.** There are either four or six provincial counselors as determined by provincial statutes.

**351.** The prior provincial shall propose three names for each counselor. The voters remain entirely free, however, to choose whomever they believe should be elected, even outside the three names. He shall be considered elected who receives the greater number of votes. In case of a tie, lots are to be cast among those who are tied.

**352.** If any province should wish to use another method for the election of the counselors, this may be done by the procedure indicated in number 345.

**353.** In the election of the provincial treasurer and secretary the prior provincial shall propose only one friar for each office. He shall be considered elected, if he receives an absolute majority in a secret yes or no vote. If he does not attain this, another shall be proposed in the same manner by the prior provincial.

### **Drafting of the Program of the Province and Conclusion**

**354.** When the elections are completed, discussion of the state of the province continues and a program is to be drafted and approved, the execution of which is commended to the prior provincial and his council. Then the chapter shall take up the provincial statutes, either to prepare them or to change them. But no proposition shall be considered approved unless it receives at least an absolute majority of the votes.

**355.** When all this is completed, the *Acts* of the chapter, carefully recorded, shall be submitted to the judgment of all the chapter members with the right to vote. Then, when the president has again convoked the voting members in the chapter hall, the secretary shall read the *Acts* of the chapter in the presence of all.

**356.** The *Acts*, signed by all the voting members of the chapter and stamped with the seal of the province, shall be sent as soon as possible to the Prior General for confirmation, without which the elections, appointments, and decisions have no definitive force.

**357.** The president shall declare the chapter closed in the name of the Lord, and the members are dismissed. After receiving confirmation of the *Acts* of the chapter or any other determination about them made by the Prior General, the prior provincial shall order both *Acts* and determinations to be promulgated immediately in every house.

### **Postcapitular Period and Postcapitular Provisions**

**358.** All offices and positions in the province cease with the celebration of the ordinary provincial chapter, but the officials continue in ordinary administration until the provision and taking possession of offices and positions in the postcapitular period have been accomplished.

**359.** Once the chapter is over, the prior provincial shall convoke his council, in which for this occasion the prior provincial who finished office in the preceding chapter shall take part, for the purpose of arranging the local communities and electing the priors and other officials within the time specified by the provincial statutes and in accordance with the statutes of the province and the program decided upon by the chapter.

**360.** In arranging the communities, care should be taken that everyone be so placed, insofar as this is possible, that he may best exercise his God-given talents in the service of the Church and the community.<sup>389</sup>

**361.** Elections and confirmations in the provision of offices shall be done by an absolute majority of votes among the candidates proposed singly by the prior provincial. The following are elected in this way: the regional vicars and their counselors, the local priors and treasurers, the directors of formation, the rectors of schools, the regents of studies, the provincial archivist, the pastors to be presented to the local Ordinary, and others who may have to be elected according to the provincial statutes.

**362.** The regional vicars and their counselors shall not be elected before the prior provincial has sounded out the mind of the friars of the respective vicariate.

**363.** After the postcapitular elections are completed, all the *Acts*, faithfully recorded, signed by the provincial council and stamped with the seal of the province, shall be sent as soon as possible to the Prior General for his information and for the confirmation of whatever needs to be confirmed, as indicated in number 224.

**364.** Letters certifying legitimate election or appointment, signed by the prior provincial and stamped with the seal of the province, shall be sent to each of the priors and other officials.

**365.** The communities shall be notified of the election of their respective priors according to the custom of each province.

### **Vicariate Chapter**

**366.** Every fourth year a vicariate chapter, convoked by the superior on whom the vicariate depends, shall be celebrated to develop the program and make determinations for the good of the vicariate.

**367.** The president of the assembly is the prior provincial, or the president of the federation, or the Prior General, either in person or represented by a delegate, respectively. The manner of celebrating it is to be determined by the statutes of the vicariate.

**368.** The *Acts* of the chapter and the post-chapter elections are to be approved by the prior provincial or the president of the federation with the consent of the respective council and confirmed by the Prior General; or by the Prior General alone, if the vicariate is immediately subject to him.

## **CHAPTER XVIII**

### **THE INTERMEDIATE PROVINCIAL CHAPTER**

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<sup>389</sup> See M. B. Salón, *Divi Thomae de Villanova . . . vita* 1, 13 (Manila, 1880), p. 101; *Const. Ratis.* c. 32, p. 268.

**369.** The chief purpose of the intermediate chapter is to meet in fraternal council in order to evaluate the execution of the program prescribed by the ordinary chapter, to seek solutions and to find still better means for rendering the program more effective.

**370.** Two years after the ordinary provincial chapter each province shall hold an intermediate provincial chapter in the place designated by the prior provincial with the consent of his council unless the provincial statutes determine another form of assembly of the friars to attain the purpose of the chapter.

**371.** At least one month beforehand, the prior provincial shall notify the Prior General about the celebration of the intermediate provincial chapter or assembly and, unless the Prior General should wish to be present or to delegate someone in his place, the prior provincial himself shall be president.

**372.** The intermediate chapter or assembly

- a) cannot revoke or change what the ordinary chapter decreed, except in case of urgent necessity.
- b) Its decrees shall have force only till the celebration of the ordinary chapter; and if the latter does not approve those decrees, they will be completely void.

**373.** In order that the purpose of the intermediate chapter may be realized more effectively, in addition to the president, in the event that he should be someone other than the prior provincial in accord with number 371, the voting members shall be:

- a) the prior provincial;
- b) the provincial counselors;
- c) the provincial superiors;
- d) the regional vicars;
- e) the provincial treasurer;
- f) the provincial secretary, who is also the secretary of the chapter;
- g) those priors and others to whom the provincial statutes grant the right of suffrage.

**374.** When the chapter is ended, the *Acts*, accurately recorded, examined and signed by all voting members, and stamped with the seal of the province, shall be sent to the Prior General for confirmation.

## CHAPTER XIX

### THE OFFICE AND AUTHORITY OF THE PRIOR PROVINCIAL

#### AND OTHER MAJOR SUPERIORS

**375.** In each province the prior provincial is the immediate major superior for the whole province entrusted to him by the Order,<sup>390</sup> and he holds the first place of authority and office after the Prior General.

**376.** It is his duty to preserve the unity of the province; to safeguard the observance of the law; to make appointments, according to his own judgment, to those offices for which no provision is made in these *Constitutions*; to promote apostolic undertakings and to provide for the good of the province.

**377.** His first care shall be the apostolate of vocations, and he shall make the greatest effort that the candidates receive a suitable education according to the mind of the Church and the Order. He should likewise, to the best of his ability, promote studies, especially the ecclesiastical sciences, in his province, and he shall not omit to send talented candidates to universities in order to attain these goals.

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<sup>390</sup> See *Const. Ratisb* c. 33, n. 299.

**378.** He shall show due reverence to the Prior General and consult him whenever it seems opportune. Each year he is to forward a report on the state of the province according to the forms sent to him by the Prior General.

**379.** Let him likewise see that the local priors faithfully fulfill their duty and let him willingly listen to the friars. He has active voice in all house chapters of his province and may preside at them.

**380.** He may be prior only in the house destined solely for the residence of his staff, neither may he hold any office which might in any way distract him from the governance of the province. In the exercise of his authority he may not fail to seek either the advice or consent of his counselors in the prescribed cases in accord with the *Constitutions*.

**381.** The chief instances in which the prior provincial needs the consent of his council (see *CIC* 127; 627.2) are the following:

- a) in petitioning the Prior General for the establishment or suppression of a house of the province;
- b) in the authentic interpretation of the text of the provincial statutes;
- c) in changing the affiliation of a friar from one province to another;
- d) in making decrees for the whole province;
- e) in imposing a precept gravely binding in conscience on the whole province;
- f) in drawing up financial plans outside the provincial chapter in case of necessity;
- g) in the alienation of goods or contracting debts, which do not exceed half of the sum not reserved to the Holy See, unless the provincial chapter has decided on a lesser sum. If the amount exceeds half of the sum, then permission is to be sought from the Prior General with his Council.
- h) in transferring or depriving a prior or an official from office;
- i) in the nomination of a prior and officials after the provincial chapter;
- k) in determining the time and place of the provincial chapter;
- l) in preparing the letters and necessary documents to be sent to the Prior General before the provincial chapter;
- m) in the election of a counselor outside the provincial chapter, if one of them should die or leave office for any reason;
- n) in designating a vicar provincial when the prior provincial will be absent for an extended period of time;
- o) in establishing a house of studies;
- p) in the admission of candidates to the novitiate or profession and in promotion to ministries and sacred Orders;

**382.** He should frequently offer Mass for his brothers during the year, and especially on the feasts of Christmas; Easter; Pentecost; the Annunciation; Saint Joseph, Protector of the Order; and Saint Augustine.

**383.** Whenever he has to be away from the region where the provincial headquarters is located for a long period of time or is otherwise impeded, he should, with the consent of his council, appoint a suitable friar as vicar provincial, who is to govern the province with ordinary power, except in those things which the prior provincial has reserved to himself. The vicar is not to use his power contrary to the mind or will of the prior provincial.

**384.** The prior provincial has the right and the duty to see that Mass obligations are fulfilled, and in accord with the common law he should examine the Mass books of all houses, either personally or through someone else. If he notices in any house that the Mass obligations cannot be fulfilled there, he should see to it that these obligations are carried out in other houses of the province. If they cannot be fulfilled in the province, he should forward the Masses and the stipends to the Prior General. As regards pious foundations, he is to observe the statutes of the province.

**385.** He may change friars from place to place when necessity or utility demands, but he should, as far as possible, consult beforehand with the friars who are to be changed.

**386.** In the event that a prior provincial has resigned and his resignation has been accepted by the Prior General, or if for any other reason the office of prior provincial has become vacant, a new

ordinary provincial chapter is to be held, unless the statutes of the province provide otherwise. In the meantime the province is governed by one of the counselors, as vicar provincial, or in case the counselors are not available, by one of the immediately preceding counselors, according to the order of precedence given in number 120 or according to the order determined by provincial statutes.

### **Vicar Provincial**

**387.** The vicar provincial is numbered among the major superiors and has the same rights and is bound by the same obligations as the prior provincial (see *CIC* 620; *Const.* 224).

### **Provincial Superior**

**388.** A provincial superior governs a province of suspended governance. He is a major superior according to number 224 if the province is governed as a vicariate (see *Const.* 237). He must be solemnly professed for at least five years (see *CIC* 623). He is named by the major superior upon whom the province depends after the friars of the province have been consulted.

**389.** He has the faculties proper to a regional vicar or a delegated superior according to the statutes and those which the competent superior grants him. His principal task will be to bring about with all his energy that the province by a diligent and assiduous program increases the number of candidates and recovers the conditions to obtain its ordinary governance again.

### **Regional Vicar**

**390.** In as much as he is the vicar of the prior provincial, or of the president of a federation, or of the Prior General, a regional vicar is a major superior and enjoys those powers which the *Constitutions* and proper statutes assign to his office, or which the respective superior grants him. He is to be at least five years solemnly professed (see *CIC* 620 and 623).

**391.** a) It pertains to the regional vicar with the consent of his council:

1) to assign friars to houses and confer offices when the communities are established;

2) to present friars to ecclesiastical authority for an office.

b) The regional vicar, however, needs the consent of the prior provincial or the Prior General if the vicariate depends on him:

1) in making financial plans for the vicariate;

2) in the alienation of goods or in contracting debts beyond the sum determined in the statutes of the vicariate.

3) In ascribing to the vicariate a friar belonging to another circumscription.

**392.** The regional vicar may not use his authority contrary to the mind and will of his immediate major superior, and he should willingly consult him in matters of greater importance. In the exercise of his authority, he should not fail to seek the advice or the consent of his counselors in the prescribed cases.

**393.** The chief cases in which the regional vicar needs the consent of his council (see *CIC* 127; 627. 2), besides those determined by the prior provincial, are the following insofar as he has the faculty (see *Const.* 243):

a) in making a petition to the Prior General for the establishment or the suppression of a house of the vicariate;

b) in the authentic interpretation of the text of the statutes of the vicariate;

c) in changing the affiliation of a friar from the vicariate to another circumscription;

d) in making ordinances for the entire vicariate;

e) in imposing a precept that gravely obliges in conscience and that affects the entire vicariate;

- f) in making financial plans outside of the vicariate chapter in the case of necessity;
  - g) in the alienation of goods or in contracting debts above the sum determined in the statutes of the vicariate;
  - h) in substituting or removing a prior or official from office;
  - i) in the nomination of a prior and officials after the vicariate chapter;
  - k) in establishing a house of formation;
  - l) in admitting candidates to the novitiate, profession and promotion to ministries and Orders;
- In these cases the vicar shall inform the superior upon whom the vicariate depends.

### **Delegated Superior**

**394.** A delegated superior is placed in charge of a delegation to govern it in the name of the major superior. He has those faculties that the competent superior grants him. He must be solemnly professed for at least five years (see *CIC* 623).

## **CHAPTER XX**

### **THE COUNSELORS AND OTHER OFFICIALS OF THE CIRCUMSCRIPTIONS**

**395.** The *counselors* have the duty of assisting the prior provincial in the governance of the province by their prudent advice and energetic work. Together with the prior provincial they constitute the council of the province.

**396.** a) The prior provincial, through the secretary, should notify the counselors in sufficient time before a session of the council and let them know the time and the agenda, so that with their consent or advice he may determine what is to be done.

b) All counselors are to be called to the session, but it is sufficient that at least half of them be present besides the prior provincial, in order that the council may function.

**397.** All the friars of the province have the right to submit to the provincial council suggestions which serve the good of the province.

**398.** The provincial council is to deal with all those matters which are entrusted to it in the *Constitutions*; to it pertains also the making of decrees for the whole province, if necessity or utility should require them. But these decrees are binding only until the next chapter.

**399.** Elections and decrees are to be done by secret vote. They are to be recorded in the registers of the province, and signed by the prior provincial and the counselors.

**400.** If anyone among the counselors, outside of the time of chapter, should die or cease from office for any reason, the prior provincial, with the consent of his council, shall elect another, who must then be confirmed by the Prior General.

**401.** The *provincial treasurer*, who may not be the prior provincial, has as his chief responsibility the care and administration of the goods of the province, under the direction of the prior provincial, according to numbers 491-505 and the norms of the provincial statutes.

**402.** The *provincial secretary* is to assist the prior provincial by his work and advice. In the sessions of the provincial council he has the right to speak but not to vote. He shall take care of the provincial registers and record therein what is worthy of note.

**403.** *Directors of formation* are to be appointed for the various periods of formation; they must possess the qualifications indicated in Chapter Nine.

**404.** *Regents of studies* have the care of organizing and promoting studies according to the particular needs of each province.

**405.** The *archivist* of the province is to perform his duties according to number 138.

**406.** The *sacristan* of the province is to record the Masses received in a special book, and see to it that they are said as soon as possible.

**407.** The provisions concerning officials of the province are understood to apply also in the case of the officials of other circumscriptions with the necessary adjustments.

## CHAPTER XXI

### THE ORDINARY GENERAL CHAPTER

**408.** The General Chapter, which is convoked "for the purpose of promoting the common welfare of all the friars,"<sup>391</sup> is the chief event in the life of the Order, for it should offer witness to the Augustinian spirit and demonstrate clearly the unity of minds and hearts. Therefore, conscious of their serious responsibility, all chapter members should seek the common good of the Order.

**409.** Ordinary General Chapters shall be held every six years on the day and place determined by the Prior General with the consent of his Council.

**410.** If serious difficulties should arise, the faculty is expressly granted to the Prior General with the consent of his Council to postpone the date of the chapter, but not beyond three months.

#### Preparatory Period

**411.** After notifying the Holy See, the Prior General or the vicar general, shall send out to the whole Order at least six months before the chapter a letter of convocation, together with a complete report on the state of the Order, prepared and signed by the General Council. By means of this report all the friars of the provinces, vicariates, and general houses are to be informed about the following topics, and about what has been done either by direct initiative or as a result of the leadership of the central government of the Order regarding:

- a) internal life and the formation of the friars;
- b) development of studies in the Order;
- c) apostolic and pastoral activities;
- d) missions and ecumenism;
- e) relations and cooperation with other branches of the Order;
- f) justice and peace and contemporary social questions.

The report should also give information about the financial status of the Order, and provide whatever suggestions the Prior General and his Council consider best for promoting the life of the Order.

**412.** All the friars, houses, vicariates and provinces shall be instructed also:

- a) that they send to the General Curia by the time indicated by the Prior General whatever observations or questions they believe should be presented for the good of the Order;
- b) that all who have voice in the chapter gather at the designated place on the fixed day;
- c) that all the friars offer special prayers to God for the success of the chapter especially from its beginning.

**413.** All the observations received shall be communicated as soon as possible by the Prior General and his Council, at least in accurate summary form, to the priors provincial, provincial superiors, and regional vicars with their respective councils, and to all other members of the chapter, in order that everyone may study them carefully and inquire into the views of the friars on these matters.

**414.** No one shall bring before the General Chapter cases which can be resolved by the prior provincial or the provincial chapter. Anyone so doing shall not be heard.

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<sup>391</sup> *Const. Ratisb.* c. 38, n. 376.

**415.** At an appropriate time, the Prior General shall send a fraternal letter to the presidents of the federations of sisters and to the moderators general of the other branches of the Order, asking them to pray for the work of the Ordinary chapter.

### **Celebration of the Chapter**

**416.** When all the friars have gathered in accord with the letter of convocation at the hour fixed by the Prior General, the president of the chapter shall be announced. Unless the Holy See shall have made other provisions, the vicar general or one of the assistants general, appointed beforehand by the General Council, shall be president, until the election of the Prior General.

**417.** Following the invocation of the Holy Spirit, the president shall deliver a fitting discourse, determine the prayers in common, designate the examiners of documents and organize everything else, as in number 334 concerning the provincial chapter.

**418** When these things are completed, the secretary general, who serves as the secretary of the chapter until the new secretary is elected, shall read the names of the voting members and distribute a list of them to all.

**419.** The members of the chapter are:

- a) the president of the chapter;
- b) the Prior General;
- c) the former immediately preceding Prior General;
- d) the vicar general;
- e) the assistants general;
- f) the procurator general;
- g) the treasurer general;
- h) the secretary general;
- i) the priors or vicars provincial of provinces of ordinary governance;
- k) the definitors elected according to the norms of the *Constitutions*.

**420.** In regard to the definitors to the General Chapter:

- a) Each province of ordinary governance receives one definator.
- b) The number of other definitors depends on the number of ascribed solemnly professed friars.
- c) Besides the provisions of a) above, provinces which have more than seventy-five ascribed friars, receive another definator up to one hundred and twenty-five, and then one more for each fifty ascribed friars.
- d) Provinces of suspended ordinary governance and vicariates elect one definator if the circumscription has at least twenty ascribed members.
- e) The friars of circumscriptions which depend on a province and which have less than twenty ascribed friars are to be considered as ascribed to the province.
- f) In the case of friars ascribed to circumscriptions which do not depend on any province and which have less than twenty ascribed friars, the Council of the Order shall constitute a voting group which will elect a definator to the General Chapter. And in the case of more than fifty, another definator shall be elected for each additional fifty friars. Or, upon the petition of the friars of this kind of circumscription, the Prior General may allow for this instance only that they be considered as ascribed to another circumscription that consents to the arrangement.
- g) Friars ascribed to general houses of the Order shall form one electoral group and elect one definator.
- h) The number of ascribed friars shall be computed on the day of the convocation of the General Chapter.

**421.** If the Prior General by reason of some serious obstacle should not be able to attend the General Chapter, the vicar general shall take his place. If a prior provincial or one of the definitors should be prevented from attending, then the council of the province or of the vicariate shall elect

someone who shall take his place and act in his stead. The Prior General shall be notified about the substitution as soon as possible so that he may give his confirmation.

**422.** The Prior General with the consent of his Council may call to the chapter:

- a) Representatives, that is, friars from various activities or circumscriptions of the Order whose presence and assistance may be of help to the Chapter. They may participate in commissions and in plenary sessions, but without vote;
- b) Observers who represent other parts of the Order, such as sisters of contemplative life, religious congregations of apostolic life aggregated to the Order, and lay men and women, whose presence may better signify and promote the unity of the Order. They may be invited to commissions and to plenary sessions, but without vote;
- c) Experts whose advice and experience may help the Chapter process. They may be invited to commissions and to sessions, but without right of suffrage.

**423.** In the chapter sessions, both before and after the election of the Prior General, all voting members enjoy the same right of suffrage, and all shall sign the *Acts* of the Chapter. No one shall be absent while the sessions are going on without the permission of the president.

**424.** a) Priors provincial, provincial superiors, and regional vicars, or any who take their places, must send to the General Chapter a report signed by themselves and their counselors, concerning the state of the province or vicariate according to the schema sent beforehand by the Prior General.

b) The definitors shall present an authentic document of their election.

c) No one lacking these documents shall be admitted to suffrage.

d) The Prior General, moreover, shall present a report on the Masses received and their stipends prepared by the sacristan of the Order and approved by the General Council.

**425.** Upon consultation with the Prior General and the prior of the house, the president shall at the time he judges suitable name two or more friars who are to provide whatever is necessary, while the Chapter is in session.

**426.** After these things have been completed, the tellers shall be appointed; they are to be proposed by the president and approved by the Chapter. Following the same procedure, the president shall then divide the voting members into several commissions, so that they may apply themselves to the questions assigned to them, and, after careful study, submit their conclusions to the plenary sessions of the Chapter.

**427.** The commissions shall conduct their work along the lines indicated in numbers 338 and 339 concerning the provincial chapter with the necessary adaptations. All voting members and the experts shall give careful attention to the questions proposed in order that with the full collaboration of all an excellent program may be prepared, and the Order may advance more and more in keeping with its spirit and tradition.

### **Election of the Prior General**

**428.** At an appropriate time after the Chapter has begun, an exploratory sounding for the election of the Prior General shall be conducted. Each Chapter member shall indicate three names in a preferential manner, and the result of the sounding shall be made public.

**429.** At an opportune time, the president shall declare that the Prior General has completed the term of his office and call for a new election. At this point, the Prior General, or the vicar general, shall hand over to the president the seal of the Order as a sign of the termination of his office. When all non-voters have left, the members of the Chapter shall proceed to the secret election of the Prior General.

**430.** The Prior General must be at least thirty-five years old and eight years in solemn profession (see *CIC* 623). He shall be of good reputation, experienced in government, endowed with keen interest in the Order, knowledge of sacred sciences, and the ability to promote unity among the members of the Order.

**431.** a) If any of the friars, after the first balloting, shall have obtained three-fifths of the votes, he shall be considered elected as Prior General. Otherwise the election shall be repeated in the same way a second and third time, if necessary.

b) If no one obtains the required majority in the third vote, then the candidate for immediate re-election, if there is one, shall be excluded from passive voice, and an intermission of twenty-four hours shall be observed. Then a fourth and, if necessary, a fifth vote shall be taken, with the requirement of the same majority as above. If even in the fifth vote no one has attained this majority, then a sixth vote shall be taken in which only those two friars shall have passive voice who in the fifth vote obtained the highest number of votes, even if they are tied. If several candidates have received a relative majority of votes and are tied, then lots are cast so that only two shall have passive voice.

c) In the sixth vote that one shall be considered elected who obtained the greater number of votes, and, if there is a tie, then lots are cast.

d) Once he has accepted the election, the Prior General is considered confirmed by the authority of the Apostolic See.<sup>392</sup>

**432.** If for any reason the office of Prior General becomes vacant during the course of the Ordinary General Chapter, all elections are voided and the Chapter proceeds to a new election of the Prior General and other officials.

**433.** The *Acts* of the election, accurately recorded and signed by the secretary, the president of the Chapter, and the tellers, shall be kept in the archives of the Order.

### **Drafting of the Program of the Order**

**434.** The capitulars continue in plenary sessions for the purpose of elaborating the program for the Order. In these sessions it is the duty of the voting chapter members to work energetically for the common good and the progress of the Order, in order that the spiritual life of the friars may be renewed and our apostolate better accommodated to the needs of the Church and the exigencies of the times.

**435.** "Moreover, they should be concerned about providing ways of strengthening and building up the Order in those parts of the world where it is weak, and of establishing it firmly in those places where it does not yet exist."<sup>393</sup>

**436.** The program that has been developed shall be approved by the modal type of voting.

### **Election of the Vicar General, Assistants General, Procurator General, Treasurer General, and Secretary General**

**437.** After the election of the Prior General and at a time that he considers appropriate, the other elections take place.

**438.** After he has heard the members of the Chapter, the Prior General must propose three names for the vicar general and for each of the assistants general; the voters, however, remain entirely free to choose whomever they believe should be elected, even outside the proposed three names. If after the second balloting no one has obtained three-fifths of the votes, then in the third balloting the one who has the greater number of votes shall be considered elected. In case of a tie, lots are cast.

**439.** After the Prior General has made inquiries among the Chapter members to hear their suggestions about candidates to be proposed, elections shall be held first for the procurator general and then for the treasurer general.

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<sup>392</sup> See Clement V, *In Ordine vestro*, 18 June 1308: *Anal. Aug.* 3 (1909-1910), 103-104; 4 (1911-1912), 418; Sixtus IV, *Dum fructus uberes*, 7 February 1475: Empoli, *Bullarium*, p. 346.

<sup>393</sup> *Const. Ratisb.* c. 40, n. 435.

**440.** The Prior General shall propose only one friar at a time and separately for procurator general and treasurer general.

**441.** If they receive an absolute majority of the votes, they are elected. If not, then the Prior General shall propose other friars in the same manner.

**442.** A reliable and prudent secretary general, proposed by the Prior General, shall be appointed by an absolute majority of votes in a secret yes or no ballot.

### **Conclusion of the Chapter**

**443.** When all this has been completed, the *Acts of the Chapter*, carefully recorded, shall be submitted to the judgment of all voting Chapter members, with sufficient time allowed to examine them. Then, when the Prior General has again convoked the members in the Chapter hall the secretary shall read the *Acts of the Chapter*; any mistakes which appear shall be corrected, and the *Acts* shall be signed by all the Chapter members.

**444.** The Prior General shall declare the Chapter closed in the name of the Lord and the members shall be dismissed.

**445.** The Prior General shall order the *Acts of the Chapter* to be promulgated as soon as possible in all houses of the Order.

## **CHAPTER XXII**

### **THE INTERMEDIATE GENERAL CHAPTER**

**446.** Three years after the Ordinary General Chapter, the Intermediate General Chapter shall be held. It is to be celebrated according to the norms established for the Ordinary General Chapter with the necessary adjustments. For the sake of developing the spirit of belonging to the whole Church and the entire Order as well as promoting better mutual understanding among the provinces, the Chapter should be held in different regions.

**447.** a) The purpose of this Chapter shall be to meet in fraternal council to evaluate the execution of the program prescribed by the Ordinary General Chapter, to seek and find still better means to render the program more effective, and to give to the Prior General and his Council the opportunity to communicate to the voting members new experiences and new plans, so that they may offer their views and advice especially concerning the more difficult undertakings. The Chapter shall also provide for or confirm such things as pertain to the competency of the Ordinary Chapter, if this should be necessary.

b) If it seems opportune, the task of the Chapter also includes the approval of a document, which has been prepared and sent to all the circumscriptions beforehand, concerning a contemporary topic of great importance for the whole Order.

**448.** At an opportune time before the celebration of the Chapter the Prior General shall send to the individual members of the Chapter the reports prepared by the provinces and vicariates to give an account of the execution of the program prescribed in the Ordinary General Chapter.

**449.** The Intermediate Chapter has nearly the same authority as the Ordinary Chapter. It may not, however:

a) revoke what the Ordinary Chapter has reserved to itself;

b) revoke or modify any decree of the Ordinary Chapter, except in case of urgent necessity and with the reasons given.

**450.** The decrees enacted by the Intermediate General Chapter are in force only until the celebration of the Ordinary Chapter; if they are not approved by the latter, they are completely void.

**451.** In order that this Chapter may accomplish its purpose more effectively, its voting members are as follows:

- a) the Prior General, who is the president;
- b) the former Prior General who left office at the preceding chapter;
- c) the vicar general;
- d) the assistants general;
- e) the procurator general;
- f) the treasurer general;
- g) the secretary general, who serves as the secretary of the chapter;
- h) the priors or vicars provincial of provinces of ordinary governance;
- i) the provincial superiors of provinces whose ordinary governance is suspended;
- k) the regional vicars;
- l) the priors of general study houses.

**452.** With the consent of his Council the Prior General may call to the Intermediate General Chapter experts drawn from the various assistancies, whose task will be to offer the required help to the voting members. The experts, however, do not enjoy the right of suffrage.

**453.** The Prior General shall have matters of greater importance to the Order presented to the Intermediate Chapter, even though they could be resolved by himself alone or with the consent of his Council. The resolving of such matters should be postponed until the Chapter, provided the Order suffers no harm thereby.

**454.** For the benefit of the other friars, the Prior General should not hesitate at the Chapter to cite as examples and to commend those priors provincial and other superiors and friars who have contributed notably to the progress of the provinces and the Order by such things as promoting vocations, making new foundations, fostering the common life, advancing studies, and wisely adapting the apostolate to the needs of the Church.<sup>394</sup>

**455.** Above all, he should propose that the chapter members study ways by which the provinces, vicariates and houses of the Order might better assist one another and share their temporal goods with one another "so that those who have more may help others who are in need."<sup>395</sup>

**456.** All the rest shall be done according to the norms of numbers 443-445.

## CHAPTER XXIII

### THE OFFICE AND AUTHORITY OF THE PRIOR GENERAL

**457.** The Prior General is the head of the Order and its supreme authority, after the General Chapter. The Order commends its administration and governance into his care with confidence in his foresight and faithfulness. The Prior General, therefore, is to be obeyed as a father. He himself should be the servant of all, in order that the common good of the Order may be realized.

**458.** The Prior General's primary concern should be to carry out all his duties in such a way as to follow the teachings of Saint Augustine and the authentic tradition of the Order, in order that by his help the friars may walk in the way of salvation. He should see to it that all observe with love the *Constitutions* and decrees of the Order; "he should have particular care that perfect common life be established in the provinces,"<sup>396</sup> and that all superiors correctly fulfill their duty.

**459.** Since the nature of our Order demands that we serve the spiritual welfare of all of us and our neighbor by devoting ourselves to the study of the sacred studies, the Prior General should concern himself with the advancement of studies in these sciences in the whole Order. With unremitting diligence he should take care that professors follow in the path of Saint Augustine, "who as our

<sup>394</sup> See *Const. Ratisb.* c. 40, n. 437.

<sup>395</sup> PC13; see PP, n. 43 and *passim*; *op. mon.* 25, 33.

<sup>396</sup> *Const. P. Franc. Xav. Vázquez*, 3, 13, 3; see *Const. Ratisb.* c. 40, n. 438; *Constitutionis Ordinis*, issued under Jerome Seripando, O.S.A. (Rome, 1551), c. 41, fol. 36v.

leader leads us under divine guidance to the hidden mysteries of truth."<sup>397</sup> He is to take care that the houses of formation "which are the foundation of the Order be carefully maintained throughout the Order, and . . . that the general houses of study be fostered in their earnest and diligent pursuit of studies."<sup>398</sup>

**460.** In order that he may fulfill the duties of his office well, the Prior General must have a vision of the future of the Order and an energetic approach to its problems and difficulties. He should endorse and favor or permit new undertakings and experiments. Indeed, he should himself initiate and sustain undertakings which respond to the needs of the Church and of humankind. He should exhort also the members of the General Chapter along these same lines. Let him take care, however, that none of the friars introduces practices which are not in conformity with the nature of the Order and may harm its unity, which consists in unity with its head.

**461.** During his term of office the Prior General shall visit the Order either in person or through the assistants general, to whom he gives the authority and faculties which he judges necessary and which the visitor may not exceed in any way.

**462.** Twice during his term of office he shall meet in person with the major superiors and with the heads of the federations and unions.

**463.** The Prior General should frequently offer Mass for the members of the Order, especially on the feasts of Christmas; Easter; Pentecost; the Annunciation; Saint Joseph, Protector of the Order; and Saint Augustine.

**464.** Besides other faculties granted to the Prior General or recognized by the Order, he has the following:

a) to grant simple confirmation to the *Acts*, but not the changes of statutes, of provincial and vicariate chapters. Without such confirmation, the elections, appointments, and decrees lack definitive force;

b) in order to provide for the needs of the Order as well as of provinces or vicariates, to take a friar from any province or vicariate after consultation with the respective major superiors and the friar himself, and to ascribe him to another province or vicariate, and to assign him *de familia* to any house of the Order;

c) to grant permission to erect houses, to reoccupy them, to change their location or to give them up (see Const. 228);

d) to receive friars returning to the Order after leaving it illegitimately, who have not been received by their priors provincial or regional vicars within one year, and to absolve them if according to law they need absolution;

e) to establish secular fraternities of consecrated life and to preside over them; to establish Augustinian secular societies and to approve their statutes; to establish and aggregate societies of Saint Augustine, the Pious Union of Our Lady of Good Counsel, and the Pious Union of Saints Rita of Cascia and Clare of Montefalco; to aggregate the Pious Union of Christian Mothers; and to affiliate the faithful to the Order;

f) for serious reasons and in cases that cannot be deferred, while he himself is on visitation or presiding at provincial chapters, to suspend laws that pertain to the structure and government of the Order (see number 268), provided that it is impossible for him personally to present the matter to the Council of the Order, and that he submit it to the Council as soon as morally possible.

**465.** According to Canon Law or the *Constitutions*, the Prior General needs the consent of his Council in the more serious affairs of the Order, chief among which are the following:

a) to issue decrees for the whole Order and interpret the *Constitutions* authoritatively according to number 266;

b) to admit candidates throughout the whole Order according to number 203;

c) to issue a decree of dismissal from the Order for any friar;

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<sup>397</sup> *c. accad.* 3, 20, 43; see *Const. P. Franc. Xav. Vázquez*, 3, 13, 4.

<sup>398</sup> *Const. Ratisb.* c. 40, n. 433; see also other editions of the *Constitutions*.

- d) to anticipate or postpone by six months the time of provincial chapters, and to change their locations;
- e) to disaffiliate a friar from a circumscription and affiliate or ascribe him to another according to the norms of numbers 253-254;
- f) upon request of the Prior General himself, and for legitimate reasons as he in conscience believes best, to modify, abrogate or declare null and void the *Acts* of provincial and vicariate chapters, their elections, appointments, and decrees, and to constitute others in their place *iure devolutivo*;
- g) to intervene in the government of a province or vicariate and to provide appropriate remedies, if a most serious reason demands this;
- h) to deprive major superiors and their counselors of office according to numbers 518-521;
- i) to confirm statutes, and changes of statutes for individual provinces, vicariates, interprovincial houses, federations and unions, and, if necessary, to issue such, and to see that they are duly observed;
- k) to issue statutes for general houses;
- l) to establish, change, or suppress general and interprovincial houses;
- m) to provide until the next General Chapter, and in the same way as is done in the General Chapter, for the offices of the vicar general, assistants general, procurator, treasurer, and secretary general, if they should become vacant outside the chapter;
- n) to establish houses of novitiate;
- o) to dispense a friar from temporary vows;
- p) to dispense from laws that pertain to the structure and government of the Order according to number 268.

**466.** The provinces and vicariates must pay proportionally the expenses of the Prior General or his delegates on the occasion of visitations and chapters.

**467.** The General Council shall determine each year the amount of money out of the general fund that the Prior General may in conscience prudently dispose of in extraordinary expenses for the good of the Order whenever the need arises. However, for those expenses of the Order which go beyond the sum established, the express consent of the council is required in each case. It also pertains to the council to fix each year the sum which the Prior General may use for alms. For extraordinary expenses, the Prior General with the consent of his Council may use money which is derived from the ordinary tax of the provinces and other ordinary income.

**468.** During any temporary absence of the Prior General from the Curia of the Order, or whenever he is impeded, the vicar general shall act in his stead.

## **CHAPTER XXIV**

### **THE VICAR GENERAL, ASSISTANTS GENERAL, PROCURATOR GENERAL, TREASURER GENERAL, SECRETARY GENERAL, AND OTHER OFFICIALS OF THE ORDER**

**469.** a) In the government of the Order the Prior General is aided by the vicar general and five assistants general who reside in Rome.

b) The vicar general and the assistants general are elected and confirmed by the Ordinary General Chapter according to the norm of number 438.

#### **Vicar General**

**470.** The vicar general should have the same qualities as the Prior General; his principal duty shall be to take the place of the Prior General when he is absent from the curia or otherwise

impeded in his office, and to represent the Order everywhere in his name, according to the faculties the Prior General may have granted him.

**471.** He shall carry out his duties always in accord with the mind and will of the Prior General, keeping him informed about things that have been done or are to be done for the good of the Order.

**472.** The Prior General shall place full confidence in him, freely making use of his assistance. The vicar in turn should have the highest loyalty toward the Prior General, such that the latter, especially when weighed down by the burden of his office, may rely securely on the vicar's conscientious sense of responsibility.

**473.** If for any reason the office of Prior General should become vacant outside the Ordinary General Chapter, the vicar shall assume the governance of the Order in the interim. His chief duty shall be to convoke an Ordinary General Chapter as soon as possible, and not beyond one year, according to the norm of the *Constitutions*.

**474.** During the time of his administration, however, he shall not change, revoke, or rescind any decree or decision made by the Prior General, except in a case of most urgent necessity, and with the consent of the Council.

### **Assistants General**

**475.** Assistants general must be at least thirty years old and seven years solemnly professed and should be known for learning, prudence, trustworthiness, and zeal.

**476.** Together with the Prior General and vicar general, the assistants general form the Council of the Order. As assistants, they are to be present to the circumscriptions in the name of the Prior General.

The chief duties of the assistants general are:

- a) to be counselors of the Prior General;
- b) to give counsel and help to the Prior General in the government of the Order, in the various aspects of the life and activity of the Order, and in the carrying out of the program of the General Chapter.
- c) to visit the circumscriptions as assigned by the Prior General;
- d) to preside at ordinary provincial and vicariate chapters as assigned by the Prior General;
- e) to devote attention and to work with the federations, unions, and conferences mentioned in numbers 246-249.

### **The General Council**

**477.** The members of the General Council are:

- a) the Prior General, who convokes and presides at the council;
- b) the vicar general;
- c) the assistants general.

If half of the members of the general council cannot be present for a session of the council, the Prior General or the one taking his place may supply in individual sessions for the required half by adding with the right to vote other officials elected in the General Chapter.

### **Procurator General**

**478.** a) The procurator general shall prepare and carry out all business of the Order with the Holy See, except what is prescribed in number 486. He should, therefore, be endowed with keen interest in, and expert knowledge of, our rights, and should strive by his industry and diligence always to

procure and preserve the good of the Order. He shall assist the Prior General, both outside the Council and in the Council sessions, at which he is to be present whenever matters pertaining to the Holy See are dealt with or whenever his presence is required. He has the right to speak, but not to vote, except in the General Chapter.

b) He should always remember that he must act in the name and according to the will and the mind of the Order, and that he should initiate no business without first consulting with the Prior General.

c) Without his or the Prior General's permission, no friar may handle any business of the Order with the Holy See either for himself or for someone else.

### **Treasurer General**

**479.** a) Under the direction of the Prior General and his Council, he shall take care of the administration of the temporal goods of the Order in accord with the norms of numbers 491-505. He shall look after the needs of the curia and carefully promote the finances of the Order in the best interests of the Church.

b) He should be so expert in financial matters that, besides administering the temporal goods of the Order, he can offer help and advice to the Prior General and his Council about technical questions concerning the provinces.

### **Secretary General**

**480.** It is the duty of the secretary to give the Prior General his aid and counsel, put in writing all that the general shall deem necessary, and record in the Registers whatever is worthy of note. By reason of his office he is also a notary for the ecclesiastical affairs of the Order.

**481.** He is to be present at the sessions of the General Council and keep a complete and accurate written record in the book of the *Acts* concerning what is discussed and decided. He has the right to speak, but not to vote, except in the General Chapter.

### **Other Officials**

**482.** Besides the officials of the Order elected in the General Chapter, there shall be in the curia other officials, judicious and reliable men, who are qualified for the duties assigned to them, among which are: the postulation and promotion of the causes of beatification and canonization, the administration of the Archives of the Order, and the collection of Masses.

**483.** They, like all other officials of the curia, are obliged to faithful silence concerning all matters of secrecy which they may learn either in their respective offices or from the Prior General. Each year, at least, they shall render an account of their administration to the Prior General and his Council.

**484.** Although they have no vote in the sessions of the General Council, the Prior General with his Council should consult them and respect their opinion in those things in which they are expert.

**485.** They shall be appointed by the Prior General with the consent of his Council, and at the time of the Ordinary General Chapter they are to be confirmed or others are to be appointed. Like other officials of the Order, they may be removed from office for a serious reason by the Prior General with his Council, according to the norms of numbers 519-521.

### **Postulator General**

**486.** a) The postulator general shall handle the causes of beatification of the servants of God and of the canonization of the blessed of the Order, both with the local Ordinaries and with the Sacred Congregation for the Causes of Saints according to the norms established by that congregation. Notification about members of the Order who died with a certain reputation for holiness should be communicated to him.

b) He should make use of suitable means and spare no effort that new causes be introduced, that those begun be advanced and that the veneration of the saints and blessed be prudently promoted.

### **Archivist General**

**487.** a) The archivist is to be truly expert in the history of the Church and especially in that of the Order. He shall safeguard in neat and orderly fashion all records and documents kept in the general archives and scientifically maintain an inventory and catalogue of the same, in order that the archives may serve as an excellent source of jurisprudence in the government of the Order, and may faithfully reflect the life, activity, significance and history of the Order.

b) The records of the secretaries should be transferred to the archives in due time. No records may be taken out of the archives without permission of the Prior General and a written statement of the borrower. By reason of his office the archivist is a notary for the documents preserved in the archives.

### *Sacristan of the Order*

**488.** It pertains to the sacristan of the Order to carefully register in a special book the Masses received from the priors provincial or from others and to see that they are celebrated as soon as possible in accordance with the conditions given him.

### *Subsecretaries*

**489.** The Prior General shall see to it that there are other officials assigned to the various offices of the curia, for example, subsecretaries who are familiar with the ordinary administration of the curia. They shall willingly assist the principal officials and, if necessary, substitute for them, so that the procedure in the curia will always be stable and well organized.

**490.** The General Council shall provide for any vacant office in the general curia in accord with number 465m.

## **CHAPTER XXV**

### **THE ADMINISTRATION OF TEMPORAL GOODS**

**491.** While we are exiles from the Lord in this world (see 2 Cor 5:6), we have to make use of temporal goods as the gifts of God, necessary for sustaining temporal life and for engaging in apostolic works, especially among the poor. In order to accomplish their purposes, therefore, houses, provinces, and the Order may acquire, possess and administer temporal goods--all of which serves the good of the Church.<sup>399</sup>

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<sup>399</sup> See PC 13; PO 17.

**492.** In ecclesiastical law, houses, provinces, and the Order itself have their due juridical personality. Whenever this is not recognized as such by the state, they are to acquire civil personality, if possible, by becoming incorporated in accord with the laws of the state.

**493.** The primary source of our temporal goods is the diligent work of the friars,<sup>400</sup> and frugality in their use and consumption. The other sources are the donations of benefactors of the Order and expertise in matters of finance, which may be practiced, according to its own methods and laws, within the limits of the moral order, the laws of the Church, and the nature of religious life.<sup>401</sup>

**494.** It is well to remember that it is our duty to offer good example to others even in the administration of temporal goods by not holding on to resources that are not being used because we are obliged to give both individual and collective witness to poverty. In this matter, we know that in administration excessive concern and negligence are both contrary to poverty.

**495.** It is also necessary that, in assisting our friars, the individual houses and, as regards interprovincial undertakings, all provinces should take an active part.<sup>402</sup> The poorer houses and provinces should give an example of industry and frugality, while the better situated should generously donate of their goods or grant loans, according to the norms of the *Constitutions*, so that a suitable community of goods in the whole Order may be an outstanding sign of our unity of hearts.<sup>403</sup>

**496.** In order that all these things may be carried out in practice, the friars who are elected as treasurers should be capable and circumspect, and endowed with expert knowledge and experience which are altogether necessary in these transactions.<sup>404</sup>

**497.** It is their principal task to take care of the goods of the house, the province, or the Order, to administer these under the direction of the superiors and their councils and to assist at all times with their prudent judgment the superiors themselves and their councils in matters which directly or indirectly concern financial questions. For this reason they should be present in the respective council sessions, when such matters are being dealt with. They have, however, no deliberative vote in provincial and general councils.

**498.** Major superiors have the task of examining the administration of the provinces, the vicariates and the houses respectively. They should fulfill this task either in person or through their treasurers.

**499.** By reason of their office, treasurers can validly incur expenses and perform juridical acts within the limits determined by the respective chapters. For extraordinary expenses and juridical acts, however, they need, in each case, the consent of the local chapter or of the major superiors or of these superiors with their respective council.

**500.** Although by common law (see *C.I.C.* 634) and the tradition of the Order, the houses are capable of possession and administration, to build up a truly common life and in accord with the demands of modern economy, the establishment of a certain financial centralization in all the circumscriptions is highly recommended. This centralization is to be determined by the statutes of the circumscription.

**501.** a) There is to be in each province and vicariate a commission on financial affairs, whose *ex officio* president is the prior provincial or the regional vicar. In his absence the respective treasurer ordinarily substitutes for him. In both the provinces and the vicariates for the purpose of preserving goods and of making plans, this commission shall perform the tasks that the chapters or the council of the province or vicariate have assigned to it. The commission shall be mainly made up of our friars, but, if it is necessary, experts from outside the Order may be included.<sup>405</sup>

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<sup>400</sup> See *reg.* 31; *Const.* nn. 6, 13-14; 27-28; 67, 70, 150 and 426.

<sup>401</sup> See GS 64.

<sup>402</sup> See GS 72 and 65.

<sup>403</sup> See *reg.* I; *op. mon.* 25, 33.

<sup>404</sup> See GS 72.

<sup>405</sup> See *Const. Ratisb.* c. 2, n. 16; PO 17.

b) In the same way, a general consultative commission under the immediate authority of the Prior General should be formed with members selected from the whole Order by the General Council, after consultation with the priors provincial.

**502.** The more important plans are ordinarily to be developed by the chapters or, if necessary, by the major superiors with the consent of their respective council. But the consultative vote of the commission on financial affairs should always be obtained first, and, if necessary, the approval of the Prior General with the consent of his Council.

**503.** For the realistic integration of our whole family in the unity and sharing of the common good, the following are prescribed:

a) for the suitable endowment of the curia and its ordinary activity the General Chapter shall establish an annual tax to be paid from the income of the provinces, with due regard for each one's revenue;

b) for extraordinary works that are the concern of the whole Order the General Chapter shall decide what is to be done in each case;

c) outside the General Chapter, in the case of extraordinary financial projects undertaken in the service of the whole Order, the general commission on financial affairs is to be consulted;

d) what is said about the provinces regarding determining and paying taxes applies also to vicariates.

**504.** a) Treasurers are to present an accurate report of the financial state of the house or province or Order to the respective superiors and their councils, as often as the latter shall require. Such a report shall always be made to the general, provincial and vicariate chapters and at least once a month to the local chapter.

b) Annually they are to present to the respective superiors and councils an account of the receipts and expenditures of the past year and the estimated receipts and expenditures of the following year.

c) With due regard for the common law, chapters and assemblies shall determine a sum which the respective treasurer may not exceed without the permission of the superior.

d) As far as possible, the limitations and conditions of the faculties granted to treasurers and legal representatives shall be registered with the civil authorities.

d) Administrative acts on the part of treasurers that are contrary to or beyond the *Constitutions* are invalid.

**505.** The statutes of the circumscriptions shall make provision regarding other particulars concerning the conserving and improving of temporal goods.

## CHAPTER XXVI

### THE SAFEGUARDING OF THE LIFE OF THE COMMUNITY

#### Fraternal Correction

**506.** Although religious families offer to their members helps by which they can securely and faithfully protect their religious profession with love and joyful confidence in the Spirit,<sup>406</sup> nevertheless, while we are in exile from the Lord (see 2 Cor. 5:6), not even the religious family is an altogether safe place, so that no one is free from troubles and difficulties and may even fall from his first fervor.

**507.** Charity, which should reign in our hearts, and love for the reputation of the Order should cause the whole community, superiors and individual friars, to aid, as far as God allows us, those friars who may be in trouble, remembering the words of our father Augustine—we are human and might have had the same fault so that mercy should go before reprimand.<sup>407</sup>

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<sup>406</sup> See LG 43.

<sup>407</sup> See *s. dom.* 2, 19, 64.

**508.** Hence, if any of us should be aware that some friar is in difficulties, he should be concerned about the other's spiritual welfare while observing secrecy for the sake of the good name and reputation of the friar if the matter is not known to others. If circumstances permit, he should immediately correct or admonish him in a fraternal way with great kindness, charity, and patience in accord with the *Rule*: "Let not the beginnings of evil go unchecked, but correct them as soon as they appear."<sup>408</sup>

**509.** If however his good offices should prove fruitless, let him see whether there is any hope that the friar may benefit, if he is helped, admonished or corrected by the superior; if so, he should notify the superior. This he should always do, if the matter is public or may soon be such.

**510.** Superiors, moreover, who have the care of the friars in the first place, especially in spiritual matters, and who must love them as sons and brothers, must strive to rescue them from difficulties and dangers of every kind by their vigilance, assistance, admonition, and advice.

**511.** The charitable duty of helping, admonishing, and correcting the friars belongs especially to the local prior. He should consider as especially addressed to himself the words of the *Rule*: "Let him admonish the unruly, cheer the fainthearted, support the weak, and be patient toward all. Let him uphold discipline while instilling fear."<sup>409</sup>

**512.** If the local prior accomplishes nothing through his charitable efforts, or if there arises a case which exceeds his charge, authority and ability, he shall refer the matter to the major superior.<sup>410</sup>

### **Procedure in Cases of More Serious Violation of the Life of the Community**

**513.** Since friars overcome by temptation must be considered as wounded and in need of healing according to the words of Saint Augustine, their transgressions against the prescriptions of the common law are to be dealt with according to the norms of this law, not with the severity of a judge but with the mercy of a physician.

**514.** Lest the discipline of the Order gradually collapse, public transgressions of the *Rule* and the *Constitutions* shall be corrected according to the prudent judgment of the superior.

**515.** If the situation demands it, the provincial statutes should determine what violations of our laws, either because of their frequency or on account of the particular conditions of time and place, constitute a greater danger to the good of the community, and how they should be dealt with.

**516.** No sanctions are established in the Order, except such as are to be imposed by a declaration of sentence. These can be applied only when both paternal and juridical admonitions have been given beforehand and in accordance with the norms of law as to the fault committed and the remedies to be applied if the friar has not listened to the admonitions. But room must always be given for self-defense and appeal.

**517.** In more urgent cases, when it is a matter of avoiding grave and imminent harm or scandal, the local superior with the consent of his Council should deal with the friar by commanding him to make a spiritual retreat, to leave the place, to abstain from celebrating Mass publicly, or by applying some other suitable means. When it is a case of prohibiting the public celebration of Mass, the matter should be reported at once to the major superior, who with the consent of his Council may command that the friar go to a different place and not return.

**518.** For the reasons stated below, and after the required admonitions have been given, the local prior with the consent of his Council may suspend local officials from office until the major superior shall have made some other provision. The Prior General with the consent of his Council can deprive of their office other major superiors as well as their counselors, if they have incurred the reasons for removal.

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<sup>408</sup> *reg. IV.*

<sup>409</sup> *reg. VII.*

<sup>410</sup> *See ibid.*

**519.** Superiors and other officials, with due respect for their office or situation, can be deprived of their office for the following reasons:

- a) if they live irreligiously with grave scandal to the community or to the faithful;
- b) if they are gravely abusive toward the community or the friars;
- c) if they are found gravely negligent in the fulfillment of the duties of their office;
- d) if they are habitually absent, without a just cause, from the common exercises with the other friars;
- e) if they should attempt to prevent the exercise of legitimate authority;
- f) if they gravely neglect the administration of goods, or administer them contrary to the laws of the Order, the province or the vicariate.

**520.** A friar who is to be suspended or removed from office should be given the possibility of resigning, if he prefers this.

**521.** Both in deciding the privation of office for major superiors and in inflicting privation of active and passive voice, a process according to the norms of the common law is to be followed, by which the reasons for privation are sufficiently proved and the friar is given the opportunity for self-defense.

### **Separation from the Order**

**522.** Unless provided otherwise in some document, the exercise of the right of active and passive voice in the Order is suspended for the following classes of friars:

- a) those who live outside the religious house illegitimately;
- b) those who for the sake of testing their vocation live outside the house with a decree of absence from the house or of exclaustation;
- c) those who are awaiting permission from the Holy See for absence from the house or exclaustation, or dispensation from religious vows, or reduction to the lay state;
- d) those who, after a decree of dismissal has been issued by the Prior General, are awaiting confirmation of the decree by the Holy See;
- e) those against whom a canonical process of dismissal from the Order has been instituted;
- f) those who are expecting a response to an appeal against the decree of dismissal from the Order;
- g) those who have transferred to a diocese or another religious institute *ad experimentum*.

**523.** If it should be necessary to dismiss someone from the Order, he should first be given the opportunity to leave of his own accord after obtaining the necessary dispensation. If he refuses to leave, however, then for the good of both the friar and the Order dismissal may be resorted to in accord with the norm of common law (see *CIC* 694-704).

**524.** The causes for dismissal from the Order are those stated in common law (see *CIC* 695-696) and the following:

- a) if one has lost the religious spirit completely,
- b) if he gravely corrupts the moral character of others,
- c) if he causes deep discord in the community,
- d) if, when the time granted to him for living outside the house has expired, he fails to return after the canonical warnings of the major superior.
- e) if one in conducting financial affairs contrary to the laws of the Church or the Order has dissipated the goods of the Order, or contracted debts and obligations or conducted some financial operation when the sum in question exceeds one-half of the amount which is not reserved to the Holy See in individual nations.

**525.** In accord with provincial statutes, the Order should kindly offer assistance to those who have left or have been dismissed, in order that they may succeed in leading a legitimate Christian and social life in the world and find honorable means of support.

## Conclusion

**526.** Hope of progress and renewal in the Order is not to be placed in the multiplication of laws, but rather in their diligent observance and in the spirit with which we, as free men under grace, obey them.<sup>411</sup> All of us, therefore, should strive frequently to meditate on and apply to ourselves the principles, admonitions, and norms of the *Rule* and *Constitutions*. Provincial statutes or the local chapter should provide that the *Rule* and *Constitutions* be read in public at meals, or in the chapter of renewal, or during retreat, or at some other suitable time. Thus, while we together seek God with one mind and heart, the interior movements of the Spirit will achieve their effect in each of us. May the Lord grant that by the common striving of all we may be joined to Christ more fervently, the life of the Order may become more vigorous, and our apostolate may bear more abundant fruit.

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<sup>411</sup> See PC 4; *reg.* VIII.