



Circular Letter of the Minister General

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**TO WHICH POINT HAS THE WORK ON THE
CONSTITUTIONS ARRIVED?**

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————— TO WHICH POINT HAS THE WORK ON THE CONSTITUTIONS ARRIVED? —————

Circular Letter on our Constitutions to all the Brothers of the Order

Prot. N. 00764/08

To which point has the work on the Constitutions arrived?

Dear Brothers,

a little more than a year ago, on 27 May 2007, I sent you a letter (Prot. N. 00484/07) in which I let you know how the work on the renewal of the Constitutions would be done. A commission was established and this commission set to work immediately. It has sent you various materials in order to take up the task desired by the General Chapter of 2006.

Today I am writing to you again about the same matter so as to inform you about how the work has been going and to let you know about some changes in the work method, changes made to allow a greater involvement of all the geographical areas of our Order.

1. THE COURSE THE WORK HAS TAKEN SO FAR

In the Pentecost Letter of 2007 I described in general terms the aim of our work on the Constitutions: the transfer of non-fundamental norms and their passage to the Ordinances or general Statutes; the enrichment of the current text beginning with PCO VI and PCO VII, as well as recent documents of the magisterium regarding the consecrated life. While complying always with the instructions of the General Chapter, I insisted on the fact that the work must be carried out with a fundamental respect for the current text. Following this, there were sent out to the Order background studies on some aspects of the theological renewal which should inspire the work to be done. With its letter of 20 October 2007 the Commission sent you the Information Introduction where

the genesis of the work to be done was further described and the way to carry out the decisions of the last General Chapter was expressed more precisely. Then, with a letter to all the friars of 8 February 2008 the Commission invited us to take up the first three chapters of the current Constitutions and to return our proposals concerning the transfer of non-fundamental norms or the amendment of the text before the end of June this year.

2. WHERE ARE WE NOW?

I am writing to you to point out just how much has been done until now and how the Order has participated in it; and to indicate the road to be taken to continue our journey. In the first circular letter (Prot. N. 00484/07) I explained what I expected from this work – a work to be considered as a journey of discovery of what we as Capuchins think to bring to the world of today. It was my wish, first of all, that we pick up the Constitutions again so as to make them our own. I can gladly state that many Circumscriptions have organised meetings to consider the present text in depth or a beginning to do so. Study days have been organised, even with the help of friars who are experts on the subject. Entire formation weeks have been dedicated to the question. Also spiritual exercises have proposed the text of the Constitutions to the meditation of the friars. I rejoice in all of this and it permits me to hope that such initiatives may continue. In recent years we have dedicated time to reflection, deeper consideration and comparison of the Proposals of the more recent Plenary councils. Now it seems natural to me that we return to dedicate ourselves intensely to the text of the Constitutions – to know the text and act upon it as asked of us by the 2006 General Chapter. This is the first fruit, and it seems wonderful to me! I cannot but encourage the Ministers of the Circumscriptions, but also those responsible for ongoing formation to continue in this direction.

The Commission invited you to work on the text of the Constitutions as it stands, to forward your proposals for transfer or for enrichment of the first three Chapters before the end of the June of this year, 2008. At the same time, in compliance with the instructions of the General Chapter, the Commission invited you to keep in the mind the 2006 Constitutions Project drafted by the earlier Commission and which was presented to the last General Chapter.

Well then, brothers, what has been your reply?

A good number of proposals – more than 1500 - have reached the Commission. This is a consoling and encouraging fact. Many proposals take up extracts from the 2006 Constitutions Project to which I just referred. There was no shortage of proposals that were strongly innovative regarding the text, though not a lot. There are also those among the friars who invite us to keep the present text as it is. At this moment, it is impossible to quantify the number or nature of the reasons that urge these brothers to express this view. We can only know and intuit these reasons partially.

As aid, a good number of proposals have arrived. Nevertheless, if we look at the areas of Order that have replied, we must say that there are some areas, and very large areas, sometimes entire Conferences, that have not replied at all. Obviously, this makes us think. Some brothers have spoken to me directly or have chosen other ways to make known the difficulties that many have encountered in carrying out the work schedule of the Commission. While noting these observations and views of the friars that have reached my ears, I took advantage of my meeting with the Major Superiors of India to hear their opinion. What emerged, almost unanimously, was the request to invite the Commission itself to present a draft text, while firmly adhering to the criteria presented in the documents sent out to the Order to set the work in motion. This does not mean that the friars refuse to carry out the work on the Constitutions, but many have the impression that the method proposed would require the intervention of experts. To have a text upon which to make one's own observations would be more concrete.

Then, some are uncertain about the text upon which to work and claim the text of the 2006 Constitutions Project drafted by the previous commission to be a true and proper "Instrumentum laboris." On this matter, it is to be specified that the General Chapter asked that "it be taken into account" – and avoided defining it as an "Instrumentum laboris." To be exact, it is also necessary to remember that the General Chapter did not go into that text. The Chapter took note of it and stated that the 2006 Constitutions Project went beyond what had been asked by the General Chapter of 2000. The fact that this text has been appended to the documentation sent to all the Circumscriptions goes to demonstrate the wish of the Commission to act in harmony with the General Chapter by offering to everyone the opportunity to consult that text and, if it is considered useful, to draw from it and propose suggestions for the text that is to be formulated. It is

simply a question of a useful text whose value we do not want to diminish, nor exaggerate.

The Commission held its third meeting at the General Curia from 14-30 July this year. It examined and weighed up all the material that had arrived and which the Commission Secretary had carefully recorded and prepared for reading. During the two weeks of residence and work, I had the opportunity to meet the members of the Commission in order to hear from them about the overall response of the Order in this first phase of work, and what kind of replies had they received. I have already indicated above what the result was. On my part, I took advantage of the meeting to communicate the concerns and the requests that had come to me, what I had received during my visits to various Circumscriptions. I asked the members of the Commission to carefully reflect on this: "What is needed to better involve the friars of the Order, or better still, all the friars of the Order in this task of renewing our Constitutions?" Thus I asked them to carefully weigh-up the proposal to move on to draft a text to submit to the examination of the friars. The ensuing dialogue was calm, serious and profound. In the end, the Commission accepted the proposal.

At this point it should be remembered and specified that the methodology proposed and developed at length in the first two work sessions of the Commission adhered to this fundamental requirement:

While remaining faithful to the criteria established by the General Chapter, and in due respect towards everyone, the Commission does not want in any other way to condition the work of the friars who already have adequate material available to reflect deeply upon the Constitutions and eventually, when they consider it appropriate, to propose modifications. The work ought to be a free expression and fruit of their reflection both individually and in common, in an attitude of listening to the Spirit and the signs of the times and differences between places.

Furthermore, the method was anything but easy or less difficult for the Commission itself. And it should be said that the members of the Commission are working with great commitment and without losing any time. They have had three meetings already. Each of the first two meetings (October 2007 and February 2008) lasted a week. The third (July 2008) lasted fifteen days.

During the meeting of last July, the Commission members divided into three groups. Each group was to examine one of the three chapters of the

Constitutions, along with the proposals to modify or transfer parts of the text, that is, proposals taken from the 2006 Constitutions Project as well as those that were sent in by the friars. Following this, the whole Commission, in plenary session, examined again the current text of the first three chapters and further evaluated the text of the 2006 Project and all the other proposals. In effect, the Commission is working as a team.

At the conclusion of the third meeting, the Commission established three Sub-commissions among its members. In the months of October and November they will meet to each prepare the Draft of one of the first three Chapters of the Constitutions. In the full meeting of 9-20 December 2008, the Commission will closely examine and study the text prepared by the Sub-commissions. Then, along with the necessary explanations and justifications, this Draft will be submitted to the whole Order.

3. HOW TO CONTINUE THE WORK

During its meeting of 15-26 September, the General Definitory took note of the work done by the Commission to this point in time, and of the proposals it drafted following the evaluation of the involvement on the part of the Order and the meeting it had with the General Minister. After having read the report of the Commission Secretary and heard the exposition given by the President of the Commission, Bro. Felice Cangelosi, we unanimously accepted the proposal that from this point forward, the Commission is to draft a text to submit to the evaluation of the friars.

From this it follows that the Commission will address the Order again to give concrete instructions concerning the work to be done only when the Draft of the first three chapter of the Constitutions will be ready, or at least some of the Chapters.

While waiting for the communication of these things, which we hope may happen early next year, those who have already begun to study the fourth, fifth and sixth chapters of the Constitutions, or with intend to do so, should feel free to continue and not fail to send their proposals to the Commission Secretary.

The Commission and the Definitory have noted some other difficulties met along the way. Two stand out in particular:

1. The translations of the Constitutions, including the Italian translation, often leave much to be desired. The Commission, therefore, finds that it also needs to make specific adjustments or corrections, comparing the various translations in detail with the original, official text in Latin;
2. Another difficulty encountered is the long time needed to obtain a translation of the texts to send to the friars. The translators are few and very often they are already swamped by other translation work. All this has a great impact on the time needed to realise the work on the Constitutions. Therefore, I renew my appeal to the Ministers and to the Conferences of the Order so that they may truly apply themselves in locating and nominating translators to the General Secretary and/or the Commission Secretary

While accepting the change at the level of methodology, we have also had to examine the timing for the realisation of the project. The 2006 General Chapter expressed itself this way on the question:

Let the drafting of the Constitutions and of the General Statutes be done in a way to be able to study and approve them in an extraordinary General Chapter in 2009, if the circumstances do not suggest otherwise to the judgement of the General Minister and his Definitory.

In my letter last year I presented 2010 as a possible date. I am grateful to the 2006 General Chapter for having formulated the motion in such an open manner. Now it is clear that the change of method will inevitably bring us to defer this to a later date, that is, to the ordinary General Chapter of 2012. This decision has not been taken lightly because we are aware that this entails a particular preparation for the Chapter itself. This will not be the first time that such a thing has happened. Already the 1982 Chapter took the same characteristic, that is, when the actual text of the Constitutions was discussed and approved. The final text of the Constitutions, prepared by the Commission, must of necessity be ready in advance so that the Conferences may have the necessary time to prepare themselves for the General Chapter and to facilitate its work partly.

Now, dear brothers, I truly hope that the work may go ahead without other hindrances and, above all, involve a greater number of friars. I reaffirm the opportunity that has been given us to reflect upon the heritage we have received, upon our Capuchin charism and upon how we believe it is to be lived in our times in the vastness and diversity of contexts in which we find ourselves living. We are all involved, whatever our age or culture, wherever we may be – in

the south or the north of the world. We want to realise in a responsible and creative way what God himself presented as a form of life to our Seraphic Father Saint Francis and which the Pope confirmed eight hundred or so years ago. This is a unique opportunity to carry out an exercise of fraternity at world level and enthusiastically discuss with one another what we - by our religious profession - committed ourselves to live. I thank the President and all the Commission for the work they have done so far and for the flexibility they have shown in accepting to adapt their working method to achieve a greater involvement of the friars in all the areas of our Order. A very busy period of work awaits them and may we wish to honour them by making our own focused contribution to this process of the renewal of the fundamental text of our legislation.

I take the opportunity of the feast of Saint Francis to send all of you the wish for Peace and All Good; that God bless the work we have taken up to renew and update our legislation, and help us to translate into our lives lived in truth, simplicity and joy everything that our Constitutions already contain.

Br. Mauro Jöhri
General Minister OFMCap

Rome, 4 October 2008
Solemnity of Saint Francis

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