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# The Process of Revising the Rules and Constitutions

Thomas Farrelly

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## THE PROCESS OF REVISING THE RULES AND CONSTITUTIONS

The General Chapter of Renewal, 1968/69, launched the Congregation on an exodus experience. The Hebrews left the security of Egypt and ventured out into the perils of the desert. In a similar way our congregation left the security of the old ways and the old Rules and Constitutions to venture into the unknown territory of renewal. God did not give the Hebrews a law until they had wandered in the desert for a long time before reaching Mount Sinai. We have been engaged in the experience of renewal for sixteen years but it is only now that the revised Constitutions are in sight.

The purpose of this article is to give an account of the process of revising the Rules and Constitutions, i.e., the procedures and methods which have been and are being employed.

### DEVISING A PROCESS

The basic principles for the revision of constitutions were laid down in the conciliar documents and in later legislation. These principles are found especially in the Constitution *Lumen Gentium*, the Decree *Perfectae Caritatis* and in the Motu Proprio *Ecclesiae Sanctae*. The principles, however, are general. The documents do not contain specific directives. For example, no uniform process was laid down for the revision of constitutions. Each institute was left free to devise its own process.

The choice of a process is not automatic. From the great variety of methods, techniques and technologies available, those who use them make their choice in accordance with their own values and beliefs. This is true also of general guidelines and principles of practice.

### A NEW APPROACH

Commentators have noted that the general principles laid down in the conciliar documents and the freedom of action accorded to the religious institutes reflect a new approach adopted by the Council in its treatment of religious life<sup>1</sup>. The theology that lies behind this new approach is a deeper awareness of the working of the Spirit in the Church and a renewed attention to the charismatic aspect of the Christian life and of religious life in particular. This new emphasis on the working of the Spirit in the Church has a special significance for us, since our Congregation is dedicated to, and named for, the Holy Spirit.

One author defines a charism as "an inspiration from the Spirit of God which urges the individual to perform a special role in the community"<sup>2</sup>. In this sense then, every religious congregation is a charismatic institution. It has grown up from a special charismatic gift in the form of a particular insight into the Gospel message that was granted to the founder or foundress for the good of the Church. This explains the Council's stress on the importance of deep reflection on the inspiration of each founder or foundress. That is why also the conciliar Magisterium emphasized, as the supreme criterion of the renewal of the life and discipline of religious, docility to the Spirit (PC 2e; LG 45) (cf Canon 577).

### GENERAL PRINCIPLES

Five general principles which emerge from the conciliar documents are of particular relevance for the revision of constitutions. These are, a return to the Gospel, fidelity to the

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<sup>1</sup>Gallagher, Clarence, S.J.: "The Church and Institutes of Consecrated Life", *The Way*, Supplement 50 (1984), p. 9.

Iglesias, F., O.F.M. Cap.: "Guidelines of the Council and the Magisterium", *Consecrated Life*, 9 (1984), p. 37.

<sup>2</sup>Gallagher, Clarence: *op. cit.*, p. 10.

Church, fidelity to the charism of the founder, openness to the signs of the times and participation of all the members in the work of revision. All these are ways of being attentive to the voice of the Spirit<sup>3</sup>.

### PARTICIPATION

The principle of participation of all the members in the work of revision presents formidable problems in a congregation such as ours with an international and multicultural membership. There are problems of translation of texts, of differing cultural viewpoints, not to mention more mundane difficulties such as unreliable postal services. It may be of interest to see how our process of revision compares with that of other religious institutes.

A study by Giuseppe Scaravaglieri entitled, "Participation of the Institute in the Revision of the Constitutions"<sup>4</sup> reported a great diversity in the processes used by religious institutes in the revision of their constitutions. The study covered 87 institutes of which 27 were institutes of men religious and 60 were institutes of women religious. In addition to General Chapters other means used by religious institutes were questionnaires, commissions, consultations and directives of the General Councils. These were also the means used by our Congregation.

Most (55%) began the work between 1966 and 1969 after the publication of *Ecclesiae Sanctae*. A large majority (68%) of the institutes took between 12 and 17 years to complete the work. Of the institutes surveyed 28% already had their constitutions approved by the Sacred Congregation by the end of 1983 and a further 21% had presented their texts to the Sacred Congregation for approval. By 1986, when the General Chapter will have approved a text for presentation to the Sacred Congregation, the process of revision will have taken 18 years, slightly longer than many other institutes.

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<sup>3</sup> Iglesias, F.: op. cit., p. 41.

<sup>4</sup> Scaravaglieri, P. Giuseppe: "Participation of the Institute in the Revision of the Constitutions", *Consecrated Life*, 9 (1984), pp. 50-71.

Our Congregation may be said to have begun the revision of our constitutions, like many other institutes, between 1966 and 1969, i.e., at the General Chapter of renewal in 1968/69, after which the capitular texts, *Directives and Decisions* (CDD), partly replaced the old Rules and Constitutions "ad experimentum". The General Chapters of 1974 and 1980 modified the texts of CDD in the light of experience in the intervening years as the process of renewal progressed.

#### 1980: DECISION TO REVISE

The impetus for the preparation of a definitive text was given by the General Chapter of 1980. It entrusted this task to the Superior General and the General Council:

The General Chapter directs the Superior General and the General Council to take all necessary means to ensure that a draft of the Constitution will be ready for consideration by the General Chapter of 1986, which will determine the final text and approve it before submission to the proper ecclesiastical authority (SL 236).

In November 1980 the General Council decided to set up a preparatory committee of four confreres from four different provinces to begin the work of preparing a draft of the revised Constitutions. In accordance with the guidelines of *Ecclēsiae Sanctae* the committee was instructed to ensure the widest possible participation by the members of the Congregation in the work of revision.

#### 1981: SURVEY AND PLAN

The preparatory committee drew up a questionnaire and a plan for the process of revision. Under the heading, "Spiritán, What Do You Say of Yourself?", the questionnaire was intended to stimulate reflection and to survey the opinions of the members of the congregation on the content and form of the proposed Constitutions. Adopting the conciliar emphasis on the action of the Spirit in religious institutes, the committee reminded confreres that the participation of all was essential,

since, "To each is given the manifestation of the Spirit for the common good" (1 Cor. 12:7).

In his covering letter to the questionnaire Fr. Frans Timmermans, Superior General, described the hoped-for result of the revision of our Constitutions: "What we wish to do is to write a succinct, concrete, simple Rule of Life which will help us to listen to the Spirit and be moved by that dynamism, in fidelity to our common calling".

The questionnaire was of the open-ended type, i.e., each question required an essay-type answer, e.g. "What, for you, are the key elements in our spiritual heritage?" There were 31 questions in six sections, with abundant references in each section to scriptural and Congregation sources. The plan outlined the process of revision in four stages:

- a) Survey of opinions and report to the Enlarged General Council (1981-1982).
- b) Writing of first draft, circulation to all confreres, analysis of amendments to first draft and report to Enlarged General Council (1983-1984).
- c) Writing of the second draft, and distribution of draft to all capitulants before the 1986 General Chapter. Approval of revised Constitutions by the General Chapter (1984-1986).
- d) Presentation to the Holy See for approval.

In its main outlines this is the plan that has been followed in the process of revision. The main innovation has been that, instead of two drafts, three will have been prepared before 1986, as will be explained below.

#### 1982: OUTLINE

In 1982 the preparatory committee, aided by a sub-committee of four, analysed and synthesized the replies to the questionnaire. The number of confreres who replied to the questionnaire, either individually or in groups, was 1,200 or 32% of the total membership of the Congregation, which at that time numbered 3,800.

The committee presented their synthesis to the Enlarged General Council of 1982 together with a proposed outline of

the content of the revised constitutions. The Enlarged General Council accepted the proposed outline with minor amendments and gave its approval for the commencement of work on the first draft.

At the same time the General Council issued an "Information-Documentation" newsletter on the subject of the Constitutions to explain the significance of the revision to all the members of the Congregation.

### 1983: FIRST DRAFT

In October 1982 the General Council appointed a committee of two, Fr. John Daly and Fr. Georges-Henri Thibault, to write the first draft text of the revised Constitutions, which would serve as a basis for the work of a constitutions commission. They set to work immediately and were able to present the results of their labours to the General Council in May 1983. Their aim and method were made clear in their preface to the draft: "We set out to produce a scissors-and-paste draft, a sort of concordance of the various constitutional documents which would serve as an *instrumentum laboris* for the work of the Commission".

They took their terms of reference from the Enlarged General Council and from *Ecclesiae Sanctae*. This required them to produce two books, the first one containing the basic text and the second one containing norms which may change with changing conditions or over a period of time. They decided to keep the title. "Rules and Constitutions" in view of an unbroken tradition going back to 1736, even though the Latin Rule no longer formed part of the text.

The term "Rules" would now refer to the "first book" and the term "Constitutions" would henceforth refer to the "second book". However, both Rules and Constitutions would be printed in the same volume as a single series of articles, the Constitutions being distinguished from the Rules by indentation and decimal numbering.

The General Council conducted a detailed evaluation of the first draft in May 1983, the results of which were later passed on to the Constitutions Commission in the form of guidelines.

## 1984: SECOND DRAFT

In October 1983 the General Council appointed a Constitutions Commission of twenty members. Later a drafting committee of four were appointed, one of whom was already a member of the Commission. The other three members were also admitted as members of the Commission, bringing the total to 23. Two main criteria were used in choosing the members of the Commission. These were, competency in various relevant disciplines, (e.g. scripture, theology, sociology, etc.) and diversity of cultural background.

If we look at the countries of origin of the members, we find members from 12 countries and four continents: France, Ireland, Portugal, Holland, Germany, Nigeria, Cameroun, Tanzania, Canada, U.S.A., Trinidad, Brazil. Representation of different cultures was therefore regarded as an important aspect of participation.

A document prepared by a preparatory committee of the General Council set out clearly the terms of reference of the Commission. The General Council left the Commission free to organise its work as the members saw fit. In fact, however, procedures suggested by the preparatory committee were accepted by the Commission with minor amendments.

The terms of reference defined the status of the Commission as an "ad hoc" commission whose mandate was: to prepare the second draft of the new Rules and Constitutions, mainly according to the orientations of the Enlarged General Council of 1982 and to give clear instructions to the Drafting Committee concerning the form and content of the second draft.

The specific functions of the Commission arising from this mandate were listed as follows:

- 1) to evaluate the draft text of May 1983 by applying agreed criteria;
- 2) to take into consideration the guidelines of the General Council in its letter to the Commission;
- 3) to bring to bear the varied experience and expertise of the participants in assessing the text and in developing the second draft by deletion, rewording or addition;

- 4) to take into consideration the audiences for whom the text is intended;
- 5) to write and approve a report addressed to the General Council giving clear instructions for the guidance of the Drafting Committee.

The procedures adopted by the Commission concerned times for reflection on the Word of God, meetings in full session and in groups, methodology and organization. The work of the Commission was coordinated by a central committee consisting of the Moderator and members of the Commission.

#### MEETING AT CARCAVELOS

The Constitutions Commission met at Carcavelos near Lisbon, Portugal, from 20th December 1983 to 6th January 1984, a period of 15 working days comprising 56 sessions, not counting the days of arrival and departure. The Commission was assisted in its work by a secretariate of three members and a facilitator who also acted as Moderator.

The liturgy of Advent and Christmas and reflection on the Word of God before the morning and afternoon sessions each day provided inspiration for the members.

In the first phase of its work the Commission confronted the major issues raised in revising the Constitutions. While consensus was aimed at in this phase, it was not an overriding concern. It was recognised that the Holy Spirit can speak through the mouths of minorities. The main concern was that each person should be able freely to express his point of view and be listened to with respect. Early on it was agreed that if dissenting opinions emerged, they would be included in the text as alternative options and be left to the judgment of the confreres. In the end, however, there were no requests for alternative options.

An atmosphere of acceptance and mutual respect was thus created which permitted a frank discussion of the main orientations which would guide the Commission in evaluating and amending the first draft. Differing viewpoints were freely aired with fervour and conviction. Gradually a common ground was reached as attempts to define our charism in the

juridical language of general and specific ends were abandoned and the language of vocation was adopted.

Ideas and attitudes finally crystallized around the concept of our Spiritan vocation according to the charism of our founders, Claude Poullart des Places and Francis Libermann. The way forward was then clear and it was possible to draft the first chapter containing the main orientations. Although this is a short chapter it is the key to all that follows.

The interaction and exchange of ideas in the first few days led to the realization that the revision of the Constitutions marked a turning-point in the history of the Congregation. It was noted that this was the first major revision to take place since the membership of the Congregation had become international and multicultural. It was felt that although the Congregation had been born in Europe it now belonged to the world and that the revised Constitutions should reflect this fact.

When agreement had been reached on the main orientations, it became clear that extensive restructuring of the first draft would be required. Consequently a plan was drawn up for the whole text indicating the sequence and content of the chapters. Work on the chapters was then assigned to small working groups of five or six members each. The groups were named for the four evangelists, Matthew, Mark, Luke and John. The members of the Commission were distributed among the groups in such a way that in each group various competencies and cultural backgrounds were represented. The end of this first phase of the Commission's work was reached on the afternoon of Christmas Eve.

When the Commission reassembled on St. Stephen's Day, intensive work began in groups on drafting the text of the chapters which, it had been agreed, should be seven in number. Each chapter passed through four stages:

- 1) drafting by a group;
- 2) discussion and preliminary approval by the full Commission;
- 3) revision by the group;
- 4) discussion and final approval in assembly.

During the final three days all the chapters had passed through Stage 4, i.e. were approved by the full Commission. All the chapters with the exception of Chapter VII on Organiza-

tion had complete texts together with an appendix containing instructions for the Drafting Committee. For Chapter VII there was an outline and an appendix containing the articles from the first draft which were to be included.

#### PLAN OF THE SECOND DRAFT

The plan of the second draft adopted by the Commission and subsequently circulated to all the confreres in printed form consists of seven chapters preceded by an historical introduction. The Commission did not draft the historical introduction but recommended that it should be drafted by specialists in history and Spiritan studies. The plan for the text of the second draft follows . . .

CHAPTER	TITLE
	Historical Introduction
I	Our Spiritan Vocation
II	Our Apostolic Life
III	Our Community Life
IV	Our Religious Life
V	The Prayer of Spiritans
VI	Formation
VII	Organization of the Congregation

The structure of the second draft is the result of the application by the Commission of the following specific criteria in addition to the general criteria of *Ecclesiae Sanctae*. That the new Constitutions should:

- 1) be both inspirational and juridical;
- 2) express the international and multicultural character of the Congregation's membership today;
- 3) express the historical identity and vitality of the Congregation facing a new era of mission.

On completion of its work the Commission forwarded the text of the second draft together with a report of the work of the Commission to the General Council. The Drafting Committee of four worked on editing the text in Chevilly, Paris, completing their work by the end of February 1984.

### CONSULTATION

When the editing of the second draft was completed, an introduction to the text of the Constitutions was prepared by the General Council together with a letter from the Superior General. A questionnaire was also prepared by the Planning Coordinator at the Generalate to facilitate the assessment and amendment of the second draft by all the members of the Congregation.

### 1985: THIRD DRAFT

During the month of January 1985, a committee of four confreres will work at the Generalate to analyse the comments, amendments and responses to the questionnaire. They will compile a report containing a synthesis of the replies.

A drafting committee appointed by the General Council will meet in March 1985 to write the third draft of the revised Rules and Constitutions. This draft will be sent, one year before the General Chapter of 1986, to the Major Superiors and Chapter delegates. Thus there will be an opportunity during the year before the Chapter for a study of the third draft in every circumscription.

### 1986: APPROVAL

The main business of the General Chapter of 1986 will be the discussion, amendment and approval of the third draft of the Constitutions.

At the conclusion of the Chapter the revised text will be submitted to the Sacred Congregation for Religious and Secular Institutes for approbation.

If the Sacred Congregation finds the text acceptable and approves it, it will be returned, most likely with some recommended changes, for implementation by the General Council throughout the Congregation. We shall then have reached the end of the long process of revision of our Rules and Constitutions.

## CONCLUSION

This article has tried to describe as briefly as possible the process of revision of our Rules and Constitutions. The intention has been particularly to show the roles which various groups play in that process, whether it be all the members, the General Chapter, the General Council, the Enlarged General Council, the Constitutions Commission, or various committees and individuals. Unlike the situation before Vatican II, the revision of the Constitutions is now a process in which not just a few but all the members of the Congregation are involved.

At the beginning of this article the process of renewal, including revision of the Constitutions, was described as an exodus experience. This is not to imply that there is some Promised Land called "Renewal" in which we can find rest. The Second Vatican Council has taught us that the Church is a pilgrim people always in need of renewal. For the Congregation, as for the whole pilgrim people, the process of revision and renewal continues under the guidance of the Spirit.

Thomas M. Farrelly, C.S.Sp.  
Rome, October 1984