

The Constitutions of the Congregation of the Mission Historical Notes

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To understand the present Constitutions of the Congregation of the Mission, it is very helpful to be familiar with the journey through history that preceded it. Their origin, in fact, begins with the contract of the de Gondi family with St. Vincent, and the recognition of the Company by ecclesiastical authorities; it carries with it the reality of the gradual formation of juridical norms necessary for its consolidation, and of the codification of the principles and the laws that give it a certain character within the Church. In this process the project and the prudence of St. Vincent come to light, but above all one sees the guiding hand of Providence in the history of the “Little Company.”

I - THE LEGISLATIVE WORK OF ST. VINCENT

This extends over a period of almost 35 years: from the contract of foundation with the de Gondi family, until the death of St. Vincent.

1. The foundation of the Company (1625-1659)

1.1. The Contract of Foundation. This is a notarized contract, of a civil nature, with which, through Philip Emmanuel de Gondi, Marguerite de Silly and Vincent de Paul, is set up a plan to found “a pious association of some ecclesiastics,” who, under Vincent’s guidance, would commit themselves to take care of the evangelization of poor people of the countryside. It wished to make permanent the events of Gannes-Folleville, of 1617. The essential elements of this contract are:

- a). There is an intention to provide some remedy for the spiritual abandonment of the poor people of the countryside by constituting a “pious association of some ecclesiastics, well-versed in doctrine, piety and capacity, who wish to renounce both the conditions of the above-mentioned cities, as well as every benefice, position, or dignity in the Church, to give themselves, with the assent of the prelates of their dioceses, entirely and solely, to the salvation of the poor people, going from village to village, with expenses paid from their common purse, to preach to, to instruct, to exhort, and to catechize these poor people, and to get everyone ready to make a good general confession of their past life

without taking any payment under any form, so that they distribute freely the gifts they have received from the generous hand of God.”

b) The de Gondis are set up as “patrons and founders of this good work.” To fulfill this task they commit themselves to give Vincent de Paul the sum of 45,000 pounds to invest in lands and other holdings, whose return on investment would serve to maintain the association and its members.

c) The members of the association assume the obligation of renouncing expressly every position, benefice, or dignity; to live in common under obedience to M. Vincent and his successor, “under the name of Company, Congregation, or Confraternity of the Fathers or the Priests of the Mission and to give missions in the land holdings of the de Gondis every five years, and to use their free time in the works of assistance and help to pastors.”

d) At the death of Vincent de Paul, superior for life, the members of the association will choose among themselves his successor whose term will be for three years. The de Gondis renounce the right to present the nomination of a successor (*SV XIII*, 197-202).

The characteristic notes of the Company and of the commitments that it assumes, described in these acts, are to be recalled because they will still be the basis of all the documents that follow.

1.2. Recognition of the Archbishop of Paris (24 April 1626). The act of foundation, signed by the de Gondis and by M. Vincent on 17 April 1625, is “received, praised, and approved” by the archbishop of Paris, Jean François de Gondi, brother of the founder of the “pious association,” on 24 April 1626. It gives ecclesiastical recognition to something founded civilly, whose ministries are the competence of ecclesiastical authorities. It confirms the clauses of the initial contract; it permits the missionaries to establish themselves in Paris, and puts conditions on his consent and their apostolic commitment. It is curious that the archiepiscopal decree, while citing the de Gondis with all their titles, does not carry the name of Vincent de Paul, the other party to the agreement, but instead speaks of a contract “regarding other ecclesiastics” (*SV XIII*, 202-203).

1.3. The association of the first three missionaries (4 September 1626).

Within a year, Vincent was obliged to gather together a community of six ecclesiastics who would live and work with him. With some delay, this cause finds its first partial actuation through a notarized document, an act again of a civil nature, of the association to St. Vincent of the first three missionaries: François de Coudray and Jean de la Salle, priests of the diocese of Amiens, and Antoine Portail, priest of the diocese of Arles. These men committed themselves

to “live together as a congregation, company, or confraternity,” and to work for the salvation of the poor people of the countryside, according to the stated foundation, with a promise to respect the nature of the foundation and to observe the rules formulated for it, and to obey Vincent and his successors (SV XIII, 203-205).

1.4. Approval by the King and the Parliament. The King approved the Company in May 1627, confirming all of the clauses of both the contract of foundation and of the approval by the Archbishop of Paris (SV XIII, 206-208). The Parliament ratified the royal decision three years later (4 April 1631: SV XIII, 232-233) after having overcome the opposition of the clergy of Paris, who feared an intrusion, especially of an economic character, by the new company (SV XIII, 227-232). For this reason a number of clauses are set out in a way that favors peace within the Church.

In these four first steps we see affirmed the structural lines of the new foundation: evangelization of the poor of the countryside, ministry dependent on the bishops and the clergy to be done without charge, to be done with the sustenance of a rule and a common life under the direction of a superior.

2. Pontifical Approbation (1627-1633)

With the association of his first companions, Vincent had just about brought to life his and the de Gondi's plan. The Archbishop of Paris and the King had approved the “pious association of ecclesiastics.” It was an association of the diocese of Paris. With the spread of this missionary work, Vincent also saw the need to gain a recognition that gave his association a right to exist outside of Parisian territory. He had to go to Rome.

We are aware of three moments of this approval that happened in 1627, 1628, and 1632: the first and the third were in favor, while the second was against.

2.1. Approval of a “Mission.” In 1627, Vincent approached the Congregation for the Propagation of the Faith. Aware of Rome's resistance to the creation of new religious institutes, Vincent does not speak of a “Congregation,” but of a “Mission,” a technical term then used for a group of missionaries committed to an apostolic activity, even in Catholic countries, constituted sometimes by members of a religious congregation, but for the most part in a temporary fashion, who were dependent on the Congregation of the Propagation of the Faith for their apostolic activity. The Congregation of Cardinals examined his request on 5 November 1627, with the Holy Father present. The work was defined as a “divine inspiration” (a judgment that Urban VIII will repeat in the bull of approbation). So, the request was approved, with the condition that for the

exercise of their ministry the missionaries have the prior assent of the bishops. Otherwise, the “Mission” had to have a protector, nominated by the Archbishop of Paris (SV XIII, 238).

The recognition by the Propagation of the Faith made of the new foundation an institute not just of simple diocesan right, but of pontifical right, and thus could extend itself beyond the confines of the diocese of origin. The decision of the Pope and the Cardinals is clear: they are not thinking of a stable religious congregation, but of a “Mission,” a temporary entity, according to the technical significance of that time. Rome approved a “Mission,” but not yet the “Congregation of the Mission.”

(The documentation concerning this approbation was not known by Coste: A. COPPO, *Documenti inediti della C.M. presso l'archivio della S.C. “de Propaganda Fide.” I. La prima approvazione pontificia della Missione nel 1627 in Annali della Missione* 79 (1972), 222-255.)

2.2. The unsuccessful efforts of 1628. The members of the “mission” progressively became more convinced that their work was of God and was destined for the service of the universal Church. Thus, one year after their first recognition, M. Vincent worked up the courage and sent Propagation of the Faith a new request for approbation, not of a “Mission,” but this time of a real “Congregation”: the first time in June, and a second time (the same text, but more precise in the formulation of the apostolic character and of the relationship with the bishops) on 1 August 1628 (SV I, 42-51; 52-57). In neither of the two versions does he make reference to the approbation as a ‘Mission’ obtained the preceding year. Vincent requested the approbation and the confirmation of the institute as a Congregation, with all the privileges in use by other religious institutes, including exemption from the bishops.

The response is negative (SV XIII, 225). Propagation of the Faith well understood the thought of Vincent and thus kept in mind two things: the hostility of the Curia to the creation of new religious congregations and the limits of the approbation given in the preceding year, from which it did not believe it should stray too far. All that notwithstanding, Propagation of the Faith conceded that “there be established ... the Mission of the aforementioned priests with ample faculties *for the whole kingdom of France with the permission of the Ordinaries* ... they can increase up to 20 or 25 the number of priests without giving to the mission the form of a Congregation or of a confraternity ... the Apostolic See does not judge favorably the institution of either religions or confraternities of Congregations of Missions, because besides the fact that the nature of these Missions is contrary to these links, the perpetuity of the Congregations, Religions, and Confraternities is also contrary to the Missions themselves, which are instituted for needs which cease with the conversion of the peoples to whom these Missions are directed” (SV XIII, 224).

(For some documentation concerning this petition, its presentation and the request for intervention by the Nuncio, other than those things published by Coste (SV XIII, 218-222), see: A. COPPO, "Documenti inediti della C.M. presso l'archivio della S.C. 'de Propaganda Fide.' II. Le due suppliche del 1628 per l'erezione dell'Istituto in Congregazione di diritto pontificio, non accolte dalla sacra Congregazione," in *Annali della Missione* 80 (1973) 37-65.)

2.3. The request of 1632. The negative response of the Propagation of the Faith did not discourage M. Vincent who, in 1631, sent Fr. Du Coudray to Rome to help move along and follow from nearby new attempts for the approval of the Congregation. He was also convinced of the need to change the group to whom he addressed his request. In fact, at the beginning of 1632 he sent a new request to the Pope. This time he did not go through the Propagation of the Faith, but through the Congregation for Bishops and for Religious.

In the first part of the document, Vincent makes a brief historical presentation of the foundation and of the fruits of the apostolic labor done by it. In the second part, he asks the approval of a "Congregation of secular priests called missionaries," "with the conditions, rules and orders that are contained in the attached writing" and with all the concessions usually given in similar circumstances. In particular, Vincent asked that the missionaries could work, with the mandate of the Ordinaries and the permission of pastors: to give missions, to teach catechism, to instruct the poor people of the countryside, to begin the company of charity, to settle disputes and discords, to form clergy in the knowledge of moral theology and the celebration of the sacraments, to welcome priests into their houses for retreats, to prepare the ordinands. All this was to be done free of charge. On the juridical level, he asked that the Congregation be composed of clerics, to be admitted at the age of 17 or 18 after a year's trial, of "secular priests" and of laymen; that Vincent be recognized as superior of the house of Paris and others to be founded and of all the Congregation for life; that after his death the successors be elected for three years, with the possibility of a second successive term; that the superior general have the faculties that other superiors general have, and that he be able to legislate for the Congregation with the consent of the Ordinary; and, finally, that the Congregation enjoy the privileges, faculties, and immunities that other congregations enjoy.

The request arrived at the Plenary of the Congregation of Bishops and Regulars on 30 April 1632. The relater was Cardinal Bentivoglio who had already proposed acceptance of the request of 1627, and the rejection of the petition of 1628. There was no opposition but only the request for more information to get from the nuncio in France and from the Archbishop of Paris. These two responded in the affirmative. We do not have an official immediate response, and we are not aware of documents that let us know of the further fate of the request. Certainly the work of Fr. Du Coudry had added much weight to it.

(The documentation of this new petition was unknown to Coste. The request of M. Vincent was discovered in the Vatican Archives in 1925: G. Mazzini, "Per l'approvazione della Congregazione della Missione. Un documento dell'anno 1632," in *Annali della Missione* 32 (1925) 174-187.)

2.4. The Bull "Salvatoris nostri" of Urban VIII (12 January 1633). The response to the petition of 1632 was given on 12 January 1633 with the Bull of approbation of the Congregation, the Bull "Salvatoris nostri" of Urban VIII (SV XIII, 257-267). The "Pius Association" founded on 17 April 1625, the "Mission" of 1627 finally became the "Congregation of Mission." Signed by the Pope, the Bull was sent to the Promoter of the Curia of Paris on 30 October 1633. The Archbishop is named its executor. The publication in view of its execution came on 14 March 1634 and was executed on the following 27 November. Only on 16 March 1642 did the King grant his approval (SV XIII, 286-287).

It is useful to recall the essential points of the Papal Documents and to compare it with the clauses of the initial contract with de Gondi:

a) "The principal end and the specific scope of this Congregation and of its members will be, with the help of Divine Grace, to dedicate themselves, together with their own salvation, to the salvation of those who live in rustic homes, in villages, in the countryside, in the localities and areas that are the poorest; in the inhabited towns instead, and in the cities ... their task will be to welcome for spiritual exercises the candidates for holy orders ... and to prepare them adequately to receive the same holy orders." In the missions they shall, with the prior permission of the pastor: teach the commandments and the first elements of Christian Doctrine; accept general confessions; administer the Eucharist; teach catechism and other familiar instructions "ad captum populi;" found the confraternity of charity; resolve disputes and discords. They can take care of the formation of pastors through retreats in their houses or in monthly local reunions.

All the ministries are to be done free of charge.

b) "The members of this Congregation, even though subject for discipline and direction to the superior general and their own superiors, are also subject to the Ordinaries of the places only for what concerns the missions, in such a way that the same Ordinaries can send to those parts of their dioceses, as they see fit, the members designated by superiors."

c) The members of the Congregation can be laymen, clerics, or priests; the clerics, can be received at the age of at least 17 or 18, and after a year of formation, if they have the intention to remain in the Congregation for their whole life.

Their duties: venerate in a special way the Most Holy Trinity, the sacred mystery of the Incarnation, the Blessed Virgin Mary, mother of God. Celebrate or participate daily at Mass, weekly at confession and communion, an hour of meditation every day and examination of conscience.

d) Vincent will be superior general for life. After his death a new superior general will be elected. He will have power over all the houses of the Congregation, he will nominate superiors and various other officials, and he will have the faculties that superiors general of other congregations have.

During his term, he may establish, change, or abolish the norms that he believes to be useful for the good of the Congregation; these are to be approved by the Archbishop of Paris.

e) The Congregation, the fruit of Divine Inspiration, is pleasing to God, useful to men, and necessary. Its spread is thus hoped for and to be encouraged.

f) The approbation properly expressed follows: the Archbishop of Paris is given the task of approving the Congregation of the Mission, its rules, and its superior.

“Ad cautelam” are listed some of the more important points: the name of the Congregation, the members, the superior general at its foundation and how his successors will be chosen, the exemption from jurisdiction by the bishops except for what concerns the missions, the power to own and acquire, and the communication of the privileges that other congregations enjoy. The rules and other dispositions are to be approved by the Archbishop of Paris. The final clauses of universal and perpetual validity follow.

The Bull of Urban VIII signals the logical and decisive watershed in the natural and legislative growth of the Congregation; it reconfirms the fundamental clauses of the contract of foundation, the requests contained in the application for approbation of 1632, and some elements of the demand of 1628. All this shows that Vincent had clear ideas about how to organize his Congregation.

3. Creation of the internal juridical order (1642–1655).

Once the definitive approval of the Congregation was achieved, the work of concretizing the principles contained in the papal document began for Vincent: the internal life, apostolic work, and the spiritual life of the Institute. The Papal

Bull gave this work to Vincent alone with two limitations: not to go against the dispositions of Trent, and to get the approval of his decisions from the Archbishop of Paris. Vincent will avail himself fully of this faculty. But from 1642 he begins to think of the Assemblies as the structures by which to avail himself of the collaboration of other confreres.

3.1. The first Assembly of the community was held at St. Lazare from 13 to 23 October 1642. Besides Vincent it was composed of ten missionaries, five superiors of the houses closest to Paris and five called to take the place of the superiors farther away. Vincent saw the Assembly as an element that would complete the organization of the company. He explained its value and purpose. He presided over and directed its labors. The minutes of the sessions inform us of the matters that were treated (SV XIII, 287-293):

- a) The rules of the Congregation: These were discussed 14-16 October. Because many observations and proposals were made to save time, a commission was named that, together with the superior general, would work at fixing a text.
- b) The rules of the Superior General: election, disciplinary and administrative powers, the possibility of his resigning, suggestions on how to nominate a successor.
- c) The division of the houses in provinces: the principle was accepted and at the end of the Assembly four provinces were established.
- d) The system for the election of the Superior General: the vicar designated by him succeeds a general who died and there will be presented to the Assembly, without any binding force, the two names suggested by the deceased general as his possible successors to guide the Company.
- e) Triennial Assemblies: these will be held both in the provinces and at the general level.
- f) The seminary of renewal: to be done six or seven years after one's internal seminary (a decision never carried out by the Congregation).
- g) Two Assistants will be elected, "the guardian angels" of the Superior General.

The written conclusions of the Assembly are the first page of the fundamental law of the Congregation which begins to be concretized in a precise and secure body of rules. It will be completed in the Assembly of 1651.

3.2. The second Assembly of the Community was held at Saint Lazare from 1 July to 23 August 1651. It is an important step forward in the formulation of the constitutional law of the Company. Under the presidency of M. Vincent there are 13 missionaries in attendance, of whom nine are superiors. We have a brief summary of it (SV XIII, 326-332) and a rather ample report with personal judgments, edited privately by Fr. Lucas (SV XIII, 333-356). The theme that takes the most of the Assembly's attention is that of the vows. But the problem of the Rules returns again. Here are the points treated:

- a) The vows of the Company: to be maintained or abolished? Do we abolish the clause about their dispensability reserved to the Pope and to the Superior General? The opinions are very diverse; at the end their conservation is accepted, warmly sustained by Vincent, requesting, however, from Rome a confirmation of the approbation given by the Archbishop of Paris.
- b) Doubts about the wisdom of the Superior General's indicating two names to the Assembly for the nomination of his successor. But the rules remain in place.
- c) Secondary problems concerning the life of the Company (missions, coadjutor brothers, absences, etc.).
- d) Revision of the Common Rules of the Community. The final editing is then left to a restricted commission. At the end of its work the participants sign a request for approbation of the Rules directed to the Archbishop of Paris, delegated by the Pope for this purpose. They lay out the journey of the Rules presentation and it is said that these Rules were "practiced by us for over 25 years before they were written down" (SV XIII 357-359).

The Archbishop approved the body of the Rules and Constitutions on 23 August 1653 (cf. *Vincentiana* 33 [1991] 404-406, and SV XIII 365-366). The text seems to be that contained in the so-called "Codex Sarzana" registered in the library of the House of the Mission of Sarzana (Province of Turin) and presently in the archives of General Curia in Rome.

3.3. The first "Codex" of legislation for the Congregation (Codex Sarzana), the oldest written text which gathers all the Rules fixed by the Assemblies of 1642 and 1651, approved by the Archbishop of Paris on 23 August 1653 contains:

- a) The common Rules;

- b) The *Ordinatio* and the formula of the vows, a declaration on the vow of poverty, the archiepiscopal approval of the vows, of 1641;
- c) The rules of the Superior General;
- d) The rules of the Visitor;
- e) The rules of the local Superior;
- f) Norms for the Assemblies (general for the election of the General, ordinary, and provincial);
- g) Approbation of the Archbishop of Paris, of 1653;
- h) Notarized authentication of the documents and the authentication of the Nuncio.

This text is at the basis of the Rules of 1658 which will contain changes that will also be significant in the formation of many articles and above all for what regards the discipline of poverty.

(A. COPPO, “La prima stesura delle regole e costituzioni della Congregazione della Missione,” in *Annali della Missione* 64 (1957) 206-254; *idem*. “Antiquissimus codex regularum et constitutionum Congregationis anno 1655 manu scriptus archivo generali dono datus,” in *Vincentiana* 16 (1972) 115-124. For the entire text see: “Codex Sarzana,” transcribed and edited by J. Rybolt, in *Vincentiana* 33 (1991) 303-406.)

4. The Vows (1641-1659)

One of the problems which weighed heavily upon the life of the new Congregation was the perseverance of its members. The work was hard and certainly not always gratifying; consequently, after some time, some left or felt the temptation to do so. They were not bonded with the Community except by the promise of observing the Rules. According to Vincent, the problem could be solved with a stronger bond, like that of the vows. But he had difficulties to overcome: the Congregation could become just one of the many religious congregations; the parish priests, in this case, would not continue to have the same trust or confidence; those who were already in the community had entered it with other perspectives, etc. Vincent discussed the matter at length with the confreres, consulted experts, made various projects concerning the number and the nature of the vows in his Congregation, prayed and, finally, asked the necessary approval.

4.1. The Approbation of the Archbishop of Paris (19 October 1641). It was the first step: the Archbishop of Paris was commissioned by the Bull of Urban VIII to approve the norms of the Congregation. The decree establishes: the vows, which have the purpose of assuring perseverance in the vocation; they will be made after the second year of the internal seminary; they are simple and can be dispensed only by the Pope or by the Superior General; the members already admitted to the Congregation are free to make them; the Congregation continues to belong to the clergy (*in the document the word “secular” is missing*) (SV XIII,

283-286). The decree forms part of the legislation contained in the Codex Sarzana. Its terms are found in the pontifical approbation.

4.2. Pontifical Approbation (22 September 1655). The approbation of the Archbishop of Paris, even though done with the pontifical authority, did not create an atmosphere of common and serene acceptance of the vows in the Community of the Mission. A lively opposition was evident in the Assembly of 1651. The latter accepted the position of the founder, but asked that a recourse be made to Rome in order to have a definitive solution to the problem. To this purpose, Vincent saw to it that some doctors of the Sorbonne prepare an extensive and deep study, which he then had presented to the Congregation of Bishops and of Regulars (SV XIII, 365-370).

The result was the Brief “Ex commissa nobis,” of Alexander VII (22 September 1655), which approved the vows made in the Congregation of the Mission (SV XIII, 380-382), confirming the notes and conditions approved by the Archbishop of Paris in 1641 and 1653:

- a) The confirmation of the Congregation as approved by Urban VIII.
- b) The simple vows of chastity, poverty and obedience and that of stability were recognized with the end of dedicating oneself to the evangelization of the poor people of the countryside throughout one’s lifetime.
- c) The vows will be made at the end of the second year of formation in the seminary (that the second year of the seminary should precede the making of the vows will be specified by Alexander VII on 7 October 1662), without anyone receiving them neither in the name of the Congregation nor in that of the Pope.
- d) The vows can be dispensed only by the Pope and by the Superior General *in actu dimissionis* (this limitation will be confirmed by Clement X on 23 June 1670).
- e) Notwithstanding such vows, the members of the Congregation remain members of the secular clergy and exempt from the Ordinaries, except with respect to the missions.

After receiving the Brief, Vincent convoked his confreres of St. Lazare, presented the document to them and had a notarized certificate of acceptance of the will of the Pope on the part of the Congregation drawn up, having it signed by the confreres of the house (SV XIII, 383-385).

4.3. The “Fundamental Statute” of Poverty (12 August 1659). After accepting the decision of Alexander VII on the vows in the Company, there

remained some problems with regard to poverty. The sphere of the vow was regulated in the Assembly of 1651 (SV XIII, 351). And what was decided in that Assembly thus passed into the Rules approved in 1653. The vow turned out very severe, requiring the turning over of the fruits of benefices possessed in favor of the Congregation. Vincent, in 1659, asked and obtained another intervention from Alexander VII with the Brief “Alias nos” (12 August 1659), which defines the terms of the vow of poverty to be observed in the Congregation. It is the “fundamental statute” which, in modifying the preceding “Conditions,” provides:

- a) The right of the members of the Congregation to keep their immovable goods and the simple benefices.
- b) The use of their own goods limited by dependence on the superior.
- c) The fruits of such goods could not be spent for one’s own use without permission of the superior; but, always with the permission of the superior, must be employed in good works. The first ones to be helped are parents and other needy relatives (SV XIII, 406-409).

(For the changes which followed in the norms concerning poverty: A. Coppo, "L’evolution du vœu du pauvreté des prêtres de la Mission jusqu’en 1659," in *Vincentiana* 16 (1972), 256-272).

II. The Work of the General Assemblies (1668-1963).

1. The General Assemblies after the death of St. Vincent (1661 and 1668).

1.1. The General Assembly of 1661 (15-20 January) elected René Almérás as the first successor of Vincent, according to the norms established in 1642. It was the first proper and true General Assembly and was called to ratify whatever was experimented under the direction of the Founder, and to complete its own organization.

1.2. The “Major Constitutions.” Eight years later, the second General Assembly (15 July to 1 September 1668) again examined the Constitutions and worked at an attentive and meticulous revision of them (cf. *Collectio completa decretorum conventuum generalium C.M.*, Paris 1892, pp. 27-39). The text was approved by the Archbishop of Paris, Arduino de Péréfix on 24 October 1668.

The whole group of documents form the so-called “Constitutiones majores” or “Constitutiones quae Superiorem Generalem totiusque Congregationis gubernationem spectant,” and will guide the life of the Company until 1954, when their contents were absorbed by the Constitutions approved by Pius XII. Here is the list of the chapters:

- a) De qualitate, potestate ac officio Superioris Generalis;
- b) De cura, auctoritate et potestate Congregationis erga Superiorem Generalem;
- c) De Superioris Generalis schedis ad nominationem Vicarii Generalis et electionem Superioris Generalis spectantibus;
- d) De officio Vicarii Generalis in convocatione Conventus Generalis ad electionem Superioris Generalis in locum demortui et in gubernatione universae Congregationis;
- e) De Conventibus Provincialibus, mittendi causa ad Conventum Generalem pro eligendo Superiore Generali;
- f) De agendis in Conventu Generali ante diem electionis Superioris Generalis;
- g) De iis quae ipso die electionis sunt observanda;
- h) De iis quae post electionem fieri debent;
- i) De electione Assistentium et Admonitoris Superioris Generalis;
- j) De Conventu Provinciali cogendo ad negotia tractanda;
- k) De Conventu Deputatorum ad deliberandum de cogendo vel non cogendo Conventu Generali;
- l) De Conventu Generali cogendo ad tractanda negotia.

The text, important for the entire life of the Congregation, was always covered by great secrecy. In 1668, the Assembly established that it should be reserved to the Visitor. In the 1847 edition the Visitor was allowed to make it known to superiors and some prudent confreres, but with the prohibition, sub poena inobedientiae, to copy the text.

1.3. The “Constitutiones selectae.” At the end of the work of revising the Constitutions left by St. Vincent, the 1668 Assembly decided to select the most important parts and to have them approved by the Holy See, in order to give more stability to the particular law of the Congregation. It was feared that the broad authority of the Superior General, “in suo officio perpetuus,” could lead even to substantial changes in the particular law.

(Clement X approved them with the Brief “Ex iniuncto nobis,” of 2 June 1670 (cf. *Acta Apostolica ... in gratiam Congregationis Missionis*, Paris 1876, p. 33-38).

The papal document, consisting of 20 articles, defines the functions and limits of power of the Superior General, stating that he is “in officio perpetuus”; specifies his relationship with the General Assembly and the entire Congregation, the powers regarding the provinces and the houses and concerning the goods of the Congregation. Notwithstanding the declared superiority of the Assembly over the Superior General, the latter can condition its work, because it is foreseen that the Assembly can only treat that which the Superior General or the “Commissio magna,” composed of two Assistants and four members of the Assembly, may admit for this purpose (n. 15). This Commission will be abolished in 1963.

With the General Assembly of 1668 and the approval of the “*Constitutiones Selectae*,” the Congregation has a complete body of consitutional laws which specifies and defines the outline of the Bull of Urban VIII:

1. On the spiritual level, inspiring and, in part, legal, it has the “*Regulae seu Constitutiones communes*,” which contain the thought and the spiritual and apostolic anxiety of St. Vincent. They are his spiritual testament, the fruit of his preoccupation for more than 30 years, the program of perfection in the light of Christ, the evangelizer.

2. On the strictly legal level, it possesses:

- a) The “*Constitutiones selectae*,” which contain the most important legal norms, which are like the skeleton of the body of the Company: its constitution and its government. They have the approval of the Holy See and assure, as desired by the 1668 Assembly, the stability of the structure, sheltered from changes that a General Assembly or a Superior General could carry out.

- b) The “*Constitutiones maiores*,” laid down by the 1668 Assembly, concluded a long road begun by St. Vincent in 1642. They have the approbation of the Assembly and the confirmation of the Archbishop of Paris in his capacity as papal delegate for the approbation of the Congregation's laws.

- c) More specific documents which regulate the discipline of the vows and, in particular, that of poverty, come from the papal interventions of Alexander VII (1655 and 1659).

In the whole of this legal corpus, the Congregation has many norms (like all other institutes of consecrated life), and also a code of spiritual life which guides its way. The Congregation has always founded its life and its service to the Church and to the poor on these spiritual and juridical norms. The usual interventions of successive General Assemblies and those of Superiors General also support it. This security may have contributed also to creating a certain institutionalization and to confusing the authentic “primitive spirit” with the sclerosis of the norms and life.

2. The Assembly General of 1947

This security should have been put to discussion by the publication of the Code of Canon Law in 1917. The Community found itself before the need of questioning itself concerning some points, including fundamental ones, about its structure and its life, and to define itself in new juridical terms, as outlined by the

new Code. For example: how should the nature of its “secularity,” the nature of its simple vows, private but privileged, some structures of its organization be interpreted? Does its “secularity” place it securely from being incorporated among the real religious institutes? Or does it allow it to be placed among the societies without vows?

A series of postponements in taking into consideration the new problems, notwithstanding the repeated pressures from the Holy See, make one think that a true political will and a broad and united mind that gets to work with determination was lacking. The war contributed to blocking the timid attempts which had begun. It was only at the beginning of 1947 that Fr. Edward Robert, on convoking a General Assembly for the summer of that year, announced that it would examine an outline of new Constitutions prepared by Fr. Guido Cocchi. It is a project which seeks to preserve the traditional law of the Congregation and to find a place for it in the new ecclesiastical law of the Code. The General Assembly approved it. Confrontations and revisions between the Holy See and the General Council followed (the Curia had received from the Holy See a package of 130-140 observations) and finally, on 19 July 1953, Pius XII signed the Brief “*Evangelium ad pauperes*” for the approbation of the new Constitutions. Fr. Slattery promulgated them on 25 January 25 1954.

3. The Constitutions of Pius XII (1954).

It is the first time that the Congregation has a unitary and organic text of its particular law (*Constitutiones ac Regulae Congregationis Missionis, Parisiis, In domo primaria C.M., 1954*). The text is presented in a very juridical form and spirit and in it a schema of “religious life” prevails in which the Congregation is seen compelled by the mentality of the Roman organisms, which tend toward an often unwarranted standardization.

- a) The presentation of the end is to be noted. Even though preserving the terms of the Common Rules, the new Constitutions distinguish between a “general end” (to work at personal perfection) and a “specific end”; that is, the evangelization of the poor, the formation of the clergy and they add as a new element, “to give itself to works of charity and education.”
- b) The nature of the Congregation is that of a “society of clerics, exempt, of which the members, though not being religious properly so-called, imitate however the way of life of religious, living in common under the government of superiors according to their own Constitutions, with vows which are not public, but privileged.”

- c) On the more structural level, the new Constitutions introduce from the Code the triennial temporary vows before the perpetual profession. The vows of the Congregation, it is said, “even though not being public, they are, however, privileged and perpetual.” Their dispensation remains reserved to the Pope and to the Superior General in actu dimissionis, but after the cleric in sacred orders has found a bishop who is willing to receive him.
- d) As far as government is concerned, the limits of the authority of the Superior General and the Visitors in relation to their respective councils are better defined, indicating when the intervention of the councils are only consultative or decisive. The interval for the General Assemblies is fixed at eight years. The number of the Assistants General and their terms of office are established; the term of office of governing is indicated, etc. Moreover, some dispositions of the common Rules are put into the Constitutions as well.

It is difficult to say what would have been the impact of the new Constitutions in the life of the Congregation. The period that they remained in force (1954-1968) was too short: changes can be made quickly on the disciplinary level, but the profound effects of the changes themselves are perceived on a much longer term.

4. The General Assembly of 1963.

The Assemblies of 1955 (the last in Paris) and 1963 (the first in Rome) took place with the Constitutions of 1954. Their style was that of the preceding Assemblies. They did not treat of an organic theme which would indicate the long term planning lines for the Congregation. They treated postulates presented by the Provinces or by individual confreres. The subjects of some importance were the transfer of the Curia to Rome, the term of office of the Superior General, the competencies of the “magna commissio” which had the duty to examine the postulates, as well as the power of preventing them from reaching the conference room, if it judged them contrary to the Constitutions, etc. The most important conclusion was the decree by which the Superior General was given the mandate to plan for an extraordinary Assembly for the complete “aggiornamento” of the Congregation, as soon as the Council concluded. It was the small seed, destined to become the great tree of renewal of the Congregation.

III. The Postconciliar Renewal (1967-1984)

The postconciliar period, during which the Congregation worked at its juridical, spiritual and apostolic renewal, was a time of grace because of the sensitivity which it produced in the whole Company and because of the degree of

interest which this, at the different levels of its organization, brought to preparing and to accompanying the works of the Assemblies which were held. A proof of this was the *Schema Constitutionum et Statutorum C.M.* (1968) which, however, was immediately rejected by the Assembly. The history of these Assemblies is known. It can be read in the issues of *Vincentiana* or in the provincial magazines. It is not necessary to rewrite it.

I recall rather quickly: the extraordinary Assembly of 1968-1969 provided a first redaction of the text of the new Constitutions. The work was marked by the difficulties coming from the opposing positions of the participants, above all as regards the definition of the end, with the implications deriving from it ("Constitutiones et Statuta Congregationis Missionis," in *Vincentiana* 13 (1969), 85-126).

The Assembly of 1974 was interlocutory. It did not revise the text of the preceding Assembly, but drew up some Declarations which proposed to meditate again on the way of St. Vincent in order to focus attention on it once more ("Conventus Generalis XXXV, *Declarationis*," in *Vincentiana* 18 (1974), 286-302).

The Assembly of 1980, at which a great number of delegates were new, performed the job of re-writing the whole text of the Constitutions, with a more open spirit ("Constitutiones et Statuta Congregationis Missionis," in *Vincentiana* 24 (1980), 193-268). The new Constitutions, presented to the examination of the Holy See, were approved on 29 June 1984, published the following 27 September and came into force on 25 January 1985 (*Constitutiones Congregationis Missionis – Statuta Congregationis Missionis*, Curia Generalis C.M., Romae, 1984).

What overall judgment can we give to the present Constitutions?

- a) They preserve faithfully the elements of the authentic tradition of the Company. They were born from the collaboration of the whole Congregation. The work lasted for 12 years. It is not, therefore, a text which comes from the thought of a small group of persons who worked on a table, but which originates from the reflection and the suggestions and desires of the whole Company.
- b) They offer a balanced and clear text. Tensions were not lacking in its elaboration, but in the end it expresses a real consensus of all. It is a text of full harmony, which preserves unity in the essential and necessary things, and assures pluralism coming from diverse cultures and situations.

- c) They present a juridically precise text on the points which define the Congregation: end, nature of the Company, vows which do not make us religious, community life which is not an end in itself but which is inspired and oriented by the work in common, insertion in the local Church. Above all, the definition of the Congregation is clear: a Society of Apostolic Life, a definition which ought to inspire all the juridical, apostolic and spiritual organization of the company.
- d) They are rich in doctrinal ideas derived from the gospel, the Church's magisterium and the doctrine of St. Vincent, especially the Common Rules. The study of the Constitutions ought to emphasize above all the renewal of Vincentian spirituality.
- e) They propose a simple text, coherent in its compilation, free of useless affected expressions. The drafting in a vernacular language would certainly have given it greater immediacy and spontaneity: the Latin which is less familiar, limits the form and the inspiration.
- f) They are a document which needs to be studied in depth and prayed. Fr McCullen highlighted this: "much reflective reading and prayer of our Constitutions is called for" (Promulgation Letter). The commentaries should study the sources, the bonds with tradition, the spirituality, etc. This gives dynamic force even to law: "It is impossible to acquire the spirit of the Mission without observing the rules, wherein that spirit is contained and embedded" (SV XI, 80).

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