

## D. Legal Efforts - Rules

A Necessary Introduction to  
"Finding Inspiration in the Writings of St. Francis"

*A word of advice: The recommended procedure for using the following materials is ideally to have the printed lesson given to each individual a month or at least a week before the sharing time so the individual has time to read it and to reflect and pray about the sharing questions, and jot down any notes they wish to use as reminders during their time of sharing at the meeting.*

*In this way Francis' writings become a blessing for the individual during the preparation time as well as at the sharing session of their ongoing formation.*

### Finding INSPIRATION in the WRITINGS of St. Francis – a Sharing Guide

(a study compilation by Fr. John Sullivan, ofm – 2004)

We have so much to learn about St. Francis and his spirit. For us Franciscans, this is a perennial challenge. Reading about Francis' life is an important ongoing inspiration for each one of us; but there's more. Our SFO General Constitutions tell us about the foundation of our faithful lives as Secular Franciscans in article 12 where it says: "Gaining inspiration from the example and the **writings** of Francis...." Article 40-2 also reminds us that Francis' **writings** are supposed to be a part of the initial formation program.

Are there ways to tackle Francis' **writings** in a productive way? Of course, just taking the texts of his writings given to us and reading them can be a starter. The following materials are offered as a way to guide us through the riches of his writings. In this process we will also find a few texts frequently attributed to Francis as historically not his.

His writings for the purposes of this study-reflection guide are divided into 4 categories, namely:

- Part A) His letters for specific situations – *needs one of the resource texts*
- Part B) Prayers and devotions – texts supplied
- Part C) Texts of spiritual and ascetic exhortation – texts supplied
- Part D) Texts defining ways of life (Rules) – *needs one of the resource texts*

The translated texts for studying His prayers (Part B) and for his Admonitions (Part C) are supplied with the reflection set of questions. The Rule for Hermitages has also been supplied in Part D. These texts are translations by Fr. John Sullivan, ofm - 2004

For other sources for studying the writings of St. Francis you can consult:

a) St. Francis, Omnibus of Sources, (1983) 1900pp. Franciscan Press, Quincy, IL 62301  
217-228-5670..... approx. \$40

b) Study Text, Writings of St. Francis, 175 pp. Franciscan Press, Quincy, IL 62301  
217-228-5670.... (first 175 pages of same Omnibus, above, with all of Francis' writings). approx. \$????

c) St. Francis, the Saint, Vol.1 (635pp.) New City Press, Hyde Park, New York, 12538...approx.\$30

d) Francis and Clare, the Complete Writings, 256pp – (1982), Paulist Press – approx. \$20

For further understanding of the search itself for Francis' writings (all hand-written copies or hand-written originals) down through the centuries, you can read some interesting details in the St. Francis of Assisi, Omnibus of Sources (1983), pp. 5-22 and in Francis of Assisi, the Saint – Early Documents (Vol.1), pp.11-39.

For convenience of printing here, we will identify references to these two books by “**Omn.**” for the former, and “**FA1**” for the latter book. And the Francis and Clare, Complete Writings is reference-coded by “**FC**”.

Keep in mind the way St. Francis writes. An important general observation begins to surface that he does not make use of theological terminology. Instead, Francis presents his ideas and convictions with simple, straight-forward, descriptive vocabulary and imagery. He writes with conviction, with concern, with compassion, and often with great exuberance.

If we are to gain much from these exercises, we need to approach them in the same pattern we use in reading the Sacred Scriptures, namely: asking for the guidance of the Holy Spirit and to become “the listener” as we read.

It is essential also to remember that we are not approaching these texts as academic exercises or as history research, but primarily our focus is on “finding inspiration” in the writings of St. Francis. (see SFO General Constitutions, #12)

Let's start.

## **D – Francis' Ways of Life – Legal efforts**

**2004**

Rule for Hermitages – ca.1218

Third Order Rule – 1221

Earlier [friar] Rule – 1221

Approved [friar] Rule – 1223

Here the intention is not to offer an analytical study of legal documents, but just to help us to get the flavor and some highlights from how Francis approached these topics. He quickly reveals that he did not have the personality to be a legislator or developer of rules to describe particular ways of life.

At root Francis was convinced that “living the holy Gospel” described all that one needed to know and live by. There was the heart of Wisdom, of Goodness, of Compassion Personified. ... Identify with Christ and all is well. This was only too obvious in Francis' view.

Because of his own lack of legal expertise, Francis had to have assistance to develop the legislative particulars of an Order of friars in vowed life in the Catholic Church. This part of Francis' life (as a founder) was not easy. Fortunately, help came from many sources – from fellow friars as well as from Cardinal Hugolino.

We might start with Francis' Rule for Hermitages, because of our own challenge from our SFO Rule (article 8) to live lives of prayer and contemplation.

## **A. Rule for Hermitages [for friars]** (Omn.p.71-73; FA1,p.61-62; FC,p.146-8)

Francis here acknowledges the need for some structure and organization for times of prayer, patterns of life, including private and group prayer.

The Rule given for Hermitages

*Those who wish in their religious life to live in hermitages should consist of three or four brothers at most; two of them may be the **mothers** and they would have two **sons** or at least one. Those two who are the **mothers** should attend to the life of Martha and the two **sons** should attend to the life of Mary. (cf. Luke 10,38-42)*

*And they may have one enclosure, in which each one of them may have his own cell in which he might pray and sleep.*

*And right after sunset they should always say the Compline for the day; and they should take care to keep silence; and they should pray the Hours, and for Matins they should rise at night and seek first the reign of God and his justice (Mt.6:33).*

*And they should pray Prime [6am] at the proper hour.*

*And after Terse [9am] they may set silence aside, and they may speak and go to their **mothers**.*

*And, when it seems fitting, they can beg alms from them just as small children for the love of the Lord God.*

*And afterwards they should pray Sext [noonday office] and None [3-pm office]; and they should pray the Evening Prayers at the accustomed time.*

*And into the enclosure where they sleep they are not to permit any other person to enter, and neither are they to eat there.*

*These friars who are the **mothers** should attend to remaining far out of the way from every person. And through their obedience to their minister they should protect their **sons** from every individual, so that no one might converse with them.*

*And those **sons** are not to speak with any other person except with their **mothers** and with their minister and his custodian when it pleases them to visit with the blessing of the Lord God.*

*And in turn the **sons** should periodically switch to take on the duties of the **mothers** for a period of time as they have mutually arranged. In this way they might strive to observe everything said above with great solicitude.*

The text supplied here was translated from Kajetan Esser's Critical Edition of the Writings of St. Francis of Assisi (1976) – by John Sullivan, ofm – 7/15/04

As committed as Francis was to contemplative living and fraternal life, he develops here a five-fold structured plan -

1) ...which includes the “fraternal” element – a balance.

Q1. How is this realized in this Rule as Francis uses family terminology based on the Scriptures?....

2) ...which embodies a penitential structure of time and resources to enhance prayer.

Q2. How is this seen in this set of directives?

3) ...which has built-in change (rotation) of roles.

Q3. What rotation is expected to be carried out?

4) ...The friars may speak from 9am(Terce) to noon. And to whom?

Q4. Does this differ from monastic traditions?

5) ...Through the day they will pray the Divine Office as a group.

Q5. How does this serve to identify them with the Church and with the friar fraternity?

**B. The III Order Rule -1221**– This text is only found in Omn.p.168-175, with comments also found on p.18.

Francis' first rule for the Third Order cannot be found. This Rule of 1221 was not written directly by St. Francis, but was approved for the Third Order by the Church during his lifetime, written by Cardinal Hugolino. Historians consider that it captures the spirit and intent of Francis' own (lost) rule.

Q. When did the Third Order begin? Read the valuable comments on pp.166-167 which indicate the date of probably 1209 or 1210 AD – about the time of Francis' approval from the Pope in Rome for the friars (in 1209) and before the Poor Clares began (which was 1212).

This 1221 Rule deals with – visitations, monthly meetings, membership requirements, fast and abstinence, clothing, prayer, sacramental life, common fund, funerals, “last wills”, corrections and guilt. Some thirty-nine issues are identified in these 8 chapters.

The details clearly reflect the thinking and culture in the 13<sup>th</sup> century. It is strongly focused on local customs of that day and how they are to be adapted to those professing this secular Franciscan way of life. (No mention is made of persons taking public vows.)

You might consider breaking up this reading into two parts –

a) chapters 1-6 and

b) chapters 7-8.

For reflecting on each part (a and b):

Q1. List three positive ideas that struck you when you were reading this part.

Q2. List three things that are puzzling to you and you would like to know more about.

Q3. How do you find the following five Franciscan traits emphasized here?

Penance/Conversion; Prayer; Poverty; Apostolic Concerns; and the Catholic Church & her sacramental life.

**C. Friars' Earlier Rule 1221** (Omn.pp.27-53; FA1,p.63-86, FC.p.107-135) –

While never submitted to or approved by Rome, this rule gives a wealth of insights into the spirit and soul of St. Francis. We find here a man imbued with the Scriptures and the penitential life, a man of deep spiritual understanding, tremendously in love with his God. About one-third of it is devoted to prayers and exhortations and encouragements. Francis spent long hours composing this rule with the help of Friar Caesar of Speyer.

To reflect on this rule, you may find it helpful to break up this reading into sections, namely:

- a) Prologue plus chapters 1 to 4 -
- b) chapters 5 to 9
- c) chapters 10 15
- d) chapters 16 – missionary efforts
- e) chapters 17 to 24 – primarily a collection of admonitions and prayers.

For reflecting on each of the above five sections:

Q1. List three positive ideas that struck you when you were reading this section.

Q2. List three things that are puzzling to you and you would like to know more about.

Q3. How do you find the following Franciscan traits emphasized here?  
Penance/Conversion; Prayer; Poverty; Apostolic Concerns; and  
Catholic Church & her sacramental life.

*...now go back to the next of five parts described above....*

Now that you have taken the time to observe the several sections of this 1221 friar Rule, you might want to also deal with the following:

Qa. How did Francis deal with loyalty to the Pope and the Catholic Church?

Qb. The vows of chastity, poverty, obedience?

Qc. How would you describe Francis' attitudes toward riches and the rich? –  
 - ownership, begging alms, money, travel (14), animals and horses (15),  
 missionaries (16), preaching, virtuous life (17-21), must be Catholic (19)

Qd. Did Francis develop a band of beggars, since they are called “mendicants”?

Qe. What of community life: authority (5), care of sick(10),  
 community care(11)?

Qf. Can you find any expressions of Francis' sense of appreciation of God's goodness?

**D. Friars' Later Rule of 1223.**(Omn.pp.54-64; FA1pp.99-106;FC,pp.136-145)

This is the Approved Rule that the friars of all three branches profess to live by  
 - the Friars Minor, the Friars Minor Conventuals, and the Friars Minor Capuchin.  
 Due to deep-seated convictions through the centuries, each of these three  
 branches of the Franciscan Order, however, have their own distinct, Church-  
 approved General Constitutions as the guide (the handbook) to their approach to  
 understand and implement this single Rule of Francis.

Note that this Approved Rule is about one-third the length of the Earlier Rule of  
 1221 (check above). It is considered to contain some 24 obligations.

To reflect on the contents of this Approved Rule you may wish to use the same  
 questions as listed under that Earlier Rule (just above), from Q1 to Q3, and Qa to  
 Qf.

