

*Humbert de Romans, OP*

*c. 1200-1277*

*The Fifth Master General of the Order of Preachers*

*Commentary  
on the  
Dominican Constitutions*

translated by

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## Introduction

### Humbert of Romans – Life – Chronology

Humbert was born around 1200, in the French town of Romans-sur-Isère, south of Lyon. Having completed the study of arts (philosophy) at Paris, he began advanced studies in canon law. He was caught up in the charisma of the new Order of Preachers, which was drawing the most talented and idealistic of young Parisian scholars to its evangelical lifestyle and mission. The story is told how he approached his mentor in canon law, the Paris Master Hugh of St. Cher to notify him of his intention to join the Dominicans. Hugh not only supported Humbert, but followed his student to the Dominicans three months later.

Historians agree on Humbert's basic dates.<sup>1</sup> He entered the Dominican novitiate at Paris in November of 1224. After ordination he taught theology in the Dominican priory at Lyon, and soon was elected to leadership roles, first as prior of the convent (c. 1237), and then as prior provincial of the province of Rome (c. 1241-1246). At a crucial historical period for the Order he was chosen as provincial of the province of France (1246-1254). In 1254, the General Chapter of Budapest elected him the fifth master general of the Order. He served in that office for eleven years. He resigned his post in 1263. He died in 1277, and is buried at Valence, near Romans, his birthplace.

Edward Tracey Brett has detailed how, as provincial of France and as master general Humbert played a significant role in the political, theological and social events of mid-thirteenth-century Europe.<sup>2</sup> Humbert defended his religious brethren against severe criticism by the diocesan clergy and the secular Masters at Paris. His prudent spirit of moderation gained for the friars cooperation from the Franciscans, and support from the King of France, and from the Pope.

Within the Order he standardized the liturgical books for mass and the Divine Office. It was at his direction that in 1267 the magnificent manuscript, still extant in the Order's archives at Santa Sabina in Rome, (Rome: Santa Sabina MS XIV L1), known as the *Prototype* was produced. Within its 997 folios are found fourteen liturgical texts which standardized the Dominican Rite for all the provinces: the *Ordinarium*, Martyrology, Book of Mass Prayers (Collect, Offertory and Postcommunion Prayer), Processional, Psalter, Breviary, Lectionary, Antiphonary, Gradual (music for Mass), Pulpitarium, Conventual Missal, Book of Epistles, Book of Gospels, and a Missal for Lesser Altars. The *Ordinary*,<sup>3</sup> cited several times in the commentary is also called the *Ordinary of New Correction* or simply the *New Correction*. It contains directions for the ministers of the mass and Divine Office, as well as a detailed listing of the hymns, antiphons and readings for the celebration of the Divine Office and for the feast days of the liturgical calendar year.

The mission of the Order of Preachers was to preach the gospel, and as a preacher's Master Humbert supported the ministry of preaching with a tract on the formation of preachers, and mandated the compilation of the legends and stories about the founders of the Order. He supported, too, the use of study – even the study of philosophy – in the education of future friars.

### His Writings

The modern Dominican bibliographer, Thomas Kaeppeli categorizes Humbert's surviving

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<sup>1</sup> Cf. Chronology in Simon Tugwell, O.P. ed., *Humberti de Romanis Legendae sancti Dominici*, (Monumenta Ordinis Fratrum Praedicatorum Historica, 30), Apud Institutum Historicum Ordinis Fratrum Praedicatorum, Romae 2008, p. xx.

<sup>2</sup> Cf. Edward Tracey Brett, *Humbert of Romans, His Life and Views of Thirteenth-Century Society*, Toronto: Pontifical Institute of Mediæval Society, 1984.

<sup>3</sup> *Ordinarium iuxta Ordinem Fratrum Praedicatorum*, ed. L. Theissling, OP, Rome, Angelicum, 1921.

literary works as 5 tractates, 2 commentaries, 1 collection of stories, 9 sermons and 14 letters.<sup>4</sup> The tractates include: a treatise *On the Gift of Fear*, which survives in 50 manuscripts; *On the education of Preachers*; *On preaching to the Saracens*; the famous *Opus Tripartitum* submitted to the Council of Lyons; and the book *On offices*. The commentaries are: *On the Rule of St. Augustine* and *On the constitutions of the Order*. The book entitled *Legends of St. Dominic* was a collection of stories about the founder and his early companions.

The texts of the more significant of these works have been available in a two-volume collection published by Fr. Joachim J. Berthier, OP, entitled *Opera de vita regulari (Works on the Regular [Religious] Life)*.<sup>5</sup> Humbert's complete *Commentary on the Rule of St. Augustine* fills 555 pages, while the unfinished *Commentary on the Constitutions*, is 178 pages. Another work entitled *A Letter on the Three Substantial Vows of Religious*, survives in 53 manuscripts. The work *On the offices of the Order (De officiis ordinis)* is a job description of all the positions, from master general to priory gardener. Fr. Simon Tugwell, OP, the current expert on Humbert, has translated some of these works.<sup>6</sup>

### The Commentary on the Constitution

The Latin text of the Dominican Constitution which Humbert used was not that of the primitive constitution (1215-1123), but an evolved and emended version from the mid-13<sup>th</sup> century. Emilio Panella, OP, has posted online his transcription of a fourteenth-century copy, *Costituzioni dell'ordine dei frati Predicatori (1375) da Bibl. Vaticana, Vat. lat. 7658 (xiv2), ff. 139r-184v*, which matches exactly the text Humbert used for his commentary.<sup>7</sup>

When I began this translation, I used Berthier's published text.<sup>8</sup> This 19<sup>th</sup> century edition was based on three manuscripts. The text offered a minimum number of alternative readings, and no sources apparatus. Recently it was brought to my attention that Dr. Sonja Reisner had produced a thoroughly critical edition of the text of the commentary based upon nine manuscripts, submitted as a doctoral dissertation in 2004 to the University of Vienna.<sup>9</sup> The work remains unpublished, but has been circulated in digital format in the scholarly world. With the author's gracious permission, I have used it to revise my translation and to supplement my source notes.

From the critical edition, I was able to supply 237 words, missing in Berthier, 75% of which were from 21 homoioteleuta, copyist's omissions, missing in less trustworthy manuscripts. Reisner's apparatus reveals how fluid the chapter titles were in comparison to the text itself.

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<sup>4</sup> Kaeppli, Thomas, O.P., *Scriptores Ordinis Praedicatorum Medii Aevi*, 4 vols., Romae: Ad S. Sabinae, 1900-1993. Humbertus de Romanis, Volume II, 283-295.

<sup>5</sup> *B. Humberti de Romanis, Quinti Praedicatorum Magistri Generalis, Opera de Vita Regulari*, ed. Fr. Joachim Joseph Berthier, O.P., 2 vols. (Rome: A. Befani, 1888-1889; Marietti, 1956.) Volume 1. 643 pp., Volume II, 577 pp.

<sup>6</sup> *Early Dominicans, Selected Writings*, ed. Simon Tugwell, O.P., published in the series *Classics of Western Spirituality*. Paulist Press, New York 1982.

<sup>7</sup> See <http://www.e-theca.net/emiliopanella/governo/cop08.htm>.

<sup>8</sup> *Expositio super constitutiones fratrum praedicatorum*, in *Humberti de Romanis Opera de vita regulari*, 2 vols., ed. J.J. Berthier, Rome, 1888-89 [Marietti, 1956], vol. 2 pp. 1-178.. The printed text was based on two manuscripts: Madrid, Bibl. Nac. 19423 (xv), f. 15-51v; and Salamanca, Bibl. Univ. 29 (a. 1539), f. 216-293; 88 (xv in.). Ten other manuscripts are also known to be in libraries of Bologna, Cremona, Darmstadt, Eichstätt, Florence, Liège, Nuremberg, Vienna and Wrocław.

<sup>9</sup> Reisner, Sonja, *Die Expositio super constitutiones fratrum Ordinis Predicatorum des Humbertus de Romanis*. Dissertation zur Erlangung des Doktorgrades der Philosophie aus den Fachgebieten Klassische Philologie (Latein) und Geschichte, eingereicht an der Universität Wien, November 2004. Unpublished; in PDF format.

Whenever possible my source notes use the standardized page and column references of Migne's *Patrologia Latina*, accessible online. The availability of online access to a reproduction of a principal edition of the classic biblical *Glossa Ordinaria* has given me a way of identifying references. Neither Reisner or I were able to identify citations from the medieval Latin translation of Chrysostom's sermons, which remain to be edited.

### **Structure of the Constitution**

The early constitution was divided into two major Distinctions preceded by a Prologue. The first Distinction contains twenty chapters; the second, fifteen. Humbert's commentary covers the complete Prologue, but touches on only chapters 1 and 2 of the first Distinction. Humbert commented on only its first 500 of the 14,500 words of the constitution-text itself, only about, one-thirtieth of the whole. In the Berthier edition Humbert's commentary totals approximately 50,000 words, on 178 printed pages. At that rate, a complete commentary would have required over 5,000 printed pages!

### **Date of the Constitution-Commentary**

The motive for Humbert's two commentaries was to expound on the rule of St. Augustine and the early constitution, to answer questions and to clarify for his brothers the wisdom and utility of these foundational documents. When and in what order these works were written has been a matter of learned dispute. It was once held by scholars that the complete rule-commentary preceded the constitution-commentary, and the latter would remain incomplete owing to Humbert's failing energy and death.<sup>10</sup> Kaeppli dates the *Expositio super constitutiones FF. Praedicatorum* to about 1267, a few years after Humbert stepped down as master general, but a decade before his death. Fr. Simon Tugwell, however, in his masterful study of Humbert, has argued from internal evidence that the constitution-commentary was begun between 1248 and 1252 while Humbert was still provincial of France.<sup>11</sup> He interrupted this work, perhaps, because he came to realize that the task was proving to be impossibly large. Tugwell argues he stopped the constitution project in order to devote himself to writing his complete commentary on the Rule of St. Augustine (between 1250-1255). He judged it more urgent to thwart a rising movement that proposed that the friars should abandon completely St. Augustine's rule. Tugwell suggests that Humbert returned later to the constitution-commentary to make some revisions after 1260.

### **Chapter Titles**

Humbert's rule-commentary, constitution-commentary, and treatise on preaching all contain numbered chapter titles. The manuscripts of the constitution-commentary bear witness to 58 numbered chapter titles which are named by their subject matter.<sup>12</sup>

There are some significant variations in their wording and positioning. The title of ch. 40 (20.26) in the manuscript tradition reads "On six things which ought to be reserved to the prelate in the Order." The commentary which follows begins and ends "...which are reserved to prelates in the daily Office." Only one manuscript has "in the daily Office" as the title.

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<sup>10</sup> After the abrupt ending of the Commentary in the manuscripts, Berthier reprints, this colophon found in volume one of Jacques Échard's bibliography, *Scriptores ordinis praedicatorum*: "Glossemata haec aurea B. Humbertus, morte praeventus, infecta reliquit: quod nunquam satis cuique prudenti erit dolendum." (Cf. Échard. T. I, pp. 145-146). [This golden gloss Blessed Humbert, prevented by death, left unfinished; which shall never be regretted enough by every prudent person.], *De vita regulari*, II, p. 178.

<sup>11</sup> Simon Tugwell, O.P. ed, *Humberti de Romanis Legendae sancti Dominici*, pp. 293f.

<sup>12</sup> The complete Commentary on the Rule of St. Augustine has 209 similar chapter divisions and titles. His tractates On offices and the Education of Preachers also have numbered chapter titles.

Again, the title for c. 33, “Why the Church uses the Psalter more than other scriptures in the Office,” is inserted awkwardly within a list of 3 reasons why warnings against confusion in the choral Office are important. A “chapter” is begun in the middle of a list.

Third, the manuscripts cite the text about reciting the Our Father and Credo, but then immediately begins a long treatment of the Salve Regina procession at Compline. Only after this discussion on Compline does it take up the Our Father. This suggests that the Salve discussion was inserted here, separating the citation from its commentary.

Finally, there are obvious places where there should be chapter titles but there are none. See the text sections §12 and §13. Humbert later refers to them as fundamental divisions of the Prologue (Cf. 13.04), but no chapter titles are found in the manuscript tradition.

These problems, as well as a larger number of variant readings in the chapter titles raise the question as to the antiquity, if not the authenticity, of the chapter titles. One might question whether Humbert, so intent as he is on order, would be personally responsible for misquotations and the awkward placing of the chapter titles. They might be early editorial additions to the original text, but not of equal value or reliability. What then, for the purpose of internal reference, would be the best way to divide the text of the translation?

### **Lemmata Sections – Numbering the paragraphs**

While Humbert’s intention was to provide a detailed exegesis of the text of the constitution, the actual commentary barely makes a beginning on the proposed project. It treats only of the Prologue and two chapters of Distinction I, leaving thirty-three chapters unfinished. This division of the constitution is not detailed enough to be useful for internal reference.

Since , however, he cites accurately and completely in precise order twenty-seven successive passages of the constitution, it seemed better to us to structure our translation into sections according to the twenty-seven text citations. I choose to call the cited wording of the constitutions a lemma (plural, lemmata) and mark it with a section sign, §.

Within each section I have further numbered the paragraphs using a decimal format, based on their content. E.g. Several grammatical paragraphs may be included under one paragraph number. If the paragraph contains further itemized or numbered listings, the decimal notation has been extend to another level.

### **Summary paragraphs**

Often in the text there are summary paragraphs at the end of sections, which give us a more certain grasp of how Humbert structured his work.<sup>13</sup> Many begin with the formula: “It is clear, therefore . . .” They have been helpful in discerning Humbert’s outline and for providing us titles for the lemmata sections.

### **Humbert’s Style**

Sometimes Humbert provides a simple prose explanation of a question. Sometimes, however, a miniature scholastic disputation is required, with a formal question put forward, and a formal “I reply,” for the answer. “I reply” occurs 75 times in his commentary, 61 of which are found in the Prologue; 19 in Section §5 On dispensations, and 17 in Section §10 on constitutional obligation. Most often, however, when the goal is to encourage or persuade, he replies like a preacher, with a fusillade of arguments confirmed by “authorities,” a scriptural citation, or a quote from Bernard or Augustine. The Commentary is salted with such divisions, lists and scriptural citations so

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<sup>13</sup> Major examples of summary paragraphs: §13.04; §16.10; §17.34; §20.11; §20.28; §20.39; §20.57; §21.39; §21.14; §21.24; §22.21; §23.15; §24.08. Others, especially detailed: §17.05; §17.24; §20.46; §20.48; §22.10.

characteristic of the medieval preacher.

Humbert often uses itemized lists; he literally uses the Latin, “*item*” 424 times. Rather than translating the word over and over, I have used the typographical option of a *bulleted list* for Humbert’s “items.” When his listing is in any way enumerated, e.g. “First, ... next,” I have used a *numbered list*.

Space on a parchment manuscript page was precious, so many itemized lists were simply strung together into dense lengthy paragraphs. For the sake of clarity, I have chosen to unfold the “items” typographically to ease the task of the reader.

### **Authorities**

Sacred scripture, in the common Latin Vulgate translation, is used as the the most respected of authorities. We have used the English Douay-Rheims Bible, a translation from the Vulgate, for the 267 scriptural citations. Humbert regularly gives the chapter number for a scriptural citation. We have added the accepted verse number, and have placed it within the text line rather than in a footnote. Humbert also cites the medieval *Glossa Ordinaria* on scriptures 28 times.

The rule of St. Augustine, cited 20 times, is, for Dominicans, a greater authority than the constitutions. St. Bernard of Clairvaux is cited 46 times. His writings on religious life and especially on dispensations were fundamental to the commentary on the Prologue. Other Church Fathers referenced were: Sts. Gregory the Great, 8; Isidore, 4; Jerome, 3; and John Chrysostom. The Lives of the Ancient Father, the *Vitae Patrum*, is used along with its Dominican imitation, the *Vitae Fratrum*, the collection of Dominican memories published about 1255 to 1260 by Gerard de Frachet at the urgings of Humbert as Master General.

### **Content of the Commentary**

The commentary of Humbert gives us a sample of Dominican good sense, presenting the ideals of the order and its written legislation. Crucial is his explanation of the non-obligatory force of the constitution and the powers of dispensation given to leadership for enabling ministerial flexibility. The part on the Divine Office, Distinction I, Chapters 1-2, invites us into the priory chapel and the ritual prayer-life which grounded Dominican spirituality.

One outline of the contents of the commentary using both lemmata sections and chapter-headings can be seen in our Table of Contents (Cf. p. xiii).

Another outline of the work, a topical outline of the lemmata sections based on Humbert’s own divisions, is found in 13.04 and 24.08.

#### Prologue

##### §1 Religious Unity

#### 1 Necessity of constitutions

##### §2 On the necessity of writing Constitutions

##### §3 Changes

##### §4 Not neglecting the least

#### 2. Dispensations

##### §5 Dispensations and the constitutions

##### §6 Dispensations for Study, Preaching, the Good of Souls

##### §7 The Purpose of the Order

##### §8 Study for the Salvation of Souls

##### §9 Dispensations and Priors

#### 3. Manner of obliging

##### §10 How Constitutions Oblige

#### 4. Manner of making

##### §11 Manner of making constitutions

5. Their explanation
  - §12 Interpretation of the constitutions
6. The whole matter
  - §13 The constitutions' distinctions and chapters

#### Distinction 1

##### Chapter 1 On the Divine Office

1. On the manner of rising
  - §14 On the Divine Office
2. The place where the Office ought to be said
  - §15 Praying together
3. On the manner of saying the Office
  - §16 Briefly and succinctly
  - §17 With pauses, and not prolonged
  - §18 According to the times
4. On the ending of the daily Office
  - §19 Readings and Compline
  - §20 Compline: Confession, Procession and Holy Water
  - §21 Pater Noster and Credo
5. On the stability and the uniformity of the Office
  - §22 Confirmation of the Divine Office: Day and Night
6. On the way of calling to Office
  - §23 Bells and Signals
7. On the vestments used in the Office
  - §24 Vestments, and 12 more items (24.09)

##### Chapter 2

- §25 On inclinations, (genuflexions, and prostrations)
- §26 Before the beginning of an hour
- §27 At the beginning: The Sign of the Cross

## **Acknowledgements**

First and foremost I would like to express my deepest gratitude to Dr. Sonja Reisner, who has permitted me to make use of her critical edition of the text of Humbert's Commentary. The text itself is always primary. Her source apparatus has solved many of my problems. I am also in awe of the immense learning of my Dominican confrère Simon Tugwell, OP, whose work on Humbert's bibliography and chronology is unsurpassed. Emilio Panella, OP, has made a contemporary version of the Dominican Constitution accessible by posting it online. Gregory Schnakenberg, OP, a young scholar at Oxford introduced me to Dr. Reisner's edition.

My gratitude goes out to Fr. David Wright, OP, for supplying the texts and to Fr. René-Vincent du Grandlaunay, OP, for assistance in internet research. Finally, I give thanks for the personal support of my brother Dominicans of the Province of St. Albert the Great, Chicago, with whom I work and pray, live and play.

In the wake of the celebration of the 800<sup>th</sup> Anniversary of the founding of the Dominican Order in 1216, I am happy to contribute this translation to promote further understanding for English-speaking readers of a great leader like Humbert of Romans whom Divine Providence supplied so that the mission of the Friars Preachers might flourish.

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November 2018

## Lemmata-Sections —Texts of the Dominican Constitution

### PROLOGUE

#### §1. RELIGIOUS UNITY

“Because a precept of the rule commands us to have one heart and one mind in the Lord, it is right that we, who live under one rule and under the vow of one profession, be found uniform in the observances of canonical religious life, so that the uniformity maintained in our hearts may be fostered and expressed by the uniformity we observe outwardly in our behavior.”

#### §2. ON THE NECESSITY OF WRITING CONSTITUTIONS (Cf. §13.04.1)

“This will be able to be achieved more readily and more completely and in the forefront of our memory, if the things which we are obliged to do were committed to writing; if we all have the evidence of the written text to tell us how we ought to live,”

#### §3. CHANGES

“and if it is permitted to no one to change or add or subtract anything on his own authority,”

#### §4. NOT NEGLECTING THE MINIMAL

“lest if we neglect the minimal, we gradually fall away.”

#### §5. DISPENSATIONS AND THE CONSTITUTIONS (Cf. §13.04.2)

“For this reason, however, the prelate shall have power to dispense the friars in his convent when it shall sometimes seem expedient to him,”

#### §6. DISPENSATIONS FOR STUDY, PREACHING, THE GOOD OF SOULS

“especially in those things which are seen to impede study, preaching, or the good of souls.”

#### §7. PURPOSE OF THE ORDER

“Since it is known that our Order was founded, from the beginning, especially for preaching and the salvation of souls,”

#### §8. STUDY FOR THE SALVATION OF SOULS

“our study ought to tend principally to the end that we might be useful to the souls of our neighbors.”

#### §9. DISPENSATIONS AND PRIORS

“Priors therefore should use dispensations like other friars.”

#### §10. HOW CONSTITUTIONS OBLIGE (Cf. §13.04.3)

“Therefore, to provide for the unity and peace of our entire Order, we will and declare that our constitutions do not oblige us under pain of sin, but to punishment, unless because of formal precept or contempt.”

#### §11. MANNER OF MAKING CONSTITUTIONS (Cf. §13.04.4)

“And that a multitude of constitutions be avoided, we prohibit henceforth that something be instituted, unless it has been approved by two successive chapters, and then in the immediately

following third chapter it will have been confirmed or deleted, whether by the prior provincials or by other diffinitors, wherever this third chapter is celebrated.”

**§12. INTERPRETATION OF THE CONSTITUTIONS** (Cf. §13.04.5)

“Interpretations of the rule or constitutions made by a general chapter do not have the force of a constitution unless approved by three chapters.”

**§13. THE CONSTITUTION’S DISTINCTIONS AND CHAPTERS** (Cf. §13.04.6)

“We have diligently written this book, in which we have designated two distinctions. The first Distinction contains *About the Office of the Church*, etc., and has 20 chapters. The second Distinction contains *About establishing and constructing houses*, etc. and has 15 chapters.”

**DISTINCTION I**

**CHAPTER I**

**§14. ON THE DIVINE OFFICE** (Cf. §24.08.1)

“Upon hearing the first signal the brothers arise saying Matins of the Blessed Virgin according to the time.”

**§15. PRAYING TOGETHER** (Cf. §24.08.2)

“Matins however, and Mass and all the canonical hours our brothers ought to hear together, unless the prelate might wish otherwise to dispense some.”

**§16. BRIEFLY AND SUCCINCTLY** (Cf. §24.08.3)

“All the hours in the church are to be said briefly and succinctly in such a way that the friars not lose devotion, and their study not be impeded in the least.”

**§17. WITH PAUSES, AND NOT PROLONGED**

“That so we say it is to be done that in the middle of the verse a beat with pause (*metrum cum pausa*) is kept, not prolonging the voice into the pause, or in the end of the verses, but, just as it has been said, briefly and succinctly it is terminated.”

**§18. ACCORDING TO THE TIMES**

“This however should be observed more or less according to the times.”

**§19. READINGS AND COMPLINE** (Cf. §24.08.4)

“At the time in which the friars have two meals, there is read in church before Compline the reading; ‘Brothers, be sober,’ (1 Pt 5:8).”

**§20. COMPLINE: CONFESSION, BLESSING, AND SALVE PROCESSION**

“When confession is finished and Compline said, the presider gives a blessing, and the hebdomadarian sprinkles holy water.”

**§21. PATER NOSTER AND Credo**

“Next the *Pater Noster* and *Credo in Deum* is said, which also should happen before Prime and before Matins.”

**§22. CONFIRMATION OF THE DIVINE OFFICE: DAY AND NIGHT (Cf. §24.08.5)**

"We confirm the entire Office, both daily and nocturnal, according to the *Correction* and arrangement of Venerable Father Friar Humbert, Master of our Order, and we wish that it be uniformly observed by all, so that no one is allowed to change anything whatsoever."

**§23. BELLS AND SIGNALS (Cf. §24.08.6)**

"Our brothers should have in their houses only one bell for all hours."

**§24. VESTMENTS (Cf. §24.08.7)**

"Only the hebdomadarian, both in choir and in procession, may use a cope."

**CHAPTER II**

**§25. ON INCLINATIONS**

"Matins of the Blessed Virgin having finished, when the friars come into choir, they should make a profound bow before the altar."

**§26. BEFORE THE BEGINNING**

"And when they come to their places, the prelate having given a signal, kneeling or bowing profoundly according to the time of year, they should say the *Pater Noster* and *Credo in Deum*, and again at a signal from the prelate, they should rise."

**§27. BEGINNING: THE SIGN OF THE CROSS**

"And so having begun the hour devoutly, having turned to the altar, they should sign themselves with the sign of the cross, and for the *Gloria Patri* should bow profoundly, choir to choir, or prostrate themselves according to the season, up to *Sicut erat*."

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## Humbert of Romans, O.P.

### Exposition on the Constitutions of the Friars Preachers

#### PROLOGUE

- 0.01 The things written below, whether for explaining certain constitutions, or for supplementing something less fully stated, or for solving certain doubts, or for expressing some unwritten customs, or for highlighting some notable items, or for explaining the simplicity of some things, or for other reasons, have no authority to oblige anyone to anything from the force of the text itself; but they have been written for this reason, so that the friars who have been concerned about those things to which they have vowed to live, and about which they inquire or have doubts, or sometimes busy themselves about, having left behind more sublime and speculative studies, would have some material for exercising themselves about such things to some beneficial effect. And so those who are unwilling to read, or who should not approve of what is read, are not to be judged blameworthy for this in any way. Those however who wish to read, and by reading might discover something which would result in something useful for religious life, should give thanks to the Redeemer, from whom all religious life proceeds, for whom it serves, and toward whom it leads.
- 0.02 Know, however, that the compiler of this work has diligently reviewed the statutes of diverse religious orders, ancient and approved in the Church of God, i.e. of the Cistercians, Carthusians, <sup>14</sup> Victorines, the Friars Minor, the Templars, and many others, so that from the experience which he has in many and various affairs of the Order, and from the authority of such religious orders, he might more surely define those things which are known to pertain to the nature of religious life. For this reason, the things which are said here should not be utterly dismissed.
- 0.03 Note too that here many things are left out, by which the things said here can be confirmed, either for brevity's sake, or because such confirmations belong to another work.

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#### §1. RELIGIOUS UNITY

- 1.00 **“Because a precept of the rule commands us to have one heart and one mind in the Lord, it is right that we, who live under one rule and under the vow of one profession, be found uniform in the observances of canonical religious life, so that the uniformity maintained in our hearts may be fostered and expressed by the uniformity we observe outwardly in our behavior.”**

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<sup>14</sup> The Bologna ms. adds: “Cluniacs, Praemonstratensians,…”

### C. 1. Against disturbers of the unity of souls.

- 1.01 **“Because,”** etc. It must be noted that the constitutions of the Praemonstratensians begin exactly in the same way, and from this one may conclude that it is true that our constitutions have been taken from their constitutions, since they preceded us; and this was right.<sup>15</sup> The Praemonstratensians reformed and enhanced the religious life of St. Augustine, just as the Cistercians did to the religious life of St. Benedict, and they surpassed all of these religious orders in austerity of life, in the beauty of observances, in the wise management of great numbers through general chapters, and visitations, and the like.
- 1.02 So since St. Dominic and the friars of his time were unable to obtain from the Lord Pope a new and strict rule confirmed according to their inspiration, turning from this rejected proposal they chose the rule of St. Augustine, not without merit since that rule was from the constitutions of those who were surpassing others of that order; they assumed what they found in them to be strict, beautiful, and wise, if they thought suitable. Not content however they added many other things to them, and they did not cease to add in their annual chapters, claiming the prerogative of the Order of St. Augustine for themselves, not only the office of teaching and preaching, but also, rightly, the life.
- 1.03 **“from a precept of the rule,”** etc. Here the authority of the rule is introduced for the confirmation of the constitutions, see also below in the chapters *On the sick* and *On most serious fault*.<sup>16</sup> And the rule has greater authority than the constitutions. Hence whoever acts against the rule sins more than one who acts against the constitutions. And this is true other things being equal; otherwise not necessarily. If however that which is in some constitution is more obligatory in itself, or is proposed in a more obligatory way, or it is not kept out of greater contempt than which is in the rule, in these cases acting against the constitution shall be a greater sin than acting against the rule.
- 1.04 **“we are commanded,”** etc. From this it is clear that for us unity of heart is a precept; so how heavy a conscience should one have who does not foster this in others; or, what is worse, who is disturbing others; or what is worst, who does not have it with others! Therefore, enemies of this unity and peace, who are sinning not just slightly or alone by themselves, but rather gravely and in the community, religion ought to seek out as the highest priority.
- 1.05 There are however many remedies besides serious penances, against those who are such, by which they are to be corrected.
- One is removal from society. Their company and conversation and familiarity are to be fled as corrupt.
  - Another is deprivation of power. They are to be deprived of voice<sup>17</sup> by their superiors in chapters, in councils and the like, since such power might be for them an opportunity for evil.

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<sup>15</sup> Cf. Tugwell, O.P., *Early Dominicans*, Appendix: The Early Dominican Constitutions, pp. 453-470.

<sup>16</sup> Cf. Distinction I, Chapters vii, and xix in the primitive constitutions (e.g. of 1375).

<sup>17</sup> “Voice,” the ability to vote for or to be elected to an office.

- Another is ejection from the convent. They are to be thrown out of their convent in penance and confusion, and transferred elsewhere; or if the hopeless infection requires it, imprisoned, or entirely expelled by those who have such power, of whom it is to devise and to apply vigorously these and similar remedies.

### C. 2. On the triple unity.

1.06 **“to have one heart and one mind in the Lord,”** etc.

Triple is the unity which we should have, namely of things, of morals, and of souls:

- Of things about which in the rule: **“let everything be yours in common;”**
- Of morals, about which below: “let interior uniformity be preserved in your way of life;”
- Of souls, about which here **“in the Lord (literally, in God),”** that is in those things which are of God;
  - not in those which are of the devil, that they are manifestly evil;
  - not in those things which are of the world, as are superfluities, curiosities, and similar things;
  - not in those which are of the flesh, as are carnally laxities, comforts and the like;
  - not in those which are our own, as are our own wills, and the freedoms to do whatever we wish, etc.; about which many more quickly agree, than in those which are purely of God.

1.07 Note that if one does not agree in these things with others, or if he sets himself in opposition to such things, he ought not because of this be judged impudent or an agitator, but rather just like Christ, as a strong athlete, he is to be praised by all and venerated. Not indeed with those who do not savor those things which are of God are we commanded **“to have one heart and one mind,”** but **“in the Lord.”** One should beware of anyone who abounds too much in “his own sense,” since he does not suppose to be according to God what seems to many good and wise people to be godly. For he ought to regard them as having more the sense of God and his Spirit than himself.

1.08 **“it is fitting,”** etc., that is, reasonable, that is, reason demands, **“that we . . . under one rule,”** namely that of Augustine, **“and under the vow of one profession,”** etc.

Many live under one rule, who however do not live under one vow of one profession. For all monks whether white or black live under one rule, that of St. Benedict; they are not however under the same profession: but the white under one, and the black under another. Those religious however are said to be under one profession who are under obedience to one prelate, like all the Templars, or at least under the same capitular rule, like all Cistercians.

### C. 3. On uniformity in observances.

1.09 Therefore we who are both under the obedience of one Master, and under one capitular rule, are rightly said not only to live under one rule but also under the vow of one profession. So **“it is fitting that we,”** who have such a unity, **“be found uniform in the observance of canonical,”** that is regular, **“religious life.”** So without doubt there

is found among approved religious orders of the same profession that they manifest the highest uniformity in externals; not only in observances, but also in habit, and in buildings, and in other such things. It is with a certain sigh that we must realize how very far we still are from them in this. For they have churches and workshops of the same form and arranged in the same way. We however have almost as many various forms and arrangements of churches and workshops as we have houses.

- 1.10 They have uniformity in the color of their clothing, the price, the form, the size; we however have not. One has a black cappa, another brown, another gray; one with a wide opening, another narrow, another very expensive, another cheap, another mediocre; another a tight capuce, another ample, another very pointed in the back, another rounded; another with a long collar, another very short; one wears it with many openings around the face, another with moderate; another wears it with folds around the cheeks, another without folds. One has a cappa covering the whole tunic, another much shorter than the tunic, indecently so; one with a notably short tunic, another notably long. As for the capuce, some have it long, some too short. Even for the lay brothers one wears a capuce or scapular of one kind, another, one widely different in color and in other ways we have mentioned above.
- 1.11 While other orders have uniformity in shoes, with us one has black, another tan, another simple and religious, another secularly supple; some tied one way, another in another way, some long and rising almost to the knee, another very low cut, and others in between. Not only in buildings and in habit, but also in certain customs both in the Divine Office as well as in other matters many differences are found throughout the various provinces, many even in the houses of the same province.
- 1.12 The reason for this variety is the variety of nationalities, inequalities of the provinces and houses, and the abundance of the experience of some. Since however there are diverse customs and diverse nations everywhere, their varied diversity bring diversity to the Order, though it be one Order. Although the houses and the provinces are equal, one province or house is not bound to follow the customs of another, or to conform itself to another. When to wise friars their customs seemed to be as good as others, they did not wish to change them, unless what should be observed is defined through ordinations of general chapters.<sup>18</sup>
- 1.13 If it is asked why general chapters have not concerned themselves about this matter, or that just as other religious orders of antiquity have preserved in writing their traditional uniformity, so should we have, it must be replied that the reasons for this are multiple:
1. One is from this, that there are few friars who have traveled through diverse provinces or many houses, and therefore there are few who have seen such varieties; but they think that it happens everywhere as it happens in their own houses. So, because they are ignorant of such variations, they do not institute them, nor have they sent petitions to the chapter that directives may be given in these matters.
  2. Second, from this, that many, although they are aware, nevertheless consider it

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<sup>18</sup> "General chapter," the scheduled international assembly of friars, held annually in the early years of the order.

superstitious to make constitutions about all these things; but it would not be safe to judge men of approved religious life and seniority to be superstitious who have instituted similar things in their religious orders.

3. The third is from this, because of the poverty of the Order it is judged almost impossible to observe uniformity in many things. Because of poverty indeed we sometimes do not have uniformity in clothing. One is better and another worse, another mediocre, according to what is given to them in alms by outsiders, and so it is in many other things concerning the above.
4. The fourth is from this, that in certain matters it is not expedient. When however, we are living among the people, in some things it is expedient that we be conformed to them rather than preserve unity. According to the custom of a certain land the friars give the blessing in private masses in the end; others do not. And so it is fitting in many other things. Those religious who do not dwell among the people can better observe uniformity of this kind.
5. The fifth, from this, that the diffinitors<sup>19</sup> are always afraid to offend the friars by a multitude of constitutions.
6. The sixth is from this, that for the diffinitors there is so much more to deal with in regulating those things which are greater and more necessary for the Order, that they are not able yet to find the time concerning these matters. They will make time however in the future for these, the Lord willing; just as other religious orders did not legislate such things immediately from the beginning, but in due time.

1.14 It is fitting however that such happen; for from this variety two evils follow:

1. First is the disturbance of the hearts of the friars: the friars are frequently disturbed, when passing through diverse places, they see certain things are observed otherwise than they had seen elsewhere;
2. The second is a confusion for the lay people. Such variety leads to the opinion that we are not of one brotherhood or profession, but of diverse; and so when it was said: **"that we be found uniform in the observance of canonical religious life,"** it is well added, **"in order that the uniformity maintained in our external conduct may foster,"** and this against the first evil, **"and indicate,"** and this against the second evil, **"the unity which should be present interiorly in our hearts."**

Those however who do not care about this uniformity, and disturb the unity of fraternal charity, signify that they internally do not have unity<sup>20</sup> with the rest.

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## §2. ON THE NECESSITY OF WRITING CONSTITUTIONS<sup>21</sup>

2.00 It follows: **"This will be able to be achieved more readily and more completely and in the forefront of our memory, if the things which we are obliged to do were committed to writing."**

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<sup>19</sup> "Diffinitor," a friar elected as a representative to a general chapter.

<sup>20</sup> The Bologna ms. alone reads "charity" against the tradition's "unity".

<sup>21</sup> Cf. §13.04.1.

#### **C. 4 Why it would be fitting that what is to be done be committed to writing.**

- 2.01 There are some religious who besides their rule have nothing in writing; but in their actions they rely only on custom, or reason, doing what seems reasonable to them; others following the ordinations of their superiors, what they ordained or commanded in writing.
- 2.02 And this is more praiseworthy:
- what they have in writing is more easily learned.
  - it is not easily forgotten.
  - things written instruct more sufficiently, because they are formulated with greater discretion and counsel; rare are those of such sufficient sense that they by themselves are sufficient for knowing what should be done, as written documents teach.
  - it diminishes doubts: where indeed writings are lacking. Frequently even the wise doubt what is to be done in many situations, and sometimes arguments thus arise; writings however settle these things.
  - often when they are read, they incite to action.
  - they offer a greater authority even to superiors for better compelling subjects, since they are able to allege that what they suggest to be done has been written; and because of this, if it has been committed to writing, the agenda is followed more properly.
- 2.03 Hence it is that not only the constitutions, but even the ordinations of general and provincial chapters are reduced into writing, and it is ordered that everywhere they should be kept and preserved in writing, and especially admonitions, so that they be more diligently observed.
- 2.04 Even the Cistercians leave the ordinations of their visitation in writings, which are presented to the next visitor to see how they have been observed.
- 2.05 Our prior provincials or visitors sometimes leave something in writing, and this is good, whenever more obvious situations happen, for the same reason. If however more had been handed over more completely to us, the friars could have avoided many reprehensible situations, and in many ways the Order would have laudably progressed.
- 2.06 It would be of less benefit that these be commended in writing, if the writings are not made known by reading or hearing; therefore, it is added: "**if how we ought to live is made known to everyone by written testimony.**"

#### **C. 5 Which books of the Order should the prior provide for the convent.**

- 2.07 Therefore the superiors ought to be solicitous that they have the diligently corrected constitutions in every convent, so that alongside of the book of constitutions, they have the admonitions of the general and provincial chapter, as well as the privileges of the Order.

- 2.08 They should also have everything which pertains to the Divine Office, since even this falls under the constitutions, and anything else in writings which has been given over by the Order to be observed by the friars. From a lack of these someone out of ignorance might excuse himself and observe less than what should have been observed.
- 2.09 But what should be done about those who, although they have these things in their convents, nevertheless do not know them, nor care to know or study them?  
I reply: When they are proclaimed about these, psalms should be enjoined to them which within a certain time they read diligently, and even better the aforesaid constitutions or admonitions, or the *Ordinarium*, and so about others, according to which their negligence requires.
- 2.10 The priors and subpriors ought to see to it that when many friars were in the house, they should read the aforesaid writings at table three or four times, or more a year, or some of them which it is more required to know, like the *Ordinarium* of the ministers of the altar, and certain other more necessary rubrics, so that the friars who are rarely in the house, then at least get to hear these things.

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### §3. CHANGES

- 3.00 There follows: **"if it is permitted to no one to change or add or subtract anything on his own authority."**
- 3.01 There are three things which make for the competent observance of the aforesaid uniformity:
1. First is the commitment of things to be done to writing, about which that: **"if the things which we are obliged to do,"** etc. (C.4)
  2. Second is the knowledge of the writers, about which that: **"if if to everyone in what way,"** etc. (C.5)
  3. Third is the precise observation of things known, about which this, **"if . . . to change,"** etc.
- 3.02 What does it profit to commend the agenda to writing, if what was written is not known. And of what good is it that the writings be known, if they have not been kept accurately? And so it is added after the aforesaid this third: **"if . . . to change,"** etc. as if it were said: then truly the above uniformity **"more completely and fully it can be kept,"** if the agenda not only was written, and the written not only known, but also known to have been preserved so accurately that no one would have dared to add anything, or change it or diminish anything.
- 3.03 But what is this change called?  
I reply: The assumption of one thing for another, as if a literate lay brother might say the Office of the cleric for himself. This, and similar things are not permitted to happen by one's own authority, even though change would happen for the greater, but it might happen by an outside authority in a situation for a reason: but not generally unless through a statute.

- 3.04 But contrary: What is said in the rule about the superior and priest has been changed among us, and without a statute; all the more, then, can such a general change happen concerning the constitutions.  
I reply: This change is only nominal, because such offices remain among us under other names, and so it should not be considered a change, since this rather deals with things than with names.
- 3.05 But again it is asked about this, what **“to add”** means.
- Is it never permitted to a friar to add something of supererogation over and above what has been written?
  - Do not prelates give many admonitions and ordinations over and above the written constitutions?
  - Do not the diffinitors of the chapters do the same?
- 3.06 I reply to the first:
- There are some supererogations from these which are outside the Order or do not pertain to the Order, like wearing a hair shirt or an iron belt. It is not permitted for someone to use these of his own will, especially if notice of this would introduce variety.
  - There are some supererogations which are according to the Order, or pertaining to the Order, like sometimes prolonging a vigil, or eating less than the usual portion, etc. This is permitted as long as it is not forbidden. Such a supererogation regarding pertinent matters is not called an addition, just as in the last chapter of the Apocalypse where it is said: “If any man shall add to these things,” (Rv 22:18). They are not called additions, but according to the *Gloss*, expositions which are pertinent to that.
- 3.07 To the second and the third it must be said similarly that the prelates and diffinitors are permitted to impose some things about pertinent matters; but this is not called an addition, as has been said.
- 3.08 About non-pertinent things, we distinguish.
- For a time or to certain ones it is permitted for a good reason to impose things not written. For example, for some supplication it is permitted to require that to every meal through the year, the friars should walk in procession barefoot, or that some might wear a hair shirt as penance. This is not an addition, and it is well derived from the written constitutions that such matters are permitted to prelates.
  - If however prelates and diffinitors should wish to impose such things to be commonly observed, with no constitution made about this first, this is not permitted to them, nor are the friars bound to obey, because they profess their obedience only according to the constitutions.
- 3.09 But from this arises a question: Whether the friars are bound to observe unwritten constitutions?  
It seems not, for they have promised obedience only according to the constitutions. And so they are not bound to keep customs, which are not in writing. If this is granted, many inconveniences result. According to this they are able to wear black tunics and white cappas, because nothing is written about the color of these habits and so for many other things.

To this it must be said that that they are bound to approved customs, and those which are commonly observed. Custom is an unwritten law; constitution, a written law. Hence since each is law, each binds.

- 3.10 To that which is objected to the contrary, the response is that
- Such customs have been implicitly inserted in the constitutions, just as it is clear from that constitution which says that “**custom in the Order observed for a long time, etc., the master is not able to change,**” and from that said above which says that “**we are to be found uniform in observances,**” which would not be, unless customs of such kind are commonly observed by all; from which is elicited that they are to be observed. Whoever therefore promises obedience according to the constitution, consequently promises according to its customs, which constitutions say are to be observed.
  - Besides, if the constitutions would not say, nevertheless the friars are still bound by positive law, because such law says that approved customs should be observed.
  - Not only does positive law say this, but also natural law. Well disposed reason dictates that whoever is living among others ought to keep their approved customs.
- 3.11 If however someone opposes and says: Therefore whoever acts against custom, sins mortally, because he acts against natural law and positive law, it must be said that natural law says that hateful words should not be said: but it is not so strict that one falls immediately into mortal sin, and the same holds true even more so in positive law. Thus it is not necessary that whatever is contrary to natural law or positive law is mortal. The aforesaid customs, however, bind by reason of the constitutions, and of positive law, and of natural law.
- 3.12 But if it is said that since they are not written they are not added, it has already been answered because they are already written implicitly, although not expressly; or otherwise it is said that it is not permitted to add anything by one's own will. These, however, are not added by any individual will, but by communal approval, because custom is a certain law instituted by a way of life and continuous acts of men.
- 3.13 Finally, it is asked about that which is said: “**to subtract.**” It is put in this way: that should someone be incapable of some observance of the Order, like fasting, or something else, what shall he do if he is it not permitted to diminish in regard to these what has been written?  
The answer is that he should seek a dispensation. If however it is denied, he could appeal to a superior. If however he is not able to appeal, or is not able to obtain it, we distinguish:
- because either he is incapable, that is entirely incapable, and so something is not diminished by his own will, but by necessity, and he is excused by incapability,
  - or he is incapable, that is less able, and then he who is doubtful ought to trust in the good of obedience, and to do what he can, leaving the future outcome in the hands of the Lord.
- 3.14 But it is proposed that he can rise for Matins, although with difficulty: nevertheless, knowledgeable doctors agree that he would soon become ill, unless he cease. He is not

able to get a dispensation. Is it not permitted to him to remain in bed, and in this case to diminish this observance about rising?

I reply: such a person is considered entirely incapable, if about this there is not a doubt among skilled doctors; and the same must be said as what was said about the entirely incapable.

- 3.15 Again, it is asked: Although it is not permitted for someone by his own authority to diminish his observance without the said necessity, is it not permitted for a prelate to dispense him that he diminish something?

I reply: It must be said, yes; not by his own will, but for a reasonable cause, apart from necessity.

- 3.16 But it is posited that without a reasonable cause he might command a friar that he not fast during the designated fasts, that he eat meat, etc.: Is he not bound to obey him, and by such obedience diminish something of the statutes?

I reply: He ought not easily judge that the prelate does not have some reasonable cause for this injunction, for perhaps he does it to humble him, or for some other reason which he does not know. If however it is entirely clear that he does not have a reasonable cause, he is not bound to obey him. Professions made according to some statutes, are not to less, to more, or to the contrary. And just as one so professing is not bound to more, or to the contrary, so neither to less. Bernard in his book *On Precept and Dispensation*: "Neither bound [by the law of obedience] to more, nor restrained to less, than what one's own profession seems to include. Much less to what is contrary?"<sup>22</sup>

- 3.17 But, still, it is asked whether through custom something might be diminished from the written statutes, just as through custom some things have been added?

I reply, no. If such a custom precedes, the statutes repeal it; and it ought no more to be observed. If however it follows, when it is introduced or reconfirmed, such an act, contrary to custom, either this happens without dispensation, then it is a corruption, not a custom; or it happens with a dispensation, and then a custom is not generated, because just as the laws say, no action creates a custom unless it happens with such a mind that a custom is introduced.

- 3.18 To the contrary: That which has been written in the rule about asking for books at a certain hour, and not having them at another time, is observed nowhere. Either this is good, or it is bad. If bad, then all are in sin. If good, but we do not have an exemption for this from the Pope, or from some rule, but only from custom; therefore, custom diminishes some article from the rule: so much the more can it do so from the constitutions.

I reply: the force and fruit of this command consists in two things: one is that sometime there is reading; the other is that in taking time for reading other duties should not be set aside, like praying, etc. And so it is said: "outside that hour...he does not receive them,"<sup>23</sup> lest perhaps on this occasion he skips choir or the such. It is greater and more fruitful to read at length, like we do, than a few hours.

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<sup>22</sup> Bernard, *De praecepto et dispensatione*, ch. v, n. 11 (PL 182:867 B).

<sup>23</sup> Augustine, *Regula*, V, 10.

It has been provided according to other ordinations that on this occasion we do not dismiss other tasks in their time: therefore, we keep the force of this command. Moreover, we do more, although we do not keep it in the manner spelled out in the rule. This article is not diminished, but improved.

3.19 But still there is an objection: It is clear that this manner is not kept. By what authority has the manner been dismissed? By reason of custom?

I reply: It has not been dismissed, because it was never assumed. Since from the beginning the friars wished to be preachers, and the option was given to them to select a rule befitting their state, seeing that in the rule of Augustine there were many things which were more fitting to such a state than in other [rules], they preferred it. Nevertheless, because there were certain things in it, although the excellence of which befitted such a state, nevertheless the manner or names were not fitting. Certain of these they did not assume with respect to the manner or the names, just as has been said above about the names "superiors" and "priests," nor were they kept; hence they have not been removed by custom, because they had never been kept.

3.20 But from this it is objected: We do not keep the whole rule of Augustine?

I reply: this must be conceded with respect to the manner of observance, and the names, and certain similar things, although with respect to substance of the commands we keep them. Nor does it follow: Therefore, we are transgressors, because none of us promised to keep the rule of St. Augustine, but to obey according to the rule of St. Augustine, that is not according to the rule of St. Benedict, or of some others. As Bernard says in his book *On Precept and Dispensation*,<sup>24</sup> one will be able to live well according to a certain rule, although he does not keep the entire rule to the letter with respect to the names and manner, just as one is said to live according to the Gospel, although he does not keep everything which is in the Gospel; and [worship] according to the Greek rite, although he does not keep everything of that rite, but keeps the basics. But note that this ought not to happen regarding the constitutions, because the friars themselves formulated them, and handed them down according to the manner which befits the Order; hence there is nothing in them which ought not to be observed, both with respect to the thing, and with respect to the manner, and they should be kept precisely, without change, without addition, and without diminution.

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#### §4. NOT NEGLECTING THE MINIMAL

4.00 However, lest one might judge this to be less reasonable, this explanation is added and it says: "**lest if we neglect the minimal [mandates], we gradually fall away.**"

4.01 It must be noted that none of those things which pertain to the good or the evil of the soul are simply speaking minimal; but with respect to the greater they might be called minimal, and so here certain things are called minimal.

4.02 There are indeed great mandates of God: but the mandates of the Church, or of the Supreme Pontiff, are small in respect to them; lesser are the rules of the founding

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<sup>24</sup> Bernard, *De praecepto et dispensatione*, ch. xvi, n. 48 ( PL 182:887 A).

fathers, like Augustine, Benedict, and others like them: but minimal are the mandates of those following them, of those making constitutions. And understand how much it is on the part of the ones commanding, and not on the commands. For the Supreme Pontiffs and Councils have greater authority than Augustine or Benedict; these however are greater than the moderns soldiering on under them.

4.03 To the contrary, it sometimes happens that with respect to the nature of the mandates, that mandates superadded to the rules in the constitutions are of greater perfection than the mandates of the rules, and the rule-mandates are greater than the mandates of the Church. Therefore, in this way the mandates of the constitutions are here called minimal, and they are called minimal on the part of their author. They are called minimal in obliging, because although they might be great in obliging one keeping them out of charity, yet they are least of all in obliging, because their transgression does not lead to sin. Nevertheless, they should not be neglected, but strictly observed.

4.04 On the contrary: The Lord in the Gospel condemns those who strictly observe the least things, saying (Mt 23:23), "Woe to you, scribes and Pharisees. . . You pay tithes of mint," etc. I reply: Although here he curses, not however because of this, but because something else which he adds, saying: "and have left the weightier things of the law;" otherwise he would not have added, and said, "and not to leave those undone," implying that even the minimal ought not be neglected. Therefore, the opinion of the Lord does not differ from this, but agrees.

### C. 6 On keeping the lesser observances.

4.05 Therefore the least things of the constitutions should be diligently observed, and this for many reasons.

- It counts for the accumulation of merit. Just as indeed the humbling regarding visible things in the sacraments make for greater merit, so also is humbling minimal regarding such matters.
- For the edification of our neighbors. One's interior disposition does not edify like exterior deportment.
- For the exercise of virtues. For in these obedience is tested, and humility, etc.
- To impede greater evils. How does one who keeps silence get involved in slander, or arguments, etc.? Silence therefore is an obstacle to greater evils, and so are other observances.
- For the preservation of greater goods. Just as, "Where the fence is broken a little, the possessions shall be plundered," ( Sir 36:27), so when the constitutions are broken, greater goods are more quickly dissipated.
- For spiritual enrichment. Whoever gathers a little, is enriched, and whoever neglects to keep it is impoverished, even if he be rich. And so it is said, ( Sir 19:1), "A workman that is a drunkard," who neglects to save a penny and a pound, when he has it, and immediately spends it in the tavern, "shall not be enriched," and whoever neglects the minimal observances, little by little falls into ruin in a similar way.

And so is fulfilled what is said here: "**lest we neglect the minimal,**" etc. Therefore,

they are to be strictly observed, and such minimal observances should not to be neglected.

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## §5. DISPENSATIONS AND THE CONSTITUTIONS<sup>25</sup>

- 5.00 But lest it be believed that in no situation can something of these which would be too difficult be relaxed, it is added: **“For this reason, however, the prelate shall have power to dispense the friars in his convent when it shall sometimes seem expedient to him.”**

### C. 7 Questions about the power of dispensing, and notes about it.

- 5.01 But it is asked about such power whether or not they have a like power of introducing strictness, since rigor is the austerity of law; dispensation, its relaxation?  
I reply, yes; and this happens frequently through admonitions.

- 5.02 But it is asked: Suppose that this constitution has not been written, could not one be dispensed from constitutions by common law?

I reply, yes:

1. There is a certain commandment in which one is not dispensed, neither by God, nor by man, that is the commandment of loving God, and similar purely spiritual things;
2. there is another in which one is dispensed by God, not by man, for example about not fornicating, in which acts not merely spiritual are involved, and they are of divine law, in which the Lord has dispensed Hosea, according to one opinion;
3. another in which one is dispensed by a man for a reason, as are human statutes produced by man.

- 5.03 The first Bernard calls, in the book *On Precept and Dispensation*,<sup>26</sup> “inviolable”, because of its dignity; the second “incommutable”, because of the authority of the one commanding; the third “stable”, because of the will of one promising, or the necessity of those subject, because statutes of superiors ought to keep stability, nor is it permitted to subjects to violate them even a little, although it is permitted to superiors to dispense regarding them. Such are the constitutions, and so in common law it can be dispensed regarding them, even over those who do not have this expressly in their statutes; and so it would have been permitted among us, even if it had not been written.

- 5.04 But then is asked: If it is permitted by common law to dispense in these matters, to whom is this permitted?

I reply: it is permitted to those who are ministers of God, and dispensers of his mysteries.

- 5.05 But then it is asked: since there are many ministers, such as bishops and many others, who are these ministers to whom this belongs?

I reply: Priors and prelates of religious. And this for two reasons.

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<sup>25</sup> Cf. §13.04.2

<sup>26</sup> Bernard, *De praecepto et dispensatione*, ch. ii, n. 4 (PL 182:863 B).

- One is from the nature of obedience. Dispensation is more fitting to those ministers to whom religious subject themselves out of obedience, and according to the statutes they have promised to live, than to others.
- Another is by law. According to law dispensations which are not reserved to the Pope or to other major prelates, are left to the lesser. Hence when such are not found to be reserved to others, it belongs to the priors of monasteries by common law.

And to this is the argument *Extravagantes. On the status of monks: When at the monastery*, where it is said that the abbot is not able to dispense regarding the renunciation of ownership, because it is of the substance of the monastic vow.<sup>27</sup> From this it results from the opposite that in those things which are not of such substance he can dispense.

- 5.06 But from this it seems that this constitution would be superfluous, since without the constitution the same thing would happen.  
I reply: It is not superfluous, because many do not know this truth, and might have doubts about it, if the constitution were not to expressly state it.
- 5.07 And so because of such an expression prelates and friars can have for themselves a better conscience, and greater generosity in dispensing and in receiving a dispensation, because what is permitted by common law, is permitted more liberally by private.
- 5.08 From this constitution it is not only expressed that it is permitted to dispense, but the manner and form of this power, from that which is contained in it.
1. It is said about which things dispensation can happen, when it is said: **“For this;”**
  2. and where, through that which is said: **“in his convent;”**
  3. and who, when it is said: **“the prelate;”**
  4. and with whom, when it says: **“the friars;”**
  5. and when, when it says, **“sometimes;”**
  6. and for what reason, when it says: **“when it shall seem expedient to him.”**
- But about these things there are many doubts.
- 5.09 And about the first it is asked about the Latin, **“For this”** (*ad haec*)? It does not seem to be good Latin if it is said: he has the power of dispensing “for this.”  
I reply: The meaning of “for this,” can be “about this (*circa haec*).” But this way of speaking is not usual, and so it is said with the supplement: “for this,” namely for changing or diminishing. The words would have been clearer if they would have said: “in these (*in iis*),” namely the aforesaid minimal [observances], i.e., in the aforesaid written constitutions, they have the power of dispensing: and this is this meaning of the sentence.
- 5.10 But it is asked about this first matter:
1. whether the prelate can similarly dispense regarding the rule;
  2. second, whether regarding the unwritten customs;
  3. third, whether regarding the admonitions which come from superiors;
  4. fourth, whether in all constitutions, since it is said indistinctly: “for this,” without

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<sup>27</sup> *Codex Iuris Canonici*, Decretals of Gregory IX [*Extravagantes*], Bk. III, Tit. xxxv, Ch. 6.

exception;

5. fifth, if it is said that not in all, it is asked in which does he have power;
6. sixth, whether he is able to dispense someone in everything with respect to the rule and constitutions, and to absolve him from his obedience;
7. seventh, if not for all, at least in how many?

5.11 I reply:

To the first it must be said that he is able to dispense in the rule with respect to some things which are not of divine law, and about this the same reasons which have been said above about the power of dispensing in the constitutions by right of common law; and this is the thought of Bernard in the aforesaid book saying: "I have called a stable mandate necessary, because it is not permitted for anyone whomever to change it,"<sup>28</sup> but only those in charge of the rule of Augustine, of Benedict, etc. Although these can, nevertheless they ought not to do so as easily as in the constitutions, because of the greater authority which the rule has.

5.12 For the second it must be said yes, both because customs fall under the constitutions as has been said above: and so if it is permitted in the constitutions, it is permitted in them; and because this very custom has been commonly approved, that dispensations be granted in these matters.

5.13 To the third it must be said that if some situation occurs in which it is clearly presumed that it was the will of the major superior that in his admonitions in such a case inferiors are able to dispense, in the hope of ratification, one may in such a case be dispensed; otherwise ordinarily the benefit of this constitution is granted only to some: "Formerly the master or prior provincials," etc.,<sup>29</sup> where it is said that in special cases they can change some ordinations of the chapters, which nevertheless are above them. The reason for the difference is that rules, or constitutions, or customs are like law; in these however which are of law, dispensations are left to inferiors, when the superiors who established the laws do not restrict them to themselves. Admonitions, however, are mandates of men, for a mandate of a man no one can relax or modify, unless only the mandator or superior. It is similar, because from the sentences of a man no one can absolve except the man excommunicating, or a superior. From the sentences however of law, which the lawmaker did not reserve to himself, inferiors are able to absolve. Whether however they sin always who act against the admonitions without a dispensation, will be dealt with below.

5.14 To the fourth it must be said that one cannot dispense in every matter without exception; and that which is said "generally without exception" must be reasonably understood. For there is hardly any rule of law, which is generally proposed, which does not have an exception.

5.15 The fifth it must be dealt with in this way.

- There are some things in the constitutions which are of divine law, as where it

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<sup>28</sup> Bernard, *De praecepto et dispensatione*, ch. ii, n 4 (PL 182:863 B).

<sup>29</sup> *Primitive constitutions*, Dist. II, c. ix : "On the solemn celebration of a general chapter."

speaks about humility of heart, etc.;<sup>30</sup> and about these the prelate is not able to dispense.

- There are some things which are from an ordination of the Church, like that the hours are said by those who are in sacred orders; and in these they cannot dispense, unless the matter were such that the Church had left this dispensation to such a prelate.
- There are some things which are of the substance of religious life, such as the renunciation of property: he cannot dispense in these. Cf. *Extravagantes: On the status of monks: when at the monastery*.<sup>31</sup>
- There are some things in which dispensation has been forbidden, as in the penalty for breaking silence at meals; he cannot dispense from this, because in this case, the special derogates the general.
- There are some things which are reserved to the superior, like not going to the Curia without permission of the master, and certain others; in these the inferior cannot dispense.
- There are some matters beyond them, like things which pertain to a higher jurisdiction; he cannot dispense in these, because neither is the conventual prior able to dispense in those things which pertain to the provincial, nor is the provincial in those things which pertain to the jurisdiction of the master.
- There are some things that are contrary to himself, as, when he is accused, and the convent would send a *socius* (a friar delegate) against him to the chapter; he cannot dispense in this.
- There are some things the relaxation of which would manifestly result in the dissipation of the Order, as that the brother would never study, that they would always eat meat, etc. he cannot dispense, because dispensation is one thing, dissipation another; and in this case we are mindful of that which St. Bernard wrote in the aforesaid book: "He who is elected abbot is appointed over the transgressions of the brothers, not over the traditions of the fathers."<sup>32</sup>

5.16 To the sixth it must be said no.

- Nor is it a problem if it is objected that someone can absolve another from a promise made, because this is true when it happens only with respect to a man: for a promise of obedience, although it is made in the hand of a man, nevertheless it is with respect to God, indeed, even to God himself, because it is said there: "I promise obedience to God," etc.
- Nor is it a problem if it is said that he absolves him when he gives permission to transfer to another more rigorous religious order: in this case he is not absolved by a man, but by law, because he can transfer even without his permission, and be absolved from the first obedience. The fact that, according to the law, he ought to seek permission, does not happen for obtaining absolution, but lest he seems to transfer out of contempt, or for another bad reason.
- Nor is it a problem if it is objected about him who is expelled by a prelate because of guilt. He still belongs to him, just like a sick sheep belongs to the shepherd,

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<sup>30</sup> *Primitive constitution*, Dist. I, ch. 14, On the instruction of novices: The novice master "should teach them to have humility of heart and body according to the text 'learn of me, because I am meek, and humble of heart,'" Mt 11:29.

<sup>31</sup> *Codex Iuris Canonici*, *loc. cit.*

<sup>32</sup> Bernard, *De praecepto et dispensatione* ch. iv, n. 9 (PL 182:866 A).

although it be segregated from the flock; nor is the prelate absolved from care of one so expelled, nor is the one expelled absolved of his obedience.

- 5.17 For the seventh it must be said that he can dispense in as many matters with respect to dispensable things at the same time and at one time, as often as such reasonable causes are found.
- 5.18 If, however, it is objected that according to this, one might lead a somewhat laxer life among us, than that which he would have in a laxer religious order to which he was not able to receive permission from a prelate to transfer. This is true, we say, but note that he who received such a dispensation is still in the hands of a prelate, so that when he should wish, he might lead a more austere life. But he who is in a laxer religious order does not have any incentive to sometimes lead a more austere life. Therefore, it is better for the prelate to dispense someone that he might so lead a lax life under him, than to authorize his transfer to a laxer order.
- 5.19 Next it is asked of the second (Cf. §5.08.2): It seems that through this constitution, where it is said: "**in his convent,**" power for dispensing is not conferred to the master, or to the prior provincial, since these do not have their own convent.  
I reply: About these it is supposed that they certainly have it about these matters; but lest it seem that conventual priors, as lesser superiors, do not have, it more expressly speaks of them, as if it were saying: "about these matters not only major superiors, but even lesser, that is whomever in his convent, etc." Yet it would have been clearer if this phrase "in his convent," were removed and it would just say: "For this, the prelate, etc." And perhaps it was added by mistake, because it was found thus in the constitutions of some religious orders who had only conventual prelates. Hence it was taken up, and through negligence has been admitted, just as many other things in diverse places in the constitutions.
- 5.20 Does not a prior have the power of giving some permissions in another convent, as it is accustomed to happen in chapters?  
I reply: He does not have it by benefit of the constitution over friars not his own; but can have it by commission, whether express, or tacit. This is considered the situation when it happens publicly, and this is tolerated by those to whom it pertains.
- 5.21 Does he not have the same over visiting friars, when they are in his convent?  
I reply, yes, because then they are in a certain way under his jurisdiction, and so perhaps more fortunately it says here: "in his convent" than: "from his convent;" because he can dispense not only for those who are from his convent, but also with others who are sometimes "in his convent."
- 5.22 But it is asked that if one's own prior is in that place, and he disagrees with him about something, whose will does he obey in that convent: his or the other's?  
I reply: To the will of his own prior, for he is simply under his jurisdiction.  
Nevertheless, the prior of the place shall be able to give permission to that prior and subject, or to remove from them obedience of the friars, or to punish in similar matters, if they have been notably rebellious to him in something.
- 5.23 Next it is asked about the third (Cf. §5.08.3), who is called here "**prelate**"?  
I reply: He is called prelate whoever has the care of souls there, and only such.

- 5.24 If it is objected: Therefore, the sub-prior, or master of novices do not have the power of dispensing in something, it must be granted; neither these, nor some other of the lesser officials have such power by virtue of the constitution, but they have it by commission. Everything that without which the fitting exercise of office would not be possible is committed to them in the conferral of an office. They cannot extend [their power] to other matters without commission.
- 5.25 But it still is objected: In certain convents the hebdomadarian gives some permissions, when the prior or the sub-prior cannot be found, and yet he is not a prelate.  
I reply: such permissions are not valid unless by the expressed or tacit commission of the prior, as was said above in similar matters.
- 5.26 Again, it is asked whether a superior prelate has a greater power for dispensing than an inferior, and whether a dispensation made by him counts more?  
I reply: He has a greater power with respect to number, because he can dispense more and about more; but not with respect to the intensity in those in which both can. Moreover, the dispensation given by a lesser superior is just as good and firm as one by a greater about the same matter in which they both can, all things being equal. It can, however, be said presumptively that the one given by the greater is better, because the presumption is that it be done more wisely; or better with respect to efficacy, because the superior can revoke the dispensation of the inferior, and not conversely.
- 5.27 But then it is asked: Given that the inferior commands a friar to not use the dispensation given by a superior, is he not bound to obey? And it seems yes, because it is not contrary to God not to use such a dispensation, and he is bound to obey in all things which are not contrary to God.  
I reply: He is not bound to obey, because in this he is exempt from his obedience, just as an exempt abbot is not bound to obey a bishop in those things in which he is exempt. What is said to the contrary is false, namely that the friar is bound to obey in all things which are not against God, because no one promises, nor is one bound to something beyond profession, although many things which are beyond profession are not contrary to God.
- 5.28 Next about the fourth (Cf. §5.08.4), it is asked: If a prelate should dispense his friar about something, and the friar does not wish to accept the dispensation, cannot the prelate force him to accept the dispensation?  
I reply, yes, for a [good] reason; otherwise he cannot. Bernard in the aforesaid book: "A prelate cannot augment my vows without my will, nor diminish them without a certain necessity. Otherwise the remission of a vow without some necessity is not a dispensation, but a lie."<sup>33</sup>
- 5.29 But again it is asked whether similarly he can compel an outside friar to accept a dispensation, like eating meat, etc., and whether the outsider is bound to obey in this?  
I reply no, except in the case in which not to use that dispensation would be a sin, and consequently contrary to order.

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<sup>33</sup> Bernard, *De praecepto et dispensatione*, ch. v, n. 11 (PL 182 :867 C).

- 5.30 If however, it is asked: Since he is able to compel the keeping of order, why not compel receiving a dispensation?  
It must be known that to a conventual prior is committed the keeping of order in his convent by the authority of the Order in general, which wishes that there be conventual priors for keeping order in the houses. And so consequently all jurisdiction has been granted to him which pertains to keeping order. He is able to do whatever pertains to keeping order in his house; and for this, howsoever indirectly, all visitors come under his jurisdiction by the authority of the Order. So since a condition of order might be hurt if a visiting brother would omit those things which pertain to order, and so in the place where he has jurisdiction a prelate can force someone to keep order. Where however there is not such a necessity that he not use the dispensation it is not a sin. From the fact that he does not use it, the condition of order is not worsened, but rather bettered. And so such jurisdiction is not extended to this.
- 5.31 But according to this it seems that he cannot dispense an outsider, because the dispensation does not happen to keep order; but rather it is a relaxation of order.  
I reply: A dispensation happens for the preservation of order
- through the manner of provision, – the order would be violated rather if what happens sometimes with a dispensation were done without dispensation.
  - compulsion, through the manner of necessity,
  - correction, through the manner of punishment.
- And so a prelate can both dispense, and compel, and punish any and all delinquents, where he is responsible for order; but not to force the use of a dispensation. Just as the lord of the vineyard can permit someone to enter the vineyard, or restrain him from doing damage, or to punish him for doing so, but not force him to exercise the permission.
- 5.32 But again it is asked: Are not officials able to act in some things against the constitutions by their own authority without another dispensation?  
I reply: All things without which an office cannot be exercised have been committed to them with the imposition of office, and it generally has been granted to them in these things. In other matters however they can do nothing without special dispensation. But because it is difficult to determine which are the things in which they cannot exercise their office, therefore it would be good if every official should approach the prelate, when they are first given an office, so that he might determine for himself his will regarding such permissions, and the prelate should freely grant him the general permissions which he shall see as expedient.
- 5.33 But again it is asked: Can a simple friar, who is without an office, in some situation, act contrary to the constitution without a dispensation?  
I reply, yes,
- in the case of necessity, like eating meat; because necessity is not subject to law, especially to positive law.
  - In the case of charity: silence ought not to be preserved, when with a word one can prevent a great evil. Not praiseworthy was the religion of a certain nun, about whom it is said that she let herself be assaulted by a lecher in the dormitory, remaining quiet lest she break silence. Since observances have been instituted for the sake of fostering charity, they ought not militate against charity, just as Bernard

says in the aforesaid book.<sup>34</sup>

- In the case of ignorance, provided it be the kind which excuses totally.

Nevertheless, understand that in the first two cases seeking permission ought not be neglected, if it can be obtained.

5.34 Finally it must be noted about the fifth (Cf. §5.08.5), that concerning dispensations generality both of places and of persons, and even of times, is always to be avoided, lest from this a custom is introduced:

- of places, because it would not be safe that the master would dispense something for the whole world, or the prior provincial for his whole province;
- of persons, because a dispensation should not be given to a whole convent unless for the greatest of reasons;
- of times, because dispensations which happen with some should not have a certain time, just as it happens with those who always before the beginning of Lent are accustomed to have some recreations by way of dispensation; which is not commendable, because it is already considered by some to be a custom, although it is only a grace. Because of this it is well said, "sometimes," which implies a time not only partial, but also uncertain.

5.35 About the sixth (Cf. §5.08.6), it must be noted that a dispensation regularly should not proceed from the will alone of the one dispensing, but for a reason. Whence St. Benedict, when he left some things to the dispensation of the abbot, never said it is left to his will, but to his prudence, or judgment, or such, just as Bernard says in his aforesaid book.<sup>35</sup> And for this reason it does not say here: "when it pleases his will," but, "**when it shall seem expedient to him.**" In which a discussion of reason which ought to precede is noted, and then he can dispense, when it seems expedient to him either out of necessity, or usefulness.

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## §6. DISPENSATIONS FOR STUDY, PREACHING, THE GOOD OF SOULS

6.00 Since dispensing ought not to be done easily about all things, it is added in which things dispensations should be given more easily, and it says: "**especially in those things which are seen to impede study, preaching, or the good of souls.**"

6.01 Three things are said here which have been ordained to each other. Study indeed is ordained to preaching; preaching, to the salvation of souls, which is the ultimate end. We should speak about them in order. (Study: C.8, §6.02; Preaching: C.9-C.10, §6.09ff; The Good of Souls: C.11, §6:19).

### C. 8 On the usefulness of study in our Order, and notes on the same

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<sup>34</sup> Bernard, *De praecepto et dispensatione*, ch. ii, n. 5 (182 :863 C-864 A).

<sup>35</sup> Bernard, *De praecepto et dispensatione*, ch. iv, n. 9 (PL 182 :866 A).

- 6.02 It must be noted therefore concerning dispensations for the sake of study, that study has brought and still brings many benefits to the Order.
1. First is the prerogative of a certain excellence with respect to other orders. It is certain that religion with learning is higher than religion without learning, and so a religious order which has study first with religion is considered preeminent in a certain way.
  2. Another is in the recruitment of good people. For, because of the love which they have for learning, many good persons would never have entered, nor would continue to enter the Order, if we did not have study. Nor would those who are not well qualified enter, so that they might become good people, were we without study.
  3. Another reason is the devotion of the people. They have a greater devotion to the learned, for listening to their sermons, for confessing to them, for seeking their counsel, for honoring them, etc., than to the simple.
  4. Another reason is protection from evil. Among all the remedies against temptations, none is as efficacious as study. Hence study, more than any commands, or exhortations, or whatever else, except the grace of God, protects friars from evil.
  5. Another is the information about the interior man. Religious who are without knowledge, especially divine knowledge, although they may have many exterior accomplishments, nevertheless frequently have a modest amount of information about interior matters. For divine knowledge is that which instructs and informs about interior things, which is exceedingly useful.
  6. Another is the avoidance of the sins of ignorance. There are many religious although they do not want knowingly to do evil, nevertheless sometimes out of ignorance commit simony, either exterior, or interior, or other wrong things, which the learned avoid, and they know to correct themselves in these matters.
  7. Another is usefulness to others. For holy simplicity benefits only oneself; but learned justice benefits not only oneself, but also others.
  8. Another is the debt of support. No one can live from alms with such a good conscience as he who sows spiritual things; nor is support more owed to anyone else. For we cannot preach, nor give counsel, nor hear confessions, nor sow similar spiritual goods, unless study flourishes among us.
  9. Another is strengthening for better supporting the Order and more easily carrying on. For letters are like a certain refreshment strengthening the soul. A soul strengthened is more capable of labor.
  10. Another is the opportunity for spiritual growth. To the extent that one knows more about God, so much the more has he the opportunity for loving and serving him.
  11. Another is relief from weariness, which befalls many religious. Scriptures are the comforts and consolations for the soul of a student.
- 6.03 Therefore it must be feared for those who do not care to study, and for those by whose negligence study dies; because just as these and many other goods have come to the Order with study, so with the perishing of study they go away, and these will be the reasons for putting the Order at risk.
- 6.04 This must not happen. Rather, study must be pursued with such zeal, that even some things of the rigor of the Order must be relaxed by dispensation for study, not only lest it perish, but also lest it be impeded.

So it is that lectors are accustomed to be dispensed regarding food, in fasts and abstinences, so that they might be stronger for study; in sometimes being absent from choir so that they might have more time for study; in a place apart, that they may more effectively study, uninterrupted by others, and aided by an assistant. And understand these last two things where they can be fittingly done; nor does the scarcity of friars force the contrary.

- 6.05 If it is asked, if the lector has such energies which are enough for him for pursuing both for study and his office, can he not with good conscience receive generous dispensations concerning fasts and abstinences?

I reply that if it is certain that his strength at present suffices for him, nor is there probable reason of doubting in the future, namely that on the occasion of present work his strengths might be notably diminished in the future, it must be said that by reason of office he cannot with good conscience receive such dispensations; nor with good conscience can they happen for him, nor can he be compelled to them, nor is he bound to obey.

- 6.06 Again, if the lector spends the time which is granted in remaining away from the hours for study, or in some reasonable recreation, that he might be more fit for study, he can with good conscience receive such dispensations; otherwise not.

If he in the private place set aside for him should indulge in notable extravagances, he is to be deprived of this privilege. It is more tolerable indeed that study be harmed than religion.

- 6.07 Moreover concerning those who are suitable for studying, and are diligent in study, some dispensations should be given, although not as many as are given to lectors.
- They should be spared from errands and duties which notably impede them from study; sometimes from certain hours, if they want then to be occupied in study.
  - Sometimes from fasts; nevertheless they should eat in the refectory with the novices, not outside, to avoid laxity. However, they ought not be dispensed from not eating meat because of studies, for, since they are many, this would introduce too great a laxity into the Order.

- 6.08 Concerning bachelors however who are reading extraordinarily,<sup>36</sup> moderation is to be followed, nor should dispensations be as large for them as for lectors, nor so strict as for ordinary students.

### **C. 9 On the excellence of preaching above other works.**

- 6.09 On the dispensation for the sake of preaching it should be known that among all the other works of the Order preaching is the more fruitful and more excellent.

- 6.10 That it be more fruitful is clear.

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<sup>36</sup> “Reading extraordinarily, i.e. like graduate students lecturing in the afternoons, as distinguished from the full professors who taught in the mornings. Cf. Rashdall, Hastings, *The Universities of Europe in the Middle Ages*, Oxford, 1895, Vol. I, pp. 208 and 427.

- There are indeed certain works which benefit only the one doing it, like fasting, vigils and the like; preaching however, not only benefits the preacher himself but also others.
- Among those things which benefit others, there are some which benefit with respect to temporal and corporeal things, such as the foresight of administration, the care of the sick, etc.; but [preaching] benefits with respect to spiritual things, which is greater.
- Among those things which benefit in spiritual things some are those which benefit only for knowledge, which avails little for salvation, like teaching, counseling, disputation, study. Preaching however benefits with respect to virtue, without which there is no salvation, because it is directly ordained to this.
- Among those things which profit for salvation, some are those which benefit interior matters only, such as contemplation; others which benefit exterior affairs, as prelacy. This however benefits both interior and exterior things.
- Among those things which benefit exterior things with respect to salvation, some there are which by a single act profits one person alone, like the hearing of confessions; this however by a single act benefits many together.
- Among those things which are able to benefit many together, some there are which many are able to do, like prayers and sacrifices, in preaching however it is given to a few to be able to succeed, and so it is more necessary than those.
- Although prayers and other such things of the Order contribute to salvation, nevertheless they do this for few in comparison to those who are saved through preaching. Through preaching the whole world has been subjected to Christ.
- Although salvation is conferred through sacraments, nevertheless preaching in some way is more effective for this, for it indeed moves and prepares the heart; while sacraments do not confer salvation except to those prepared.

6.11 That it be more excellent is clear.

- In the Order no office is as apostolic as preaching. Offices which are apostolic clearly excel others, just as the Apostles the other saints. Excellent offices are committed to excellent persons.
- For no other office such an excellent reward is expected, because besides a halo, a golden crown is owed for preaching. Who can doubt the excellence of that, for which such an excellent reward is reserved?
- Great is the excelling office in which God is glorified, just as an ecclesiastical jubilation, which is similar to the angelic offices: but through preaching God is glorified more and better than by such an office, because by such an office he is glorified only by clergy, and sometimes only by speech: through preaching however [he is glorified] both by clergy and by laity, and not only by voice, but by voice, by heart and by deed.
- Preaching excels among the works of piety, because according to Gregory it is not so great to feed the bellies of those about to die, but it is great to feed minds about to live in eternity.<sup>37</sup> Since, therefore, a work of piety is regarded as excellent among all other good works, how excellent is that which surpasses all other works of piety!
- The Son of God entering the world and living in the world especially exercised no

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<sup>37</sup> Gregory the Great (?) Other authors attribute the saying to Augustine.

office as much as this. How excellent therefore did it happen that the supreme Excellence took this on himself above others!

- Angels appearing in the world exercise this office, announcing God's will to us. What else is this but to preach?
- Preachers are the mouth of God, as scripture says [Cf. Dt 18:18]. For no action of man is as noble as to speak, because in this man especially excels brute animals. From this it is clear that to preach, which is an action of the voice, is a noble office.
- No other action did divine providence so decorate by the loftiness of miracles as preaching, which it confirmed by consequent signs; and by this, undoubtedly, it greatly elevated this office.

6.12 Therefore because this work is so fruitful and so excellent,

- the Lord said to a disciple to set aside the burial of his father for the evangelization of the kingdom of God, Mt 8:21-22;
- and Paul did not have time for baptism, so that he would not be impeded in preaching, 1 Cor 1:17;
- and the Apostles did not serve at table, so that they would not neglect the word of God, Acts 6:2.

How much the more ought human statutes and ordinations sometimes be relaxed for whatever impedes preaching!

6.13 There are many such things which ordinarily impede preaching:

- One is the preoccupation of the preacher by other things, like administration, and others which sometimes count for less.
- Another is an excessively strict correction: there are indeed certain prelates who do not support in their preachers that inequality of life without which great fruit can hardly be had; but they demand of them living in the world that lifestyle which is observed in the cloister, not realizing that "For better is the iniquity of a man, than the blessing of a woman," Sir 42:14.<sup>38</sup> Considering this impossible, sometimes preachers lose heart, and give it up.
- Another is excessive fatigue. Sometimes they are forced by their prelates to apply themselves so much to preaching that they do not have time once in a while for themselves for spiritual rest, so that they might return even stronger. Because of this they sometimes lose their energy, and their preaching becomes less effective.
- Another is unwise restriction, when some preachers are forced too much to keep to the cloister, without a reasonable cause.
- Another is overburdening them with works in the cloister; when they are not permitted to give up certain tasks in the convent, for the sake of spending time on scripture studies, or other matters more useful for preaching.
- Another is the assignment of an incompetent assistant. Preaching is greatly impeded by an assistant who doesn't care about preaching, or is in other ways unfit.

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<sup>38</sup> Cf. Bernard, *Sermones supra Canticum*, *Sermo XII*, no. 9, (PL 183:832 B-D). Using Sirach 42:14, Bernard warns his monks against being overly critical of the bishops and priests laboring like men in the world. This is in contrast with monks, living, like women, with the protection and perfection of the cloister. See, Tugwell, Simon, *Early Dominicans: Selected Writings*, Introduction, p. 7.

6.14 And so for preachers who are of honest and proven life, and evidently fruitful in preaching, they ought to be spared of other occupations by dispensation; a certain inequality of lifestyle must be supported in them, not dangerous; periodically time must be given to them for recollecting themselves and resting; they ought not be forced to reside for a long time in the cloister, and to those in residence, some permissions should be given for those things necessary and beneficial for preparing to preach; they ought not be burdened by assistants less fit for the office of preaching, lest preaching be impeded.

6.15 But it might be asked whether those who are of praiseworthy life and actions, and who bear much fruit in preaching, ought to be dispensed in the house regarding fasts and abstinences; that they might receive such privileges as easily as teachers who perhaps are less capable in teaching?

I reply, no; and the reasons are many:

- The first is from the fact that the efficacy of preaching especially comes about by the grace of God, and therefore such bodily concessions are to be avoided by them, which frequently distances one from the grace of God.
- Second is because of the number of preachers. Since they are many, if such dispensations are given to them, excessive laxity would be introduced into the Order.
- The third is from the necessity of teaching: for it is more necessary to see that there be no lack of teachers than preachers; because teachers make preachers, and not vice versa. Hence if teachers are lacking, there will be fewer preachers.

### **C. 10 Ways by which preaching is impeded.**

6.16 Note, sometimes preaching is impeded from the fault of preachers; sometimes from the fault of prelates.

6.17 From the fault of those preaching, in many ways:

- Sometimes from false humility, as when one is unwilling to preach judging himself, out of false humility, to be less worthy or suitable;
- Sometimes from timidity, as when out of fear of preaching less well, one does not wish to make the effort;
- Sometimes from laziness, as when one, because of the great effort it takes to prepare oneself for preaching, does not care to preach, shirking the labor of preparation;
- Sometimes because of indifference, as when one lacks a fervent zeal for souls, and so he does not take the trouble to preach;
- Sometimes from carnal timidity, because one does not wish to undergo the fasting and the many hardships which are endured while traveling for preaching;
- Sometimes from vainglory, as when one is too afraid of embarrassment, which would not be the case if one did not love empty fame;
- Sometimes from pride, as when he disdains preaching to just a few and to simple folks.

6.18 Preaching is impeded by the fault of prelates:

- Sometimes through their indifference, when they care more about other things than about the salvation of souls, like the lukewarm and those without zeal for

- souls;
  - Sometimes from pusillanimity, when they are too timid to compel the friars to preach;
  - Sometimes out of negligence, because some have not taken care about knowing and previewing the places, times, customs and other such things, by which the friars are prepared for preaching, and through which they can have greater success.
- 6.19 If however, those things, holy and just, which are of the Order have been relaxed lest preaching be impeded, how much the more ought the friars and prelates be corrected about such sins which impede preaching!
- 6.20 About the third (Cf. §6.01) it must be noted that, granted that preaching be ordained to the good of souls, nevertheless souls are benefitted in many other ways, as through confessions, counseling, encouragements, etc. So it is not superfluous to add, after dispensation for the sake of preaching, dispensation for the sake of the good of souls, because not only in those things which impede preaching, but also in those things which impede other things through which the salvation of souls is procured, it should more easily be dispensed.

Hence it is that the friars who spend time hearing confessions and counseling souls in the house, are sometimes dispensed so they not be bound to reciting some canonical hours in choir, just as the friars who labor in preaching are generally dispensed in some fasts and abstinences, and in attendance at Office. Those who go to foreign countries for the salvation of non-Christians are also dispensed so that sometimes they can change their habit, sometimes skip shaving and the tonsures of the Order, and in many cases eat what others do.

### **C. 11 On the impediments to the goods of souls which are contrary to the Order.**

- 6.21 Note that there are three impediments to the goods of souls, granted that they are not contrary to the Order.
1. The first is profit. The world indeed is greedy, and shuns money handlers.
  2. The second is troublesome service, as are inquisitions, visitations and violent corrections, the executions of wills, the opinions of judges, which frequently disturb people's devotion to the friars.
  3. The third is excessive harshness in counsels and opinions. People are frightened by this, so much so that they neglect salvation.
- 6.22 And so the friars who are fruitful in working for the salvation of souls
- must be spared from the need to show a notable profit, which distances people from them;
  - the aforesaid odious offices should be shunned by all, granted that they are beneficial to someone, as an impediment to the greater good;
  - harshness ought to be relaxed to the extent that it can. People are to be treated gently, because when milder judgments are given, they are then better drawn to salvation.

- 6.23 Again there are three things which are not according to the Order, which impede even more.
- The first is the less than upright associations of those who labor concerning the salvation of souls. This undermines whatever they say.
  - Second is the disrepute of the friars, whether just or unjust, because the false is sometimes believed to be true.
  - Third is foolish rudeness. There are some who out of a kind of rudeness do not know how to present themselves as friendly to people, nor are willing to conform themselves to them, as Paul did who became all things to all men so that, as if he were without the law, he might gain them all who were without the law [Cf. 1 Cor 9:21].
- 6.24 And so the greatest effort should be made
- lest less fitting conduct destroy the saving efficacy of their words;
  - the reputation of the Order must be preserved with the greatest diligence, and infamy avoided;
  - we should become used to conversing with people cordially, and to an extent conform ourselves to them in those things which are not reprehensible, lest the salvation of souls be impeded.
- 6.25 [Salvation of souls:]
- This is indeed of such a price that because of its divinity was incarnated, and whatever the God-Man bore as man, is totally reduced to this end.
  - This is the reason why all angelic spirits were administrators, and were sent to work for the salvation of souls.
  - This is, in comparison to which, the whole world is counted as nothing: "For what doth it profit a man, if he gain the whole world, and suffer the loss of his own soul?" (Mt 16:26).
  - And this is why God, from the beginning, worked all the wonders which have been done in the world, whether contrary to nature, or above nature. Why else were they done, unless that all men might believe in him, and those believing might be saved?
  - To accomplish this is why the Lover of Souls sent holy men into the world: prophets, apostles, and others of wonderful excellence, and shall not cease to send them even to the end.
  - This is why he ordered the excellent and marvelous scriptures to be written.
  - This is why he instituted the sacraments, miraculous and full of grace.
  - This is why those chosen for the episcopacy withdrew from cloisters without sin, that they might attain it more effectively.
  - This is why in serving our neighbor we are bound to risk bodily life.
  - This is why God requires from each, about every neighbor, on the day of the last judgment, if concerning him they were negligent.
- 6.26 Therefore what is the wonder if some human statutes be relaxed for a time, when they impede the salvific benefit of souls? Therefore, it is well put that in those things "**which impede . . . study, preaching, or the good of souls,**" it is more easily dispensed.

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## §7. PURPOSE OF THE ORDER

7.00 The special reason for this is added, when it is brought in: “**since it is known that our Order was founded, from the beginning, especially for preaching and the salvation of souls.**”

### C. 12 Why the Order was principally instituted.

7.01 That which has been instituted for something ought not to militate against that, just as Bernard says, in his book *On Precept and Dispensation*,<sup>39</sup> in a similar case saying that since the observances of orders have been established for the sake of charity, they ought not militate against charity. For the same reason therefore the statutes of the Order ought not to be observed so rigidly that they impede the reason why the Order was principally instituted.

7.02 And it must be noted that although many other reasons can be assigned for the institution of this Order, which are found among other orders, nevertheless that which is touched upon here is special, and so, “**especially**” is well stated here.

7.03 But it seems that the defense of the faith was more the special reason than preaching, as is found in *The Legend of St. Dominic*.<sup>40</sup>  
I reply: The defense of the faith was the initiative, moving [the founding friars] toward thinking about establishing such an order: but when it was established by the authority of the Church, the intention was amplified, so that it was established not only for the defense of the faith, but generally for preaching; and so it is well said: “**for preaching.**”

7.04 For not only was it instituted for those entering upon salvation, but also for the salvation of souls more generally, in which it excels other orders, since these were established only for those beginning salvation: and so it is well said, “**for the salvation of souls**” generally.

7.05 These two goals differ however, because one, preaching, is under the other, the salvation of souls. Also the first is more specific, the second more general.

7.06 From this it is gathered that this Order is rightly called “of Preachers.”

- For there are some orders who draw their name from their principal house, as from their head, like the order of Cistercians, as if from an efficient cause.
- There are others who draw from the conditions of their persons, like the order of Friars Minor, as from a material cause.
- There are others who draw their name from the manner of living, as the order of the Trinity, from the fact that they divide their goods in three parts, as from a formal cause.
- But our Order draws its name from the end: for it is better that each thing be named from its end than from something else, just as a ruler, although made of gold and made by the best craftsmen, and absolutely straight, nevertheless draws

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<sup>39</sup> Bernard, *De praecepto et dispensatione*, ch. ii, n. 5 (PL 182:863 C-864 A).

<sup>40</sup> *Legenda Sancti Dominici*, ed. Tugwell, *Legenda prima* (17), p. 433.

its name better from the end which is to regulate, than from its matter, or maker, or form.

- 7.07 Hence it is clear that those friars are very blameworthy who call themselves or permit themselves to be called the friars of St. James [of Paris], or of St. Nicholas [of Bologna], or by such names; and more blameworthy the prelates who concerning this error do not make this matter clear. And from this it happens that in diverse places the different friars are judged to be of diverse orders because of diverse names. It happens that in many countries it is not yet known that there is an Order of Friars Preachers.
- 7.08 It happens that such a glorious name is buried; the name that even, by the Spirit of God — by which the expositors or originators of scriptures have spoken — has been pronounced, and foretold in the expositions of many scriptures:<sup>41</sup>
1. Hence, in 1 Kgs 10:20, “[Twelve] little lions stood upon the six steps,” of the throne of Solomon, “on the one side and on the other,” *Gloss of Rabanus*: “the Order of Preachers.”<sup>42</sup>
  2. 1 Kgs 4:27, at this word, “governors of the king,” *Gloss of Rabanus*: “Order of the holy preachers;” in the *Interlinear*.<sup>43</sup>
  3. At this text: “Thy navel is like a round bowl never wanting cups, (Song of Songs 7:2) Augustine: “Order of Preachers,” in his Sermon, *Hodie virginale decus*.<sup>44</sup>
  4. Sirach 10:4, “and in his time he will raise up a profitable ruler over it,” [*Interlinear*] *Gloss*: “Order of Preachers.”<sup>45</sup>
  5. Sirach 38:29 on this: “So doth the smith,” *Gloss*: “Order of Preachers.”<sup>46</sup>
  6. Sirach 38:32: “So doth the potter sitting at his work,” *Gloss*: “Order of Preachers.”<sup>47</sup>
  7. Amos, in the end (Am 9:13): “When the ploughman shall overtake the reaper, and the treader of grapes him that soweth seed,” *Gloss*: “through all these the Order of Preachers is signified.”<sup>48</sup>
  8. Matthew 4:18, “[Jesus] saw two brethren,” *Gloss*: “the unity of fraternal love . . . without which no one is admitted into the Order of Preachers.”<sup>49</sup>
  9. Luke 14:17, “And he sent his servant at the hour of supper.” *Gloss*: Gregory: “Order of Preachers.”<sup>50</sup>
  10. Bernard in his *Sermon on St. Andrew*: “The river is the Order of Preachers.”<sup>51</sup>

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<sup>41</sup> All sixteen of the references are taken, some highly abbreviated, from the *Vitae Fratrum*. §1 from the anonymous prologue, and §2-§15 from Part I, 3. Cf. *Fratris Gerardi de Fracheto, O.P., Vitae Fratrum Ordinis Praedicatorum*, ed. Benedict Maria Reichert, O.P., *Monumenta Ordinis Fratrum Praedicatorum Historica*, I, Louvain, 1896, pp. 2, 14-18.

<sup>42</sup> 3 Kgs 10:20 *Biblia latina cum glossa ordinaria*, Adolf Rusch, Strasbourg, 1480/1481, 4 vols., online photographic facsimile at Thuringian University and State Library, Jena (ThULB). Vol. 2, page 124. Further references to this Biblical Gloss will use the acronym BLGO, with volume number and page. Hence, BLGO 2:124. Reisner cites Migne (PL 109:197 C).

<sup>43</sup> 3 Kgs 4:27. BLGO 2:100.

<sup>44</sup> Sg 7:2. Cf. Peter Damian, Sermons, 68, *In natale virginum ii*, (PL 144:892 C).

<sup>45</sup> Sir 10:4. BLGO 3:106.

<sup>46</sup> Sir 38:29. BLGO 3:136, Reisner (PL 113:1221 B).

<sup>47</sup> *Ibid.*

<sup>48</sup> Amos 9:13. BLGO 3:543, Reisner (PL 209:152 D).

<sup>49</sup> Mt 4:18. BLGO 4:22, Reisner (PL 107:789 D).

<sup>50</sup> Lk 14:17. BLGO 4.199. Reisner cites Gregory the Great, *Homiliae XL in evangelia* 2, 36, 2

<sup>51</sup> Bernard, *In Festo S. Andreae Apostoli, 1060 Sermo I*, n. 3 (PL 183:506 A).

11. On Jeremiah 38:7, *Gloss: Rabanus*, “Abdemelech is interpreted the servant of the king,” namely of the Lord God, “to whom the Order of Preachers [fittingly] serves.”<sup>52</sup>
12. Sirach 50:11, on this text: “when he put on the robe of glory,” which is said of every priest, *Gloss*: “The Order of Preachers, by putting on the stole of glory, and by vesting itself with the perfection of power, reveals the sign of its dignity, the adornment of faith, and the vesture of good works.”<sup>53</sup>
13. 1 Chr 20:1, on this: “Joab gathered together an army, etc.,” *Gloss*: A battle begins, “when the Order of Preachers puts on the shield of faith against [worldly] powers.”<sup>54</sup>
14. Ez 2:9, “and behold, a hand was sent to me, in which a book, etc.,” Gregory: “Through Ezekiel, the Order of Preachers; through the book, scriptures [are signified.]”<sup>55</sup>
15. Est 2:22, “And Mardochai had notice of it,” *Gloss*: “the Order of Preachers.”<sup>56</sup>
16. And later in 10:2, “He exalted Mardochai.” The *Gloss* has: “Order of Preachers.”<sup>57</sup>

7.09 From which it is clear that not only have the the offices of the Order of Preachers through their appropriateness been foreshadowed in holy scriptures, but also the authority of this name shines forth through the spirit of the commentators, that through propriety or appropriation it befits our Order. And so it is not to be buried, but rather everywhere to be authenticated.

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## §8. STUDY FOR THE SALVATION OF SOULS

8.00 Note however that study is not the end of the Order, but it is supremely necessary for the aforesaid goals, namely for preaching and effecting the salvation of souls, because without study we can do neither; and therefore these things which impede study must so be dispensed just as those things which impede preaching or the salvation of souls, especially since our study has been ordered for this, and it ought to be directed to this.

Hence it follows: “**Our study ought to tend principally to the end that we might be useful to the souls of our neighbors.**”

8.01 And it must be recognized according to Bernard that

- some study that they might know, and this is shameful curiosity;
- some that they might be known, and this is shameful vanity;
- some that they might sell their knowledge, and this is shameful profiteering;
- some that they might improve, and this is prudence;

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<sup>52</sup> Jer 38:7. BLGO 3:308, Reisner (PL 111:1079 B-C).

<sup>53</sup> Sir 50:11. BLGO 3:147, (PL 113, 1229 C).

<sup>54</sup> 1 Chr 20:1. BLGO 2:212, Reisner (PL 113, 656 C).

<sup>55</sup> Ez 2:9. BLGO 3:376, Reisner, Gregory the Great, *Homiliae in Ezechielem prophetam* 1, 9, (PL 76:882 C).

<sup>56</sup> Est 2:22. BLGO 2:366, Reisner (PL 113:746 B).

<sup>57</sup> Est 10:2 BLGO 2:373.

- some that they might build up others, and this is charity<sup>58</sup>
- And such ought our study be, according to what is said here.

8.02 But it seems that we ought to study more principally for the usefulness of our souls than of the neighbors, because one is more bound to love himself than another, and so it is false what is said here, namely that principally our study ought to intend to the utility of our neighbors.

I reply: A modest knowledge suffices to each for his own salvation, but a modest knowledge does not suffice for teaching others, and therefore study has been established in the Order more principally for the usefulness to our neighbors than for ourselves; and so we ought to direct it to that for which it has been principally ordained.

8.03 Nor is it necessary that because of this, that we ought to love ourselves more than others, we should study more for ourselves than other neighbors; because, although one is always bound to love oneself more, just as it is clear in teaching, in the ministering of sacraments, and similar things, it is not necessary that in every act man intends more his own utility than that of the neighbor.

It is similar to this, that in many secular negotiations one intends more the others usefulness than his own, although he loves himself more than others.

### C. 13 Whether we are able to study philosophy.

8.04 But again it seems from that which is said here that we should study for the usefulness of souls, that friars should not pursue philosophical studies, which contribute little to souls; but only scriptures, which contribute to the upbuilding of faith or morals, or avails for giving salutary counsel, etc.

I reply: Many attack and are about to attack the Catholic faith through philosophy, and therefore it is fitting:

- to know something about philosophers, so that faith may better be defended, just as it is fitting to know heresies for the same reason.
- There are many errors among them, and even elsewhere, which are mixed with their foolishness.
- There are many things in divine books, just as in Job and in many others, and in *Glosses* and in the writings of the Saints, which cannot be understood without philosophical knowledge.
- Through such sciences intelligence is sharpened for better penetrating divine things.
- There are many things among them which contribute much to the corroboration of faith and of Christian truth.
- Many sometimes are more moved to good from certain things which are in those sciences, than from those things which are in divine Scriptures.
- Sometimes many who are ignorant of these things are looked on with contempt by others.
- Many who do not know these things [of philosophy] sometimes consider them

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<sup>58</sup> Bernard, *Sermones super Canticum*, *Sermo XXXVI*, n. 3 (PL 183:968 D).

greater than after they have come to know them, and from this understanding they scorn them the more, and prefer divine science to the philosophical sciences.

8.05 Therefore philosophical sciences aid in the defense of the faith, in the destruction of errors, in the understanding of Sacred Scriptures, in the sharpening of the mind, and assistance to faith, and the moving of hearts, in avoiding contempt of the Order, for the contempt of those sciences. Therefore, they are not entirely to be scorned.

8.06 But philosophical sciences should not be pursued or desired equally by all:

- For there are some of deep capacity and of great aptitude for grasping such sciences, and from the knowledge of these, along with religion, great benefit is expected. It is tolerable for these if they devote themselves to obtaining a greater fullness of such sciences.
- There are others, for whom benefit is hoped for from such study, but not as much. Even for these it ought to suffice to have the certain understanding of the things which in these sciences are necessary for Sacred Scriptures.
- There are others whose philosophical understanding can help only the simple, and for them, these things are utterly useless. No provision regarding these sciences need be made for them.

8.07 According to the varieties of those with whom the friars deal with or will associate with, it should more or less be provided regarding these sciences, namely when the aforesaid reasons for the utility of philosophical sciences more or less concur.

It is clear therefore from this that such study is able to bring benefits to souls.

8.08 Know that someone willing to study for the benefit of their neighbors need not study about many things, but in useful, simple, effective, and appropriate ways:

- useful; that in all his study he would reject the useless, and choose the useful;
- simple; that dismissing the subtle and obscure, he offers to his listeners what is easy and fitting;
- effective; so that he uses more effective arguments and examples and authorities;
- more appropriate; so that according to the variety of diverse states, the preacher should strive more for a good style of speaking than about the things said; since greater benefits depend more on the style of speaking than on the substance of what is said.

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## §9. DISPENSATIONS AND PRIORS

- 9.00 There follows: **“Priors therefore should use dispensations like other friars.”**
- It has been said about dispensation that it can be dispensed from the constitutions, where: **“for this reason, however;”** (§5.00; C.7)
  - it also has been said about some things more easily, where: **“especially in those things;”** (§6.00; C.6)
  - it has been said further about the reason for this facility, where: **“since . . . our Order.”** (§7.00; C.12)
- 9.01 This deals with the extension of dispensation, because it is extended not only for inferiors, but even for superiors: but when it is dispensed for inferiors it is through the prelates, when for the superiors through this constitution.
- And it must be noted that there are certain prelates who act more leniently for themselves than for their subjects; that is when we see certain prelates clothed more elegantly, housed more comfortably, feasting more splendidly, working more sparingly, speaking more loosely, praying more rarely; and this is blameworthy.
  - There are others who treat themselves more strictly, and they are “in many more labours,” following the example of the Apostle (2 Cor 11:23); and this is praiseworthy.
  - There are some who act the same for themselves as with others, and they are like one of the friars: and this is tolerable. Therefore, it does not say here: “more than the other friars,” because they are not restricted to this, but “like the other friars,” which is the middle between those two.
- 9.02 But surely is it not fitting that in speaking, and in certain other things, the prelate would dispense himself more than others?  
I reply, yes. But what happens for a just reason is not considered more, because if the same reason would be true for others, he would dispense as generously for others: but “more” means excessive, without a greater reason.

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## §10. HOW CONSTITUTIONS OBLIGE<sup>59</sup>

- 10.00 There follows: **“Therefore, to provide for the unity and peace of our entire Order, we will and declare that our constitutions do not oblige us under pain of sin, but to punishment, unless because of formal precept or contempt.”**
- 10.01 With the Praemonstratensians, and in the constitutions handed down from the beginning, and before this constitution was written, this is said: “Therefore that we may provide for the unity and peace of our entire Order, we have written this book,”

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<sup>59</sup> Cf. §13.04.3.

etc.<sup>60</sup> And it is a better continuation of what follows with what preceded, as is clear to one examining it carefully.<sup>61</sup> But when this constitution was written, diligent care was not taken as to where it would be inserted, as long as it was written. This is like what has happened regarding many things; and the insertion disrupted the aforesaid continuity.

- 10.02 Another reason can be given for this constitution, and it is that **“therefore”** is here understood as “for”; that the sense be: “That therefore,” that is: “So that for the unity and peace,” etc., and then it is a good sentence. Through this constitution the unity of the Order has been provided for with respect to discord, which the friars experienced before, when one would say that the constitutions were obliging under sin, and another would say not.
- 10.03 So the peace of conscience has been provided for which was not a little disturbed before by endless scruples generated in their consciences, out of fear of sinning from constitutional obligation.
- 10.04 Or it can be said that this **“therefore”** regards that which was said above about the unity which we ought to have, that the sense might be: “according to the aforesaid we ought to have unity.” But unity is disturbed when one says that the constitutions oblige to sin, and another says that they do not oblige. **“That therefore, as a means of providing for the unity and peace . . . , we will,”** etc.
- 10.05 But it is questioned why, after it was said: **“we will,”** it has been added: **“and declare”**? I reply: Before that constitution was written, I remember that I had heard from superiors that this was the intention of the Order, namely that the constitutions would not oblige to sin. So St. Dominic in the Chapter of Bologna [in 1220], for the consolation of timid friars, said that even the rule does not oblige always to sin: for if this were believed, he would want to go continually through the cloister, and cut out all the rules with his pocket knife. A brother who heard this told me. Two things however are said, namely **“we will,”** so that if they were obliging before, now they would not oblige; and **“we declare,”** that if they were not obliging before, through the constitution this might be made clear to all.

#### **C. 14 Questions about this constitution, that the constitutions do not oblige to sin (*culpam*), and the usefulness of this constitution.**

- 10.06 But if there had not been a constitution about this, was not the intention of the original writers able then to make it evident — or still able to make it evident in other ordinations — that they were not to oblige under sin?  
I reply: I believe yes, because in mandates and statutes the intention of the will of the

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<sup>60</sup> The earlier primitive constitutions (1215-1237) has, after the preliminary matters and before beginning Chapter I, the following: “Therefore, that we may provide for the unity and peace of our entire Order, we have written this book, which we call the Book of Customs, in which we have noted two distinctions. The first distinction contains how the friars live in their monastery during the day, how at night, how the novices, how the sick, how the details (*qualiter minuti*), and about silence and faults. The second distinction, about study and preaching.”

<sup>61</sup> Cf. below §13.

one mandating or lawmaking is especially attended to. Thus if he in no way wished the law so to oblige that a sin would result from its transgression, in no way from the transgression alone would sin be incurred.

10.07 But suppose that from the beginning the intention would have been that they oblige to sin, are not those coming later able to establish a command to the contrary, and absolve the friars from such an obligation?

I reply, yes; because since the friars make profession according to the constitutions of the Friars Preachers, this name "constitutions" is taken in a broad sense, and it refers to both past as well as future, hence they keep the promise made, provided they keep the constitutions which apply at the time.

10.08 Note that not only do we have such a constitution, but also the Praemonstratensians, and they are said to have received this from us, and not to have had it from of old.

10.09 But it seems that it would be unfair, because no one should be punished without guilt. By what right, then, is one who has not sinned punished?

I reply: It is true that punishment should not be inflicted on someone unwilling without sin; but one who is willing can well oblige himself to punishment without sin. This is what the friars do, who voluntarily subject themselves to this law.

10.10 But again it seems that this would be unwise. For it seems that through this the reins are loosened for the friars to serve the Order less.

I reply: If someone on the occasion of this constitution might wish to serve the Order less, he would not escape the sin of contempt. Therefore, since this constitution does not excuse the contemptuous from sin, it does not loosen the reins for the transgression of the Order.

10.11 Furthermore through experience it has been proved that those things which are incurred out of weakness, are avoided just as well by fear of punishment as by fear of sin, especially by a community of friars which is not at the peak of perfection, as is clear regarding silence at table.

10.12 If however it is said that the transgression of order is better avoided by reason of both, namely by the fear of sin and of punishment, it must be said that it would better be avoided by some. But the good which follows from the fact that the constitutions do not oblige to sin, and the evil which is avoided, is such, that it prevails by that assistance, that the fear of sin contributes to the fear of punishment for avoiding that transgression. From the obligation to sin, if they oblige, a multitude of sins follows which would be committed by the negligent, and a burden of sins for the scrupulous. They would sin more gravely than the obligation would require, sometimes because of scrupulous consciences, and so many and graver transgressions would happen against the order of God which is to turn away from evil and to do good.

10.13 If however, it must be avoided lest an occasion of sin be given by formal precepts, for the same reason it must be avoided by such constitutions, which are an occasion of a multitude and of an aggregation of sins.

- And it is more tolerable that human order in some light things be violated than the divine order.
- It is often more acceptable to God when one does for him that to which he is not

bound, than that to which he is bound, as is clear in precepts and counsels. From this therefore that the constitutions do not oblige, those keeping them seem to be more respected; and so from this follows a greater accumulation of merit in the Order.

- If the constitutions oblige, seeing that it would be almost impossible to guard against such sins, since they might happen from negligence, weakness, and ignorance, which can hardly be avoided, many might fall into contempt, and more rashly transgress the statutes of the Order itself.
- Many, fearing such obligations, would refrain from entering the Order.
- The friars would refrain from writing constitutions, even ones most useful for the Order, because of fear of the obligation to sin, which would in no small way be harmful to the Order.
- Many would lose peace of conscience, and would be in continuous bitterness, because of tiny sins of this kind.
- Such light sins of this kind would enable greater, and would become the occasion of the ruin of many.

10.14 Therefore because of such an obligation many sins would happen in the Order, and many good deeds would be of lesser merit. The Order itself would be viewed by many as less; many would fear to enter the Order; useful constitutions would be prevented; peace of conscience would be lost, and an occasion would be given for greater ruin; and so more evil than good follows from that obligation. Good does not seem to be able to follow from this obligation, unless only by this, that the Order is better served by some God-fearing souls.

Therefore there is not as much good which would follow from this obligation, as the evil which is diverted and good which follows from the contrary.

10.15 But again it seems that it might lead to the decline of the Order. An order seems stronger and stricter when its constitutions oblige, than another with constitutions which do not oblige. Through this constitution our Order seems to have been made exceedingly diminished and ordinary.  
I reply: If two burdens be of the same weight, and are carried by two people, one of whom is bound to carry it, the other not, the obligation for carrying adds nothing to the weight of the burden. So also here. For the obligation adds nothing to the weight of the Order. And it is similar in those fulfilling counsels; for it is just as burdensome to him who fulfills the counsels without a vow, as it is for him with a vow.

And so it must not be conceded that we are not obliged to the constitutions. We are indeed obliged; but differently than some others. For if one obliges himself to carry a certain burden, so that in no way can he set it down, neither through a misstep, nor in another way, he obliges himself foolishly. If however one obliges himself to bearing a burden in good faith, and does not knowingly or deceitfully set it down, he obliges himself wisely. If we are obliged who ought not to act contrary out of contempt, although sometimes we act contrary indeliberately, this is not to the detriment of the Order, but rather to its praise and glory, because by how much wisely something is done, so much the more it becomes praiseworthy.

10.16 Know however that the opinion of many is that it would have been better if this

constitution had not been written, and it should now be deleted. However, the judgment of others in what we have just said, seems more reasonable.

### **C. 15 In which cases is it a sin to act against the rule or constitution?**

- 10.17 Next it is asked whether if it had not been provided through the Order that the constitutions would not oblige in the aforesaid manner, the friars by acting contrary would always and in every case commit sin. And it is the same question for other religious who do not have this constitution, and the same for those who act contrary to the rule.  
I reply: Just as in those things which are proposed to us in the divine law, there are certain things which so oblige that one sins mortally in transgressing them, some in transgressing, venially; some in transgressing are in no way sinful, because they are only suggestions. This is how we must consider rules and statutes which men having the spirit of God have handed down, that there are to be some which they have not intended to hand down so that they would always oblige to sin. Who would dare to say that St. Augustine, full of the spirit of discretion, intended to oblige to fasts for mastering the flesh to the extent that health would permit, and non only to encourage this? And so in many other matters. What would oblige, and what not, can be known in a discerning spirit, and to one considering reasonably what is said; and in what way the intention of one speaking must be presumed; and from those which are said elsewhere, as happens even about those things which are said in divine law.
- 10.18 About those which oblige in every way it must be known that there are some which excuse from positive [laws],
- like rightful necessity from fasting.
  - reasonable ignorance from many, when it is permitted to ignore those things.
  - charity, when a situation happens in which positive law is contrary to charity: silence ought not be kept, when words can prevent a sin, as has been said above.
- In these cases, and if there are others which in such matters are accustomed to excuse by law, friars would not sin by acting against the constitutions, if they were not to have that constitution, nor do other religious sin, who do not have, nor do friars sin acting against the rule.
- 10.19 But there are many other cases in which they do not sin by sometimes acting against the constitutions. They would sin in every way, if all constitutions or some would oblige to sin, by acting contrary to those which would oblige.
- One case arises from a moderate infirmity of the body, e.g. if someone because of some pain in his body, which is not totally incapacitating, makes less profound inclinations.
  - Another from a tendency to something contrary to a constitution, e.g. when someone from a tendency he has to talk, observes silence less perfectly, and is sorry about it.
  - Another from surprise, e.g. when someone, before deliberation stumbles into something against the constitution.
  - Another from a good intention, e.g. when someone, lest an outsider be scandalized, sometimes speaks to him without permission, not realizing that this would displease the superiors.
  - Another from lazy neglect, which is the “languor of inertia,” as Bernard said in the

book *On Precept and Dispensation*,<sup>62</sup> e.g. when one does something less diligently than is required.

- Another from natural laziness, e.g. when one having heard the bell rises late from a certain sluggishness. In these and similar cases, as long as it is not mixed with contempt, the friars do not sin by acting against the constitutions.

10.20 And this is to be understood as long that these situations would happen with respect to a simple constitution. For if it is out of neglect for the Divine Office, and in other like cases, which are not purely about the constitution, sin can be there. Similarly in other situations.

10.21 If however the constitutions were obliging to sin, there would be all kinds of sins in these, as is clearly found in the book of Bernard *On Precept and Dispensation*,<sup>63</sup> where he says that transgression of the command of a superior, even if done out of forgetfulness, is a sin. And again, in the same book, he says: "Neglect is always culpable."<sup>64</sup>

### **C. 16 About admonitions, customs and injunctions, whether they oblige under sin.**

10.22 Next it is asked whether admonitions which are made by chapters or prelates oblige under sin?

I reply: An admonition by its nature, would not oblige; but it can oblige out of contempt; it cannot be without sin that someone would scorn the exhortations of those major superiors whom one is bound to obey.

10.23 It is asked whether customs would oblige under sin?

I reply: no; not only because they fall under a constitution, as has been shown above, but also because the intention of those approving the customs is believed not to have been that they would oblige more than the constitutions. The same is to be said for both.

10.24 It is asked whether simple injunctions, which sometimes are given, would oblige under sin?

I reply: yes; for an injunction differs from an admonition in this that an admonition is like an encouragement to good, and so it pertains not only to the superior, but also to an equal, and even to an inferior: and so by its nature it does not oblige. But an injunction is an imposition to do something, or to not do it from one who has the power over another, e.g. when some prayer is enjoined by a chapter or by a prelate, or something of the sort. And so the one transgressing an injunction sins.

10.25 Know, nevertheless, that when in the Acts of a chapter this title is set forth "These are the admonitions," all things that are contained under this title by virtue of such title must be regarded as only admonitions, under whatever verbal formula they are proposed.

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<sup>62</sup> Bernard, *De praecepto et dispensatione*, ch. viii, n. 17 (PL 182:871 B).

<sup>63</sup> *Op. cit.* (PL 182:870 D).

<sup>64</sup> *Op. cit.* n. 18 (PL 182:871 A).

- 10.26 Next it is asked, according to what has been said above, is a prelate not able to dispense from the admonitions of a higher superior, unless perhaps in situations granted in that constitution<sup>65</sup> which says that the master or provincial should not change the Acts of the chapters, unless with hope of approval? Also, according to what is said here, they [Admonitions] are not to be scorned but observed, which would happen, when a situation would occur in which a certain admonition cannot be properly kept, and a dispensation is needed, and there is no access to one who can dispense?  
I reply: In such cases, because it is more probably believed that the intention of the one or ones issuing the admonition is that the admonition ought not be kept in such a case; that acting against the admonition can happen without a dispensation. Nor does he sin, because there is no contempt in this case; the admonition binds only in the case of contempt. For example, an admonition is given that no woman is permitted to spend the night in the church of the friars. The queen of France is travelling and has devotion to St. Dominic, in whose honor the church of the friars is dedicated, and she asks that she be permitted to spend the night in the church with decent companions. This can be granted her without any sin. It is probable that it was the intention of the one giving the admonition that in such a case this prohibition in no way should be enforced. And the same, in similar situations.

### C. 17 How many precepts there are in the constitutions.

- 10.27 Next, on the occasion of that which is said: “**unless because of precept,**” it must be said that eleven precepts or prohibitions are expressed in the constitutions, of which the first and fourth are drawn from the rule.
1. The first is about having a unity of hearts over the same, where: “**we are commanded to have one heart,**” etc. [PC Prol., Rule, I, 3; §1.00];
  2. The second is about not legislating anything, unless through three chapters, below where: “**and so that a multitude of constitutions,**” etc. [PC Prol.; §11.00; C. 20];
  3. The third is not tonsuring or vesting a woman, or receiving the profession of the same, below in the chapter *On receiving*,<sup>66</sup> in the end (PC I, 13);
  4. The fourth is about expelling the incorrigible from our society, below in the chapter *On the most grave fault* [PC I, 19], or according to the rule of our father Augustine, etc. (*Rule*, IV, 9);
  5. The fifth is about not seeking that the care over women be committed to the Order, below in the chapter *On granting to houses* [PC II, 1];
  6. The sixth is about observing the entire form for the election of the master, below *On the election of the master* [PC II, 4];
  7. The seventh is about not changing anything regarding the status of the Order, lacking a master, below in the same chapter [PC II, 4];
  8. The eighth, about not making appeals, below *On the general chapter* [PC II, 8];
  9. The ninth is about not revealing secrets, below the same [PC II, 8];
  10. The tenth is about not conspiring in any way to divide the Order, the same below [PC II, 8];

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<sup>65</sup> Primitive Constitution, II, 9, *De solemnī celebracione capituli* . . . «nisi forte in speciali et ex causa necessaria et utili.»

<sup>66</sup> Humbert’s references to « below » refers to subsequent chapters in the primitive constitutions [PC], which he never commented on.

11. The eleventh is that it should not happen that the diffinitor friars be prejudiced against the priors, and vice versa, and that, in this no one ought to obey, below *On the general chapter* [PC II, 8].

### C. 18 Which transgressions are major faults, which minor.

- 10.28 But it is asked whether from whatever transgression of precepts, or of those which oblige to venial sins, equal or unequal sins arise? And the question is the same for injunctions, and commands, and articles of the rule. And if unequal, it is asked when should they be judged greater or lesser.  
I reply: To judge which transgression would be more culpable, or less, five things should be considered, according to Bernard in the aforesaid book:<sup>67</sup> namely, cause, affect, intention, authority of the one commanding, and the command itself.
1. Cause: he sins more who kills to despoil than he who kills to defend himself;
  2. Affect: he sins more who kills someone from harbored hatred than from sudden emotion;
  3. Intention: because one sins more who commits incest from a lustful spirit than from a yearning for begetting sons, like the daughters of Lot (Cf. Gn 19:32);
  4. Authority: because how much greater is the reverence due to the one commanding, so much more serious is it to offend him;
  5. Command: because more serious is the transgression of a greater command. Greater is that which the one commanding wants more to be observed, whether God or man.
- 10.29 It is clear therefore that all sins of transgressions are not equal; and how one can judge their seriousness with a fivefold criterion.  
I reply: The best way of thinking about it is that it can sometimes be judged that certain things which are proposed or said oblige in no way, namely when it is presumed probably that the one commanding in no way has the will of obliging, to neither more nor less.
- 10.30 It is asked whether in the constitutions involving precepts it can be dispensed, in spite of the precept, just as in simple constitutions?  
I reply: It must be said yes, because the benefits of dispensation must be taken broadly. Understand this: provided the matter of such constitutions be such which otherwise would receive a dispensation, and it is given by the one who has power of dispensing concerning this matter. For example, so much benefit for souls or utility of the Order might be hoped from the tonsure of a certain noble woman, that some friar might be dispensed so he might tonsure her, although there be a prohibition against this. The same for many others.

### C. 19 Questions about contempt of the constitutions.

- 10.31 Next is a question about the phrase "**or contempt:**" What here is called contempt?  
I reply: Although it can be taken in many ways, here it is taken according to the definition of St. Bernard in his book, saying: "Just as neglect is the languor of laziness,

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<sup>67</sup> Bernard, *De praecepto et dispensatione*, ch. vii, n. 13 (PL 182:868 C-869 A).

so contempt is the tumor of pride.”<sup>68</sup>

- 10.32 Note that contempt so understood is threefold: there is contempt of the one giving the statute, and there is contempt of the statute, and there is contempt of the remedy. In every religious order besides the statutes there are remedies against the offenses of the transgressors, which, for the delinquent to show contempt, is the worse contempt of all.
- 10.33 Second it is asked whether such contempt would always lead to mortal sin? And it seems so. Bernard, in the aforesaid book says: “Contempt is damnable.”<sup>69</sup> But on the contrary, not every tumor is fatal.  
I reply: Contempt can be such that it would lead to mortal sin; it can be so moderate that it would lead to venial sin. Pride, for example, sometimes can be mortal, sometimes venial. Therefore, the amount of sin arising from contempt is to be judged according to the amount of contempt.
- 10.34 What Bernard says that contempt is damnable, it must be understood as damnable, i.e. in the category of things damnable; just as pride is in the category of mortal sins, yet it does not follow from this that in every case pride is damnable. And that it should be so understood is clear from the fact that he begins by saying: “Where negligence is culpable,” and then follows, “contempt truly damnable.” He intends to make a difference between those two, noting that one is always venial, the other however can fall into the category of mortal. Or it can be said that he calls “damnable” what is worthy of major condemnation in the present.
- 10.35 Third, it is asked: Since the amount of sin arises from the amount of contempt, which contempt ought to be called greater?  
I reply: The magnitude of contempt arises:
- sometimes from the magnitude of the thing contemned; for however great be that which is contemned, so much greater should the contempt be regarded;
  - sometimes from the number of contemptuous acts; because how often one shows contempt, so much the greater is his contempt;
  - sometimes from the humble state of the one showing contempt; because the lesser the worth of the person showing contempt, so much greater is the contempt;
  - sometimes from the one showing contempt more submission is owed; because how much more one is bound to be subject either to a man or to the statute, so much greater is his contempt;
  - sometimes from the intensity of the act; because how much more intense is the act of showing contempt, so much greater is the contempt;
  - sometimes from its duration, because how much longer one perseveres in some contempt, so much greater is the contempt;
  - sometimes from its frequency, because how much the more one is accustomed to show contempt and falls frequently in this vice, so much more is his contempt;
  - and sometimes from its rootedness, because by how much one is obstinate and rooted in his contempt, so much greater is his contempt.
- And understand all these things, all other things being equal.

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<sup>68</sup> Bernard, *De praecepto et dispensatione*, ch. viii, n.18 (PL 182:871 B).

<sup>69</sup> *Ibid.*

- 10.36 The first two are taken on the part of the thing scorned; two other on the part of the person showing contempt, another four on the part of the act itself of showing contempt, according to diverse circumstances, namely, of intensity, duration, frequency and obstinacy. From these it can be known when contempt leads to serious sin. Where there shall be greater contempt; or several of the above contempts, other things being equal, a greater sin results.

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## §11. MANNER OF MAKING CONSTITUTIONS<sup>70</sup>

- 11.00 There follows: **“And that a multitude of constitutions be avoided, we prohibit henceforth that something be instituted, unless it shall have been approved by two successive chapters, and then in the immediately following third chapter it shall have been confirmed or deleted, whether by the prior provincials or by other diffinitors, wherever this third chapter is celebrated**

### C. 20 On the seven [things] which are to be considered in our constitutions.

- 11.01 About this constitution four matters are touched upon:
1. the reason for the constitution,
  2. the manner of obliging,
  3. the time when it was established,
  4. the substance of the constitution.
- 11.02 The first is touched upon where: **“that a multitude of constitutions be avoided.”** But it seems that this is not a good reason. For a multitude of constitutions is suitable for many reasons, just as has been suggested in the text: “. . . **were committed to writing.**” (§2.00; C. 2) Therefore it is not to be avoided.
- 11.03 I reply: When a statute is established, seven things should be considered:
1. One is whether it would be useful. A statute ought not be established unless its usefulness is manifestly apparent.
  2. Another is whether it would be for the common good of the Order. For some things are good and useful for one nation, like a hearty celebration of a certain feast or the like, which are not for the others. A constitution should be made only about that which is generally good for the whole Order.
  3. Another is whether it would be observed in perpetuity. For about those things which are temporarily useful to the whole Order, and are not to be observed perpetually, constitutions need not be made, but temporary admonitions suffice.
  4. Another is, whether it would be expedient that it be legislated, notwithstanding other things. Many things are simply useful which sometimes are not expedient. It would be useful that no one of the seculars<sup>71</sup> would see our secrets; nevertheless, to legislate this, or others like it, is not necessary, because of disturbances of the

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<sup>70</sup> Cf. §13.04.4

<sup>71</sup> Seculars: Not simply the laity, but the secular or diocesan clergy who engaged the friars in many controversies, especially at Paris.

seculars, or many other evils which would thereupon follow.

5. Another is whether it is appropriate. There are some which contain things which are simply useful, and expedient, but are not proper to religious life or our state. They are common goods pertaining to all, as are those things which are matters of faith and Christian and ecclesiastical morals. About these there ought not to be constitutions for us, but only for those things which enhance religious life in general or especially ours.
6. Another is whether it is generally possible. Constitutions ought not to be made about those things which are almost impossible to be observed generally, however good they might be; e.g. that no one would laugh with women, or that a friar never lower his capuce when on the road, etc.
7. Another is whether it is necessary. For there are some things which are so well observed by general custom, either of the Church, like making the sign of the cross when beginning the Gospel, or of the Order, like wearing white tunics, etc., and it is hoped that it shall be preserved in the future, that then it would be superfluous to make such constitutions.

- 11.04 You say therefore that a multitude of constitutions in itself is not praiseworthy. If this constitution however would not have existed, many constitutions would have come about lacking these criteria, and therefore that such an unwise multitude might be avoided, it was fitting that this constitution be made. Accordingly, a good reason is given for this constitution.
- 11.05 The second (Cf. §11.01.2, the obligation) is touched upon, where: **“we prohibit.”** This constitution is obligatory in the manner of a precept, and it is that first precept of the constitutions.<sup>72</sup> And so it is considered necessary, that the ones instituting it wished it to be infringed by no one.
- 11.06 The third (Cf. §11.01.2, the time) is touched upon, where, **“henceforth.”**<sup>73</sup> From this is implied that this constitution was not made from the beginning, and this is true. From the beginning each general chapter was able to legislate. But at the time of the first most general chapter this constitution was made, just as is clear below, chapter *On the most general chapter* (c. II,10). Nor was this done without reason. For when any chapter was able to make and likewise delete constitutions, the outcome was ridicule and confusion. What was legislated by some diffinitors in one year, was eliminated frequently in the following chapter.
- 11.07 The process which now exists embodies greater wisdom. For often what seems good and expedient to one at one time, after the passage of time, and after more diligent deliberation no longer seems so.
- 11.08 What is seen by many wise men is more certain and better. What is examined through many meetings, is better discussed. Now however the constitutions pass through a longer time, through many diffinitors, and through many meetings of the friars between the chapters discussing the initiated constitutions. And so this process is wiser. Thus the process of making constitutions was changed to avoid the aforesaid

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<sup>72</sup> Cf. *PC Prol.*, §10.27.2; . This is the second of the precepts, but the first one from the Constitutions.

<sup>73</sup> Latin: *ne de cetero* .

confusion, and so now it would happen more wisely.

- 11.09 The fourth (Cf. §11.01.4, the substance) is touched upon in the following five;
1. One is that the constitution can only be made by a chapter – understand, by a general chapter – because since it is a statement regarding the common good of the Order, the chapter mentioned here ought to be understood to be a common chapter of the Order. This, indeed, is general. It would have been better however and clearer if express mention had been made here about a general chapter. And note that through this we are to understand that neither a particular prior, nor master, nor some chapter which was not general, can make a constitution.
  2. Another is that it cannot happen through a unique chapter; rather at least three concurrent chapters are necessary.
  3. Another is that it cannot happen through any three whatsoever; but they must be successive.
  4. Another is that the third of the aforesaid chapters, by whomever it is celebrated, can confirm constitutions approved in the other two; and this is said for this reason, lest it be believed that only the priors provincial at the time of their chapter can confirm constitutions, just as some at one time wanted to legislate.
  5. Another is that the place of the third chapter means nothing with regard to the power of confirming approved constitutions; but wherever it is celebrated, they can be confirmed. And this is said for this reason. So from this, no house of the Order would believe itself to have some power above the others.

### **C. 21 About reasons for creating or making constitutions in the Order.**

- 11.10 About the first it is asked whether the prior provincial, with the provincial chapter over the province, or the conventual prior with the convent over his own convent, can make some constitution, even though not general with respect to the Order?

I reply: Laws grant that prelates with their colleges can make constitutions; but this power among us has been removed from the aforesaid prelates and colleges, through their higher chapter, by virtue of this constitution; and this is expedient lest variations are introduced in the Order through the varieties of such constitutions. They can therefore make some ordinations, but not constitutions.

- 11.11 Another reply might be put in this way. Such aforesaid ordinations either are put into writing, or not. If not, they are not constitutions, because it is of the substance of a constitution that it is written; and so, they intend to make a constitution, or not. If not, it is not a constitution, because a constitution never happens without the intention of [making] constitutions; if so, it is a true constitution; but among ourselves it is only called a constitution if it is put in writing in the “Book of Constitutions.”<sup>74</sup> Nor are such particular constitutions prohibited from happening by this constitution, because this is not called a constitution unless it concerns the general constitutions of the whole Order.

The first reply seems better.

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<sup>74</sup> Primitive Constitution, Prologue.

11.12 According to the second, it seems that this is not kept. Constitutions may happen through a unique chapter when it is a most general chapter.

If it is said that this is equivalent to three, because in it there are two friar diffinitors with each of the prior provincials, [I reply:] to the contrary. Although it is equivalent with respect to the number of diffinitors, it is not equivalent however with respect to the time of deliberation, nor regarding the discussions which the friars have between three chapters about the inaugurated constitutions, through which the diffinitors frequently are informed; and so it must be said that this response is not entirely sufficient, although it touches upon some reason.

Thus it must be said, just as it was said previously, that this refers only to general chapters simply, as has been said; that it be the sense: "henceforth that something [not] be instituted," namely through some general chapter, just as it used to happen before, unless through two; and so it is not excluded that in fact something may be instituted through a most general [chapter].

11.13 If it is asked where this response comes from, the answer is from custom, which is the best interpreter of laws. It is by the custom of the Order, which the Order has seen and approved already twice, that the most general chapter uniquely makes constitutions. Nevertheless, it would be good if this were inserted in this constitution, and it would say such: "We prohibit henceforth that something be instituted, unless by a most general chapter, or by two continuous general chapters, etc."

11.14 But again it is asked how was this introduced that constitutions do not come about unless they pass through several chapters, since all other religious orders write constitutions in one chapter. Are not we wiser than all the others? Besides why do we keep the number three in this, rather than two, or more than three?

I reply:

- There is a kind of religious order among whom the entire discretion is generally with the major prelates, as in the Cistercians, the Praemonstratensians, and other such. And so in these religious orders there are no diffinitors, only major prelates.
- There is another kind in which there is discretion between prelates and their many subjects, as the order of Friars Minor; and so among them they have diffinitors and major prelates by law, and subjects through election in equal number, in a general chapter.
- Another is a religious order in which there is an abundance of discretion even in subjects, as among us; and so among us, not only major prelates, like provincials, become diffinitors, but also subjects, whoever, through majority election.

11.15 The first, because in whatever year they have a chapter, – not awaiting diffinitors of another kind to follow, who would differ from them in their opinion because of their different state – in that year they legislate.

11.16 The second, because they have a chapter only every third year, to reduce the effort of a great number coming from afar, to which they gather together the diversities of the aforesaid diffinitors, they legislate every third year, and in a unique chapter.

11.17 But we, because we have a chapter every year, and the diversity of diffinitors do not

gather together, for similarly reducing the effort, and that over a longer time a greater deliberation might follow, since we await diffinitors of another kind, we do not institute anything until it has passed through all these diversities. The friars have two years for these determinations, and the priors provincial the third, for the sake of the multitude of deliberating subjects.

It is not to be ascribed to pride that we differ so from others in the way we make constitutions, but take to heart the aforesaid reason; from which it is clear why it is expedient that we require several chapters in legislating, and even three.

11.18 About the third it is asked why it has been ordained that three chapters which make constitutions be consecutive. If it were not required that they be consecutive, a greater discussion and deliberation could be had.

I reply: Although a greater deliberation might be had, nevertheless intolerable confusion would follow, because sometimes after ten years or more, what had passed through two discontinuous chapters many years before were to be confirmed. Sometimes it would not be known regarding some constitutions whether they had been approved or not, and when, because of the length of time. It was more careful then to avoid such confusion, than to profit from that deliberation.

11.19 Again, if three discontinuous chapters could legislate, a great multitude of constitutions would result, which is to be avoided. For there would hardly be any constitution once begun, which over a period of time would not get three chapters.

The other two are clear.

### **C. 22 On the difference between constitutions and admonitions, and about the duration of admonitions.**

11.20 This constitution raises the question: How is it that admonitions which are also put into writing and should be kept, can be enacted without several chapters, but not constitutions?

I reply: To understand this it must be recognized that constitutions and admonitions insofar as they are kept by us, differ in many ways. It is not necessary that just because they are sometimes written they be called constitutions. Although every constitution ought to be in writing, not everything in writing is a constitution.

11.21

1. They differ therefore on the part of those matters about which they are made, for constitutions happen about more necessary matters; admonitions about those matters which are not considered so necessary, or because they are not general enough, or to be observed perpetually, or so urgent, or for other reasons.
2. They differ in stability. Admonitions are not as stable as constitutions. Moreover, one general chapter can revoke all the admonitions made from the beginning of the Order by whomever; it cannot however revoke one constitution.
3. And in observance. The Order does not regard such care for the observance of admonitions, and so they are not read every day like the constitutions, nor with such diligence do they see that all are written and available everywhere, like constitutions.
4. From these it follows a fourth difference, namely on the part of the one establishing them, because they come about more easily, hence not only can any chapter, but

also any prelate whomsoever can make such admonitions.

- 11.22 But again it is asked: Whether such admonitions ought to be regarded as perpetual, and perpetually oblige the friars in their own way of obliging?  
I reply: Some have said that they last for a year, namely from chapter to chapter. But if this were true, then chapters should not order that they be kept in writing, for only a year. For what further value would something written have, if it would not endure further?
- 11.23 And so others have said otherwise, saying that they bind only until they are forgotten. But if this were true, then the negligent who neglect to respect them, or to keep them in writing, would profit from sin; and the diligent, who have bothered to have them in writing, and frequently respect them, would suffer loss from their good.
- 11.24 And others say that the admonitions of prelates endure as long as they endure; at their deaths or dismissal, they pass with them. Admonitions however of the chapters endure perpetually, because chapters do not die, but are perpetual. The chapter is forever, although the persons themselves move on. And this opinion seems to agree with law, which says that at the death of the mandator, the mandate expires. From this indeed it seems to follow that the admonitions of the chapters endure forever, because chapters endure forever. At the deaths or removal of prelates, their mandates and admonitions expire.
- 11.25 To the contrary: At the death of one excommunicating, the bond of excommunication does not cease for the one excommunicated. Similarly on the death of a confessor, the obligation to satisfaction in the penitent does not cease. Therefore likewise, at the death of one issuing a mandate, the bond of the mandate does not cease by which it obliged before.
- 11.26 In secular matters, at the death of a governor, the edict does not cease which he issued in place of the king; therefore, at the death of the vicar of Christ, whatever edict or ordination which he made in place of Christ does not cease.
- 11.27 And, if at the death of the prelate, his mandate expires, by the same reason at the death of a father, his mandates or ordinations would not endure, nor have force, therefore at the death of Jacob, or Tobia, or Rahab, or of the other ancient fathers, their sons would not have been blameworthy if they did not follow their commands.
- 11.28 At the death of an artist, his work does not cease because of this. Therefore, at the death of the one issuing a mandate, because of this, the bond of the mandate already made by him does not cease.
- 11.29 Conceding this, it seems, just as at the death of one who bound another, because of this the obligation already made of the one bound is not dissolved, but it continues to endure, although it cannot bind to even more. So, at the death of one commanding, the obligation of the one bound, which already binds, still endures, although it cannot bind to more.
- 11.30 Therefore as to the proposed question (Cf. §11.22) it must be distinguished so: The admonition about which it is asked, either endures perpetually, or it contains a time

limit; because when it is said: "Let this or that be done," either it is said: "It endures for so long," or not. If so, it endures for a limited time; if not, it endures perpetually, unless it is revoked by one who can revoke it; and this, whether it be an admontion of a chapter, or any mandate whatsoever, or even a decision of a prelate.

- 11.31 What is said to the contrary, that at the expiration of the mandator the mandate expires, does not matter; for that is understood in regard to commissions. For since one commissioning a task and the one to whom it is committed are like one person because he acts by whose authority it happens. At the death or removal of the principal, the power of the other expires when that is not *usus in alterum* [?]. If however, it is not *usus in alterum*, it does not expire. And this does it for this solution.
- 11.32 Likewise also a mandate or another ordination by which one is already bound does not die, although the power of ordaining or mandating something anew dies. If, however someone would say the contrary, at least it seems that this should be said, that precepts, and mandates, and concessions, and excommunications, and such precepts of those prelates who can make constitutions, such as the Pope, a legate, etc. endure after them, especially if they intend this to continue. Those of others however, who cannot make constitutions, do not endure, because their power is not extended beyond their life or rule. But the offices which these grant endure, and the acts of those establishing them, by reason of the acquired office.
- 11.33 Regarding the objections to the contrary, (Cf. §11.23-25) they can easily be solved.
- For at the death of the excommunicator, the action of excommunication ceases, not the result already imposed.
  - Similarly, in a confessor, the power of binding ceases, not the effect already left behind from confession; so also here the mandate ceases, not the effect already left behind from its passage.
  - To what was proposed above it must be said that if he has from the king the power of making an edict, it prevails after death; otherwise not.
  - About the fathers it must be said that their sayings, insofar as they were pronounced by divine will, oblige perpetually; however insofar as they are by their own, they do not oblige perpetually.

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## §12. INTERPRETATION OF THE CONSTITUTIONS<sup>75</sup>

- 12.00 There follows: "**Interpretations of the rule or constitutions made by a general chapter do not have the force of a constitution unless approved by three chapters.**"
- 12.01 But it is asked: Do not such interpretations have force, if they are made by one most general chapter?  
I reply: they do. And this constitution does not exclude this because it says: "**made by a general chapter.**" It does not follow: if "interpretations . . . made by a general chapter

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<sup>75</sup> Cf. §13.04.5.

do not have force, etc.," therefore neither by a most general. Or it can be said, as above it has been said, that the most general chapter is equivalent to three, (Cf. §11.13) and so it is not excluded by this clause: "unless . . . by three chapters." Rather it is even more included, just as an equivalent in its equivalent.

12.02 Note that this is understood that it speaks here of three continuous and general chapters although it is not inserted in the text. From this it is clear that the constitution could have been framed more clearly if it were put thus: "Interpretations of the rule and constitutions do not have the force of a constitution, unless approved by one most general chapter, or three successive general chapters."

12.03 But it is asked: If some article of the rule or constitutions is doubtful, and an interpretation has not been given by three General or by one most general chapter, what interpretation shall stand?  
I reply: If some interpretation of this article can be confirmed by some approved custom, this interpretation will stand because custom is the best interpreter of laws, just as the law says. However, if it cannot be confirmed, the interpretation of the prelates or chapters shall stand, as long as their interpretations do not contain a manifest error. Because when in doubt the judgment of the superiors is to be followed, and obedience excuses in case of doubt. And this is not against this constitution. For although this interpretation ought to be followed by subjects, nevertheless it does not have the force of a constitution.

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### §13. THE CONSTITUTION'S DISTINCTIONS AND CHAPTERS <sup>76</sup>

13.00 There follows: "**We have diligently written this book, in which we have designated two distinctions. The first distinction contains *About the Office of the Church, etc.*, and has twenty chapters. The second distinction contains *About Establishing and Constructing Houses, etc.*, and has fifteen chapters.**"

13.01 Note that this writing is called a book, lest it be slighted. For a writing which is called a book has greater authority, than that which goes by another name.

13.02 The Praemonstratensians divide their constitutions, from which our constitutions have been taken, into four distinctions, but we in only two, both because they have to deal with many things which do not pertain to us, like possessions etc., and we leave these out; and we leave out many other things which pertain to us in some way, for the sake of brevity.

13.03 These two distinctions differ in this that the first distinction is about those things which pertain to the life of the friars; the second about those things which pertain to the offices and government of the Order. This is clear to one examining it diligently.

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<sup>76</sup> Cf. §13.04.6.

- 13.04 Finally it must be noted that this entire and first chapter, which treats in general about constitutions, and is like the prologue to what follows, contains six topics in general: <sup>77</sup>
1. first, on the necessity of writing constitutions, namely why it is necessary that they be written, where: **“Because of a precept;”** [§§2-4; cc. 1-6]
  2. second, on dispensations regarding the constitutions, where: **“For this reason, however;”** [§§5-9; cc. 7-13]
  3. third, on their manner of obliging, where: **“Therefore, as a means of;”** [§10; cc. 14-19]
  4. fourth, on the manner of making constitutions, where: **“And that a multitude;”** [§11; c. 20]
  5. fifth, on their explanation, where: **“Interpretations;”** [§12; c. 22]
  6. sixth, on the whole matter of them, where: **“ ... this book;”** [§13; c. 22]

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<sup>77</sup> This Prologue begins, in fact, with the examination of religious unity (Cf. §1).

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## Distinction I

### §14. CHAPTER I: ON THE DIVINE OFFICE

14.00 **“Upon hearing the first signal the brothers arise saying Matins of the Blessed Virgin according to the time.”<sup>78</sup>**

#### C. 23 On signals.

- 14.01 Note that we have only two signals for the hours, the first and second, both of which ought to be done from the bell tower. The first is for reciting the hours of the Blessed Virgin, and for preparing ourselves for the canonical hours, and to avoid taking up new tasks, which would interfere with the Office of the Church. The second is for coming to the church without further delay.
- 14.02 The first should be brief. Six or seven strikes from each side of the bell suffice. The friars ought not to begin the hours of the Blessed Virgin before it finishes, so that by immediately interrupting their tasks, if they have any, they might begin them more devoutly.
- 14.03 The second ought to be so prolonged, according to the judgment of the bellringer, that from its beginning to end the friars would be able to gather from every remote part of the house, from which they come together to church. For estimating this duration fairly he should set a reasonable policy, and then immediately stop, and not before, unless a sign had been given from the choir by the prelate, or cantor or subcantor.
- 14.04 Between the first and the second there ought to be exactly enough time so that the brothers can suitably recite what they have to say, and go to their cells, and to do whatever they ordinarily do, like washing their hands when they arise for Prime or None, and things like that. Nor should that duration be prolonged further because we ordinarily avoid wasting time. Yet on the days when the schedule does not require saying the Office of the Blessed Virgin, such a duration between the two signals should nevertheless be kept, so it can be said by those who should have wished to say it out of devotion.
- 14.05 Moreover in each convent there ought to be a clock, not notable for its cost or technology, but trustworthy for its accuracy. It ought to be so adjusted moderately and regularly according to the times by the sacristan or by him to whom it has been assigned, lest the friars by arising too early might be notably burdened, or by arising too late would scandalize the neighbors. The bell ought to be rung so exactly, that those who are not lazy are able to put on their clothes and shoes before it stops ringing. In the meantime, however the sacristan ought to hurry to the church, so that when the

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<sup>78</sup> The Little Office of the Blessed Virgin Mary was a devotion derived from the votive office of the Blessed Virgin on Saturday. It became a part of the friars' required daily prayer, recited by heart as they arose and prepared themselves for the canonical office in choir.

hourglass finishes he immediately gives the first signal, which when heard and finished the friars now ready or almost ready, ought reverently to begin **Matins of the Blessed Virgin**.

- 14.06 This way of rising and reverently beginning Matins of the Blessed Virgin should be held as more religious, and various other ways which others have elsewhere ought to be rejected.
- 14.07 The same pattern should be followed in rising for None, at the time of the midday nap.
- 14.08 The same way of arising should be kept for Prime, unless perhaps the sacristan, or another so entrusted, shall have been so awake that without the clock at the proper hour he would give the signal for Prime without notable error.
- 14.09 Note that it is a praiseworthy custom everywhere in the Order always to arise very early in the morning for Prime, but even earlier in the morning in the winter.
- 14.10 But it seems that the constitution does not imply this way of rising, and that it would be sufficient to arise at the first signal, and when rising say the aforesaid Matins, because the constitution says just: **“Upon hearing the first signal the friars arise, saying,”** etc.  
I reply that without doubt the constitution does not imply this way, but in this case decency and devotion which we ought to have for the Blessed Virgin requires that we do more than what the constitution says.
- 14.11 But then it is asked why this way has not been, or is not, written down, if decency requires it, that by the constitution it would be ordained that before the friars were to rise and get dressed, that they would begin the Office of the Blessed Virgin?  
I reply: Scarcely is one so spiritual that he does not frequently, or sometimes, at least, suffer shameful dreams in sleep. It is expedient therefore for holy men, immediately when they awake, to busy themselves with the Holy Office, that these images might depart from their memory; and so the constitution ordains that immediately upon arising, the hours of the Blessed Virgin are begun. St. Dominic gave this reason for this constitution, just as I heard from a certain friar who heard it from him. If however one might claim that he can occupy himself with other prayers – if it were stated that the seven Psalms<sup>79</sup> were to be said, or the fifteen Gradual Psalms<sup>80</sup> – it should be said that the Order always avoids prolixity in the Office, for the sake of study. By this the Office would be much increased.
- 14.12 Besides it is probable that the Office of the most pure Virgin is more effective against such imaginations. It is desirable, however, that observing the aforesaid manner, while they ready themselves before beginning Matins of the Blessed Virgin, they might say to themselves some prayers for this purpose.
- 14.13 It is not irreverence toward the Virgin Mary; on the contrary it is great reverence that

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<sup>79</sup> Penitential Psalms of Repentance: 6, 32, 38, 51, 102, 130, and 143 (Vulgate: 6, 31, 37, 50, 101, 129, and 142).

<sup>80</sup> Fifteen Song of Ascents or Gradual Psalms: Pss. 120–134 (Vulgate: 119–133).

immediately after they would awake the friars before anything else be occupied in her service.

- 14.14 If the necessity is imposed by the constitution that before the friars might have prepared themselves completely that they would have begun her Office, many, lazy and sleepy, would have become transgressors. It is not credible that it would please her piety, which is accustomed to reach out to the sick, that because of her a constitution is made which would be a frequent occasion for transgression for such [friars].
- 14.15 Since our entire study is for her great service and that of her Son, it ought not to be displeasing to her if regarding her Office, in which, perhaps, there is not such benefit, the friars deal with it more briefly for the sake of such praiseworthy study.
- 14.16 If perhaps some negligence is committed in doing this, as a recompense for this the Order performs more spiritual services for her than many other religious orders.
1. The first is that ceaselessly through the office of preaching it praises, blesses and preaches her Son and herself.
  2. The second is that the daily Office begins with her, as it has been said, and ends with her, hence her Compline is said last. For she was a great help in beginning the Order, as is said elsewhere, and it is hoped that she would lead [us] to a good end; and so the Order honors her especially in the beginning and in the end of daily services.
  3. Also, in this, that it holds a special procession daily in her honor after Compline.
  4. And in this, that at the beginning of Mass and when pronouncing her name it makes a special reverence to her by genuflections and inclinations.
  5. And in this, that it says her daily Office always and everywhere standing, while for the other Office the friars sometimes sit.
  6. And in this, that in the formula of profession everyone makes a special profession and obedience to her, when it is said: "I make profession, and promise obedience to God and to Blessed Mary," which is not found in other orders.<sup>81</sup>
  7. And in this, that on Saturdays the entire Office in the church is for her, unless for special cases.
  8. And in this, that when something is sung about her in the church, the friars sing more devoutly and solemnly, as is clear in the antiphons of the daily procession, and in the commemorations which happen for her, and in the Office of Saturdays, because a sequence is sung, as if it were a *totum duplex* feast, etc.<sup>82</sup>
- Since therefore the Order offers these eight special observances for her, it is tolerable if when rising, her Office is said quickly, for the sake of study.
- 14.17 And so it is clear from five reasons why the friars ought not to be bound to have fully clothed themselves before the beginning of the aforesaid Office, although decency and devotion to her requires the aforesaid manner, which involves more than what the constitution says.

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<sup>81</sup> The current formula of profession for Dominicans reads: "'I, brother N., make profession and promise obedience to God, and to Blessed Mary, and to Blessed Dominic, and to you brother N. Master of the Order of Friars Preachers . . . .'"

<sup>82</sup> A former ranking of liturgical feasts: *simplex, duplex, totum duplex*, etc.

- 14.18 What, however, is said in this constitution “**according to the time,**” is said for two reasons: namely because of certain feast days on which the Office of the Blessed Virgin should not be said, as written in the *Ordinarium*;<sup>83</sup> and because of Saturdays, on which the entire Office is said for her in church.
- 14.19 Note that on these aforesaid feasts the hours of the Blessed Virgin should not be said by someone so loud that they be heard; nevertheless, these hours or other prayers can and should be said by one quietly.
- 14.20 On the aforesaid feasts, upon rising, the fifteen Gradual Psalms are not to be said in a loud voice, because they are like *preces*<sup>84</sup> which do not happen on those feasts. On Saturdays however they are said, because such Saturdays are days of *preces*.

### C. 24 Why Saturday is appropriate to the Blessed Virgin.

- 14.21 It is fitting however, not to be ignorant of the reason why those who are devoted to the Blessed Virgin honor her more on Saturdays than any other day.
1. Attention should be paid therefore that on Saturday the Lord is said to have rested; and he rested in her just as in his tabernacle. Saturday and the Virgin harmonize, because Saturday is the time, and she the place of the Lord’s rest.
  2. On Saturday the work of creation – of nature – is completed; in her, however, the work of re-creation – that of grace – is completed. St. Bernard: “In thee and through thee, most Benign one, the hand of the Creator recreated whatever he had created;”<sup>85</sup> therefore she and Saturday harmonize in such a completion.
  3. The day of Saturday was blessed above other days, Gn 2:3: “He blessed the seventh day;” and she is blessed above all women.
  4. The day of Saturday was holier than others, the same text has: “and sanctified it.” And she is holier than the whole world. For which reason it is fitting that she, blessed above all and holier than all, be more especially honored on a blessed day and on a holier day.
  5. Just as the day of Saturday is between Friday, which is penitential, and Sunday, which is a day of joy, one cannot pass over from that penitential day to a day of joy unless through Saturday, so neither can one pass from the pains of this world to the joy of heaven, unless through that Mediatrix of the world.
  6. Just as the Saints report, while the others were deserting on Saturday, she stood fast in her faith.
  7. On Saturday she is reported to have worked many miracles, and has come to the help of mankind. Jean Beleth<sup>86</sup> gives the example of a certain image of her, the veil of which was elevated on Saturday. Many things of that sort are reported.

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<sup>83</sup> *Ordinarium*, n. 472, p. 117.

<sup>84</sup> The Latin *preces*, plural of *prex*, generally means “prayers,” but it has a specialized meaning in reference to a string of versicles and responses recited during Morning and Evening Prayer after the *Benedictus* or *Magnificat* and followed by the *Lord’s Prayer* and the concluding Collect. The Divine Office of the friars used *preces* more often.

<sup>85</sup> Bernard, *In festo Pentecostes, Sermo II*, (PL 183:328 B).

<sup>86</sup> Jean Beleth, *Summa de ecclesiasticis officiis*, ed. Herbert Douteil, Corpus Christianorum Continuatio Mediaevalis, 41A (Turnholt:Brepols, Editores Pontificii, 1976), n. 51 e, pp. 90f. Beleth (fl. 1135-1182) was a twelfth-century French liturgist and theologian.

These are the seven reasons why we serve her more devoutly on Saturdays by praying her entire Office devoutly and solemnly in church.

14.22 Then in the Office of the Church proper for Saturday there is sung a certain Sequence about her, in which these reasons are touched upon why Saturday is attributed especially to her.

14.23

Jubilemus in hac die  
Quam Reginae coeli pia  
Dicavit Ecclesia.

Let us celebrate on this day  
Which to the holy Queen of Heaven  
The Church has dedicated.

Haec est dies in qua sua  
Vota tibi, Virgo, tua  
Reddit haec familia.

This is the day on which  
Its vows to thee, O Virgin,  
This family of yours renews.

Omne saeculum, omni die  
Servi Virgini Mariae:  
Sed in hac devotius.

Every age, on every day  
Servants to the Virgin Mary:  
But today more devoutly.

In hac psallas, in hac ores,  
In hac laudes et labores,  
Et cantes jucundius.

Today you chant, today you pray,  
Today you praise and toil,  
And sing more joyfully.

Virgo quae non habet parem  
Diem sibi singularem  
Non injuste vindicat.

The Virgin who has no peer  
A special day for her  
She rightly claims.

O quam digne sibi dari  
Diem hunc et consecrari  
Res inspecta praedicat!

O how worthily this day  
To you be given, consecrated,  
A thing examined preaches!

Hodiernae lux diei  
Dies fuit requiei  
Plasmatoris omnium.

Today's light of day  
Was the day for rest  
Of the Shaper of all things.

Sic quievit in Maria,  
Dum ipsius in hac via  
Virgo fit hospitium.

So he rested in Mary,  
While on this road of his  
The Virgin becomes his lodging.

Cunctae tunc sunt creaturae  
Factae dum opus naturae  
Complet Deus hodie.

Then all creatures have been  
Made while the work of nature  
God today completes.

Universa tunc refecit,  
Dum in Matre qui nos fecit  
Complet opus gratiae.

The universe he then remade  
As in his Mother, he who made us  
Finishes the work of grace.

Dies olim benedicta,  
Dies quoque sancta dicta  
Fuit ista septima.

The blessed day of old,  
The day also called holy  
Was this seventh.

Quam benedicta dicaris

How blessed will you be called

Scimus, Virgo singularis,  
Et quam sis sanctissima.

We know, Virgin so unique,  
And how you are most holy.

Dum transis ad gaudiosum  
Diem, relinquens poenosum,  
Dies est haec media.

When you pass on to the joyful day,  
Leaving behind the day of woe  
This is the day between.

Haec de poenis nos educit  
Mediatrix, et adducit  
Ad superna gaudia.

From punishment she leads us out  
Our Mediatrix, and leads us in  
To joy supreme.

In hac die dum desperat  
Grege pusillus qui tunc erat  
Fidem tenet firmius.

On this day while the flock,  
Which was so little then, despaired,  
She more firmly kept the faith.

In hac die suspirantes  
Ad se, seque deprecantes  
Obaudit frequentius.

On this day those sighing  
To her, and entreating her  
More frequently does she hear.

Veneremur ergo, fratres,  
Ut sanxerunt sancti patres,  
In hac die Virginem.

So let us, brothers, venerate,  
As the holy fathers sanctioned,  
The Virgin on this day.

Exorantes ut conducatur  
Nos hic, et tandem perducatur  
Ad illam dulcedinem. Amen.

Pleading that she might here  
gather us, and guide us at last  
To that sweetness. Amen.

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## §15. PRAYING TOGETHER

- 15.00 There follows: **“Matins however, and Mass and all the canonical hours our friars ought to hear together, unless the prelate might wish otherwise to dispense some.”**
- 15.01 About this constitution:
1. First, it is asked whether the friars are bound to say the Office of the Dead together in choir, because this constitution says nothing about this. Are they bound, I ask, by that same obligation by which they are bound to the constitutions?
  2. Second, are they bound sometimes to say the daily hours of the Blessed Virgin together in choir, because no mention is made here about this?
  3. Third, can the friars because of private Masses absent themselves from the canonical hours or Mass, since it is said here that they should hear these together?
  4. Fourth, can officials in exercising their offices likewise absent themselves from these hours and Mass?
  5. Fifth, whether lay brothers are understood as included in these “friars” who ought to hear the hours together?
  6. Sixth, whether a prelate can dispense certain clerics from saying the canonical hours entirely?
  7. Seventh, whether he can dispense some from hearing Mass?
  8. Eighth, whether he who omits some canonical hour is bound to say it again?

9. Ninth, after he has said the omitted hour, is he is bound to repeat the other following hours which he has already said? For example, when he omitted Terce and has said some subsequent hours, is he bound after saying Terce, to repeat Sext?
  10. Tenth, whether one be freed from saying the hours, who in choir or outside has not said much, or did not understand when others said them, or did not have his heart in it?
  11. Eleventh, it is asked who in this constitution more easily ought to be dispensed, because it says here: **“unless the prelate might wish otherwise to dispense some?”**
- 15.02 I reply: To the first it must be said that that the friars are bound by the aforesaid obligation to say Office of the Dead in choir, which is said once a week in the convent, not from the force of this constitution, which does not speak of this, but by reason of custom.
- 15.03 Also, by reason of this constitution which confirms the Office, since this has been written in the *Ordinarium*.<sup>87</sup>
- 15.04 If they are outside of the house, they nevertheless ought to say it by themselves.
- 15.05 It must be said of the Office of the Dead that for additional reasons it is enjoined to take place in the convent for those who are in the house. Moreover as to the daily Office of the Dead, which is usually said without chant in choir by the hebdomadarian and weekly ministers, or by others who are assigned to this, other friars are not bound, although out of devotion it would be pious for them frequently to be present.
- 15.06 To the second (Cf. §15.01.2) it must be said that Compline of the Blessed Virgin is not said at the first signal which is given for Compline, just as other hours for their signals, because just as it has been said, the Order has such devotion to her that daily service begins with her, and ends with her.
- 15.07 If Compline were said for her at the first signal for Compline, when time still remains in which the friars can hardly abstain from speaking, and sometimes a collation for drinking remains, the friars would already be speaking and even drinking after Compline. The Order greatly rejects this as excessively irreligious, to speak or to drink after Compline. For these reasons, therefore, Compline is said in choir by the convent after the other Compline.
- 15.08 Many things about this have been determined by the *Ordinarium of New Corrections*, which, as has been written there, ought to be observed, although this constitution might not so fully determine all those matters.
- 15.09 In Lent, when Mass is said after None, in the convents in which there are few friars, having finished Mass, immediately Vespers of the Virgin may be said in the convent, so that the ministers removing the sacred vestments at this time might be present for daily Vespers. Where however there are many friars, Vespers of the day is continued

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<sup>87</sup> *Ordinarium, op.cit.*, n. 473ff., p. 117.

with Mass; and when finished, and having said the *Fidelium*,<sup>88</sup> with the *Our Father*, Vespers of the Blessed Virgin is said afterwards, not by the convent, but by the friars individually whether in choir or outside, wherever they wish.

- 15.10 When None in fasting time<sup>89</sup> is said on Sundays after *Gratias*, if after None the Office of the Dead should be said by the convent, then having finished None of the day, immediately None of the Virgin should be said, and *Vigiliae* [of the Office of the Dead] immediately follows. Otherwise, having said the *Fidelium*, with the *Our Father*, None of the Virgin is said, not conventually, but at the convenience of the friars, individually, whether in choir, or outside.
- 15.11 When Mass continues after Prime, and after Mass Terce, then Terce of the Blessed Virgin is said by some immediately after Terce of the day, and afterwards the *Fidelium* is said. But it is better that in this case *Fidelium* with the *Our Father* is said immediately after Terce of the day, and then Terce of the Virgin not conventually, but optionally (*ad libitum*); from these, therefore, it is clear that the hours of the Blessed Virgin and in such cases ought to be said together by the friars in the convent out of custom and reason, although these cannot be drawn from this constitution.
- 15.12 To the third (Cf. §15.01.3) it must be said that when from custom in the convent some brothers after the Gospel leave to celebrate Mass, or at some other hour, when hours or Mass are said, or the weekly Office of the Dead when Prime is said, and the prelate sees this and knows, and he or the visitor, or another major superior does not forbid it, in such cases the friars and the ministers can absent themselves for celebrating Mass, and not go to choir, because it is understood in such situations that they have permission from the prelate who knows this and does not object; otherwise not without general or special permission.
- 15.13 To the fourth (Cf. §15.01.4) it must be said that officials who have such tasks that sometimes it is necessary that they be busy at a time when the canonical hours or Mass are said in choir, can absent themselves from choir for the time of such necessity. When an office is entrusted to them, those things are also entrusted without which it cannot be exercised. Hence it is that keepers of the dormitory, where the care is necessary at the time of the hours, may stay away from choir; similarly, the sacristan, when he does the things which are necessary for his office, at that time he may not be present with the others; so too the procurator,<sup>90</sup> when at that hour he has something to do for his office, which cannot be postponed; and so in similar cases.
- 15.14 To the fifth (Cf. §15.01.5) it must be said that lay brothers are not included in this constitution. For since they are called to physical service of the friars, it suffices for them briefly to say their own prayers, and to hear a Mass without music, and afterwards they should be free for some manual services. Much less are they bound to be present for the Divine Office in choir than clerics, who sometimes on the occasion of

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<sup>88</sup> A frequent concluding verse voiced by the prelate: "May the souls of the faithful departed, through the mercy of God, rest in peace. Amen."

<sup>89</sup> Fasting time: From the feast of the Exaltation of the Holy Cross, September 14 through Holy Saturday.

<sup>90</sup> Procurator: The business manager of the convent.

their offices might stay away from choir.

Moreover, they should be corrected, if on the occasion of this devotion they wish to set aside other works. Note therefore that at the time when the brothers are accustomed to staying awake for study, they should; and those who know their jobs, should then do the tasks which they can, then they should be busy about them, either to learn them, or to tend to the dormitory, or to do other such things; to attend diligently by day to the needs of the friars.

But as for Compline they should come, unless a significant necessity excuses them, to avoid the temptations of the night. They should always arise with the others for Matins, for Prime and for None. If someone did not sleep at the time of the midday nap during the day, because of the job of doorkeeper, or another, he might be dispensed from arising with the others for Matins. However, if there are no such tasks with which they might be busy doing, or if some of them are such that they can not be occupied with it, or if it were such a feast day that they should not be busy with something else, then it is better that they hear the Divine Office with the others, than that they be idle, or in their beds.

These responses which have been said about this article, although they might not have been written, nevertheless are drawn from common use and from reason.

- 15.15 To the sixth (a total dispensation from the Office, Cf. §15.01.6) the answer is no, because with those who are in sacred orders he cannot: even with others he cannot; because since beneficed clerics not in sacred orders are held to be bound to the Office, so much the more each religious is bound, who is supported by his Order, and it would be ridiculous to say the contrary. Reasonable necessity, however, can excuse in this case without dispensation.
- 15.16 For the seventh (Cf. §15.01.7) it must be said that he [the prior] can more easily dispense for Mass than for the canonical hours. Although greater devotion ought to be had for Mass than for the hours, nevertheless it happens that clergy are not as bound to Mass as to the canonical hours. And this is because one is not mandated like the other. However, it is much more irreligious that this [the hours] be neglected than that the friars always hear Mass, whether they be on the road, or in the house. Nor should this be easily dispensed.

### **C. 25 Why Mass should be heard willingly.**

- 15.17 There are many things which ought to motivate each of the faithful, and especially religious, to hear Mass every day. It is certain, however, that although there be many kinds of sacrifices, like prayer, praise and such, nevertheless none is of such power as the sacrifice of the altar.
- It is offered especially for those gathered about; and in turn they offer it for “all who are dear to them,” as is clear from the words of the canon.<sup>91</sup>

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<sup>91</sup> “Remember, Lord, your servants N. and N. and all gathered here, whose faith and devotion are known to you. For them and all who are dear to them we offer you this sacrifice of praise . . . .” Eucharistic Prayer I, Intercessions for the Living.

- There refreshment for souls is provided and bread for the sustenance of a life diminishing day by day.
- There to the eyes of faith the golden serpent is seen,[Cf. Nm 21:8] mounted on a pole for healing the poisonous stings which are inflicted daily.
- There the theological virtues are exercised for meriting and growing:
  - How much does faith merit; its praise is to believe what is not seen! There is almost no article about which so much is merited.
  - There hope is elevated, trusting in him at whose table it sits.
  - There the highest charity is enflamed, mindful of that love which was shown to us on the cross.

15.18 How grave is it to neglect such a powerful sacrifice for oneself and one's loved ones with so many needs; such a necessary refreshment existing in an ongoing weakness; and such a healing remedy for the dangerous wounds inflicted daily; such virtue gained and merited for one existing in a state of seeking perfection?

15.19 Besides, the saints tell us that the angels who do not need these remedies, and for whom this sacrament has not been instituted, come and are present for Mass daily, out of reverence for it. How much more then ought man be present daily, for whose usefulness it was instituted!

15.20 How great is the contempt that a man neglects to go to the place on earth near him, where he can find the King of heaven has come on his behalf?

15.21 How is it to petition every day for our daily bread, and when such heavenly and excellent bread has been delivered, it is scorned by that very petitioner!

Hence it is to be enjoined on those who skipped some Mass out of negligence, that they should hear as many as they skipped.

15.22 To the eighth (Cf. §15.01.8) it must be said that if a day passed, or as much of a day that in the remaining part of the day no time is left to recite such an hour, one is not bound to say the omitted hour, but it is sufficient to do penance for the omission; otherwise he is bound. For example, if one omits to say Matins of that day at the suitable hour, and the whole day passes, even after supper, when it is remembered, he is not bound to say Matins, but to do penance.

15.23 If however, it was about Prime, or between Prime and Terce when he remembered, he ought to say it while there is still time, lest he incur a major omission.

15.24 If it is objected: If someone is bound by vow to offer to God every day, and he does not offer today, he is still bound to offer what he omitted, therefore also the hours; it must be said that some things are due to God from which man makes profit, as is an offering or alms, when they are owed by a vow; and such an omission is owed still for a penance, because so obliged he is still held bound both to man and to God.

Others there are from which man gains nothing of profit, like fasting and prayer; and for such omissions, it is sufficient to satisfy God alone through penance, since the time of rendering it has past.

- 15.25 If, however, time still remains for rendering it, he ought to render it, not by reason of the past omission, but lest a major omission be incurred.
- 15.26 To the ninth (Cf. §15.01.9) it must be said that one is not bound after he said the omitted hour, to repeat what follows which he has said, because he repaid his debt to which he was bound. But it is honorable that not only he do penance for this, but also that he say the following hours again out of penance for his negligence; the same must be said about commemorations recited out of order.
- 15.27 If, however, someone skips the proper antiphons or responsories, and it had not been dispensed for him that the Office which he said sufficed, it is not sufficient for him to say only those antiphons, or responsories, but the psalms ought to be repeated with their corresponding proper antiphons, responsories and readings; it is of the substance of the Office that one be said with the other.
- 15.28 If, however, such omissions happen in choir, it is not necessary that such supplyings and repetitions happen solemnly with chant; but it is sufficient that each do it by himself, or several together without chant, because chant is not of the substance of the canonical hours to which we are bound; and understand all these things if there still is time. It is necessary to supply that which was omitted, according to what was said in the solution to the eighth question. Otherwise if the time has passed, a penance alone entirely suffices for them.
- 15.29 To the tenth (Cf. §15.01.10) it must be said that sometimes someone has a reasonable excuse for not saying some of the Office because of some related task, just as when someone looks for a candle for the Office etc.; and then he has indeed been exempted from saying what the others said, because by helping those he participates in the things which the others say. Sometimes he does not have a reasonable excuse, but his negligence alone is the only reason why he does not say it, or does not understand, or does not have his heart in it. In this case it must be said that so much negligence can be involved that he is obliged to say it again, if he either did not say it, or did not understand, or did not attend to what he was saying. When however it be so great, it is not for art to determine but for unction.<sup>92</sup> And it is similar to the sacrifices of the old law: there can be so many flaws or deformities in the sacrifice, that the person offering such a sacrifice was not released; or so few that he was released.
- 15.30 To the eleventh (Cf. §15.01.11) the response is clear from that which was said above about that text: **“especially in those things which are seen to impede study,”** etc. (Cf. §6).

**C. 26 Why the Office should be recited more willingly in church rather than outside.**

- 15.31 Finally, it should be noted that occasions or permissions should not easily be sought for being absent from choir, but the Office should be prayed more willingly there than outside, for many reasons.

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<sup>92</sup> Perhaps the meaning is: Its value is not a matter of art, or rubrics, but of unction, of prayerful intent.

- Prayers are heard more easily in the church, because it is a place dedicated to God, and so 2 Chr 7:15, “My eyes also shall be open, and my ears attentive to the prayer of him that shall pray in this place.”
- A greater number is there, and a number is more effective for imploring, hence the Lord in the Gospel: “Again I say to you, that if two of you shall consent upon earth, concerning any thing whatsoever they shall ask, it shall be done to them by my Father,” (Mt 18:19); how much the more when a great number requests the same thing!
- The holy angels gather with those singing psalms, as Bernard says about this text: “Princes went before,” heavenly princes, “joined with singers of psalms,” (Ps 67:26).<sup>93</sup> How glorious is it to have such companions in psalmody!
- The Office is prayed there more precisely without any omission or neglect, because there are some who take special care about this. If the Queen of Sheba had been so delighted seeing the order of those ministering to Solomon, how much more willingly ought the soul behold that Office, devoted to the eternal King, in which he is served more orderly and beautifully, than that in which it is less orderly!
- The Body of the Lord is in the church, with the relics of the saints. It is believable that because of their presence some special grace is conferred on those venerating them, just as the court jesters of great lords bring back something from them, when they perform before them. Because of this David would sing psalms before the ark. And two cherubim, which signify the gathering of clergy and religious, having feet spread as if prepared to rejoice, were fashioned by Solomon on the sides of the ark (2 Chr 3:7-14), which signified the Body of the Lord.

15.32 Because of the Body of the Lord, because of the relics, because of the crosses, because of the angels, because of the holy water and such sacred items which are in the church, demons fear the church, hence it is sung about it: “terrible as an army set in array,” (Sg 6:3) and “[How] terrible is this place!” (Gn 28:17), that is, for the demons, and so they are less able to impede those praying and chanting, because they so dare not approach there, as they do elsewhere.

- 15.33 A vocal *jubilus*<sup>94</sup> has many holy and useful effects.
1. One is that the heart melts in holy affection, hence from Augustine it has been written that he used to weep copiously at the sweet-sounding hymns and canticles of the church, profoundly affected by the voices.<sup>95</sup>
  2. It elevates the mind. Bernard: “A *jubilus* of praise raises up the eyes of the heart.”<sup>96</sup> Thus many are rapt in ecstasy in such jubilation, and so afterwards it was said in the psalm: “In the church[-es] bless ye God the Lord,” and there follows, “There is Benjamin a youth, in ecstasy of mind,” (Ps 67:27-28).
  3. It disperses evil sadness. The *Gloss* on the text Jas 5:13, “Is any of you sad?” etc. “The abundant sweetness of psalmody banishes the noxious plague of sadness.”<sup>97</sup>

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<sup>93</sup> Bernard, *Sermones super Canticum*, *Sermo VII*, n. 4 (PL 183:808 B).

<sup>94</sup> *Jubilus* (plural *jubili*) strictly stands for the long melisma or musical extension of the final syllable of the Alleluia, sung in Gregorian chant. Here it probably means, generally, the sweet psalmody of the Divine Office.

<sup>95</sup> Augustine, *Confessions*, IX, c. 6 (PL 32:769).

<sup>96</sup> Bernard, *Sermones super Canticum*, not identified.

<sup>97</sup> BLGO 4:525.

David says: "My lips shall greatly rejoice when I shall sing to thee; and my soul which thou hast redeemed," (Ps 70:23).

4. It prepares the way of the heart for the Lord, for the infusion of manifold graces. *Gloss on Ezechiel*: "When the voice of psalmody is driven by the concentration of the heart, the journey to the omnipotent God is prepared for the heart."<sup>98</sup> Ps 67:5: "Sing a psalm to his name," and so, "make a way for him who ascendeth," and 2 Kg 3:15, "And when the minstrel played, the hand of the Lord came upon Eliseus." And these four just stated are the four effects in the soul.
  5. The devil flees, 1 Sm 16:23: "David took his harp, and played with his hand, and Saul was refreshed, and was better, for the evil spirit departed from him."
  6. It delights God; hence in the Song of Songs 2:14, the Church says: "Let thy voice sound in my ears."
  7. It transforms the church militant into a likeness of the triumphant, which always rejoices. Bernard, *Super Canticum*: "Nothing on earth so properly represents such a state of heavenly dwelling, as eagerness in praising God."<sup>99</sup>
  8. It upsets the enemies of the Church. 2 Chr 20:22, "And when they began to sing praises, the Lord turned their ambushments upon themselves . . . and they were slain."
- 15.34 Happy these effects, and happy that jubilation, which melts the hardness of the heart, which elevates a worldly mind, which dispels the sadness of the world, which prepares for the reception of the divine blessing, which routs the devil, delights God, likens the Church militant to the triumphant, confounds its enemies!
- 15.35 How willingly therefore ought the Office be recited where the holiness of the place makes it quicker to be heard, and the multitude makes it easier to petition, where heavenly spirits are associated with mortals for praising the Creator, where more orderly is the Eternal king served, where Christ himself present with the relics of his saints assists, where evil spirits have less power to distract, where vocal jubilation leaves so many and so great holy effects!
- 15.36 For this it is said in Ps 67:27, "In the churches bless ye God the Lord." For this the Lord on judgment day will say to those who willingly staying away from Matins and the choral Office what which was written in Jb 38:7, "Where were you . . . when the morning stars praised me together, and all the sons of God made a joyful melody?" The Apostolic choir did not give us an example of staying away from the Office, about whom it is said, Lk 24:53, "And they were always in the temple, praising and blessing God." And this is true for the time in which they were not yet dispersed into the world for preaching.
- 15.37 Justly, therefore, it has been legislated that our friars ought to hear the Divine Office together in the church.

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<sup>98</sup> Cf. Reisner: Gregory the Great, *Homiliae ad Ezechielem* I, i,15 (PL 76:793 A).

<sup>99</sup> Bernard, *Sermones super Canticum*, *Sermo XI*, n. 1 (PL 183:824 B).

## §16. BRIEFLY AND SUCCINCTLY

16.00 There follows: “**All the hours in the church are to be said briefly and succinctly in such a way that the friars not lose devotion, and their study not be impeded in the least.**”

### **C. 27 About the evils which flow from the prolixity of the Office.**

- 16.01 Be aware that from the excessive length of the Divine Office many troubles result.
1. The first is the emptying of the choir; for many seek the opportunity and the permissions to stay away owing to this excessive length, and so the choir is emptied.
  2. Second, is harm to the friars. There are few so sturdy and well conditioned in body that they are not sometimes stressed and even sickened by the excessive length of the Office, and so after a while it is necessary that they who ought to be in choir have to remain in the infirmary.
  3. Third is mental boredom, which almost everyone incurs from prolixity. It is to be utterly avoided in Lauds and the Divine Office. Rather the utmost liveliness should be sustained there. Jerome: “I prefer one psalm be sung with a cheerful mind, than the whole Psalter with numbness, disgust and sourness.”<sup>100</sup>
  4. Fourth is the distortion of the Office. A dragged-out Office cannot be said so elegantly and gracefully as a brief one. It is more praiseworthy to say a little bit well, than a lot badly, because one is praised for quality not quantity; that is, one merits more from good than from more; and more praiseworthy is the artist who produces a few works, but well, than one who makes many, but badly.
  5. The fifth is that it is an impediment to other goods. There are two very useful things among other goods, both of which the excessively lengthy Office impedes, namely devotion and study, which are especially treated here.

16.02 About devotion, it must be noted that there is a certain devotion about the Office itself, namely when the Office is recited out loud; the other for which the friars are used to spending time after the Office, time for meditations or private prayers. Such meditations and private prayers are called devotions, both because they proceed out of devotion, that is from free will and not from the necessity of the Order; and because devotion of holy affections is frequently drawn forth there.

### **C. 28 About those things which are required to recite the psalms devoutly.**

- 16.03 About the first devotion [the Divine Office], note that there are:
- some saying the Office lacking devotion or less devoutly because they say it from habit alone, without a sense of understanding;
  - some, although they have the heart for what they are saying, nevertheless are not moved;
  - some, although they are moved with some kind of affection, nevertheless lack joy,

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<sup>100</sup> Cf. Petrus Cantoris, *Verbum Abbreviatum*, 79, (PL205:236 C).

- which is extremely necessary in such service;
- some have joy there, but dissolute;
- for some indeed there is joy, but they lack the seriousness which levity drives away;
- some have with joy gravity, but through pride perhaps look down on others;
- some, although they have humility, nevertheless what they do they sometimes do not out of freedom of spirit, but as if out of a certain necessity, like slaves, not like free men.

- 16.04 That therefore the Divine Office be said devoutly, with devotion there ought to be a fervent will of doing something, proving itself with certain signs. It ought to be said not only out of habit, but with understanding, with affection, cheerfully, maturely, humbly, and freely.
- 16.05 Bernard, *Super Canticum*: “Offering the sacrifice of praise, with all vigilance we take care to join understanding to habit, affection to understanding, exultation to affection, gravity to exultation, humility to gravity, and freedom to humility.”<sup>101</sup> Such devotion is what fattens the sacrifice and enriches the holocaust with marrow; and we should offer such a holocaust, not a dry one. Ps 65:15, “I will offer up to thee holocausts full of marrow.”

### **C. 29 About the diverse kinds of meditation, the bad and good.**

- 16.06 About the second devotion, [Cf. §16.02] namely, meditations, note that much should be feared about those meditations, because the Lord always looks carefully at them. Hence in Ps 18:15, “The meditation of my heart [shall be] always in thy sight,” as if he were saying: “you always see kind and content of each meditation of my heart.”
- There are some earthly meditations, namely about earthly vices; Prv 24:2, “Their mind studies robberies,” namely wicked things.
  - Some, animal, namely sins of the flesh; Ps 35:2, “He hath devised iniquity on his bed,” namely injustice: iniquity, I say, which pertains to the bed.
  - Some, diabolical, namely about malice, Ps 55:6, “All their thoughts were against me unto evil,” Lam 62 SIN, “and their devices against me all the day,” says the Son about the Jews.
- These three kinds of meditations are the worst, and must be avoided.
- 16.07 There are other inane and fruitless meditations, such as vain thoughts. Ps 2:1, “Why have the people devised vain things?” These, though not as bad as the aforesaid ones, nevertheless should also be avoided.

### **C. 30 About the benefits of good meditations.**

- 16.08 There are other meditations, praiseworthy, which should be pursued by holy men.
1. Of these some are about God, insofar as it is possible to a weak intellect. From meditation of [his] justice arises the emotion of fear; from meditation on his mercy, arises the sense of hope; from meditation on his all-seeing wisdom arises the

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<sup>101</sup> Bernard, *Sermones super Canticum, Sermo XIII*, n. 7, (PL 183:838 B).

feeling of shame; from meditation on his excellence arises love of honor; from meditation on his beneficence arises a sense of gratitude and love; from meditation on his sweetness arises a holy thirst: and many other good things are generated from such meditations about God in those meditating on him. So the one who was meditating said: "If I have remembered thee upon my bed, I will meditate on thee in the morning," Ps 62:7, that is, immediately when I awake, while I am still in my bed, I begin to meditate on you.

2. There are other meditations about the works of his creation, in which much is to be admired; many edifying, many challenging things which lead to innumerable benefits. Ps 76:13, "And I will meditate on all thy works: and will be employed in thy [deeds]," that is, unceasingly.
3. There are others about the works of re-creation [salvation], which are great and wonderful, and rich with salutary effects. Ps 118:117, "And I will meditate always on thy justifications," that is on the works of re-creation through which we are justified.
4. There are others about the sufferings and martyrdom of the only-begotten Son of God, which he endured that we might be re-created: which should diligently be enumerated, and thought of, and always held in memory. Ps 118:24, "Thy testimonies are my meditation," because testimony is the same as martyrdom, or because his sufferings bear testimony to us of his charity, piety and the like.
5. There are others about his profound judgments, who casts away some out of anger, and is pleased by others, and the like. Ps 76:7, "And I meditated in the night with my own heart," namely not with flesh, that is I have not carnal, but spiritual meditations; and he explains which, Ps 76:8, "Will God then cast off for ever?" etc.
6. There are others which are about divine law, to be studied, where Ps 118:97 MEM, "O how have I loved thy law, O Lord? It is my meditation all the day," as if he were saying: some love other sciences, and so they study it for a time; but I so love your law that I thereupon study the whole day meditating on it. In fact, certainly, the just one studies there not only by day but even by night; and so, "on his law he shall meditate day and night," (Ps 1:2).
7. There are others about the commands of God for living, what is to be implemented and what omitted, what to be done and what avoided. Ps 118:117, "I will meditate always on thy commandments," namely by numbering them and pondering on them, for seeing which I have transgressed and how much I have fallen short, and what and how often they ought to have been done before, and what and how often and how much they should have been avoided.
8. There are others about the divine words, which are full of virtue and much edification. Deut 11:19, "Teach your children that they meditate on them," namely my words. So they who wish to improve themselves, act on them. They take up some text, investigating what of virtue, what for improvement they might draw from it.
9. There are others about one's own evils and attitude, and even about others' evils and the misery of this world, which induce a groan. Isa 59:11, "and we shall lament as mournful doves," which, as if sad, seem to be meditating, and as if meditating, to groan.
10. There are others about reparation for evils committed. Sir 14:22, "Blessed is the man that shall continue in wisdom, and that shall meditate in his justice," namely how can he make right the evils he has done, before a stricter justice deals with them elsewhere.
11. There are others about evils to come, which stir up fear, that the frightful should

not happen. Is 33:18, “Thy heart shall meditate fear,” i.e. those things which, meditated upon, generate fear, so that those things which ought to be feared might not be incurred, like the punishments of hell, the day of judgment, purgatory, death, the judgment of God, etc.

12. There are others about doing good, that things that are commanded are not to be dismissed. Prov 15:28, “The mind of the just studieth obedience,” obedience, namely, which omits nothing of those things which one is obliged to do by God’s commandments, or other such things. One [Vulgate]version has: “obedience,” although the other has “wisdom” or “knowledge.”
13. There are others about those things which ought to be done by someone because of one’s office. One should consider this very carefully. So it was that a certain elderly man, as told in the *Lives of the Fathers*, when he ought to begin something, always used to spent much time meditating on it before. 1 Tm 4:15, “Meditate upon these things,” and it refers to those things which befell him because of his office and grace received.
14. There are others about what ought to be said. A good man ought very much to avoid speaking without forethought.
  - In thinking about it he ought to be mindful to speak only the truth. Prv 8:7, “My mouth shall meditate truth.”
  - Speak only good and holy things. Ps 34:28, “Any my tongue shall meditate thy justice,” that is, just and holy things.
  - Speak only true and holy things, wisely. Ps 36:30, “The mouth of the just shall meditate wisdom.”
  - He should be mindful that what is spoken be either in praise of God, according to Ps 34:28, “And my tongue shall meditate thy justice, thy praise all the day long,”
  - or for the edification of our neighbor, according to Ps 48:4 “ . . . the meditation of my heart [shall speak] understanding.” *Gloss: About morals.*<sup>102</sup>

And note that in these citations it is said that the tongue or the mouth meditates, and meditation speaks, because in a holy man meditation is always with talk. A happy meditation, which one does, always sees to it that one speaks only true and good things, and this wisely, and for the praise of God or for the benefit of the neighbor, and so the just man happens to speak meditation, as is clear in these five citations.

- 16.09 Know, then, that such holy aforesaid meditations bestow much on the one meditating.
- First they train the spirit; Ps 76:7, “I meditated in the night with my own heart: and I was exercised,” i.e. by so meditating. For exercise of the spirit is of much greater value than exercise of the body, which matters little.<sup>103</sup>
  - They purify the soul. The same text continues (Ps 76:7), “and I swept my spirit,” namely through meditations.
  - They inflame the heart. The same book (Ps 38:4): “and in my meditation a fire shall flame out.”
  - They subject the flesh, Sir 12:12, “much study is an affliction of the flesh.”

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<sup>102</sup> BLGO 2:516.

<sup>103</sup> Cod: Vien.: - *multum valet* –matters much.

16.10 They confer innumerable benefits for the regulation of human life. Bernard in his book *On Consideration*, which is almost the same as meditation:

“First of all, consideration purifies the very fountain, that is the mind, from which it springs. Then it governs the affections, directs our actions, corrects excesses, softens the manners, adorns and regulates the life, and, lastly, bestows the knowledge of things divine and human alike. It is consideration that brings order out of disorder, puts in the links, pulls things together, investigates mysteries, traces the truth, weighs probabilities, exposes shams and counterfeits. It is consideration which arranges beforehand what is to be done, and ponders what is accomplished, so that nothing faulty, or needing correction, may settle in the mind. It is consideration which in prosperity feels the sting of adversity, in adversity is as though it felt not; the one is fortitude, the other is prudence.”<sup>104</sup>

“It is consideration, too, which sits as it were umpire of the strife between our pleasures and our necessities, settles the boundaries on either side, allotting and allowing to the latter what is sufficient, taking from the former what is excessive, and then from both fashioning a third virtue known as Temperance.”<sup>105</sup>

Now as regards Justice . . . , is it not certain that there must be previous consideration in order that Justice may be a mental habit? The mind must first reflect upon itself in order that it may frame a rule of Justice, and not be inclined to do to another what it would not have done to itself, nor refuse to another what it desires for itself.”<sup>106</sup>

From these therefore it is clear about what the meditations of good persons ought to deal with (§16.08); and how useful is such devotion (§16.09-16.10).

### **C. 31 About pursuing private prayer.**

16.11 As for the third devotion [private prayers, cf. §16.02], know that it should be intensely pursued, nor should the friars in any way grow tepid regarding private prayer so that they would not pursue it fervently and carefully. This is a manifest sign of sanctity. It is not easy to find that someone who shall have pursued this has perished, or has not made progress in religious life.

- Our Saviour has left an example of this for us, who although he lacked nothing, nevertheless, we often read he had prayed thus, so that he might urge us to this by his example.
- The Apostles left us such an example, who putting aside the ministry of the table for this, they say in Acts 6:3-4, “Wherefore, brethren, look ye out among you [seven] men . . . whom we may appoint over this business: But we will give ourselves continually to prayer.”

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<sup>104</sup> Bernard, *De consideratione*, ch. viii, n. 8, (PL 182:737 A) Trans. by George Lewis M.A., *On Consideration*, Oxford at The Clarendon Press, 1908, pp.26-7.

<sup>105</sup> *Ibid.*, ch. viii, 9, p.28.

<sup>106</sup> *Ibid.*, ch. viii, 10, p.28.

- Also almost all the ancient saints left us such an example as is clear in their stories; hence Paul the Hermit was found dead against a tree, mouth and hands raised to heaven, as if praying.<sup>107</sup>
- St. Dominic, our Father, especially left us an example who so frequently spent the night in prayer, spurning his bed.

Such an example our founding friars left for us, just as they report who experienced the primitive state of the Order. Hence a certain friar from the early days, who was believed to have been made foolish from excessive devotion, when he had come to Paris, and on a certain day entered into our church, which still exists, and found no friars praying there, and he remembered how when he was there before, the first little church was almost always full of friars praying, and he asked whose church was this now, and he was told that it was that of the Friars Preachers, said: "Absolutely not! This is not the church of the Friars Preachers. Their church is a certain little church, full of friars praying, prostrate before the altars throughout the entire church. This one, however, is not so." So from this it is clear how assiduous for prayer the friars were at that time.

16.12 And note that those prayers which are from the Ecclesiastical Office for the most part are more praises than petitions. Praises are more fitting to the status of the Church triumphant which is abounding in gifts already received. But such private prayers are more petitions than praises. Petitions however are more fitting to the status of the Church militant, which is in need, and so such prayers are more necessary to the state in which we are.

- In the common Office some prayers are for the common state of the church; in secret however each one, considering his own needs, asks for that which he considers necessary for himself, or for the remission of past sins, or for fortitude for avoiding future ones; or one prays for obtaining the goods which are lacking, or for supplying defects, or for finishing what is incomplete, or for their special cares, etc.
- Private prayers are more mental than vocal; the common Office however consists mostly in words; mental prayers are preferred to vocal; moreover it is not truly prayer unless mental. Hence prayer is so defined: Prayer is pious feeling directed to God.<sup>108</sup>
- In private prayer many feelings of compunction are generated, of desire etc., because one so praying can dwell longer on each thing which he says or thinks about, and so stimulate himself to manifold devotions, which is not allowed in the common Office.
- Such prayers are more willingly poured out because in them the soul is less distracted on account of the absence of tumult, just as someone speaks more freely what he pleases when he is alone with the one to whom he is speaking, than when he is in a crowd.
- The Office in common is from the constitution of the Church; but private prayers are from God's institution; for it is not read that Christ had urged that such Office be recited: but he very much urged private prayers, because he explicitly urged

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<sup>107</sup> Jerome, *Vita Sancti Pauli Primi Eremitae*, 15 (PL 23:27 C).

<sup>108</sup> Cf. Augustine, *De spiritu et anima*, c. 50 (PL 40:816).

when he says, Mt 6:6, "Having shut the door, pray to thy Father;" another example, Mt 14:23, "And having dismissed the multitude, he went into a mountain alone to pray." Many passages pertaining to the same are found in the Gospel.

- For saying the Divine Office, a man is not always ready, because without books and light, which sometimes are lacking, it cannot be recited; but for such private prayers anyone, always and everywhere, can be ready.
- Private prayer has many aspects in itself which make it acceptable to God, like the blush of modesty, tranquility of soul, purity from contagion. Hence Bernard, *Super Cantica*, speaking about private prayer, says:  
"How gracious is a lucid prayer colored with the blush of modesty, how serene and placid, unperturbed by inner clamor, how finally pure and sincere, unspattered by the dust of worldly cares, untempted by the praise of onlookers or by adulation!"<sup>109</sup>

16.13 Since therefore private prayers are more relevant for our state in which we are than the common Office, since in them everyone's own business is dealt with, since they consist more in that which is more required in prayer, since they are more apt for manifold affections, since they are poured out more freely, since they be of divine institution, since they can be had more promptly by anyone, since they have in themselves many reasons for pleasing God by reason of secrecy, and they have certain prerogatives over the common Office, which has so been proved to be praiseworthy, that they must not in the least be neglected, but should always be pursued with great fervor.

### C. 32 About the place and time for private prayer.

- 16.14 Note that "he who wishes to pray in such a way should pay attention to the place and time," as Bernard says, *Super Canticum*.<sup>110</sup> Although every place is apt for such prayers, yet a private place is more apt, and the most apt is a sacred place.
1. About the first the Apostle (1 Tm 2:8), "I will therefore that men pray in every place, lifting up pure hands;" hence devout friars are accustomed to pray not only in sacred places, but also in non-sacred; not only in convents, but everywhere: in inns, on the road, in their cell, at table, after dinner, in bed, in cubicles, in school, over books which they are reading, in the garden, in the cloister, and so they pray in all kinds of places.
  2. About the second, Isidore, *De Summo Bono*: "Prayer is poured out more opportunely in private places."<sup>111</sup> And so the Lord God, by way of example, fled the tumult of the city and went out into a deserted place, where there was no commotion, and there he prayed in private, as is found in Mark 1:35.
  3. About the third, Mt 21:13, "My house shall be called the house of prayer." Through this it is implied how much the place dedicated God is fitting for prayer, since it takes its name from it. The same is clear even from those things which have been said above about saying the Divine Office in church, and even about this, with respect to place. Thus it is that Augustine ordained in his rule that nothing else should take place there lest those who wish to pray there outside of the constituted

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<sup>109</sup> Bernard, *Sermones super Canticum*, *Sermo LXXXVI*, 3. (PL 183:1196 B).

<sup>110</sup> *Ibid.*

<sup>111</sup> Isidore, *Sententiarum de summo bono*, III, §37.

hours be impeded.<sup>112</sup> Hence it is that the devout were accustomed both freely to visit the sacred places, and in the morning, before or while engaged in other activities, to visit there for prayer.

- 16.15 And this the Savior did, when entering the city, he was accustomed first to enter the temple or synagogue, so giving us an example for doing the same. The *Gloss* on the text of Matthew 21:12: "Entering into the city, he first approached the temple giving a religious pattern, that wherever we go we first approach the house of prayer, if one is there, and having commended ourselves to God through prayer, we then turn to the business we were about."<sup>113</sup> From this the custom has been derived for religious, that when leaving the cloister, they first are accustomed to enter a chapel, and those who are more religious do this in the villages, and cities, and castles when they pass through them, or they stay in them, when they can conveniently do so.
- 16.16 Note that although every time is fitting for such prayers, nevertheless, the time specially designated for this is more fitting; but among all the other times designated for prayer, especially the time of Matins and Vespers.
- 16.17 First, Lk 18:1, "We ought always to pray, and not to faint." Hence it is that saintly men pray almost continually: at the beginning of tasks, in the middle, at the end; in good times, in bad times; when evils are present, when good things are lacking; for present goods, for future goods; sometimes for one's self, sometimes for others; sometimes for the living, sometimes for the dead; sometimes for important people, sometimes for little people; sometimes for the afflicted, sometimes for those undertaking a journey who are in great danger; sometimes for those dear to us, sometimes for one's enemies; sometimes for benefactors, and even for malefactors; and so [they pray] in the innumerable situations which occur in the miseries of this world.
- 16.18 About the second, Augustine says: "Be assiduous in prayer, at the hours and times appointed,"<sup>114</sup> namely, certain hours of the day, and diverse times [liturgical seasons], like the rogation days, and many others especially deputed for this; and this is to pray without ceasing when one does not let any time designated for prayer go by without prayer: as the *Gloss* suggests, 1 Thes 5:17 on that text: "Pray without ceasing."<sup>115</sup> It is believed, however that not without reason have some hours and times, or feasts or other times been more especially set aside for prayer, and so devout men pray more and more devoutly in those times, as in a time more opportune for prayer. Ps 31:6, "For this shall every one that is holy pray to thee in a seasonable time."
- 16.19 On the third, Bernard, *Super Canticum*, "Leisure time is more fitting and more apt" for praying.<sup>116</sup> We call leisure that which is devoid of tasks. Such however is the early morning (*matutinum*) before the onslaught of tasks; the same for the evening, after the cessation of tasks. Hence it is that these two times have been designated among us especially for prayer, namely early mornings after Matins, and evenings after Compline,

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<sup>112</sup> Augustine, *Regula*, II, 2.

<sup>113</sup> BLGO 4:72.

<sup>114</sup> Augustine, *Regula*, II, 1.

<sup>115</sup> BLGO 4:406.

<sup>116</sup> Bernard, *Sermones super Canticum*, *Sermo LXXXVI*, 3. (PL 183:1196 B).

when the friars ought always to make time for private prayer, both in the convent and outside, more or less as time permits.

- 16.20 These are [the times] when even David, the best of prayers, used to set aside time for his prayers. He was reserving the early morning, and so he said, Ps 87:14, "and in the morning my prayer shall come before thee," and he was keeping the evening, and so he said, Ps 140:2 "the lifting up of my hands, as evening sacrifice."
- 16.21 So too Christ would do, prodding us by his own example to do the same. He would pray secretly in the morning, so Mk 1:35, "And rising very early, going out, he went into a desert place: and there he prayed;" and he prayed late, secretly, so Mt 14:23, "he went up on a mountain alone to pray. And when it was evening, he was there alone."
- 16.22 These are those two sacrifices of the law, not carnal, but spiritual, namely early morning and evening, which we are commanded to offer daily, Ex 29:39.<sup>117</sup>
- 16.23 We are to pray especially in the morning and at a late hour, so that offering the first and last of our actions to him who is the Alpha and Omega, the beginning and the end, we might pay him the first dues of beginning and the tithes of finishing.
- 16.24 We are to pray in the morning so that in our daily actions we are directed by prayer; and this is what the *Oratio* says which is said in the morning at Prime.<sup>118</sup> We are to pray also in the evening, so that we might be fortified by prayer against nightly temptations, and this is what the *Oratio* says in the evening at Compline.<sup>119</sup> These prayers, however, are not changed like the prayers in the other hours according to the diverse seasons, and so for these reasons we ought always to pray unchangeably at these times, even though at other times we vary somewhat in this.
- 16.25 Note that these two times are right not only for prayer, but also for meditation. The time of early morning befits meditation, because then the soul is more lucid for seeing; and so at this time David would meditate, who says, "I will meditate on thee in the morning [Ps 62:7]." The time of evening befits meditation, because then the spirit is recovered from activities and restored to itself; and so it is said, Sir 32:2, having been busy with actions during the day, "and when thou hast acquitted thyself of all thy charge, take thy place," namely by making time here for yourself.
- 16.26 The opinion of the philosophers agrees with this. Jerome, *Contra Jovinianum* Bk. I: "This is a saying of Pythagoras: 'Take the greatest care of two times: namely morning and evening;' that is, of those things which we are about to undertake, and what we have done."<sup>120</sup> It is as if to say in both there ought to be meditating.

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<sup>117</sup> Vg.,38f: "This is what thou shalt sacrifice upon the altar: Two lambs of a year old every day continually. One lamb in the morning and another in the evening."

<sup>118</sup> The Prayer of Prime: "... that all our thoughts, words and works may be directed to the fulfillment of thy will."

<sup>119</sup> The Prayer of Compline: "Visit, we beseech thee, O Lord, this house, and drive far from it all snares of the enemy ..."

<sup>120</sup> Jerome, *Contra Jovinianum*, I, not identified.

- 16.27 A holy man frees the time of Matins for meditation and prayer, and so it is said in Sir 39:6, “He will give his heart to resort early,” and so in meditations, “to the Lord that made him, and he will pray in the sight of the most High,” and so, prayer.
- 16.28 At evening time a place is made for meditation and prayer, and so at the beginning of the evening Compline is said: “Convert us, God our savior!” from exterior activities to interior, that we might be able to make time for you: this is what pertains to meditation; “And turn off your anger from us,” if perhaps in this day we offended you in some matter; this is what pertains to prayer. It is clear therefore from what has just been said, how assiduously and for what reason the devotion of our private prayers is to be fervently pursued.
- 16.29 It seems that it is not well stated regarding study, since it is said that the Office is to be shortened for its sake. But study is not to be preferred to prayer, since, as Isidore says, “It is better to pray than to read.”<sup>121</sup>  
I reply: Study is not preferred here to prayer, but to the prolixity of prayer. A short Office with study is better than a lengthy one with an obstacle to study, because of the manifold usefulness of study, which has been spoken of above.
- 16.30 Since therefore the aforesaid threefold devotion is so useful, and study is so useful, rightly has it been legislated that: **“briefly,”** that is not excessively dragged out, like some religious do; **“and succinctly,”** that is without dragging out the endings, which some are accustomed to do in the terminations or in the pauses; **“all hours,”** both daytime and nocturnal, **“in the church are to be said in such a way lest the friars lose some devotion”** from the three aforesaid, and **“their study,”** if perhaps in some way it is impeded, nevertheless **“minimally,”** that is very little, **“is impeded.”**

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### §17. WITH PAUSES, AND NOT PROLONGED

- 17.00 But, lest perhaps they introduce some confusion on the occasion of such brevity in the Office, by not keeping distinctions and due pauses in the psalmody, which never ought to happen, there is added: **“That so we say it is to be done that in the middle of the verse a beat with pause (*metrum cum pausa*) is kept, not prolonging the voice into the pause, or in the end of the verses, but, just as it has been said, briefly and succinctly it is terminated.”**<sup>122</sup>
- 17.01 And the meaning is the same as what we have said, that it ought to be said “briefly and succinctly;” **“so we say,”** that is, we understand, **“it is to be done, that in the middle**

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<sup>121</sup> Isidore, *Sententiae*, III, c. 8, *De lectione*, 8.1 *Orationibus mundamur, lectionibus instruimur; utrumque bonum, si liceat; si non liceat, melius est orare quam legere.*

<sup>122</sup> Example of the markings of a psalm for the pause, Ps. 18:

Caeli enarrant gloriam Dei, \* et opera manuum eius annuntiat firmamentum.

Dies diei eructat verbum, \* et nox nocti indicat scientiam.

Breviarum iuxta ritum Ordinis Praedicatorum, Pars Altera, Romae, Ad Santa Sabina, 1962, Feria secunda, Ad laudes, Ad Primum, p. 378.

**of the verse a beat with a pause”** always **“should be kept,”** but that in the middle of the verse or in the end of the verse the voice not be prolonged, but “briefly and succinctly,” both in the middle as well as in the end, the verse **“is terminated,”** without the prolongation of the voice.

- 17.02 Two things are drawn from this text,
1. namely that a pause is always to be made in the middle of the verse, lest confusion happen in the Office,
  2. and that the prolongation of the voice ought never happen, neither in the middle nor at the end of the verse, lest prolixity result.
- 17.03 About these things which are said, it must be noted that although confusion can happen in the Office and in many other situations, nevertheless here it is more specifically touched upon about avoiding confusion in the psalmody.
- 17.04 The reason for this is threefold:
1. One is that about the other things which are read and sung it has been competently provided for lest confusion happens, through books and the *Ordinarium* in which it is dealt with, and a greater diligence is brought to bear there because it is much less known by heart.
  2. The second is from this, that in the psalmody many church persons err by such confusion, and it could probably be feared that we would fall into their confusion, if a warning were not given by a constitution.

### **C. 33 Why the Church uses the Psalter more than other scriptures in the Office.**

3. For understanding the third reason it must be noted that the Church uses no scripture as much in the Office as the psalms, and this for many reasons:
  - It is right that those coming together for the Divine Office be aware that such a sinner as David through repentance had come to the state of such prophecy, that everywhere in the world his prophecy is preferred to others in divine praises, by which they are strengthened in the Lord, trusting in his clemency, if they were willing to repent.
  - No scripture is so spiritual. In almost every verse it speaks about God in many places, especially in those which are repeated more in the Divine Hours; that as if by setting God before one’s eyes, it elevates the mind very much to heavenly things.
  - This is scripture which has innumerable salutary effects, about which an authority, which is said to be Augustine, adequately declares, saying:  
“The singing of psalms invites angels to our aid, drives off demons, effects holiness, is a feast of the mind, just as the sun illumines, just as oil runs down, it quenches the sinful will, fractures wrath, penetrates all, fills all, deifies man, opens the senses, bestows a desire of the heavenly kingdom, enkindles a spiritual fire in the heart, rips out the roots of all evil, is a consolation in suffering, an awareness of true light, wipes away the weariness of the soul. He who loves the singing of the psalms cannot

commit sin.”<sup>123</sup> And many other benefits are implied in the same authority.

- This scripture is more common than others. For everything that is said here refers to the general situation of the just man or the sinner; it is otherwise in other scriptures.
- This is the scripture which clearly contains those things which are necessary for man’s instruction. The *Gloss* in the introduction to the Psalter: “In this book is the consummation of the entire theological library: for there the rewards for the good are described, the punishment for the wicked, the rudiments for beginners, progress for the proficient, life for the active, speculation for the contemplatives. There it says what takes away sin, what repentance restores, what the penitent, conscious of sin, says, what is gained through repentance.”<sup>124</sup>
- This scripture exceeds others in clarity, especially prophecies, just as is said in the aforementioned *Gloss* on the Psalter. Other authors speak enigmatically, this one however more openly and without figures for the most part.
- There is almost nothing in the psalms which would not be either the praise of God, or prayer; which two especially befit the Divine Office.
- The psalms have been so composed that they, more than other scriptures, fit vocal singing, which the Divine Office requires, because of the distinction of verses. Hence David was singing them before the Ark; and as Isidore said in the book of *Etymologies*: “And so it is said of the Psalter that by one prophet singing to the harp, the choir was responding with one voice.”<sup>125</sup>
- “psalm” is said from *psallere* which is to touch. It is praise of God, which was done not only by voice, but on an instrument, hands in concord with voice; through which is signified that in the praise of God actions ought to harmonize with voices, just as the *Gloss* says, on that place,<sup>126</sup> Ps 146:1, “Praise ye the Lord, because psalm is good.”

17.05 We gathered from these that the singing of psalms is befitting to the Divine Office, it fortifies us in God, elevates minds to heavenly things, leaves many salutary effects in them, contains things common to all, teaches fully what is necessary, is understood clearly, has fittingness for the Divine Offices in itself, apt for vocal singing, by its name teaches a fitting manner of praising the Creator: and so the Church uses the psalms more in the Office than other scriptures.

17.06 And so, since the greatest part of the Office consists in psalmody, for such reasonable reasons great care has been taken lest confusion would happen in psalmody, and as a result the Divine Office would very much be disfigured.

17.07 Note that “meter” according to Isidore, is called that which is terminated by a certain measure of feet. Measure is from the Greek *μετρον*. The psalms were composed in this way, metrically, in Hebrew: but in translation these meters were not able to be preserved, as said in the above *Gloss* reference.<sup>127</sup> When, therefore it says here “**the**

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<sup>123</sup> Remigius Antissiodorensis (of Auxerre), *Ennarationes in psalmos*, (PL 131:142B-C).

<sup>124</sup> Cf. Petrus Lombardus, *Commentaria in psalmos*, Praefatio, (PL 191:057 B).

<sup>125</sup> Isidore, *Etymologiae* VI, ii, 15. Reiser adds: III, 22, 7.

<sup>126</sup> BLGO 2:251.

<sup>127</sup> Cf. Petrus Lombardus, *Commentaria in psalmos*, Praefatio, (PL 191:058 B).

**meter is kept,”** meter is here not taken properly, but this name is extended, so that a meter is called a certain measure of a verse, even if without metric feet, so that the meaning of **“the meter is kept,”** is a certain part of the verse.

- 17.08 This distinction is made by pointing; and there are, with us, two kinds of points, below some of the verses: *depressus*, and where this is found there ought to be a short pause; and *elevatus*, and where this is found there ought to be major pause. Below some verses there is only one point, and this always ought to be an *elevatus*, and with such a point, a major pause.
- 17.09 Do not think, however, that such punctuation ought to be made always around the middle of the verse, the middle strictly understood; but when it is said, **“in the middle of the verse the meter is kept,”** whatever is between the beginning and the end is called here middle.
- 17.10 And it must be known that such pauses happen not only for the comeliness of the psalmody, but also for catching one’s breath, so that when resumed after some pause it is sung more vigorously. Hence it is that in the end of the verses, between verse and verse, when those beginning a verse are now resting, there ought not to be a pause; but it is enough that care be taken that the following verse is not begun before the termination of the other, and in the termination the voice is not prolonged.
- 17.11 It should also be kept in memory that such pauses are to be kept not only in choir, but wherever the convent says a psalm, whether in singing the verse of a psalm, or quasi-singing, just as when it goes to a burial, and returns saying psalms; when in chapter it says: *Ad te levavi* [Ps 122]; when in the refectory at the blessing, or in the thanksgiving it says: *Confiteantur* [Ps 144:10], and other verses; when it goes to choir saying: *Miserere* [Ps 50], and in similar situations. However, in the Office of the Dead, when it is said by the convent, and for it psalmody with some pauses, and the whole Office ought to be said distinctly; it is not however as necessary that it is said as appropriately as another Office, because that Office is mournful, and such singing is not accustomed to have so great a composition as others.
- 17.12 Where in some convents there is a scarcity of friars, and it is busy about many things, even though it is ordained that such Office can be said without song, nevertheless care must be taken then lest it be said in a confused way, but very carefully and distinctly, with due pauses, for the reverence of the convent. And this same is to be observed in the Office of the Blessed Virgin Mary, whenever it is said together by the convent.
- 17.13 Not only, however, in psalms and canticles, but also in hymns, pauses should be made, many or few, shorter or longer, according to their variety, since sometimes they consist of many, sometimes from fewer meters. Moreover the nature of these songs require such pauses, for example:
- 17.14 *Jam lucis orto sidere*,<sup>128</sup> SHORT PAUSE; *Deum precemur supplices*, LONG PAUSE;  
*Ut in diurnis actibus*, SHORT PAUSE; *Nos servet a nocentibus*, LONG PAUSE;

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<sup>128</sup> Hymn for Prime. *Hymnarium O. P.*: Adapted from the Books of the Order of Friars Preachers, New York: Dominican Fathers, Province of St. Joseph, 2013, p. 7.

<i>Nocte surgentes,</i> <sup>129</sup>	SHORT PAUSE;	<i>vigilemus omnes,</i>	LONG PAUSE;
<i>Semper in psalmis,</i>	SHORT;	<i>meditemur atque,</i>	LONG;
<i>Viribus totis,</i>	SHORT;	<i>domino canamus,</i>	LONG;
<i>Dulciter hymnos.</i>			
<i>Annue, Christe,</i> <sup>130</sup>	SHORT;	<i>saeculorum Domine,</i>	LONG;
<i>Nobis pro hujus,</i>	SHORT;	<i>tibi caro merito,</i>	LONG;
<i>Ut qui te coram,</i>	SHORT;	<i>graviter delinquimus,</i>	LONG;
<i>Hujus solvatur,</i>	SHORT;	<i>gloriosis precibus.</i>	
<i>Pange lingua gloriosi,</i> <sup>131</sup>	SHORT;	<i>praelium certaminis,</i>	LONG;
<i>Et super Crucis trophaeum,</i>	SHORT;	<i>dic triumphum nobilem,</i>	LONG;
<i>Qualiter Redemptor orbis,</i>	SHORT;	<i>immolatus vicerit.</i>	
<i>Ave, Maris stella</i> <sup>132</sup>	SHORT;	<i>Dei Mater alma</i>	LONG;
<i>Atque semper Virgo</i>	SHORT;	<i>Felix coeli porta.</i>	
<i>Sanctorum meritis,</i> <sup>133</sup>	SHORT;	<i>incllyta gaudia,</i>	LONG;
<i>Pangamus socii,</i>	SHORT;	<i>estaque fortia,</i>	LONG;
<i>Nam gliscit animus,</i>	SHORT;	<i>promere cantibus,</i>	LONG;
<i>Victorum genus optimum.</i>			

And so in others.

- 17.15 Not only in hymns, but also in the *Gloria in excelsis*, in *Credo in Deum*, in *Te Deum laudamus* and in all such which are sung, while it is necessary sometimes to pause a little, it is made easier by horizontal strokes noted as places for pauses in the books, just as it happens in some churches, that the singers would pause uniformly. For when one pauses in one place, and another in another, the Office is said less decently.

### **C. 34 On those things which are required for singing the psalms well.**

- 17.16 Note that for this that the psalms be sung worthily to the heavenly King, three things are required; the intention of the heart, the reverence of bearing, and the discipline of song.
1. The intention of the heart is that all which is said by mouth be pondered by the heart;
  2. the reverence of bearing is that in the divine praises even the body holds itself reverently;
  3. the discipline of song is that in vocal singing itself due discipline be kept.

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<sup>129</sup> Hymn for Matins. *Hymnarium O. P.*, pp. 4-5.

<sup>130</sup> Vespers, Common of Apostles.

<sup>131</sup> Matins Hymn, Palm Sunday ad Matutinum. *Hymnarium O. P.*, pp. 132-133..

<sup>132</sup> Vespers Hymn, Common of the B.V.M. *Hymnarium O. P.*, pp. 561-562.

<sup>133</sup> Vespers, Common of Martyrs. *Hymnarium O. P.*, pp. 625-626.

- 17.17 About the first, the Apostle to Ephesians 5:19, “. . . making melody in your hearts to the Lord.” So was he doing who said in 1 Cor 14:19, “I will sing with the spirit,” turning over in spirit what I am singing; “I will sing also with the understanding,” welcoming nothing else then in the mind.
- 17.18 Not only must vain thoughts be rejected at that time; but even necessary ones, which pertain to the concern of duties; and even those which at another time are useful, like thoughts about the scriptures and such, just as Bernard says *Super Canticum*;<sup>134</sup> and he added saying; “The Holy Spirit at that hour does not receive as pleasing whatever you offer at that time other than what you ought, neglecting that which you ought.”<sup>135</sup> We ought therefore “to sing praises,” and to sing psalms “wisely,” according to the directive of David saying, “For God is the king of all the earth: sing ye wisely.” (Ps 46:8). *Gloss*: “No one does wisely what he does not understand;”<sup>136</sup> no wonder, because wisdom proceeds from the heart. How therefore can one do wisely what one does without the heart?
- 17.19 About the second, Bernard, *Super Canticum*: “When you stand for psalmody, stand with reverence.”<sup>137</sup> And truly a friar singing psalms ought to stand with reverence in church; the place in which he stands is a holy place. The altars, crosses, images, relics among which he stands, are of great dignity; the multitude of friars, who also ought to be respected; the angels stand about, in whose sight he sings psalms; he regards him for whom he stands, who is supreme majesty; and all these things require reverence.
- 17.20 The friar should consider the sanctity of the place in which he stands, the dignity of the things among which he stands, the gathering of the friars with whom he stands, the presence of the angels before whom he stands, the excellence of the highest majesty for whom he stands, and he stands reverently in the Divine Office in choir; not as happens for some, having his white capuce on his head up and black down, or otherwise disheveled in habit, not with feet crossed, nor legs spread wide, or knees indecently stuck out, or flaunting his other members in an undisciplined way; not coughing or scratching oneself indecently, or provoking others with such uncleanness; not by wandering eyes but downcast; not by brazen expressions but by modestly standing before such majesty; not moving the whole body shifting now this way now that, now leaning on one elbow and then on the other; but by demonstrating stability of the mind by the stability of the body; not by preferring the levity over someone’s confusion about something but maturity in all things; not by breaking silence or by offending God by other such transgressions or by disturbing the bystanders with any offenses, never omitting to make the reverences, inclinations and prostrations in the appropriate way.
- 17.21 About the third it must be noted that there are some who coming together for the psalms out of a certain necessity, bring sadness with them there, and so their music is less accepted, because music does not go with sadness, nor does singing sit well in a sad person. Sir 22:6. [“Music in sadness tells an annoying story.”] The opposite must be done, because psalms must be sung with joy so that it shows exteriorly. Ps 94:2, “. . .

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<sup>134</sup> Bernard, *Sermones super Canticum, Sermo XLVII*, n. 8, (PL 183:1011 D).

<sup>135</sup> *Ibid.*

<sup>136</sup> BLGO 2:515.

<sup>137</sup> Bernard, *Sermones super Canticum, Sermo VII*, n. 4, (PL 183:808 D).

and make a joyful noise (*jubilemus*) to him with psalms." A *jubilus* is joy representing itself outwardly.

- 17.22 There are also some who not out of religious maturity, but from laziness, voice the psalmody dully and sullenly, even though it was told to someone, Sir 31:27, "In all thy works be quick," i.e, not dull.
- 17.23 If then it is not dignified to stand before earthly kings in some sullen attitude, as is implied from these words, Prv 22:29, "Hast thou seen a man swift in his work? he shall stand before kings," how much less before the King of heaven! So that the lazy one be aroused to singing psalms, it is frequently said in the psalms (Ps 46:7): "Sing to our God, sing to our king, sing!" Just as a lazy ass is prodded frequently as it goes along, and it is often told: "Go! Go! Go!" to arouse its laziness.
- There are some who are sleepy and negligent in psalm-singing. Bernard, *De perverso monacho*: "Wide awake for fables, sleepy for vigils."<sup>138</sup> Against this it is said (Ps 32:3), "sing well unto him with a loud noise," For he does a thing well who does it diligently. To sing "with a loud noise" is not from someone drowsy, but awake. He sings psalms well, therefore, "with a loud voice" who is awake and diligent in psalm-singing.
  - Again, there are some who as if suffering a fever, stretching themselves frequently, yawning filling their mouths with air, when they ought to be filled with a psalm, thus (Ps 70:8), "Let my mouth be filled with praise . . ." Bernard, *De perverso monacho*: "Healthy for drinking, sick for chanting."<sup>139</sup> On the contrary it is said of David psalm-singing before the Ark of the Covenant, 1 Chr 13:8, "And David and all Israel played before God with all their might with hymns, and with harps, and with psalteries." He was singing psalms "with all his might;" not pretending to be ill.
  - Some there are who are so afraid of making a mistake in singing, that they sing psalms so quietly that they can hardly be heard by one standing next to them. The psalmist, to the contrary, says (Ps 9:3), "I will sing to thy name, most high," and take "most high" adverbially.
  - Some so rush through or cut short the words of the psalm that they hardly fulfill their obligation. But the psalmist says (Ps 60:9), "So will I sing a psalm to thy name . . . that I may pay my vows."
  - Some there are who chant psalms in such a fragile and broken way, that they seem often to be like women rather than men. Against which it is said (Ps 97:6), "Make a joyful noise before the Lord with long trumpets and sounding horns." These instruments do not have a soft sound, but loud.
- 17.24 It is clear from these what it is to sing in a disciplined way, or in a fitting manner. Psalms are to be sung with joy; dullness is stirred up, sleepiness driven away, sickness is not feigned, mistakes are not unreasonably feared, all is said fully, and chanted in a manly fashion. And so David was called "the psalmist par excellence," 2 Sm 23:1, because, as is clear from all this, he taught that in psalmody all these points are to be observed. Or by example. So did Blessed Bernard teach his sons to sing psalms putting it in his sermon *Super Canticum* in this way: "I warn you, most beloved, that in the

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<sup>138</sup> Cf. Ogier of Locedio (1136-1214), *De sermone Domini in ultima coena, Sermo XV*, n. 3 (PL 184:948 A).

<sup>139</sup> *Ibid.*

divine praises to the Lord you eagerly stand by, not dully, not sleepily, not yawning, not sparing your voices, not cutting words in half, not slurring over the whole word, not breaking and restraining your voices sounding like women, but like men, as is fitting, always pronouncing the words dutifully and with feeling.”<sup>140</sup>

- 17.25 And so the three aforesaid conditions (Cf. §17.16) are clear which are required in praiseworthy psalmody.
- 17.26 Know that about these three, no constitution has been written, but only about keeping the pauses, and avoiding dragging it out, because it would be difficult for this to be observed commonly by all. A constitution should be made only about those things which they hope can be observed.
- 17.27 From the omission of one of them, the Office is not so disfigured or prolonged, as if it were disfigured by the omission of the pause, or prolonged by the protraction of the voice: which two, namely disfigurement and prolongation of the Office especially are to be avoided by us.
- 17.28 Reason itself can tell us that those three should be observed in singing psalms more than these two, and therefore it was more necessary something be legislated about these two.
- 17.29 Note, too, that although some religious keep pauses in psalms when they say the Office outside of choir and without music, nevertheless this constitution does not bind us to this, which is clear from the fact that it is said in the constitution: **“All the hours in the church are to be said,”** etc. (Cf. 16.00)

### C. 35 Why outside the choir the Office should be said decently and in what this consists.

- 17.30 Nevertheless everyone must diligently take care that the Office outside of choir be said only religiously and decently.
1. Since however the friars have many occasions for saying the Office frequently outside of choir, and the greatest part of our penance consists in saying the Office, those who recite [it] outside of choir badly do the greatest part of their penance badly.
  2. Devotion of the heart cannot be found in the Office said confusedly, which is special and more accepted by God in the Office. By this the Office is deprived of that which is better in it.
  3. It cannot be without offense to the Creator, that the Office due to his majesty is said indecently. For in the Office the Creator ought to be pleased. How then in that Office is he provoked to anger, in what he ought to be pleased!
  4. When diligence is not applied in saying such an Office decently, a man gradually becomes accustomed to saying it badly, from which he can hardly be corrected after he has become used to it, as is clear in many cases.
  5. All witnessing this, both outsiders as well as others, are scandalized by this. How is it, that those who by their profession ought to reach out for the edification of all, by

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<sup>140</sup> Bernard, *Sermones super Canticum, Sermo XLVII*, n. 8, (PL 183:1011 C).

their deeds scandalize men, especially in those things which pertain to God!

6. This is the vice from which almost all clergy and innumerable religious must be corrected. How then do they, who labor under the same vice, correct them?
7. The ecclesiastical [Divine] Office is the most noble office, because it is angelic to praise God. To eat and drink and the like are animalistic and ignoble offices. If, however, such animalistic and ignoble offices are performed so diligently, how unworthy is it that the angelic and most noble office happens negligently!

17.31 Therefore, although the friars are not bound outside of choir to such pauses, nevertheless the Office outside of choir ought to be said always and everywhere decently by all the friars, lest they omit the greatest part of their penance, lest they offend the Creator whom they ought to please, lest they commit an uncorrectable offense, lest they scandalize those whom they ought to upbuild, lest those whose concern it is to correct others about this vice let it pass, lest they prioritize animal and ignoble offices over the angelic and most noble Office.

17.32 So that it be said outside of choir decently and in a fitting way, it must be said entirely, properly, openly, distinctly, meticulously, attentively and reverently.

1. Entirely, that nothing of that which should be said in choir is omitted, or of that which was written, neither of the Office of the Dead, nor of the proper [texts] of the Mass to be said on that day, at least with respect to the Office, nor any commemoration, etc.; the exception being that the inceptions of the antiphons which are said for the sake of intoning the psalms need not be said before the psalm, because it is not a custom in the general Church, and because they are not begun before the psalm for the sake of intoning the psalm, but for their singing, which reason does not apply here.
2. Properly, so that one *oratio* is not said for another, or *capitulum* for another etc.
3. Openly, so that not between the teeth, but loudly and clearly so that it is intelligibly heard.
4. Distinctly, that all the words are distinctly pronounced, and before the termination of one verse the other is not begun.
5. Meticulously, so that many words are not said hurriedly and with one breath. But so deliberately and with such breath that everyone is able to pronounce all. Just as dragging out in singing is to be avoided, so also speed in reciting.
6. Attentively, so that at that hour no one busy himself about something else, by which he is distracted from thinking about those things which he is saying, like those do who at that hour are trimming a quill or trimming their nails, or scoring a quire,<sup>141</sup> etc.; but the heart, abstracted as much as possible from other things, is recollected for thinking about the Office.
7. Reverently, so that sometimes they make prostrations, if an opportunity arises, and always some inclinations, although not as many or as great as in choir, as a sign of reverence.
  - The inception of these hours, the *capitula*, prayers, blessings, verses after responsories, responsories of the hours, are said standing, capuce down.
  - The psalm (148) "Praise ye the Lord from the heavens," and the gospel canticles like the *Magnificat* (at Vespers, Luke 1:46ff), *Nunc dimittis* (at Compline, Lk 2:29ff) and *Benedictus Dominus Deus Israel* (at Lauds, Lk 1:68) are

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<sup>141</sup> Preparing a blank four-page parchment for writing by drawing lines and marking columns.

always said standing.

- The Our Father, or other prayers are never said sitting.
- That after the hours have been begun, doing or saying anything else should not be mixed in before the finishing of the hour without great necessity, although if it has been notably interrupted, the hour should be begun over again.
- That while the Office is being said, no distraction should happen, no levity arise; but let everything happen with great maturity and seriousness.
- That a friar unshod, or unbelted, or with shoelaces untied, and notably hanging out, or wearing boots in the dormitory, or otherwise less decently ready, is not fit for the Office; nor should one so dressed say it, unless having a reasonable excuse necessity demands it.
- That when the Office is said in the chapter room, or in other places in which there are sacred images, the face is turned toward them. When, however friars make prostrations or inclinations, they do it facing each other, or facing together the same direction, and not back to back.
- That different friars not say one hour, one by beginning, another by terminating, another the *capitulum*, another the prayer, but the individual the whole.

Therefore these and other similar things should be observed or avoided, that the Office be said reverently.

17.33 For saying the Office decently in the aforesaid manner it greatly helps when what is to be said is diligently previewed in books; when that very hour of the Office is examined in books, both of the psalms and others; since, where there are many friars, there is observed in the psalmody such a manner of singing psalms that one on one side says one verse, and all the others another verse; and in the same way for hymns, as it was observed of old in certain monasteries, as is read in the *Lives of the Fathers*.<sup>142</sup> When a friar does not have a book, he should strive rather to hear what he does not know than to say it.

17.34 About this, therefore what was said, “**That so we say . . .**,” [§17.00] namely regarding keeping the pauses and avoiding protractions in psalmody, four things have been said:

1. first, why by the constitutions has the manner of singing psalms been handed down, rather than of singing another chant, [§17.04.3];
2. second, how what is said about this, ought to be understood, [§17.06];
3. third, why the constitutions speak about pauses and protractions, rather than about other things which pertain to psalmody, [§17.26];
4. and fourth, whether the friars are bound to observe outside of choir what it says here, [§17.29].

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## §18. ACCORDING TO THE TIMES

### C. 36 Why on feast days the Divine Office ought to be said more solemnly.

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<sup>142</sup> *Vitae Patrum*, not identified. (Reisner) Cf. Johannes Beleth, *Summa de ecclesiasticis officiis* 58.

- 18.00 But because the manner of singing psalms handed down here has not been observed uniformly at all times, it is added: **“This however should be observed more or less according to the times.”**
- On feast days the Office is done more solemnly, and psalms are sung with longer pauses. For on those days the friars are not so busy with classes or study, and so then, for the most part, the reason for shortening the Office, which is an impediment to study, ceases.
  - On those days many outsiders are accustomed to come for the Office, and it is right that for their edification the Office be said more devoutly.
  - On feast days they are bound to make more time for God, because the feasts have been instituted for this: and so it is fitting that they celebrate its Office more meticulously.
  - On those days the convent is accustomed better to be cared for: and so the convent ought more diligently labor in caring for the service of God, just as a faithful craftsman works more diligently on a task of a lord, when he is better cared for.
  - The enemy has a hatred for feast days, and tries to disturb them, and so the choir must take more care in celebrating more devoutly, lest he achieve a victory.
  - Feast days represent that great and future feast day in which there shall be continuous and most devout praise, and so that a sign might better represent the thing signified, on feast days the Office of Divine praise ought to be celebrated with all devotion.

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## §19. READINGS AND COMPLINE

- 19.00 There follows: **“At the time in which the friars have two meals, there is read in church before Compline the reading; ‘Brothers, be sober,’ (1 Pt 5:8).”**
- 19.01 Many there are who know many abstruse and less useful things; but about easier and more useful matters, which are recited before them every day, they do not know, nor do they desire to know to give a reason. How very few there are of us who also would wonder why a lesson is read before Compline by religious, rather than by seculars; why also it is said by some religious and not by others; why it is said by some during the season of the two meals rather than on days of fasting; why rather this text is read, when many others could be? Yet there is a reason for all these.
- 19.02 To understand such a reason, know that religious men of old, whenever they came together, and were discussing spiritual things, to hold such holy conferences about God and other useful matters, they gathered after supper, generally around the evening hour, because that time was better given to discussion.
- C. 37 About the holy conferences, and what is to be avoided in them,  
and why we are more bound than others.**
- 19.03 How holy their conversations were which they used to have, questioning and answering, is clear in the book which is called the *Conferences of the Fathers* edited by John Cassian, in which are contained in one book, ten conferences of various Fathers, in

which the purpose of monastic life is treated in over two hundred chapters, about the grace of discernment, about the three renunciations, on concupiscence of the flesh and spirit, on the eight principal vices, on the death of saints, on the restlessness of the soul and on spiritual idleness, on the origin of Principalities, on prayer, on the custom of Easter in Egypt. In another volume seven conferences, in another seven more on diverse matters useful for salvation.<sup>143</sup>

- 19.04 The same is clear from the book which is called *Sayings of the Fathers*, translated by Pelagius, a deacon of the Church at Rome, in which is contained conferences which the older fathers and brothers had, when they met together, questioning and answering about spiritual progress, about the quiet of the soul, about compunction, about continence, about possessing nothing, about prayer, about fortitude of the soul, about fleeing ostentation, about not judging, about discretion, about sobriety, about persistence in prayer, about hospitality, about humility, about patience, about charity, and about contemplation.<sup>144</sup>
- 19.05 What about these spiritual matters? What is more useful for salvation? These are holy conferences which delight the angels, hence a certain one of the Fathers, when the brothers were discussing spiritual matters, saw angels standing about, and rejoicing with great joy; when having turned from these matters they were speaking about secular things, they withdrew with indignation, and demons came in the image of pigs, and they wallowed about among them as in a pig sty, as we read in the *Lives of the Fathers*.<sup>145</sup>
- 19.06 These are therefore the blessed conferences which happened as the Lord himself came to them, wherever they were, whether on the road, hence Lk 24:15, "And it came to pass, that while they talked and reasoned with themselves, Jesus himself also drawing near, went with them;" or in the house, so in the same chapter (Lk 24:26): "Now while they were speaking," i.e. Jesus the Lord, "Jesus stood in the midst of them."
- 19.07 These are the conference which Paul in the primitive Church instituted to happen saying, 1 Cor 14:26, "When you come together, every one of you has a psalm, has a doctrine, has a revelation, has a tongue, has an interpretation," as if he were speaking about these conferences. A conference is certainly fruitful which is either about things pertaining to the worship of God; or which pertains to the psalms; or about our morals, to which teaching applies, as the *Gloss* says; or about revelations made to the saints, what "apocalypse" means, that it is the same as revelation; or about learning languages, which can bear fruit in barbarian nations, that it is understood through language; or through expositions on scripture which interpretation expresses. And he adds, saying: "Let all things be done to edification," (v. 26).
- 19.08 So then, when the disciples of Christ come together and discuss, they ought very much to attend to the things they talk about. And so in Lk 24:17 the Lord asks of his disciples: "What are these discourses that you hold one with another?" In their conferences they

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<sup>143</sup> John Cassian, *Collationes Patrum*, Parts I, Conferences i-x; II, xi-xvii; III, xviii-xxiv.

<sup>144</sup> *Vitae Patrum*, Bk. V [Sayings of the Fathers]. Humbert's list is almost a complete index of the sections or libelli of Bk. V.

<sup>145</sup> *Vitae Patrum*, Bk. III, *Verba seniorum* (PL 73:762 C-D).

ought not be talking about the wrongdoings of some who are absent, which by its stink corrupts; but the praiseworthy deeds of holy men, which by its fragrance refreshes. In Sir 44:15 it is said: "Let the people show forth their wisdom, and the church declare their praise," which is the congregation of the just, because in such a congregation their praiseworthy deeds ought to be read aloud.

1. Some there ought not to be judging rashly; but to be excusing those rashly judged. So Bernard in praise of such holy men says: "Who sometimes has caught someone judging another, or consenting with one so judging? . . . So indeed should he put on the bowels of piety, that he might excuse all."<sup>146</sup>
2. The hearts of the brethren ought not be provoked there through murmuring against superiors or officials, but rather should be prudently exhorted to having peace and charity with them, just as Paul was doing, saying, 1 Thes 5:12-13, "And we beseech you, brethren, to know them who labor among you, and are over you . . . that you esteem them more abundantly in charity, for their work's sake. Have peace with them."
3. Another's deeds must not be discussed here, leaving behind one's own, just as those do who only read another's book, all day speaking of the deeds of others. Contrary to the priest Martin, who was reading only in his own book. About which Chrysostom to the contrary: "See in yourself your excesses; what is it to you those of others?"<sup>147</sup>
4. Words should not be spread there from which a friar is provoked against friar to discord, which the supreme Lord hates; but what might foster and make peace, and this is to say: "Peace to this house," and not discord; namely to say those things which pertain to the peace of the house, as the Lord teaches, Mt 10:12; and foretold through Is 57:19, "I created the fruit of the lips, peace, peace to those who are far off, and to those who are near," because the Lord wants such words to be brought forth, through which not discord, but peace is left behind, between both those present and those absent.
5. Indecent things must never be said there, which might leave a memory in ones soul; but only decent things, and those which would befit the holy profession. Eph 5:3-4, "Let obscenity not so much as be named among you, as becomes saints."
6. Verbal arguments must not be aroused there from stubbornness of knowledge, according to that in 2 Tm 2:14, "Contend not in words, for it is to no profit, but to the subverting of the hearers;" but rather in simplicity it must be listened to gently which is said in Sir 32:11-12, "If thou be asked twice, let thy answer be short. In many things be as if thou were ignorant, and hear in silence and as seeking."
7. There should not be gossip there about the deeds of this world, which recalls the heart to worldly things; but narrations about the kingdom of the age to come, which elevates the heart. Ps 144:11-13, "They shall speak of the glory of thy kingdom: and shall tell of thy power; to make thy might known to the sons of men: and the glory of the magnificence of thy kingdom. Thy kingdom is a kingdom of all ages: and thy dominion endures throughout all generations." How more praiseworthy is it to narrate such stories, rather than worldly ones!
8. Scurrilous words must not be brought forth there, whether joking, or what is the same, provocative of stupid laughter, according to Eph 5:3-4, "Scurrility . . . let it not

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<sup>146</sup> Bernard, *In obitu D. Humberti Sermo*, n. 3, (PL 183:515 A-516 A).

<sup>147</sup> John Chrysostom, not identified

so much as be named among you,” but rather conversations about the salvation of souls, generating a holy joy in hearts having charity, as Paul and Barnabas were doing, and other disciples about which it says in Acts 15:3, “They therefore being brought on their way by the church, passed through Phoenicia, and Samaria, relating the conversion of the Gentiles; and they caused great joy to all the brethren.”

9. Holy simplicity must not be ridiculed there; which rather according to the saints ought to be exolled with praises, just as is clear through that text in Jb 12:4, “The simplicity of the just man is laughed to scorn;” Gregory extolls him on that same text (v. 5):<sup>148</sup> “The light despised among the thoughts of the rich;” saying such about Paul: “But to what point is this light despised? To what point is it held despicable? Can it be that his brightness will never shine forth? And with how much brightness might it shine, does it never show?” It plainly shows; for since it is said that, “The light despised among the thoughts of the rich,” immediately it is added: “is ready for the time appointed.” The time “appointed” of course of the despised light is the predestined day of the last judgment, on which the just one, who now is despised, is revealed by how powerfully he shines forth.
  10. Time must not be wasted there in idle matters which lack any reason, [time] which the mercy of the Savior grants for doing penance, for gaining pardon, for obtaining grace, for earning glory, as Bernard says,<sup>149</sup> but the words which are brought forth should be pondered, as if they were said by the judgment of reason. Hence that in Ps 36:30, “and his tongue,” namely, of the just one, “shall speak judgment,” that is, a well-considered thought.
  11. Questions should not be raised there about curious and useless matters, but there talk should be about the necessities for salvation. So when in a conference the brothers were speaking about the priest Melchisedech, it was asked by Saint Copres, who was present, about the same third question, slapping his mouth he said: “Woe to you, Copres, who have abandoned those things which God commanded you, and you speak about those which God does not require from you!” as is found in the *Lives of the Fathers*.<sup>150</sup>
  12. Lukewarm and less edifying words must not be poured out there, nor wanton words which stir up furor, but burning tongues and fiery words which inflame to fervor, as were the words of Elijah, about whom we read in Sir 48:1, “and his word burnt like a torch.” Therefore, when all of you come together as one, “Let no evil speech proceed from your mouth; but that which is good, to the edification [of faith],” as is said in Eph 4:29, so that all that is said there, as the Apostle said above, yields to edification. (Cf. 1 Cor 14:26)
- 19.09 It must be known, however, that there are six kinds of men who ought more to speak good and spiritual words, and to avoid the contrary:
1. First, there are the good [people], because from their mouth comes forth those things which are in the heart; so those who are good inside, ought to bring forth good. Mt 12:35, “A good man out of a good treasure bringeth forth good things.”
  2. Second are the contemplatives, whose conversation is in the heavens, and so they should speak the heavenly language, just as those who live in Germany, speak

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<sup>148</sup> Gregory the Great, *Moralia in Job*, X, ch. xxx, 51 (PL 75:950 B).

<sup>149</sup> Cf. Reisner. Bernard, *Sermones de diversis* 17, 3 (PL 183:584 B-C).

<sup>150</sup> *Vitae Patrum*, V, *Verba seniorum*, *Libellus XXV*, §24 (PL 73: 958 B).

German. Jb 3:31, "He who is of the earth . . . he speaks of the earth." For the same reason, "He who is of heaven," and not from the earth, he ought to speak heavenly things. So it is added at the same place, (v. 34), "He whom God has sent," namely, from heaven," speaks the words of God."

3. Third are the religious. For since they entered religious life for this that they avoid sins, and the tongue is the universe of iniquity, because all sins are either perpetrated or deliberated through the tongue, he who does not have a good tongue professes religion in vain. Jas 1:26, "And if any man think himself to be religious, not bridling his tongue, but deceiving his own heart, ... this man's religion is vain."
4. The fourth are those constituted in Holy Orders, for whom it is incumbent to recite the sacred words to the praise of God all day, and so they ought not to pollute their mouths with wicked words. Jas 3:10-11, "Out of the same mouth proceeds blessing and cursing. My brethren, these things ought not so to be. Does a fountain send forth, out of the same hole, sweet and bitter water?"
5. The fifth are those endowed with the science of Holy Scripture. These however who do not know scriptures, and do not speak of spiritual matters, but of other things, have some kind of excuse; but those who know scriptures cannot be excused for this. And so it is said, Prv 15:7, "The lips of the wise shall disperse knowledge."
6. The sixth are preachers. Bernard: "Your mouth has been dedicated to the Gospel; to expound such jokes or fables is illicit,...to get used to sacrilege."<sup>151</sup>

19.10 Since, however, we are in a state of being good, and of being contemplatives, and of being religious, and even ordained, and even skilled in the law of God, and preachers, how much ought we to abound in holy words, and avoid the contrary, and wherever we gather for conversation to have holy conferences! But alas! Such holy conferences have faded away from religious, either entirely or for the most part. Bernard in his *Sermone Apologia*:

"O how far are we from those who in the days of Anthony were monks! Since they, when they gathered together for some time out of charity, received bread of souls from each other with so much passion, that thoroughly forgetting the food of the body, they finished the whole day with fasting stomachs.

But when we gather together as one, nothing of scriptures is dealt with, nothing about the salvation of souls; but nonsense, and laughter and words in the wind are brought forth; there is no one who asks for the heavenly bread, no one who offers it."<sup>152</sup>

19.11 And so it is that in conferences the younger were accustomed to ask things of the more perfect; so in the *Lives of the Fathers*<sup>153</sup> we regularly read: that a brother asked a certain old monk about such and such. Now however, just as the Saint says, "there is no one who asks for heavenly bread," and what is worse, not only is it not sought, but they do not care about it being offered. If one wants to speak holy words, he does not have as much a listener as if he would wish to tell stories; and so what is said in 2 Tim 4:4,

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<sup>151</sup> Bernard, *De consideratione* III, 18, 2 (PL 183:756 B)

<sup>152</sup> Bernard, *Apologia Ad Guillelmum Sancti-Theoderici Abbatem*, ch. ix, n. 19 (PL 183:909 D-910 A).

<sup>153</sup> Cf. Reisner, *Vitae Patrum*, 5, 3, 27 (PL 73:864 C).

has been fulfilled, “And they will indeed turn away their hearing from the truth, but will be turned unto fables.”

- 19.12 This indeed is a diabolical work, because as it says in the *Lives of the Fathers*: “When a certain senior monk was speaking to the brothers, and the brothers began to fall asleep, to show that this was a work of the devil, he began to speak about secular things; and immediately everyone awakening, began to listen to him diligently; and using this instance he pointed out to them that such dozing at the words of God was coming from a diabolical deception.”<sup>154</sup>
- 19.13 The more perfect in spiritual matters are accustomed to guide those less perfect from secular matters to spiritual matters, by inserting some spiritual advice into vain words, in the example of the Lord, who when the disciples were conferring about who of them was the greater, which was a bad conversation, guided them to more useful things, and began to say to them: “The kings of the Gentiles lord it over them,” as is found in Lk 22:25. Now, however as the saint says, “even if perchance the bread of doctrine is sought, there is no one who is delivering it,”<sup>155</sup> and that lamentation of Jeremiah is fulfilled, Lam 4:4, “The little ones have asked for bread, and there was none to break it unto them.”
- 19.14 This is very dangerous, because as Gregory said, “He is guilty for as many souls by silence, for as many as he could have helped by a word.”<sup>156</sup> Paul was not like that, who said in Acts 20:31, “that for three years I ceased not, with tears to admonish every one of you night and day.” How much care did that great one have for the little ones, who for so long a time not only by day but by night, not only by words but also by tears; not only in common, but also individually, was warning each and every one!
- 19.15 So it is already clear that from the sin both of superiors as well as subjects such conferences have for the most part faded away from religious life. But although they receded, still their memory or their need has not receded, and so in their memory and supplement some religious less trained in scriptures, every day before Compline have a lesson read, either in the chapter room or in the cloister with the gathered friars. We however who have been more formed in scriptures, in the fasting season have such a reading for a conference which is read in the refectory at the drinking time.
- 19.16 At another time this lesson, namely, “Brothers, be sober etc.,” (1 Pt 5:8),<sup>157</sup> we read in church before the beginning of Compline as a conference. It contains many edifying matters fitting for that hour. “And they that are drunk,” says the Apostle in 1 Thes 5:7, incur from this many evils at night. From drowsiness or bad vigils many good things

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<sup>154</sup> Cf. Reisner, *Vitae Patrum*, 5, 11, 18 (PL 73:864 C).

<sup>155</sup> Not identified.

<sup>156</sup> Gregory the Great? Cf. Peter Damian, *De abdicatione episcopatus* (PL 145:0430C) and Radulfus Ardens (+ ca. 1200), *Homiliae*, (PL 155:1676 C).

<sup>157</sup> Compline begins thus. Cantor: Bid, sir a blessing. *Jube domne benedicere*.  
Heb: The Lord almighty grant us a quiet night and a perfect end. Choir: Amen.  
Cantor: Brethren, be sober, be watchful. Your adversary the devil prowls around like a roaring lion, seeking someone to devour. Resist him, firm in your faith. But thou, O Lord, have mercy on us.  
Choir: Thanks be to God. Cantor: Our help is in the name of the Lord. Choir: Who hath made heaven and earth.

are omitted or many evils are accustomed to follow at night. At that time the prince of darkness, wandering in the darkness works more his wickednesses, and certainly many at that time are accustomed to give in. And because of this it is fitting that at that hour:

- to be reminded about sobriety, which happens when it is said (1 Pt 5:8): “Brothers, be sober,”
- for vigilance and for holy vigils, which happens when it is said, “and watch,” in prayers,
- to be alert to the snares of the enemy, which happens when it is said: “your adversary,”
- for fighting in a manly way, which happens when it is said, “Whom resist ye, strong in faith.” (v 9).

- 19.17 And three things are touched upon here which help in triumphing over the enemy: sobriety (e.g. fasting), prayer and faith. About the first two Mt 17:20, “But this kind is not cast out but by prayer and fasting;” the third, the Apostle, Eph 6:16, “In all things taking the shield of faith, wherewith you may be able to extinguish all the fiery darts of the most wicked one.”
- 19.18 It is clear from the aforesaid that this lesson, which is read before Compline as a conference, ought not to be read in secular churches, since among seculars it was not the custom for such a conference; nor among religious which for each day have another reading as a conference, nor among us on fasting days, when the refectory reading at the hour of drinking then becomes the conference.
- 19.19 It is clear therefore how fitting this lesson is for a conference, since it not only contains edifying advice which every holy conference ought to offer, but also one fitting for that hour; and exhortations are accustomed to be for fitting times, like patience in a time of tribulation, just as also at the time of rising, about driving out laziness, according to that of Sir 32:15, “And at the time of rising be not slack . . . ,” etc.
- 19.20 Next, some things not expressed by this constitution must be supplied, which are observed from custom when this reading is read.
- 19.21 Know therefore that given the signal for Compline, or given the signal by the one who is in charge, some friar from the choir ought to prepare himself, capuce down, to do this reading. A definite friar ought not be assigned for this because the conference should to be read, at one time by one, then by another, then by a superior, then by a subject.
- 19.22 “*Jube, Domne benedicere,*”<sup>158</sup> being said by the one who is about to read, and he, bowing his head a little to the hebdomadarian,<sup>159</sup> the hebdomadarian gives a blessing, which has been written below, in the chapter [of the constitution] *De collatione* (I:6), namely: “A quiet night and perfect end grant to us almighty and merciful Lord;” as if he were saying: “By the power of this sacred reading, which you are about to read, may the Lord make us pass this night in peace and quiet free from the temptations of the enemy.”
- 19.23 And because this is the same,—except on the ultimate night, when the light of this

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<sup>158</sup> The request in choir: “Please, lord, a blessing.”

<sup>159</sup> The friar assigned to lead the Divine Office for the week.

world will be obscured for us,—that we would have a perfect end, who might finish the works which we have begun, and so he adds: “And perfect end,” praying that God who is all powerful would complete the works which we begin, and lead to that ultimate end, for which whoever shall come shall have everything, and nothing shall be lacking to him; which is perfection; and since perfect is that to which nothing is lacking; this “perfect end,” I say, “the Lord, the almighty” who can do this, “and merciful,” the Lord who is accustomed to be moved by the prayers of those petitioning, “might grant to us.”

- 19.24 The community having responded: “Amen,” after the response, the same lector, not in the middle of the choir, where other lessons are accustomed to be read, nor facing the altar, but in his own place, facing the brothers as if addressing them, just like one who is preaching or giving an uplifting conference, should say this: “Brothers, be sober and watch: because your adversary the devil, as a roaring lion, goeth about seeking whom he may devour. Whom resist ye, strong in faith.”
- 19.25 And this lesson has been drawn from the canonical epistle 1 Pt 5:8-9. Although this phrase is not from that text: “. . . in prayers,” nevertheless it ought to be said, because we are to be urged not to vigils whatsoever, but to sacred things. This has been added by the Church and has been taken from the Epistle of Paul, Col 4:2, where it is said: “Be vigilant in prayer[s].” The Church frequently makes some such additions or subtractions in the Office.
- 19.26 Having said: *Tu autem Domine . . .* (You, however Lord, have mercy on us), and the response given, *Deo gratias* (Thanks be to God), he who is presiding says: *Adiutorium nostrum in nomine Domini* (Our help is in the name of the Lord), as if saying, “Brothers, not only you who are in a greater state [of life], nor I, from whom a greater perfection is required, can do what the sacred reading teaches, without divine help; and so I ask for me and for you, whose care I bear, that in doing these things our help be in the Name of the Lord, by whose help alone we can do this.” The convent then, approving this, responds: *Qui fecit coelum et terram* (Who made heaven and earth); as if it were saying: “Good Father, may it happen what you ask for, who is so powerful that by his power he made the heaven and earth.”

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## §20. COMPLINE: CONFESSION, PROCESSION AND HOLY WATER

- 20.00 There follows: “**When confession is finished and Compline said, the presider gives a blessing, and the hebdomadarian sprinkles holy water.**”
- 20.01 Three things are mentioned in this constitution: confession, blessing and sprinkling with holy water.

### C. 38 About the confession which happens in Compline, and first, what is its value.

- 20.02 Note that such a confession which takes place in the daily Office, is not a sacramental confession.
- For sacramental confession happens only by a priest; this, however can happen by

a layman.

- A sacramental confession follows an imposition of hands, and the imposition of a penance; not so with this.
- In a sacramental confession each sin should be told and the various circumstances; here not so.

Thus, such a confession is not sacramental, but it is a certain humble and public recognition of sins in general, before God and men, which one now exposes to the Church, about which Neh 9:2, "And they stood before the Lord, and confessed their sins."

20.03 Such a recognition counts for many things:

- To avoid divine punishment. Just as an abbot beating a monk then ceases when the monk says: *Mea culpa*; so the Lord ceases lashing for sins when the sin is recognized by the one being beaten. Lv 26:40, "They are afflicted until they confess their iniquities."
- For the deletion of sin. In the secular forum, confession of a sin merits condemnation; but in God's forum, forgiveness, as is clear for David (2 Sm 12:13), to the one saying, "I have sinned," the prophet said, "The Lord has taken away your sin." So, in 1 Jn 1:9, "If we confess our sins, he is faithful and just, to forgive us our sins, and to cleanse us from all iniquity."
- For calling forth divine compassion, through which flows a multiple benefit of God over misery; the showing of compassion is accustomed to provoke mercy. Jgs 10:10,16, "The children of Israel said to the Lord: 'We have sinned . . . ;'" and there follows: "and he was touched with their miseries."
- For pleading for the prayers of a neighbor; so when one says the *Confiteor*, another adds *Misereatur etc.*, and this is what James teaches in Jas 5:16, saying, "Confess therefore your sins one to another: and pray one for another, that you may be saved."
- For vanquishing an adversary: for he who has never humbled himself after a sin, is overwhelmed by the humility of accusing themselves in confession. 1 Mc 3:2: "Judas," ( a name which means "confessing"), "was fighting the battle of Israel with joy."
- For the glorification of God: for it is to his glory, when we attribute our evils not to him, but to us. Josue 7:19, "My son, give glory to the Lord God of Israel, and confess, and tell me what thou hast done."

20.04 Therefore, because in the present state it is necessary for us that divine punishments to which we constantly subject ourselves be avoided; and sins by which these are merited be remitted; and be rescued from our multiple miseries daily by multiple compassion; and that our powerlessness be helped in these by the suffrages of our neighbors; and faithfully to overcome all these things to gain the victory; and resourcefully to strive for the glorification of God, it is right that such a confession, which avails for all these things, happen daily in the church, during the present state.

20.05 Such confession happens twice in the day, that is, at Prime and at Compline:

- in the morning because of the sins of night, in the evening because of the daily sins.
- In the morning it happens so more purely we may serve the Lord in the day; late, that we might rest more securely at night.
- In the morning, that we not boast about avoiding sin when sleeping; in the evening,

that after all the good we have done we still humble ourselves by recognizing we are sinners.

- 20.06 With us it happens in the morning, not in the beginning of Prime, but within the last *preces*; in Compline however it happens in the beginning for a reason; namely that we might come to understand that confession, although it might not be necessary for us immediately at the beginning of life, nevertheless it ought not to be saved until the very end of life, but must be done earlier.
- 20.07 The way of making this confession is such: having said the *Our Father*, in the same way we are used to in the beginning of the hours, he who is presiding first says, *Confiteor*,<sup>160</sup> etc., and the community adds, *Misereatur etc.*,<sup>161</sup> just as been written in the *Ordinary*. Then the community says, *Confiteor, etc.*, and the one presiding says, *Misereatur*. The *Absolutionem* is said neither by him nor by the community.
- 20.08 In this it is to be noted that he who is presiding first recognizes himself as guilty, because “however much one is in a superior position, so much more one finds himself in danger of sin.”<sup>162</sup> Hence in the Law the priest would first offer sacrifices for his ignorance, as is suggested in Heb 9:7 and 11.
- 20.09 First he asks prayers for himself, because he whose office it is to intercede for others ought first to be reconciled. That in such a confession the absolution is not given, which is implied through those words: *Absolutionem et remissionem, etc.*,<sup>163</sup> but only this prayer is said: *Misereatur vestri, etc.* At Mass, however, since the prayer is said by a priest, such an absolution happens; this happens for this reason, because at Mass we ought to be present with a greater purity, and so it happens there with the absolution prayer, and, for the same reason, at the time of communion or general absolution.
- 20.10 But it is asked whether outside of choir, when a friar says Prime or Compline alone, can he say the *Misereatur* for himself after the *Confiteor*?  
I reply saying yes, since he has no one else who can fittingly say it for him, he can even in the Office take on the persona of both, namely of the one confessing and responding, since such a confession is not sacramental; just as he can say *Dominus vobiscum*, and reply, *Et cum spiritu tuo*, taking on the persona of one saluting and one responding. It must be said also that when two friars say the confession for each other, the greater ought to say for the lesser: *Et vobis fratres*, because the lesser bears the persona of the many, just as at the Mass it is said also by one: *Dominus vobiscum* for the same reason. The lesser however ought to say to the greater: *Et tibi, pater*, if he is greater, or *tibi, frater* if he is not a priest.<sup>164</sup>

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<sup>160</sup> “I confess to almighty God, to blessed Mary ever virgin, to blessed Dominic our Father, and to all the saints, that I have sinned exceedingly by thought, word, deed and omission, through my fault; I beseech Blessed Mary . . . to pray for me.”

<sup>161</sup> “May almighty God have mercy on you and forgive you all your sins; may he free you from all evil, keep you safe and strengthen you in every good work, and bring you to eternal life. Amen.”

<sup>162</sup> Augustine, *Regula*, VII, 47.

<sup>163</sup> “May the almighty and merciful God grant you absolution and remission of all your sins.”

<sup>164</sup> *Vobis*, i.e. you (plural). *Tibi*, i.e. you, thee (singular).

20.11 It is clear from what has been already said what such a confession is (§20.02); and what it counts for (§20.03); why it happens twice in the day (§20.05); why at Prime it does not take place at the beginning, as it does at Compline (§20.06); what is the way of making this confession; why in the confession made at Mass an absolution is added, rather than during the hours (§20.09); whether someone is able to make this confession by himself (§20.10); and when he ought to say: *Confiteor vobis* (pl.) or *tibi* (sing.) and when *tibi pater*, or *frater* (§20.10).

### **C. 39 On the usefulness of the blessing which is given at Compline and why it is more appropriately to be given by the prelate.**

- 20.12 After the daily Office is finished, a blessing is given for three reasons:
1. namely as a sign that for those persevering in divine works to the end, when everything is completed, that blessing will be given about which is said in Mt 25:34, "Come, ye blessed . . . etc." Sir 24:4, "and among the blessed she shall be blessed." This is said about wisdom which consists in the conclusion of things begun.
  2. As reinforcement: The blessing of the Lord makes us rich in spiritual things, just as is said in Prv 10:22. "Blessing is given therefore at the end of the day," and by its strength an abundance of goods is resupplied, which human fragility was less able to acquire during the day.
  3. In defense: The blessing is made with a cross. The devil is afraid of the cross, just as is clear from the text of Gregory who says in the *Dialogue* that the devil fled even Judas whom he had found sleeping in the temple, but signed with the cross, with a cry saying: "An empty vessel, but signed!"<sup>165</sup>
- 20.13 He is afraid of a thing blessed, because by a blessing, a thing is in a certain way made holy: for he fears something holy. Hence about the sacred vestments Aaron says in the book of Wisdom 18:25, "And to these the destroyer gave place, and was afraid of them."
- 20.14 The friars are blessed therefore with the cross at the beginning of darkness so that by virtue of such a blessing the power of darkness is kept away from them, as by a holy thing, as by a thing signed with a cross.
- 20.15 The manner of such a blessing is this: *Benedictio Dei omnipotentis Patris, et Filii et Spiritus Sancti, descendat super vos et maneat semper.* (May the blessing of almighty God, the Father, and the Son and the Holy Spirit, descend upon you and remain always.) And in this blessing a plea is made not for a human blessing but divine, when it says: *omnipotentis.*
- 20.16 The blessing of the Trinity is sought, namely of the Father, that strength be given, of the Son that knowledge be given, of the Holy Spirit that willingness be given; which three are necessary for performing well. David showed how to ask for the blessing of the Trinity by his example, when he said (Ps 66:7-8), "May God, our God bless us, may God bless us." By naming God three times he gave an understanding of the divine Trinity.
- 20.17 No passing blessing is asked for, but a lasting one, when *maneat semper* is said; like what is said in Sir 3:10, "and his blessing may remain to the end."

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<sup>165</sup> Gregory the Great, *Dialogi*, III, 7 (PL 77:232 A).

- 20.18 Note that among some religious orders such a blessing is given by the hebdomadarian: indeed, it does not seem to them that humility would suffer should such a blessing be given by a prelate. But they do not seem to be reasonably disturbed. If for the sake of humility, a prelate himself ought not to exercise what seems to pertain to a certain excellence, so much the more should not he who is lesser assume that for himself.
- 20.19 If he who is greater ought not give such a blessing out of humility, is not the general opinion of Paul praiseworthy who says, Heb 7:7, "And without all contradiction, that which is less, is blessed by the better,?" Rather in this case, one who is greater, namely the prelate, is blessed by his lesser, namely by the hebdomadarian.
- 20.20 When the prelate bears the place of Christ, to the extent that he who obeys him is said to obey Christ, and he who rebels against him is said to rebel against Christ, and so in many other things, why is it not judged to be hoped for that he who is blessed by him, is blessed by Christ? That if such can be hoped for, a greater hope ought to be had in his blessing than of the other.
- 20.21 If Esau, who was evil, had great faith in his father's blessing as we read in Gn 27:38ff., how much more the faithful and devoted sons of God ought to have a great devotion to a paternal blessing!
- 20.22 If the carnal fathers of old conferred much by their blessing to their sons, and they had the custom of blessing them, how much more should it be believed that spiritual fathers can by their blessing confer much on their spiritual sons!
- 20.23 If the curse of the parents can bring much harm to the children, as is clear from the curse which Noah called upon his son Canaan, Gn 9:25, and from the text where it is said, Sir 3:11, "but the mother's curse rooteth up the foundation," since God is more prompt to mercy than to condemnation, why should it not be hoped for that the paternal blessing ought all the more confer many good things to the children? It indeed confers such, and so it is said, Sir 3:11, "The father's blessing establishes the houses of the children."
- 20.24 Since, therefore, faith should be had that from the paternal blessing many benefits are passed on, humility ought not prevent him who presides from giving such a blessing; and so it is well put in this constitution: **"the presider gives a blessing."**
- 20.25 But according to this it is objected, and it seems that for the same reason the prelate ought to give all the blessings both at table and for readings, etc.  
I reply: It is not the same. For other blessings are given, e.g. to the lector, when it is proffered at his petition. To the extent however that someone assumes the office of lector, he is less than the hebdomadarian, even if he be prior. And so such blessings reasonably can be given by the hebdomadarian. The blessing, however, which is mentioned here is given to the whole convent, and at the petition of no one, and so it pertains to the father of the congregation.

**C. 40 On six things which ought to be reserved  
to the prelate in the daily Office.** <sup>166</sup>

- 20.26 And so there are six things which are reserved to prelates in the daily Office among us.
1. One is to give the signal at which the brothers either begin the Office or prostrate themselves or bow, or rise: and this pertains more to him as if to the teacher.
  2. Another is the absolution of the dead, which happens when he who presides says: *Requiescant in pace*,<sup>167</sup> in the chapter; or *Fidelium*<sup>168</sup> after the hours; unless when the hebdomadarian says: *Requiescant in pace* in the Office of the Dead, because then it is of his office, just as: *Benedicamus Domino*, in the end. There is, however, such an absolution as if a certain invitation to pray for the dead. Hence as a sign of obedience to such an invitation the convent responds *Amen*. However, such an invitation does not pertain to someone as properly as to the prelate.
  3. Another is the invocation of divine assistance which happens when *Adjutorium nostrum . . . etc.* (Our help is in the name of the Lord.) is said: Such an invocation pertains more to him who all the more ought to be adorned with virtues, and whose task it is to rule others.
  4. Another is the general confession which happens when *Confiteor* is said in the Office. For this reason, whatever absolution happens there, pertains more to the one having jurisdiction.
  5. Another is the ending of silence, which happens when *Benedicite* (Bless) is said in chapter, and the response *dominus* (lord) given. This pertains to him because it is a certain permission to speak.
  6. Another is the blessing of the community (*conventus*), which we have here, and this pertains to him as if to a father. It is of the father to bless the children.
- 20.27 Whichever of these are said by the prelate in the Office ought to be said with a greater gravity than it is accustomed to be said ordinarily by someone else.
- 20.28 It is clear from the aforesaid: why the blessing is given after Compline (§20.12); the manner of blessing is also clear (§20.15); and why it ought to be given by a prelate (§20.18); it is also clear why not all blessings are given by a prelate (§20.25); it is clear also which and how many are the blessings which are reserved to a prelate in the daily Office (§20.26).

**C. 41 On the sprinkling of holy water and its value.**

- 20.29 It remains to treat of the sprinkling of holy water. About this it must be noted that it is piously believed that by virtue of the ecclesiastical blessing such water gains great power. For if indeed at a time of vengeance by virtue of the priestly curse, water would thus take on such an effect, that when drunk, the womb of an adulteress would burst, as is found in Nm 5:22, how much more ought it be believed that from the power of a better priestly blessing at time of mercy the water would take on a better effect of healing, since God is more inclined to mercy than to condemn?

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<sup>166</sup> The manuscript tradition reads “in the Order.” Only the Bologna ms. reads “in the daily Office,” which makes more sense and is confirmed by the text.

<sup>167</sup> *Requiescant . . .* “May they rest in peace.”

<sup>168</sup> *Fidelium . . .* “May the souls of the faithful departed through the mercy of God, rest in peace.”

- 20.30 No doubt a beneficial effect follows, and even many. We should believe that those effects follow which the Church petitions in the blessing.
- There is therefore one effect, the remission of some past sins; and so the faithful, in this hope sprinkle themselves when entering a church; and this is petitioned when it is said in the blessing; “May everything that this water shall have sprinkled be delivered from all that is hurtful. (*Quidquid . . . haec unda resperserit . . . liberetur a noxa.*)
  - Another is the repression of demons, and for this reason holy places are frequently sprinkled, that demons be driven away from them, and this is asked for when it is said: “Wherever it shall have been sprinkled, every assault of an unclean spirit would be defeated.” (*ubicumque fuerit aspersa, omnis infestatio immundi spiritus abjiciatur.*)
  - Another is the consolation of the Holy Spirit: and because of this at the time of terror or horror such a sprinkling should be done, and this is petitioned when it is said: “Wherever it shall have been sprinkled through the invocation of thy holy name may the presence of the Holy Spirit the comforter, present everywhere, be granted to us who are asking for your mercy.” (*ubicumque fuerit aspersa per invocationem sancti tui nominis, praesentia sancti Spiritus, qui consolator est, nobis misericordiam tuam poscentibus ubicumque adesse dignetur.*)
  - Another is the driving out of illnesses; and so when the sick person is visited by a priest for Extreme Unction, first, holy water is sprinkled; and this is asked for when it is said: “Thy creature by your mysteries serving to expel illness may take on the effect of divine grace.” (*ut creatura tua mysteriis tuis serviens ad morbos pellendos divinae gratiae sumat effectum.*)
  - Another is the purifying of a human dwelling; and so it is brought through the house of the faithful on Sundays; and it is praiseworthy and a useful custom of the friars, who observing this same custom see to it that a friar, cleric or lay brother, carry it through the dormitory, through the cells and other offices on Sundays; and this is petitioned when it is said: “Everything in the places of the faithful that is sprinkled with this water may be rid of all uncleanness and freed from every harm. Let no breath of infection, no disease-bearing air, remain in these places.” (*quidquid in locis fidelium haec unda resperserit, careat immunditia, non illic resideat spiritus pestilens, non aura corrumpens.*)
- 20.31 Since therefore there be five such effects of holy water, because of the first three, which are more spiritual, all the brethren ought to be sprinkled at night in the convent: for erasing venial sins contracted during the day; for the repression of demons, who are more accustomed to attack at night; and for the consolation of the Holy Spirit, which is more necessary at nighttime, which is more frightening than the daytime.
- 20.32 Those whoever who are outside of the convent, when in a house ought not to neglect to use holy water before getting into bed if it is convenient, so that the same benefit be gained; and so it should be provided for use in such a place, that it might be shared by all at any time.
- 20.33 It should always be kept in the infirmary, and so both the brethren and the place should be sprinkled frequently, not only for these three effects, but for dispelling illness and for the purification of the place.

- 20.34 Also, such a sprinkling in the convent is not reserved, like the blessing, to the prior. Holy water is a sacramental, and so is more connected to [Holy] Orders, like a sacrament, than to jurisdiction. In every day [practice], therefore, even if it be a duplex feast, not the prior but the hebdomadarian should perform such a sprinkling, just as this constitution says, although the prelate ought to give the blessing. This, indeed, pertains more to jurisdiction by reason of fatherly responsibility, as said above.
- 20.35 The way of doing this sprinkling is such: when the antiphon of the Blessed Virgin is being sung, the friars arranged in their order, with one of the younger friars carrying the container at the right of the hebdomadarian, the hebdomadarian himself, having sprinkled the altar or altars before which the procession stopped, next sprinkles the community, beginning from that choir in which the major prelates is, doing first that whole choir. If no prelate is present, he always begins on the right. Having finished the sprinkling of one choir, he does the sprinkling of the other choir, beginning from the elders of the other, and finally sprinkles the lay brothers. If, however, seculars are present, he sprinkles them in the place where they are with the brothers who are sprinkled. On the days, however on which the antiphon of the Blessed Virgin is not sung the sprinkling is done before Compline is finished.
- 20.36 But it is asked what is the good of sprinkling the altars? Since they are sacred, they do not need purification.  
I reply: It is believed that just as the devil wished to impede the passion of Christ, when he plotted to diminish his strength by this, through the wife of Pilate to whom he sent dreams during the night about this just one, through which she was moved to saying to her husband: "Have thou nothing to do with that just man," (Mt 27:19); and through the tongues of the Jews saying: "If he is the Son of God . . . let him now come down from the cross, and we will believe him.," (vv. 40,42), so he wishes to impede the supreme sacrifice of the altar lest it happen, or lest it have its due effect. Therefore, the altar is sprinkled, on Sundays before Mass, not that it be purified, but that by virtue of the sprinkling the enemy be routed and frustrated from such an effort.
- 20.37 It is piously believed that the holy angels stand next to the altar, prepared to carry up the prayers which are made before the altar, according to what is said in Rv 8:3, "And another angel came, and stood before the altar, having a golden censer in his hand; and there was given to him much incense, that he should offer of the prayers of all saints upon the golden altar, which is before the throne of God." At night therefore similarly the altar or altars are sprinkled, before which the procession goes, lest the ascent of such prayers which are offered before them be impeded by the enemy hosts; but when he has fled, the angels bear them to heaven.
- 20.38 Nor would it be wrong if all the altars be sprinkled on Sundays, because of the Masses which are to be celebrated on them, and similarly at night, for the prayers which are poured out before them, unless it be omitted to save time.
- 20.39 It is clear from the aforesaid why the brethren are sprinkled with holy water in the convent at Compline (§20.31); and that such sprinkling should not be neglected even by those who are outside of the convent (§20.32); and that such a sprinkling ought to be done always by the hebdomadarian (§20.34); it is also clear how to do such sprinkling (§20.35); and why not only the friars but also the altars are sprinkled

(§20.36).

### C. 42 How did the custom arise of singing the *Salve* after Compline?

- [21.00 *There follows: "Next the Pater Noster and Credo in Deum is said, which also should happen before Prime and before Matins."*<sup>169</sup>]
- 20.40 But it seems that there is an omission here, because no mention is made here of the procession which we regularly make in honor of the Blessed Virgin, having said Compline, before this is said.
- 20.41 I reply that from the beginning of the Order, when the constitutions were shaped, such a procession was not happening. But when a certain friar of Bologna was harassed by a demon, the friars arranged that for his deliverance they would sing the *Salve Regina* after Compline, and so it happened.
- 20.42 For the same reason at Paris, a remembrance of the angels was made after Matins, with the responsory *Te Sanctum Dominum*.<sup>170</sup> An ordination was made at a certain chapter that the commemoration of the angels would be curtailed to avoid prolixity.
- 20.43 But the procession of the Blessed Virgin, to whom the friars had great devotion, was never afterwards stopped. Master Jordan [of Saxony] narrates that it was told to him by a certain religious man worthy of belief that, when the friars were singing: *Ea ergo, advocata nostra*, (Turn then, our advocate) he frequently saw the Blessed Virgin prostrating herself before her Son, and praying to him for the preservation of the Order. Although nothing was written about this in the constitutions or in the *Ordinarium*, nevertheless there was a longtime memory of it in the antiphon *Salve*;<sup>171</sup> hence outside the choir the friars still sing only the *Salve*.
- 20.44 With the passing of time to remove any hesitation it was ordained and written in the *Ordinarium*<sup>172</sup> about sometimes saying other antiphons, and then this procession, which was happening only by custom before, was first put in writing. Nor was it necessary to write anything in the constitutions about this, because of the fact that it was written in the *Ordinarium*. So it is that nothing of this is mentioned here about this procession, although with all devotion it is to be done by the friars of the Order of Preachers forever and without interruption.
- 20.45 To understand, however, the reason for this observance, it must be noted that since we

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<sup>169</sup> The manuscript tradition places this next lemma here. Humbert interrupts the presentation by inserting the discussion about the *Salve Regina* procession. Only when that is concluded, does he take up the Our Father. Note: Humbert's concluding summary (21.39), lists the nine steps in the termination of the daily Divine Office: 1) reading; 2) general confession; 3) blessing; 4) sprinkling with holy water; 5) Our Father and Creed; 6) *Salve* procession; 7) discipline; 8) silent meditation, and; 9) final signal. The Our Father and Creed is listed before the *Salve*.

<sup>170</sup> A popular Responsory attributed to Peter Damian (1072). "All the angels praise you, Holy Lord on high, saying, "To you are due praise and honor, Lord.""

<sup>171</sup> "Hail, holy queen, mother of mercy . . ."

<sup>172</sup> *Ordinarium, op cit.*, n. 481, p. 120.

have many and great dealings in the heavenly court, everyone should see to it that he has one of the saints, or several special ones who might be his patron and special helpers in promoting his affairs in that court, as happens in the courts of this world. And so in Job 5:1 it is said when in need, “Turn to one of the saints,” who might be your helper with God. Of all those in that court the Blessed Virgin excels in such patronage; and so she is called “star of the sea,” who, over all the stars, assists travelers. Lk 1:27 “The virgin’s name was Mary,” that is, star of the sea.<sup>173</sup>

20.46 Many concur in commending her patronage.

- The patronage of those who are powerful in court is better: she indeed is such. Bernard: “She will not be without ability, because she is the Queen of heaven.”<sup>174</sup> So, in Sir 24:15 in her person it is said, “and in Jerusalem,” namely in heavenly glory, “was my power.”
- Whoever is more familiar with the lord from whom something is petitioned, so much better is his patronage. Who can have a greater familiarity than the Mother to her Son? Bernard: “How familiar with God have you become, Lady? How near! Even, how intimate!”<sup>175</sup> And so it is said in Ps 44:12, “‘The queen stood on thy right hand,’ namely as if familiar to thee over all in that court.”
- To the extent that one is shrewder in imploring and in managing business, so much the better is his patronage. She, however is such. Bernard: “The Mother offers to the Son her bosom and breasts, namely for better imploring.”<sup>176</sup> Behold, how diligent! And so she is symbolized in 1 Sm 25:23 by Abigail, a name which is interpreted as “my father exulting.” There were none of the daughters of Adam who was for him so much a motive for exultation, as she was. She, as is said in that place, was most prudent, and her prudence pleased David the king, and rescued her stupid husband from death. O how many stupid ones has the Blessed Virgin rescued by pleasing the King of heaven, and every day still frees from death!
- By how much one is more feared by enemies, so much the more is his patronage. She, however is “terrifying,” to the enemy hosts “like an army set in array,” as is said in Sg 6:3.

Therefore, her patronage counts for much, who is so powerful in the heavenly court, so familiar to the king of that court, so wise in soliciting business, so terrible to enemies.

20.47 Much however can be hoped for that can easily be had by her patronage.

- For she is not without compassion or harsh to those approaching her; rather she is found to be utterly sweet. Bernard: “What does human fragility fear in approaching Mary? Nothing in her is austere, nothing terrible . . . all is sweet, full of piety and grace, full of meekness and mercy.”<sup>177</sup> Therefore it is said in Sg 6:3, “Thou are sweet.”
- More help is to be hoped for from her who is more committed to the needy. She is much attached to sinners, because whatever she has on their behalf she has of

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<sup>173</sup> A popular etymology derived the name Mary from *maris*, of the sea. With *stilla*, drop, or *stella*, star, people saw her as star of the sea. In fact the Hebrew *miryam* from *mara* implies well nourished, hence beautiful or perfect. Cf. *Catholic Encyclopedia*, <http://www.newadvent.org/cathen/15464a.htm>.

<sup>174</sup> Bernard, *In Assumptione B.V.M., Sermo I*, n. 2 (PL 183:415 D).

<sup>175</sup> Bernard, *Dominica Infra Octavam Assumptionis B. V. Mariae. Sermo*, n. 6 (PL 183:432 C).

<sup>176</sup> Bernard ? Cf. Ernardus Bonaevallis, *De laudibus B. Mariae Virginis* (PL189:1726 D).

<sup>177</sup> Bernard, *Dominica Infra Octavam Assumptionis B. V. Mariae, Sermo*, n. 2 (PL 183:430 C).

merit. Augustine in prayer to her: “We unite to thee, and you to us in a wonderful exchange, that for us you have to be what you are; we however are that which we are through you.”<sup>178</sup> And so it is said in Is 11:1, “And there shall come forth a rod out of the root of Jesse,” This is interpreted “conflagration,” because from this conflagration of great love which God had for the world, he brought forth a virgin in the world, for the world, and so the world was the reason for her to be.

- Just as a judge sometimes assigns a lawyer for wretched persons, so she has been given as patron for the wretched, as their advocate, just as by divine arrangement it happened that Esther, elevated in the kingdom, became the advocate for the Jewish people. Hence it is said in Est 4:14, “And who knoweth whether thou art not therefore come to the kingdom, that thou mightest be ready in such a time as this,” namely, to intercede for her people? What was proposed there as doubtful, was truth. Just as in the Roman Curia poor folk safely approach him who has been appointed by the Pope as promotor of the petitions of the poor, so we ought safely to approach the Blessed Virgin, since it falls to her as her duty *ex officio* to attend to our affairs.
- More is hoped from her intervention, whose pious assistance has been proved by many examples. She is indeed such, as is proved by innumerable examples. For who approaches her, and she does not help? Bernard: “Silence thy mercy, Blessed Virgin, if there is someone who having called upon her in their necessities recalls himself to be abandoned?”<sup>179</sup> And see, how she helps everyone. Bernard: “Compassionate in feelings, and helping in deed, she assists everyone.”<sup>180</sup> And so it is said in Sir 24:19, “As an . . . olive tree in the plains,” not in a garden, the fruit of which all can share.”
  - She helps in all situations. Bernard: “She has done everything for everyone, so that everyone might receive of her fullness: the captives, redemption; the sick, a cure; the sad, consolation; the sinner, pardon; the just one, grace. In summary she shows mercy for the needs of all with such an abundant affection.”<sup>181</sup> And so it is said of her, Lk 1:28: “Ave,” that is, without woe, because she liberates from every misery.
  - She helps everywhere, on earth, in heaven, and in hell. Bernard: “The breadth of her mercy fills the globe; the sublimity of the heavenly city Jerusalem finds a restorer, the depth for those sitting in darkness and the shadow of death, obtains a redeemer.”<sup>182</sup>
  - And so it is said, according to Bernard, “The midst of the earth,” in Ps 73:12, where it is said, “He hath wrought salvation in the midst of the earth, because they look to her, as to a medium, those who dwell in heaven, and those who abide in hell, and those who preceded us, and we who are, and those who follow us.”<sup>183</sup>
  - She always helps. Bernard: “The breadth of her mercy for those invoking her aids everyone up to the last day.”<sup>184</sup> And so it is said, Sir 24:14, “And unto the

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<sup>178</sup> Cf. Reisner. Johannes de Forda, *Super extremam partem Cantici canticorum sermones*, CXX, 20, 3.

<sup>179</sup> Bernard, *In Assumptione B.V.M., Sermo IV*, n. 4 (PL183:428 D).

<sup>180</sup> *Ibid.*

<sup>181</sup> Bernard, *Dominica Infra Octavam Assumptionis B. V. Mariae, Sermo*, n. 2 (PL 183:430 D).

<sup>182</sup> Bernard, *In Assumptione B.V.M., Sermo IV*, n. 8 (PL 183:429 A-B).

<sup>183</sup> Bernard, *In festo Pentecostes, Sermo I*, n. 4 (PL 183:327 D-3288 A).

<sup>184</sup> Bernard, *In Assumptione B.V.M., Sermo IV*, n. 8 (PL183:429 A-B).

world to come I shall not cease to be," namely, to help everyone.

- 20.48 It is clear, therefore, how much can be hoped of her help, if she were faithfully invoked, since she is sweet and patient to those approaching her; since so much has been given to us; since this belongs to her by her office; since so much has been proved by experience!
- 20.49 Because of this Paul says, Heb 4:16, "Let us go therefore with confidence to the throne of [her] grace," for she is indeed the throne of the grace of God, because from her many graces flow out to men. Just as it is called the throne of judgment whence judgment proceeds, so it is rightly called the throne of grace, whence grace proceeds. From this, therefore, that her patronage can avail so much, because it can be had so easily, it ought to be preferred to all others. And so we have a procession daily in her honor, so that we may always have a patron in heaven.
- 20.50 There are, however, many reasons which are told by some which have happened around the beginning of our Order with St. Dominic, through which it can be conjectured that she is a special patroness of our Order.
- I have heard with my own ears from a Cistercian, a man of very certain authority, that before the beginning of our Order, at a time when twelve abbots had been sent by Pope Innocent to the land of the Albigensians, that one of those abbots passing near a certain village, and hearing that there a dead man had been revived, to which many gathered, he sent there his monk to inquire of this. He, however, as it was said, inquiring, asked from the revived man about those things which he had seen in the other world. Among other things, he said that he had seen the Blessed Virgin for three days and three nights before her Son, on bended knees, and interceding for the world. When her Son, the Lord Jesus Christ, in refusing her, alleged the ingratitude of the world, and the evils which it was paying back for blessings, and she on the other hand insisted that he act toward it not according to the merits of the world, but according to mercy, she finally had a response that at her prayers he would still postpone rendering justice to the world, and that he would still send some who might warn it so it might correct itself, and if it corrected itself, he would show his mercy. After a short time this Order appeared in the world; from which that good man concluded, that at the prayers of the Blessed Virgintin this Order had been created in the world.<sup>185</sup>
  - Was it not she who restored health to Brother Reginald, of happy memory, a future friar; and anointed his feet in preparation for the gospel of peace, through whose example and preaching the Order received such an increase?
  - I heard at the time of my novitiate, if I remember rightly, that at the beginning of the Order when a certain holy woman recluse had seen young friars hastening through the world, while in her chapel before the image of the Blessed Virgin, she was marvelling over this, she wondered if it would be possible for them to avoid the sins of the world, especially since they were young and clothed in such a beautiful habit, she heard a voice as if the image were speaking to her saying: "Fear not for these friars, because I have taken them under my protection." And she revealed under her mantle a multitude of the friars preachers.<sup>186</sup>

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<sup>185</sup> *Vitae Fratrum*, I, i, §3, ed. Reichert, p. 8.

<sup>186</sup> *Vitae Fratrum*, I, vi, §4, ed. Reichert, pp. 40f.

- 20.51 From these accounts, therefore, and many others which have been written in the *Lives of the Brethren*, it seems that of this Order, which is for praising, blessing and preaching her Son, she is the special mother, by producing, promoting, and defending them. Hence St. Dominic in his prayers commended the Order to her as to a special patron, just as we read in the *New Legend*.<sup>187</sup> And so it is that to her as a mother by a procession, just as to St. Dominic as a father through a commemoration, we recommend ourselves every day having them as special patrons in heaven.
- 20.52 The way of doing this procession has been written in the *Ordinarium*.<sup>188</sup> If there be few friars, or if there be no fitting place for a procession in the exterior church, it is not necessary for the friars to go out; but in their choir, with two candles with candelabra placed before the high altar, or in some eminent place about that altar the whole ceremony of this procession takes place in the choir of the friars.
- 20.53 If however there is an adequate number of friars, and the exterior place is fitting, they should always go out in procession, the antiphon begun by two cantors, or by those who the cantor designated, in the middle of the choir, on duplex feasts, or totum duplex; on other days however, by one who had been enjoined, in his place, and this facing the altar, two acolytes in surplices leading, with candles and candelabra, as is written in the *Ordinarium*,<sup>189</sup> who, when the antiphon is begun ought to stand before the altar, and once begun, having bowed, begin the procession.
- 20.54 Those coming out should so arrange themselves that they are before the external altar, or exterior cross, or one before one, another before another, if they are close to the altar, according to the different arrangements of the churches; so that they be between both of the choirs, and equidistant from each choir and they ought to say: *Dignare me . . . etc.*<sup>190</sup>
- 20.55 The friars then going out in procession, gathered outside before the image of the Crucifix or of the Virgin ought to bow, and when they shall have arrived at the station place, they should so arrange themselves that no one stands close to another, but between friar and friar there be such a distance that one friar could stand between, where the space of the place permits this; and this is to be observed in every procession, so that the community appears more dignified and larger.
- 20.56 Outsiders are not to be admitted to viewing this procession, unless where the community is large, and the devotion of a large multitude of seculars demands it. Where they are welcomed, it is customary that some sign be given as the time of the procession approaches, so that those who for some reason are not present for Compline, might arrive for the procession. When the prayer is finished, if seculars are

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<sup>187</sup> Fr. Berthier notes: "Understand here the life of St. Dominic written by Humbert himself and inserted into the Dominican Lectionary." *Opera*, Vol. II, p. 136. Cf. Constantine of Orvieto, *Legenda Constantini Urbevetani*, 31, MOPH, XVI, p. 308.

<sup>188</sup> *Ordinarium, op cit.*, n. 481, p. 121.

<sup>189</sup> *Ibid.*

<sup>190</sup> *Dignare me laudare te Virgo Sacrata. Da mihi virtutem contra hostem tuam.* (Permit me to praise you Sacred Virgin. Give me strength against your enemy.)

present, having said the *Fidelium*, the procession returns to the choir, and there the community says the *Pater Noster* and *Credo*, with inclinations and prostrations in the usual manner, because before seculars, standing behind, it is not fitting to make reverences of such inclinations. If however the secular persons are not present, the same *Our Father* and *I believe in God* are said, at the beginning of which the acolytes immediately make an inclination and return to the sacristy.

- 20.57 It is clear from the aforesaid why there is no mention about such a procession in the constitutions (§20.40-20.43); and that such a procession ought to be held daily for the patronage of the Blessed Virgin (§20.44); who must be preferred to the patronage of any other saint (§20.45-20.49); and why it may be believed that our Order has her as a special patron with St. Dominic (§20.50); and so daily both should be commended (§20.51); and what manner must be observed in such a procession (§20.52-20.56).
- 20.58 Having completed the procession, or Compline on the days in which there is no procession, the presider, or if a prelate is not present, the hebdomadarian says: *Fidelium animae per misericordiam Dei requiescant in pace*,<sup>191</sup> and the community responds: *Amen*. Such form must always be kept in terminating the hours of the day. When however it is said in the convent, it must be said with great gravity, and loud enough that it is clearly perceived by all; and *Amen* is responded in a similar voice.

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## §21. PATER NOSTER AND CREDO

- 21.00 There follows: “**Next the *Pater Noster* and *Credo in Deum* is said, which also should happen before Prime and before Matins.**”<sup>192</sup>

### C. 43 On the *Lord’s Prayer*.

- 21.01 Next the *Our Father* and *I believe in God* is said, just as this constitution says. And it should be noted that from that which is said here “**Next the *Pater Noster* is said,**” and from that which is said in the first chapter to follow: “**Having given the signal . . . they say the *Pater Noster*,**” [See below, §26.00] the custom is derived which we have of saying the *Our Father* in the beginning and at the end of the hours.
- 21.02 From that which is said about saying the *Credo* three times, namely in the beginning of Matins and Prime, and at the end of Compline, although on the days in which *preces* are said, we say it twice within *preces*, namely in Prime and in Compline, it is clear that almost every day we say the *Symbol of Faith* five times; and so it is asked what is the reason for this?  
I reply: First it must be said that there are three prayers which are more frequently in use in the Church, namely *I believe in God*, and this the apostles did; the *Ave Maria*, and this the angel did; and the *Our Father*, and this the Son of God did. Among all the prayers of the Church, these or others, the *Our Father* has some priorities.

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<sup>191</sup> May the souls of the faithful [departed] through the mercy of God rest in peace.

<sup>192</sup> In the manuscript tradition this lemma is found above, before 20.40. We have duplicated it here, before the actual treatment of the *Our Father*.

- It has a priority from its appropriateness, because the *I believe in God*, the *Ave Maria*, the psalms and others which are said in the Church, although considered prayers, nevertheless for the most part are not properly orations, but rather praises or the like; but the *Our Father* and whatever is contained in it is most properly and truly a prayer.
- By reason of its author: because the composer of this prayer is of an incomparably greater excellence than the authors of the others.
- From its fullness: it contains whatever is necessary to man, as holy doctors have shown many times; there is no other such prayer.
- From its facility: it is short, and can so easily be known, so that there is no excuse for not learning it, for not keeping it in memory, for disdainning it, for not saying it often.
- From its community spirit: for nothing in it is asked for oneself, but in common for all; for this is what charity means, to put the common good ahead of one's own.
- From the certitude of pleasing God: for we do not know whether the other prayers please God; but this one which he himself taught us to say, who can doubt that it is acceptable to him?
- From its effect: it deletes daily sins, as Augustine said.<sup>193</sup> This is said of no other prayer.

21.03 From this, therefore, that the *Lord's Prayer* is so powerful, it is fitting that it be frequently mixed into the Divine Office, just as precious spices are mixed in with herbs of lesser flavor, to make a better sauce.

21.04 Those who have a shorter Office should mix in more, that by virtue of this prayer what is less in quantity be supplemented. So it was right that we who have a short Office, should not only say the *Lord's Prayer* between *preces*, as many churches do, but even more often: and so we do by saying it before the beginning of the hours, and at the end.

- We always say the *Lord's Prayer* at the end of the hours, especially for the dead, so that we might in some way make up for the Office of the Dead which we say less often than many others.
- We say it in the beginning for two reasons:
  - One is by the power of the *Lord's Prayer* we may be made worthy to say the following Office of divine praise, which is difficult.
  - Another is that rightly it is said of saying the Office that it be given to us to gain what is first petitioned in the *Lord's Prayer*.

21.05 From this it is clear that when we say the Office of the Dead not continuing with the other hours, it is not necessary that the *Lord's Prayer* be said in the beginning, as custom has it, because in that Office those two reasons for saying that prayer in the beginning of the hours do not apply.

- There is no need for such care for suitably saying the Office of the Dead, as the Office which is said in praise of God.
- In the Office of the Dead we do not intend to pray for ourselves, but only for the dead; and so it is not necessary that the *Lord's Prayer* be said before. What is said before is said for this reason, that the following Office be said deservedly; and for

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<sup>193</sup> Augustine, *De civitate Dei*, Bk.XXI, ch, 27, 4 (PL 41:748 C).

this, that it be said worthily, it is expected of us that we follow what is asked in the prayer.

- 21.06 Nevertheless at the end, after *Requiescant in pace* (May they rest in peace) has been said, the *Our Father* ought to be said, because that *Our Father* well fits what has gone before, since it is said for the dead, just as another Office; nor is it the opinion of those to be held who say that in this Office the *Lord's Prayer* ought not to be said at the end, just as it is not said at the beginning.
- 21.07 What has been said about not saying the *Lord's Prayer* at the beginning of this Office, ought not to be understood of the Office of the Dead, which is done on the day after All Saint's Day. That Office is like the daily Office, and so there the *Our Father* is said first, just as in the daily Office.
- 21.08 Also, it must be kept that whenever Mass is immediately said after some daily hour, or some hour of the Blessed Virgin, or some other Office, when finished, the *Lord's Prayer* should always be said for the dead. For the dead ought not to be defrauded of the prayer due to them, because of this sequence.
- 21.09 If however it is asked why the *Our Father* is not said by us louder than the prayers in the hours, as happens by some other religious orders, it must be said that the Lord on the cross is found to have prayed with a loud outcry, hence it is said in Heb 5:7, "offering up prayers and supplications with a strong cry," that is, on the cross. And so some religious, as if being on the cross, and offering prayers with the Lord on the cross, say the *Lord's Prayer* with a loud outcry.
- 21.10 Others, however, whom we imitate, sensing less of themselves, out of humility in the manner of saying such a prayer conform themselves to the seculars and imperfects. Hence it is also that in the Mass, the *Lord's Prayer* is said with a loud cry, because the priest at Mass bears the image of Christ offering himself on the cross, and so conforms himself to him at Mass, by reciting the prayer out loud. Elsewhere, however the Lord did not pray out loud, and so in the other Divine Offices generally it is not said out loud but silently; although yet another reason can be given. Since indeed it is required for everyone that they know the *Lord's Prayer*, at Mass to which many gather rather than at other hours, it is said out loud, that there be given to all the laity an opportunity to learn the *Lord's Prayer*.
- 21.11 But again it is asked why the *Lord's Prayer* which is said within *preces* is sometimes omitted, while what is said at the beginning of the hour or at the end we never skip? I reply: There are certain feasts which represent a future solemnity, in which nothing is asked for because all is possessed; like duplex feasts and greater; and such prayers which are called *preces* are not said in the pattern on these feasts, nor the *Our Father* with them; similarly, neither on those days in which for a certain reason *preces* is skipped, as on Good Friday, and others like it.
- 21.12 There are other feasts, lesser than these, which do not fully reflect such solemnity, and so in some and not in all *preces* are skipped on these feasts, namely in certain hours; but not in Prime and Compline, which are times to which these prayers are more attached, and so more rarely they are said without *preces*, as has been said above, on the text: "**lest the brothers lose devotion.**" [Cf. C. 27]

- 21.13 It is permitted however in such cases that the *Our Father* which is used to be said within *preces* be skipped, because of the fact that *preces* are skipped either entirely or in part; nevertheless, they ought not be skipped which for no proper reason for such *preces*, but for another reason are accustomed to be said. Such are those which are said in the beginning and at the end of the hours.
- 21.14 It is clear now why we say the *Lord's Prayer* more than many others (§21.03); why at the end of the hours, and why in the beginning (§21.03); why in the daily Office of the Dead at the end (§21.06), and not in the beginning (§21.07); why it is never skipped at the end of the hours, other things interposed (§21.08); why we do not say it out loud, like some religious (§21.09); why we never skip it in the beginning and the end of the hours (§21.11), although sometimes we skip it in *preces* (§21.13).

#### **C. 44 On the Symbol [Apostles' Creed].**

- 21.15 As for the second, which is asked about the *Symbol of Faith*, it must be said that this prayer pertaining to faith, after the *Lord's Prayer*, which pertains to works, excels both by reason of its authors, who are the Apostles; and by reason of its fullness, which contains all the articles; and by reason of its power. It can have as many powers as articles of faith which it contains.
- 21.16 Therefore we recite it more often than many others; since by its power, supplemented by the *Lord's Prayer*, it is shorter than the Divine Office.
- 21.17 Clearly for this reason the universal Church is accustomed to say the *Apostles' Creed* twice a day, namely at Prime and Compline; and the reason for this is the effects of *preces*. Since however those hours be more apt for *preces*, just as has been said above, and many *preces* take place in them, the *Symbol of Faith* is mixed with these *preces*, so that they have their effect by the power of faith, because faith makes prayer efficacious. Jas 1:5-6, "But if any of you want wisdom, let him ask in faith." This is why we recite it twice, conforming ourselves to general Church practice.
- 21.18 We add the *Symbol of Faith* to the *Lord's Prayer* which we say last on the Day of the Dead, at the time of quiet which more befits the dead, for the sake of the multitude of the dead. For when we pray for the dead, we intend to pray only for the faithful, and so the *Symbol of Faith* is added to the *Lord's Prayer*, which is said for the dead, as if to say: "Lord, for these dead we pray, who were with us in this faith."
- 21.19 In the Symbol there are many articles, which pertain to the dead, like: resurrection of the body, and life everlasting; and so after the *Lord's Prayer* is said for the dead, we profess the faith in which is contained the hope which we have about the dead, as if we were saying: "Lord, we ask for the dead; we are not like those who have no hope for the dead; but we hope and believe in the resurrection of the body and eternal life to come."
- 21.20 Another's faith can count much for some, according to what is said in Mk 2:5, "And when Jesus had seen their faith, he said to the paralytic: 'Son, thy sins are forgiven thee.'" And so we confess our faith for the deceased, knowing that our faith can be of value for them. When the *Lord's Prayer* is recited for the dead, we say the *Symbol of Faith* for the sake of the dead, so that by the confession of our faith it can be discerned

for whom we pray, and the hope which we have for the dead might become known, and our faith itself benefits them; and so we say the *Symbol of Faith* a third time.

- 21.21 In the beginning of the nighttime Office (Matins), and in the beginning of the daytime hours (Prime) as if laying the foundation of our entire service, or deeds, both at night and in the day, on which it is certain that all of our works ought to be grounded. And so, saying it twice, we say it in total five times.
- 21.22 If it is asked why within *preces* the *Symbol of Faith* is sometimes skipped, e.g. on great feasts, in the three days before Easter, and never in the beginning of the hours or at the end, the solution is clear from what has been said. Since the *Symbol of Faith* is said within *Preces* for the efficacy of the prayers, whenever for some reason *preces* is skipped, so should the *Symbol of Faith* be skipped, which is said when they are.
- 21.23 However that which is said, in the beginning or at the end of the hours, ought not to be skipped, because it is recited not by reason of *preces*, but for another reason, as has been stated.
- 21.24 So then it is clear why we say the *Symbol of Faith* more often than many others (§21.16); and why five times (§21.21); and why we never skip it in the beginning or at the end of certain hours, although sometimes in the middle we skip it (§21.23).

#### C. 45 On receiving disciplines after Compline.<sup>194</sup>

- 21.25 Having said the *Our Father* and *I believe in God*, disciplines are received according to the custom and manner noted in the *New Correction* <sup>195</sup> – although nothing is written about this – every day, except in vigils of nine lessons, and on certain major feasts according to the judgment of the prelates, because such times are not days of affliction.
- 21.26 They are to be received in the same place in which the antiphon is sung, or in some place near, if that is not fitting. They are received with psalms and prayers, according to what has been written in the *Ordinarium*.<sup>196</sup> Where, however, there are few friars, or when the weather is cold, a psalm shorter than the *Miserere* can be recited, as is noted in the *Ordinarium*, namely *Deus misereatur* (Ps 66:2), or the *De profundis* (Ps 129:1). Where however the number of friars is great, the hebdomadarian of the previous week, on one side, and the present hebdomadarian on the other ought to administer the disciplines, that the friars may be more quickly dealt with: otherwise the present hebdomadarian of the present week alone ought to administer them, beginning from the superiors on that side where the major prelate is; or if he is not present, from the right choir, and continuing with the second choir from the lesser friars. When two are to administer the disciplines, this should be done, that the one who begins on the right from the superiors passing over to the left begins from the inferiors, and likewise the other passing from the left choir to the right.

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<sup>194</sup> “Discipline” can refer to the religious practice of voluntary flagellation; the act of administering the flagellation; or the instrument, a whip of knotted cords.

<sup>195</sup> *Ordinarium, op cit.*, n. 482, pp. 122.

<sup>196</sup> *Ibid.*

- 21.27 It is enough that in giving the disciplines the circuit through the friars be done twice, nor should the time be extended; but there should be no pause in administering disciplines before the completion of both circuits; and no one after receiving the second discipline, should immediately reclathe himself, but lying prostrate await the end of the prayer.
- 21.28 Disciplines should not be given too gently, lest we be like some nuns about whom it is said that they receive the discipline with a foxtail.
- 21.29 The due inclinations and prostrations should not be performed less well because of the disrobing of the tunics, and so the time when the antiphon is sung is more fitting for such a disrobing,
- 21.30 The friars very decently and with great reverence ought to take part in such disciplines, not uncovering themselves too much or engaging in levity.
- 21.31 The sacristan, or he to whom it has been enjoined, ought to take care that the disciplines always be found ready in some place, lest the convent be kept from other matters, in awaiting such disciplines.
- 21.32 If the question is asked what is the reason for this observance, it must be said that St. Dominic was accustomed to receive three disciplines every night with an iron rod: one for himself, another for sinners still living in the world, and another for those who are in purgatory; and it could have been that from that time and from his example the friars instituted the receiving of disciplines.
- 21.33 Religious are accustomed to receive disciplines frequently.
- Sometimes indeed they receive them out of devotion:
    - devout minds remember “chastisement of our peace,” about which Isaiah speaks, 53:3, which Christ received for us, beaten at the time of the passion;
    - also, of the disciplines which the apostles received, beaten and scourged in the synagoges for his name, as is in Acts 5:40;
    - also five times, forty less one which Paul received from the Jews, and of those times on which by the gentiles, “thrice he was beaten by rods,” as is said in 2 Cor 11:24;
    - and of those by which the saints and even tender virgins were beaten with leaden whips, and, as we read, they were whipped frequently. And in their memory they strike their flesh.

If indeed such and so many received such and so many disciplines, how ought we go on without the discipline?
  - Sometimes, however, they receive discipline by way of punishment. So indeed the saints sometimes castigate their body; temptation of the flesh is so strong that it can only be fled with the discipline of rods, according to that of Prv 22:15, “Folly is bound up in the heart of a child,” that is the childish body, “and the rod of correction shall drive it away.”
  - Sometimes out of humility, as if regarding oneself as worthy of many blows, like servants who knowing the will of their lord, did not do it during the day, and so as a sign of this the *Confiteor* (I confess) is said first by those receiving the discipline, and the *Misereatur* (May almighty God have mercy) is added by the one

- administering.
- Sometimes by way of imposing a penance; disciplines are sometimes enjoined for things committed.
- 21.34 When, therefore either out of devotion, or for punishment, or for humility's sake, or because it is imposed, the friars have to receive disciplines, it is fitting that there be designated a public place and a certain time for this, so that no one gets by without such discipline; and that singularity or excess be avoided, which perhaps might happen with disciplines received by some separately.
- 21.35 For this, then, the fitting time is after Compline, when at that hour many convene, and the somewhat hidden time more suits disrobing. And so the reason for this observance is clear.
- 21.36 After the disciplines, time is given to the friars in the church for spending on their meditations and private prayers, in which all ought to participate in common. Yet it should be noted that it should not be too long, lest growing tiresome it be for many a pretext for retiring; nor too short, lest devotion begun be quickly stifled. The time that it takes for devoutly reciting seven psalms with a litany suffices.
- 21.37 Next, the last signal should be given in such a way that it is clearly heard through the whole house. The friars, having heard it, should leave the church and enter the dormitory. Those however who have not yet said Compline, wherever they may be, ought to begin Compline immediately, and to observe solemn silence, unless clear necessity demands the contrary.
- 21.38 Lest someone would have the occasion of prolonging conversations after the signal, the guest masters and infirmarians and others, all should take care of the foot washing and serving food, as pertain to their offices, before the signal.
- 21.39 It is clear from what has been said that there are nine things which we observe in the termination of the Divine Office, which many others do not observe, which this constitution has speaking of this termination, beginning where, "**At the time,**" etc., or custom.
1. First is that we have read the reading for supper, where: "**At the time in which the friars have two meals . . .**" etc. [§19.00, c. 36]
  2. Second is that we make a general confession <sup>197</sup> where, "**When confession is finished.**" [§20.00. c. 38].
  3. Third is that we receive a blessing, where: "**the presider gives a blessing.**" [§20.12. c. 39]
  4. Fourth is that we are sprinkled with holy water, where: "**and the hebdomadarian.**" [§20.29. c. 41]
  5. Fifth is that we recite the *Lord's Prayer* and Creed, where: "**Next the Pater Noster is said,**" etc. [§21.00, cc. 43, 44.]
  6. Sixth is that we devoutly call upon the Blessed Virgin. [§20.40, c. 42]
  7. Seventh is that we receive the discipline. [§21.25, c. 45]
  8. The eighth is that we take time for silent meditation and prayers. [§21.36]

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<sup>197</sup> Berthier II, 148 notes that this means simply the recitation of the *Confiteor*.

9. Ninth is that that we give the final signal for retiring. [§21.38]  
And these last four have not been written down but are observed out of custom.

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## §22. CONFIRMATION OF THE DIVINE OFFICE: DAY AND NIGHT

22.00 There follows: **"We confirm the entire Office, both daily and nocturnal, according to the correction and arrangement of Venerable Father Friar Humbert, master of our Order, and we wish that it be uniformly observed by all, so that no one is allowed to change anything whatsoever."**

### C. 46 About those things which holy men should be occupied day and night.

22.01 Know that we call "nocturnal Office" that Office which is contained in the *Antiphonarium*, because for the greater part those things which are contained there are said at night; and from the nocturnal Office, for the most part, are taken those things which are contained there to be said by day. The "daily Office" however is said to be what is contained in the *Graduale* and *Missale*. Or, otherwise, whatever is said in the night is called nocturnal, whatever is said by day, diurnal, in whatever books it is contained.

22.02 It should be noted that there are many things which holy men by night and day should and are used to be occupied with.

- They should be occupied with holy meditations: Ps 1:2, "and on his law he shall meditate day and night."
- With hymns: Ps 87:2, "I have cried in the day, and in the night before thee."
- With compunction: Ps 41:4, "My tears have been any bread day and night."
- With seeking God: Is 21:11-12, "[The oracle of Duma: they] calleth to me out of Seir: 'Watchman, what of the night? watchman, what of the night?' The watchman said: 'The morning cometh, also the night: if you seek, seek: return, come,'" that is, if you seek in the morning, seek also in the night.
- With sustaining labors for the Lord: 2 Cor 11:25, "a night and a day I was in the depth of the sea." In contrast, many, although they strive in the day, want to take a break at night, or vice versa.
- With divine praises, about which three things are specified in scripture:
  - What is to be said? Which things are pertinent to his praise. Rv 4:8, "And they rested not day and night, saying: Holy, holy, holy, Lord God Almighty, who was, and who is, and who is to come."
  - Where? In the temple. Rv 4:7, "They serve him day and night in his temple."
  - For how long? Perpetually. Is 62:6, "All the day, and all the night, they shall never hold their peace."

Therefore because of this last it has been ordered in the Church of God that the diurnal and nocturnal Office take place, so that God be praised both by day and by night by the faithful.

22.03 It is right then that it happens so. It is certain that our adversary stands before God day and night accusing. Rv 12:10, "Who accused them before our God day and night." It is

not prudent, with our adversary present in the court, that someone be absent. The faithful therefore should stand day and night before God, which happens when we are present for divine praises.

- 22.04 Night and day have been given to us by God for continuous service, and they cease not to do this. Gn 8:22, "Night and day shall not cease," that is, from the service of mankind. Therefore, it is right that man also should serve him day and night, like a vassal who gives him his service.
- 22.05 Not only in the day, but also in the night we see many things which give us the opportunity for such praise, like stars and the like; and so he must be blessed in both. Canticle of Daniel 3:71, "O ye nights and days, bless the Lord." As if he says: "Consider because the day and night ascend; and drawn from this opportunity, bless the Lord."

### **C. 47 Why one should arise willingly at night for the Divine Office.**

- 22.06 Be aware that there are some who willingly avoid the nocturnal Office, although they are present for the daily. But on the contrary, more time should be set aside at night for divine praises, and in the day for works of piety toward our neighbors. Ps 41:9, "In the daytime the Lord hath commanded his mercy; and a canticle to him in the night."
- 22.07 There are some who avoid Matins in the middle of the night, although they sometimes arise for the other hours; unlike the one who said, Ps 118:62, "I rose at midnight to give praise to thee."
- 22.08 There are others who arise at night when in the convents, but do not do so when outside. Not so did Paul and Silas even when in jail, Acts 16:25, "And at midnight, Paul and Silas praying, praised God," in jail, "And they who were in prison, heard them."
- 22.09 So there are many reasons why one should willingly arise for the nocturnal Office.
- It is certain that a blessing is a tribute which is owed to God at all time, according to that in Tb 4:20, "Bless God at all times." He who does not arise, does not render this tribute. Therefore, one ought to arise at night to bless him, that the tribute due be not held back. Ps 133:2, "In the nights lift up your hands to the holy places," namely as if to render the due tribute of blessing. Hence it follows, "and bless ye the Lord."
  - The adversary is vigilant for doing harm not only by day, but also by night. Bernard: "He does not sleep nor is he drowsy who fights Israel,"<sup>198</sup> and so one must be vigilant toward him. Who can sleep securely, knowing that the enemy keeps watch nearby to inflict harm? 1 Mc 12:27, "And when the sun was set, Jonathan commanded his men to watch," namely because he heard that the enemy was about to arrive by night.
  - Fewer there are at night who keep vigil in prayers, or in divine service; so then there is a greater necessity that holy men keep vigil for others who are sleeping. And St. Dominic gave this reason why he spent the night more willingly in prayer, since some were telling him, when he dozed at Mass, that it would have been better to sleep at night with the others. These are the watchmen of this city, about which

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<sup>198</sup> Ps 90:11; Bernard, *In psalmum 90 "Qui habitat," Sermo 11, 1* (PL 183:225 A).

Sg 3:3 speaks, who kept watch for them while the others were sleeping.

- To keep watch is very penitential; so Paul, 2 Cor 11:27 numbers vigils among his labors, saying: “in much watchings.” That which is more penitential gains more satisfactory merit for the one laboring. Therefore, for gaining satisfaction, one should arise for the nocturnal Office for the benefit of satisfaction.
- Temptation of the flesh is associated with bedrooms; hence Paul, Rm 13:13, one is associated with the other saying, “in chambering and impurities.” On the other hand, decent vigils repress carnal temptations. Sir 31:1, “Watching for riches consumeth the flesh.” Therefore, sacred vigils are to be frequented for the sake of the repression of carnal temptations.
- Just as to Balaam the Lord came by night at a quiet time, as is said in Nm 22:8, so because of the greater quiet of the heart more frequently divine consolations are sent at night, Jb 35:10, “who hath given songs in the night . . .,” that is, consolations bringing joy to the heart.
- According to medicine it even confers health; for many things are expelled through various purges by those keeping watch, which if retained for a long time generate various illnesses.

22.10 Therefore one should arise for the nocturnal Office, lest the tribute due to God be held back, that the enemy be resisted, that others out of fraternal charity be served, that we might better make satisfaction, that we might restrain carnal temptations, that we might receive divine consolations, that we might provide for health for our body, for us serving God.

22.11 And it seems that even women are accustomed to arise at night out of concern for their household, Prv 31:15, “And she hath risen in the night, and given a prey to her household, and victuals to her maidens.”

22.12 Craftsmen, early in the morning for profit. Sir 38:28, “So every craftsman and workmaster that laboureth night and day.”

22.13 Students of wisdom, earlier than workmen, for study. Jerome: “Demosthenes says that by his vigils he surpassed all the craftsmen.”

22.14 If therefore students for acquiring wisdom, artists for profit, women for the care of their homes so arise at night, how much more ought the servants of God arise at night for the service of the eternal King! Hence it is true what Paul says 2 Cor 6:4-5, “But in all things let us exhibit ourselves as the ministers of God,” and he adds, “. . . in watchings,” implying that he who does not arise for sacred vigils, does not seem to be a good minister of God.

#### **C. 48 Questions about the Office, whether prelates might change it or dispense from it.<sup>199</sup>**

22.15 Next it must be known that from the beginning of the Order there was much variety in the Office, and so one Office has been compiled for the sake of having uniformity

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<sup>199</sup> In the Latin edition, this chapter title was located after 22.16. Clearly, it belongs before 22.15. Reisner, 263.

everywhere. Over a period of time four friars were commissioned from four provinces, that they might better organize it; which they did, and their arrangement has been confirmed.

22.16 But because there were still things to be corrected there, a committee was again set up by Master Humbert, approved by three chapters. So this is the Office about which the constitution here speaks; which was supposed to replace the one which finally was organized by those four friars, and confirmed by three chapters.

22.17 It seems that it would not be permitted to change anything after the first confirmation, since the constitution says that it was so confirmed that it would not be permitted to update anything at all.

I reply: Innovation which has been made, has not been made by someone, i.e. by some person, whether the master or prior or anyone whatsoever, just as was done at the beginning; but by three chapters, which the constitution does not prohibit which says: **“no one”** should dare, **“to change anything whatsoever.”**

22.18 But cannot even the master change anything in the Office?

I reply, no; not with perpetual duration in the manner of a constitution, or of a general custom; because just as it is not allowed for him to change customs commonly observed and approved in the Order, so neither to introduce new customs.

22.19 But it is further asked: Is it not permitted for prelates to dispense the friars in the daily or nocturnal Office; since this is a constitution, and in constitutions it is permitted for them to dispense?

I reply: It can be said that they can dispense with respect to the appropriateness of the Office which has been introduced by the Order, but not with respect to the substance of the Office, so that the friars do not recite it any which way, as is clear from the aforesaid.

Likewise, they can out of devotion or another reasonable cause dispense so that something be changed for an hour with respect to the appropriateness of an Office, or is added in some feast, etc.

22.20 Finally, it must be noted that uniformity is to be observed in the Office everywhere so that the unity of the Order be represented; so that, wheresoever the brothers leave or are sent to a convent, or to other provinces, it is not necessary that they learn a new Office; and that arguments which can arise from the diversities of Offices, when one prefers this, the other that, through uniformity of the Office be put to rest.

22.21 It is clear from what has been said about this constitution what is the daily and nocturnal Office (§22.01); why the Office of the church is divided into these two (§22.02); why one ought to arise eagerly for the nocturnal Office (C. 47; §22.06); what at the present time is meant by the diurnal and nocturnal Office (§22.16); what new change made regarding the Office is not against this constitution (§22.17); how the master of the Order cannot change something in the Office (§22.18); how it is permitted in this constitution for prelates to dispense (§22.19); and why uniformity is to be observed in the Office throughout the Order (§22.20).

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## §23. BELLS AND SIGNALS

23.00 There follows: **“Our brothers should have in their houses only one bell for all hours.”**

### **C. 49 Why churches have bells, and why we have [just] one.**

23.01 All those seeking God are accustomed to have some kind of signals for convoking people to divine praise. This displeases the devil very much. Hence it is read in some history that when Mohammed from early on was taught by a certain monk about things pertaining to the law of christians, and he used such signals, the devil, who later deceived him, appearing to him in the likeness of a certain monk, made him remove clappers and bells, for this reason, just as it says there, that he grieved much when worshippers of God were called to praising him. Although it does not seem credible that the devil would wish to impede the convocation of people to the error of Mohammed, nevertheless because, amid other errors, he was inserting the praise of one Creator, it is credible that he would wish to impede it.

23.02 It should be noted, however, that the Hebrews in their time had trumpets for making such signals; the Greeks had clappers; but the Latins had bells, which excelled other signals, just as in excellence is the worship of God among them.

23.03 There are churches which have many bells and many ring out; both because they have to call many, sometimes from afar; and because in this they furnish a certain ceremonial service to God; and because by this is symbolized the diversity of those preaching, who called the world to divine worship. But for religious, who have only to call themselves and their nearby neighbors; and who are eager to show to the Creator a service more spiritual than ceremonial; who understand and are aware that in diverse preachers there was only one Spirit who was speaking in them, it is not necessary that they have so many bells; and so it is stated that we should have only one bell for all the hours. This bell ought to be of modest size, so that it can easily be rung by one friar, that just as we avoid multiplicity in many bells, so we avoid notable size in one.

### **C. 50 On the various signals which are given in our Order.**

23.04 Know that it is the custom that it be rung only once after the first signal, whatever the feast. Certain other regulations have been determined in the *New Correction* regarding bell-ringing.

23.05 When the friars are called to some hour, and they say several hours continuously, with Mass not intervening, it is not necessary that the ringing happen for the subsequent hours, except for Vespers in Lent. If however between two hours Mass is said, it can be rung for the hour to be said after Mass.

23.06 Some were not accustomed to ringing the bell for Lauds, except on great feasts, noting that some, among whom they live might take note of them from the shortness of Matins; nor are they to be blamed.

23.07 Some ring it for thanksgiving, and after eating, and then call the poor for alms; some however do not, fearing that others might notice that they were sitting too long at

table; and both are tolerable, according to the different customs in diverse regions.

- 23.08 This bell used to be rung at the elevation of the Body of Christ in the conventual Mass, that all hearing might make a sign of reverence by prostrating themselves, and that notice be given to the waiters and officials about the approaching end of the Office.
- 23.09 The ringing which takes place before Mass should be done differently than for the hours; done with a triple ringing and with two intervals.
- 23.10 This ringing ought to be begun so opportunely before the ending of the hour which is said before Mass, that having heard it, friars might be able to come from anywhere in the house for the beginning of Mass.
- 23.11 When the convent is suddenly called for a funeral, or for an announcement, or the such, to get to the choir without delay, the ringing should be done from only one side of the bell.
- 23.12 Note however that although we have only one bell for the hours, nevertheless for other reasons it is permitted to have several bells or other signals.
- It is permissible to have a bell for the chapter; and this can be added to the bell tower or elsewhere near the chapter, in which, if it be in the bell tower, it can become the first signal that some ring; nor is this against the constitution, because the first signal strictly speaking is not for the hours.
  - It is permitted to have a bell to ring for a sermon, or lesson, where usefulness requires it.
  - It is permitted to have one for the infirmary or guest house for calling the sick, or guests to dinner.
  - It is permitted to have a cymbal for the refectory, with which they can make signals for the chapter of lay brothers, for lunch for the novices, for convoking guests, etc., and different ones, according to that which has been arranged in various houses.
  - We have a service bell in the refectory, for ringing at the beginning and at the end of the meal.
  - It is customary that there be a small bell at the dormitory door, for ringing moderately by a friar admitting outsiders, lest the friars be discovered by outsiders comporting themselves in less than a religious way.
  - There should be a little bell carried and rung when one is bringing communion to the sick.
  - There should be a clapper for “ringing” for the three days before Easter, and when the friars are convoked for a brother near death.
- 23.13 But cannot the bell of the chapter be rung for Mass with that which is for a sermon, at the same time with the bell which is for the hours, since this combination is prohibited only for hours?  
I reply, no, because by “hours” here is understood also Mass, and this interpretation is taken from the constitution.
- 23.14 Also, it must not be rung for Compline and for Prime at the same hour in every season. But from the beginning of Lent [Ash Wednesday] to the feast of the Holy Cross [September 14] it is to be rung for Compline appropriately, that having given the ultimate signal it would still be bright day, to the extent that a book could be read; and

for rising for Prime it is bright day. At all other times it is to be rung a little later for Compline, and earlier for Prime.

- 23.15 It is clear from the aforesaid why the Latins have bells (§23:01f); why we have only one for the house, and of what size it should be (§23:03); for which reasons (§23:04ff), and how it is to be rung (§23:09); that it is permitted to have several for other reasons than for the hours (§23:12); that for Mass only one ought to be rung, just as for the hours (§23:13); that at different times of the year it is to be rung later or earlier for certain hours (§23:14).

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## §24. VESTMENTS

- 24.00 There follows: **“Only the hebdomadarian, both in choir and in procession, may use a silk cope.”**<sup>200</sup>

### C. 51 About the trappings of the ministers.

- 24.01 There are some religious who on certain solemnities all use silk copes; but this does not befit the poverty of our state.
- 24.02 There are others who never use silks; but this seems to be a diminution of divine worship.
- 24.03 Others take a middle position, among whom some use a silks only for those who ought to assist at the altar in some ministry. We follow this pattern. And so because the hebdomadarian on some feasts and processions has to assist at the altar either by incensing or giving the blessings, he is allowed in these cases to use a silk cope; which is not extended to other situations, as when holy water is used on Sundays and for other similar situations.
- 24.04 Note that in those ministering to God the beauty of the vestments is praiseworthy for three reasons:
1. because of the reverence for him who is assisted;
  2. for the instruction of him to who is assisting; for from this external beauty it might be taught in many ways how one should be in virtues and morals;
  3. and for the devotion of those standing about; for their devotion frequently is heightened by such decoration; as happens to a certain legate, who when a modest respect was once shown to him in the nation when he came in ordinary clothing, having put on papal insignia, reverence and great devotion was shown to him.

Thus it is that the Lord commanded that Aaron and his sons about to minister to him should use most precious vestments for the three aforesaid reasons.<sup>201</sup>

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<sup>200</sup> The Latin is *cappa serica*, literally “a silk cappa,” and refers to the liturgical vestment commonly called a cope, a hoodless cape made out of elegant fabric such as silk. Thus, the reference to “use silk” means “to wear a silk cope.”

<sup>201</sup> Cf. Exodus 28:2.

- 24.05 For this, know that if a young priest, newly ordained, in saying his first Mass, is dressed in a such a cope, it is not against the constitution, because such a priest is either the hebdomadarian, or acting in his place. If however a deacon carrying the cross in a procession uses such a cope, this would be contrary to the constitution.
- 24.06 Although the friars do not ordinarily use such copes, nevertheless in certain processions and Offices they are accustomed to be in capuces without cappas, in representing the mystery and holy joy, according to the requirements of the season and judgment of the superiors.
- 24.07 In certain processions which take place before outsiders, the friars should avoid wearing diverse habits. Everyone should be either in copes or in capuces. Similarly, whenever two or more sing something in the middle of the choir, they ought always be dressed uniformly in habits.
- 24.08 From what has been said it is clear that in this entire chapter *On the Office in the Church* seven matters have been determined:
1. First, on the manner of rising, where, "**Upon hearing the first signal . . . etc.**" [§14.00, c. 23].
  2. Second about the place where the Office ought to be said, "**Matins, however, . . . etc.**" When however it is said there, they "**hear together,**" it is understood: in the church; [§15.00 ].
  3. Third, on the manner of saying, where "**All the hours . . . etc.**" [§16.00, c. 27].
  4. Fourth, on the ending of the daily Office, where: "**At the time in which the friars have two meals . . . etc.**" [§19.00, c. 36].
  5. Fifth on the stability and the uniformity of the Office, where: "**We confirm the entire Office . . . etc.**" [§22.00, c. 46].
  6. Sixth, on the way of calling to Office, where: "**Our brothers . . . etc.**" [§23.00, c. 49].
  7. Seventh, on the vestments used in the Office, where: "**Only the hebdomadarian . . . etc.**" [§24.00, c. 51].
- 24.09 Besides these, however, there are some matters in use which do much for worthily performing the Divine Office, which in no way should be omitted.
1. It must be provided that a number of books be had for both choirs, according as the number of friars require.
  2. That the books be clearly legible both for the letters and the notes, and diligently corrected and pointed.
  3. That those coming to the Order less instructed in the Divine Office, be diligently taught to sing and to read.
  4. That each one should diligently provide what pertains to him.
  5. That there should be a community rehearsal on the day before, when some history<sup>202</sup> difficult to sing would sometimes happen.
  6. That someone be assigned who would be responsible for auditioning those who know less about reading and singing, before they read or sing their assigned part.
  7. That the cantor be diligent and caring about all matters which pertain to the Office,

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<sup>202</sup> "History," probably a complex of antiphons and responsories in Matins.

and that in choir he should correct vigorously, and knock<sup>203</sup> when the pauses get confused.

8. That all should obey him, in those things which pertain to his office.
9. That there not be some in choir who are lazy, but all are to do what they can to bear the common burden.
10. That the sacristan be diligent in all matters which pertain to the décor and cleanliness of the house of God and everything in the church, and that everything happens decently and orderly.
11. That the friars should not wander about, nor be called out of choir, nor linger afterwards, nor come late without very serious reasons; nor should permission be given easily for these things.
12. That boys and the untrained should not easily be admitted to sing with the friars without great necessity; and when they are brought in for this, they are to be instructed by the cantors lest they disrupt the pauses and manner of singing of the friars.

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## Chapter II

### §25. CHAPTER II: ON INCLINATIONS

25.00 **“Matins of the Blessed Virgin having finished, when the friars come into choir, they should make a profound bow before the altar.”**

#### C. 52 About diverse kinds of humblings.<sup>204</sup>

25.01 To understanding more fully those things said in this chapter, it must be noted that to accomplish divine worship worthily, three things should concur: heart, voice and body.

- Faith, hope, charity and such spiritual things belong to worship with the heart, by which the soul is raised to God; and these are not treated in human constitutions, since those deal with exterior matters.
- To worship with the voice belongs the Office of the Church, which has been dealt with in the preceding chapter.
- To worship with the body belongs the humblings of the body, which happen before God, or images and the like, with respect to God; about which this chapter treats.

25.02 Such a humbling is threefold:

1. one to the waist, and this is called an *inclination*;
2. another to the knees, and this is called *kneeling (genuflexio)*;
3. another to the ankles, and this is called a *prostration*.

These three are three plunges into the river of humility, which reach downward, in which Ezechiel was immersed, first up to the ankles, next up to the knees, and finally up to the waist, as we find in Ez 47:3-5.

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<sup>203</sup> “Knock,” i.e., to rap on the choir stall to bring a halt to the chanting. This custom is still in use.

<sup>204</sup> The latin is *humiliationes*. The word “humiliation” suggests something suffered from another. I prefer to use “humbling” because it is open to the voluntary aspect of such actions.

- 25.03 It should be noted however that *inclination* is twofold:
- one full, which is made down to the knees,
  - the other half-full, which is somewhat less than that.
- 25.04 *Kneeling* is twofold:
- one with the body erect over the knees, which can be called *erect*,
  - another with the body prostrate, which can be called *inclined*;
- 25.05 Likewise, *prostration* is twofold:
- one happens with the whole body, which is sometimes called a *venia*,
  - another on the knees, which is the same as inclined kneeling; and so such a humbling is sometimes called in the constitutions a *genuflexion*, sometimes a *prostration*.
- 25.06 This chapter is entitled “*On inclinations*” not because only inclinations are treated here, but because more is treated here about inclinations than about the other humblings. Besides all kinds of humblings can be called inclinations, the word being taken broadly.

### **C. 53 About inclinations, why are they made.**

- 25.07 It should be noted however that an inclination can be made for many reasons:
1. Sometimes it happens out of reverence. Reverence arises out of consideration of the greatness of another, making one fall back into one’s own littleness, which, in this case, such an inclination would represent; just as the maidservants of Jacob and their children made inclinations before Esau, Gn 33:6, “Then the maidservants and their children came near, and bowed themselves,” that is, before Esau, showing him reverence.
  2. Sometimes it happens from gratitude. For every gift burdens the recipient; what then burdens, bends down, like fruit the branch, and so one who is grateful for a gift received bows down, as if regarding that no small thing, but so great that he is able to bow down. So the servant of Abraham bowed down thanking God for the progress of his journey, Gn:24:26, “The man bowed himself down, and adored the Lord.”
  3. Sometimes it happens for the efficacy of prayer. For humility makes prayer effective; and so it is for the one praying to humble himself by bowing, just as those bowed down about whom it is written in Neh 8:6, “. . . they bowed down, and adored God.”
  4. Sometimes it happens to extol another. This is one way of showing respect to another, when we make ourselves appear less in his presence, according to that which the humble Virgin said: “My soul magnifies the Lord,” Lk 1:46. So Isaac wished that Jacob’s brothers bow to him as to their lord and head of the house, saying in Gn 27:29, “be thou lord of thy brethren, and let thy mother's children bow down before thee.”
  5. Sometimes it happens as a sign of obedience. Jn 19:30, “And bowing his head,” as a

sign that he had been obedient unto death, “he gave up the spirit.”

6. Sometimes it happens for the sake of receiving the effect of a blessing, which is a certain grace which is given to the humble; and so it is proclaimed by the deacon: “Humble yourself for a blessing.”<sup>205</sup> Thus the heavens were bent down, i.e. the powers of heaven, by God, and the Lord descended to them through the effect of a blessing. Ps 17:10. “He bowed the heavens, and came down.”
7. Sometimes it happens out of shame, just like the publican was doing, who, overwhelmed by shame, dared not raise his eyes to heaven, as it says in Lk 18:13.
8. Sometimes it happens as a sign of humiliation. Jb 22:29, “He that shall bow down his eyes,” i.e. who has bowed down with eyes lowered, “he shall be saved.”

All the inclinations which we do from custom or from a mandate of the constitutions can be reduced to these reasons.

- 25.08 We should bow whenever we pass before the altar, or a cross, or image of the Blessed Virgin, or other images of the saints; and when superiors or persons worthy of veneration pass before us, or we before them; and when we bring candles to the altar on the day of the Purification. [Feb. 2] And these inclinations stem from the first reason.
- 25.09 When something is given to us, and when the name of St. Dominic is mentioned in prayer, and after the intonation of a psalm, when the verse is terminated, both beginning the antiphon as well as intoning the psalm, they should bow to the altar, and after the termination of the reading. And these refer to the second reason.
- 25.10 For the *Our Father* and *Credo*, when it is said at the beginning of the hour, or at *preces*, and at the oration for the Church, and for certain orations, and at *suscipe deprecationem*.<sup>206</sup> And this refers to the third reason.
- 25.11 At the *Gloria Patri*, and at the last verse of hymns, and at the next to last verse of *Benedicite*<sup>207</sup> in which the Trinity is named. And these are reduced to the fourth reason.
- 25.12 As often as something is enjoined, whether individually or communally. And these are referred to the fifth reason.
- 25.13 When a blessing is requested for the reading; and in Lent at the final Collect, in which a blessing for the people is given; and when a blessing is given in a sermon. And these are reduced to the sixth reason.
- 25.14 When someone comes late to choir, as if making amends out of shame they should bow

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<sup>205</sup> In the current Mass liturgy, before a solemn blessing, the deacon entreats: “Bow your heads and pray for God’s blessing.”

<sup>206</sup> “. . . receive our prayer:” within the *Gloria* at Mass..

<sup>207</sup> From Lauds: A doxology added to the Cantic of the Three Children in Daniel (Dan 3:57-88 and 56), replacing the usual *Glory be to the Father*, which reads: “Let us bless the Father and the Son and the Holy Spirit; sing praise to him and highly exalt him for ever.”

in the middle of the friars, and after an error in reading or singing. And such humblings are reduced to the seventh reason.

- 25.15 When the name of the Blessed Virgin is spoken, when *et Homo factus est* (and became man) is said in the *Credo*, and in receiving ashes [on Ash Wednesday]. These are reduced to the eighth reason as is clear below.

Therefore, these inclinations, and if there be others, are reduced to one or another of the aforesaid reasons, or several together.

- 25.16 So these inclinations ought not to be scorned as something new invented by religious for the worship of God. They are observances from of old, hence in 1 Chr 29:20, "And all the assembly blessed the Lord the God of their fathers: and they bowed themselves and worshipped God, and then the king;" and this happened in the time of David.

### C. 54 About genuflections. <sup>208</sup>

- 25.17 Kneeling, [genuflexion,] should be done for many reasons.
1. Sometimes, out of reverence, just as all the servants of the king Ahasuerus who were in the palace knelt before Haman, except Mordecai, as we find in Est 3:2. So we kneel at the *Salve, sancta Parens*,<sup>209</sup> and we are accustomed to kneel at the verse, *O Crux, ave*,<sup>210</sup> and for petitioning more effectively whenever in front of major prelates.
  2. So Stephen knelt, praying for his enemies, as we find in Acts 7:59. For the same reason we kneel at the beginning of the hours, at the *Our Father*, and at *preces*, and when *Flectamus genua*<sup>211</sup> is said.
  3. We are also accustomed to kneel in Lent at this verse: *Adiuva nos, Deus salutaris noster*,<sup>212</sup> and at these words: *Sancte Deus, sancte fortis, sancte et misericors Salvator*,<sup>213</sup> in the antiphon at Compline.
  4. Sometimes for the sake of devotion, because the aforesaid indications represent the interior disposition, just as holy men encountering or leaving each other genuflect to each other. Thus did Solomon kneel before God and the multitude of people, revealing the disposition of his heart for the graces conferred on him, as is said in 2 Chr 6:14, in this manner: Having knelt to the whole assembly of Israel, he said: "O Lord God of Israel, there is no God like thee in heaven nor in earth: who keepest covenant and mercy with thy servants, that walk before thee with all their hearts." So do we kneel out of devotion before good men, and privately before altars, or crosses or images.
  5. Sometimes for the sake of suggesting humility, just as the third captain of fifty men

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<sup>208</sup> Humbert uses *genuflexio* and *flectare genua* for kneeling in general. We are accustomed to call dropping on both knees, *kneeling* and the singular action of dropping to one's right knee and immediately rising again, *genuflection*.

<sup>209</sup> Introit antiphon from the Common for Masses of the BVM.

<sup>210</sup> "Hail, O cross." Ninth verse of the hymn: *Vexilla regis prodeunt*.

<sup>211</sup> "Let us kneel." The deacon's invitation at the intercessions on Good Friday.

<sup>212</sup> "Help us, our saving God," from a Lenten tract. A tract consists of sung verses which replace the Alleluia verse before the Gospel.

<sup>213</sup> "O Lord God most holy, O Lord most mighty, O holy and most merciful Saviour," from the Lenten Compline antiphon, *Media vita*.

fell to his knees before Elias, when the first two had spoken arrogantly to him, as we read in 2 Kgs 1:13. So do we kneel at the *Veni Sancte Spiritus*, (Come Holy Spirit) humbling ourselves so that he who gives rest to the humble may come to us.

There are other genuflections which happen not only from one of the aforesaid reasons, but sometimes for two, sometimes for several, just as there are those which we do for the adoration of the cross on Palm Sunday and Good Friday, and for the Body of the Lord, and sometimes for relics.

- 25.18 Therefore these kneelings should not be dismissed in divine worship; they have an authority from kings, from Levites, from priests, from prophets, and from the Lord himself, and from his apostles.
1. From the first, 2 Chr 6:13, Solomon “kneeling down in the presence of all the multitude of Israel . . . said: ‘O Lord God of Israel, there is no God like thee;’” and this in the temple.
  2. From the second, 2 Chr 29:30, “they praised him with great joy, and bowing the knee adored,” i.e. the Levites.
  3. From the third, 1 Ezz 9:5-6, the priest Esdras said, “I fell upon my knees, and spread out my hands to the Lord my God . . . And said: My God I am confounded and ashamed to lift up my face to thee.”
  4. From the fourth, by Isaiah it is said Is 45:23, “I have sworn by myself . . . For every knee shall be bowed to me.” What is said here in word Daniel fulfills in deed; Dn 6:10, “and opening the windows in his upper chamber towards Jerusalem, he knelt down three times a day, and adored, and gave thanks before his God.”
  5. From the fifth Lk 22:41, “and kneeling down, he prayed at length.”
  6. From the sixth, Eph 3:14-16, “For this cause I bow my knees to the Father of our Lord Jesus Christ . . . That he would grant you . . . to be strengthened by his Spirit, etc.” And about St. Bartholomew we read that a hundred times a day and a hundred times at night he prayed to God on his knees.<sup>214</sup> And about James the Less it is reported that he was so accustomed to kneeling that his knees became as calloused as those of a camel.<sup>215</sup>
- 25.19 Noted that it is permitted to genuflect to dignitaries sometimes on one knee only, but before God on both because of the greater reverence due to Him. 1 Kgs 8:54, “Solomon . . . rose from before the altar of the Lord: for he had knelt on both knees on the ground.”

### C. 55 About prostrations.

- 25.20 Prostrations are made for several reasons.
1. Sometimes for receiving punishment. Dt 25:2, “And if they see that the offender be worthy of stripes: they shall lay him down, and shall cause him to be beaten before them.” So we also prostrate ourselves in the reception of disciplines.
  2. Sometimes as a sign of obedience in one’s mandates. Ps 71:2, “Before him the Ethiopians shall fall down,” namely as if prepared to obey him in his commands who were resisting before. So we too do in the reception of a newly assigned office.

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<sup>214</sup> Cf. Reisner. Petrus Cantor, *Verbum abbreviatum* 126 (PL 205:321 C). See also *Legenda Aurea*, Vol. 5.

<sup>215</sup> Petrus Cantor, *op. cit.*, and *Legenda Aurea*, Vol. 3.

3. Sometimes to gain mercy. 2 Sm 19:18-19, "And Semei . . . falling down before the king, said to him: 'Impute not to me, my lord, the iniquity, nor remember the injuries of thy servant.'" So we too do when we ask pardon from an offended friar, and when we approach confession; and in entering the Order, lying prostrate, seeking the mercy of God and of the Order.<sup>216</sup>
4. Sometimes to give thanks. Tb 12:22, "Then they lying prostrate for three hours upon their face, blessed God." So we, after a reading is ended, prostrate ourselves as if thanking God for the graces given in reading.
5. Sometimes for receiving a blessing. So the ancient fathers would prostrate themselves to each other, one before the other, saying: "Bless me, Father," as we read in the *Lives of the Fathers*.<sup>217</sup> So also do we prostrate ourselves in receiving a blessing before undertaking a journey and upon returning.
6. Sometimes for the sake of penance or sorrow. Jdt 9:1, "Judith, putting on haircloth, laid ashes on her head: and falling down prostrate before the Lord, she cried to the Lord." So also do we when we recite the Penitential Psalms, on Tuesday at the beginning of the fast [after Oct. 9], and on Holy Thursday, and, privately, at a time of compunction, according to Ps 94:6, "Come let us adore and fall down: and weep before the Lord that made us."
7. Sometime for the sake of adoration, Mt 2:11, "and falling down they adored him." So also do we in the hours.
8. Sometimes out of reverence. So Abraham before the three men who appeared to him, fell down on the earth, just as we find in Gn 18:2. So also do we, prostrating ourselves before relics and similar holy things.
9. Sometimes for the sake of humility. So Peter, witnessing the catch of fish, fell on his knees before Jesus, and said, "Depart from me, for I am a sinful man, O Lord," as we read in Lk 5:8. So we too sometimes prostrate ourselves, one before another, for the sake of humility.

Sometimes, however one and the same prostration is made for several of the aforesaid reasons, as before the Body of the Lord and for the adoration of the cross.

25.21 Note that in divine worship prostrations should not be omitted among Christian worshippers.

- For we read that the Jews with great diligence make them. 2 Chr 7:3, "All the children of Israel . . . falling down with their faces to the ground, upon the stone pavement, they adored and praised the Lord."
- Idolaters likewise did the same. Dn 3:7, "All the nations, tribes, and languages fell down and adored the golden statue."
- It is read about the demons, Mk 3:11-12, "And the unclean spirits, when they saw him, fell down before him: and they cried, saying: 'Thou art the Son of God.'"

If, therefore the Jews in their worship, idolaters in their rituals, made prostrations with such devotion; if the demons themselves made them to Christ himself, how much more should we make them with utmost devotion in Christian worship?

25.22

- Furthermore, about the twenty-four elders, who are the community of saints, we

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<sup>216</sup> The Dominican rite for reception has the superior ask, "What do you seek?" The postulant replies, "God's mercy and yours."

<sup>217</sup> Cf. Reisner. E.g. Sophronius Jerosolymitanus/Paulus Daconus, *Vita sanctae Mariae Aegyptiacae* 9 (PL 73:678 A-B).

read in Rv 4:10, “The four and twenty ancients fell down before him that sitteth on the throne, and adored him that liveth for ever and ever.”

- About the angels we read in the same Rv 7:11, “All the angels stood round about the throne, and the ancients, and the four living creatures; and they fell down before the throne upon their faces, and adored God,
  - About Christ himself we read, Mt 26:39, “he fell upon his face, praying.”
- So therefore all the saints, and even all the angels, and even Christ himself, made such devout prostrations, how ought this be neglected by men savoring the Spirit?

25.23 Therefore we gather from the aforesaid that in divine worship these inclinations, genuflexions, prostrations are not in any way to be neglected by men devoted to God.

25.24 But it must be noted that such exterior humblings ought to correspond to something internal.

- We should not only exteriorly, but interiorly bow the heart. Jo 24:23, “Incline your hearts to the Lord the God of Israel.”
- Likewise bend the knee of the heart, according to the example of Manasses who said 2 Chr, “And now I bend the knee of my heart, beseeching thee for thy kindness, Lord.”<sup>218</sup>
- We ought again to prostrate our heart, according to Ps 118:25, “My soul hath cleaved to the pavement;” as if saying, not only does my body cling to the pavement, but also my soul.

25.25 We make many inclinations, prostrations, genuflections, for one and the same reason; but we also make one and the same humbling for many and diverse reasons, as has been said.

25.26 There are some which we make out of debt, like those which have been written down or commonly customary; some also which out of devotion, as are those genuflections, inclinations, or prostrations which we make sometimes in private, or without the community.

25.27 But among these private ones, there are some which happen by certain secular persons, but not approved by religion, like prostrations with the extension of the arms in the shape of a cross, and with a kiss of the earth, because they are not fitting and because they also sometimes unwisely harm the body from the coldness of the earth.

25.28 Certain of the aforesaid humblings pertain to *latria* which is the worship owed to God alone, so those are the ones which we make only to God; some pertain to that which is an honor shown to a creature for a reasonable cause, as are those which we make for prelates or other creatures, as was said above, in many cases, and it shall be explained better.

### **C. 56 About the diverse bodily postures in adoring God.**

25.29 Note again that besides the three aforesaid humblings, there are certain other

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<sup>218</sup> Apocryphal Prayer of Manasses, appended to 2 Chr 36; sometimes listed as ch 37. Verse 11.

[postures] which pertain to the bodily observances of divine worship.

1. Sometimes adoration happens with a lowered face. And this as a sign of shame; and so it is said Is 49:23, "They shall worship thee with their face toward the earth."
2. Sometimes with eyes raised, following the example of the Lord, about whom it is said, Jn 17:1, ". . . lifting up his eyes to heaven, he said: Father, the hour is come, glorify thy Son."
3. Sometimes we are standing in adoration, and this out of reverence, according to that which is said in Rv 7:9, 11, about the saints and angels, "After this I saw a great multitude, which no man could number, of all nations, and tribes, and peoples, and tongues, standing before the throne, and in sight of the Lamb." And a little later, (v 11), "And all the angels stood round about the throne."
4. Sometimes we sit, and this out of indulgence, by reason of the weakness of our nature. Nor is this entirely reprehensible. For when the Apostles were sitting, they received the Holy Spirit, just as it says in Acts 2:2; and it is clear that they received it when praying, just as the Church sings. Therefore, sitting, they prayed at the reception of the Holy Spirit. Therefore, the Holy Spirit is not always turned away from those sitting in prayer.
5. Sometimes with faces turned to the altar, and this as a sign of attention which we have toward God. According to this, the spouse of the Church says, Sg 2:14, "show me thy face," and then, "let thy voice sound in my ears."
6. Sometimes faces turned to one another, as a sign of the unanimity we have in praising God, just as the Cherubim with faces turned look to themselves were gazing at each other in the propitiatory, as we read in Ex 25:20; and this for the same reason.
7. Sometimes with hands lowered, according to that which is said in Ez 1:25, "For when a voice came from above the firmament, that was over their heads," the four animals stood "and let down their wings." And this happens as a sign of special abasement. Hence the *Gloss* on this says: They were standing "in contemplation,"<sup>219</sup> and lowered their wings.
8. Sometimes with hands raised, according to the teaching of the Apostle who said, 1 Tm 2:8, "I will therefore that men pray in every place, lifting up pure hands." Such raising ought not to be condemned, nor neglected, because when Moses raises up his hands, Israel was winning; if, however, he lowered them a little, Amalec would be winning, as Ex 17:11 says.
9. Sometimes with hands extended. Ps 142:6, "I stretched forth my hands to thee." And this should be done especially at the altar, where the priest represents the person of Christ.
10. Is 45:14 according to one version has: "...with hands joined,<sup>220</sup> and they shall worship thee, and shall make supplication to thee." This is said of Cyrus, who stands for the person of Christ.
11. Sometimes the capuce is lowered. Especially when someone says something solo in choir, reading, chanting, or praying. If indeed the twenty-four ancients in praying cast down their crowns, as it says in Rv 4:10, how much more ought we lower our capuce? And so the Apostle says 1 Cor 11:4, "Every man praying or prophesying with his head covered, disgraceth his head."
12. Sometimes with striking of the breast, at the example of the publican, about which

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<sup>219</sup> BLGO 3:374.

<sup>220</sup> *junctis manibus*. The preferred reading is *vinci manibus*, "bound with manacles."

Luke writes in 18:13, “He struck his breast, saying: ‘O God, be merciful to me a sinner.’”

13. Sometimes with a sign of the cross, hence in Ez 9:4, “the mark tau upon the foreheads of the men that sigh;” the *Gloss* says: “Tau has a likeness to the cross which is frequently signed on the foreheads of christians, signed for their protection.”<sup>221</sup>

- 25.30 It also should be known that kneeling with the raising of the head and eyes, hands joined, is the most fitting disposition of all for praying, as those with experience know. Kneeling bespeaks humility, and the elevation of the heart easily follows the elevation of the head and eyes, for because of the bond which it has with the body, the soul easily follows its dispositions; the joining of the hands is an expression of affection. Nothing then is more useful in prayer than humility, focus and affection.
- 25.31 With these in mind, we need to deal with those things which are said in the text. Note that the aforesaid constitution, which is first in this chapter, speaks about the humbling which is to be made when we begin the Office. But because it says some things less fully, the contribution of custom must be added.
- 25.32 Know therefore that “**Matins of the Blessed Virgin having been finished,**” namely, the fifteen Gradual Psalms, when they are to be said, or the Seven [Penitential] Psalms, when they are said, or if none are said, when the friars had prepared themselves, they were accustomed to go to their rooms, in which, and on the way, there should always be sufficient illumination. Someone, previously appointed, should take diligent care of this.
- 25.33 When afterwards the brothers come to the choir, if the choir was so designed that they enter from the front, they ought to bow at the altar step; or if it be designed that they enter from the rear, then they should bow in the middle of the choir, not at the aforesaid step before the altar.
- 25.34 Such inclinations before the altar should be profound,
- because of the holiness of the altar itself, which has been consecrated by a greater sanctification than anything else in the church;
  - because of the relics and holy images which are in it or are near it;
  - especially however because of the Body of the Lord, which is reserved there.
- 25.35 And about this last item Isaia says in 17:7, “In that day,” namely in the time of grace, “a man shall bow down himself to his Maker, and not to the altar, which his hands have made.”
- We bow down before him, as if showing reverence to such majesty;
  - and as if giving thanks for such a great gift of the Incarnation;
  - and as if, having considered such humility, judging it fitting that we be humbled.
- 25.36 This inclination ought to be made profoundly, both out of reverence to the Body of the Lord, as well as out of reverence for the community.<sup>222</sup> These are the two reasons for profound inclinations.

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<sup>221</sup> BLGO 3:651

<sup>222</sup> Literally, *conventus*, of the convent.

- 25.37 When therefore we pass before another altar, or images, or before that same altar, at another time, when the community does not gather, although we ought always to bow, according to the custom which draws its origin from this constitution, nevertheless it is not required of us that we bow so profoundly, because then the two aforesaid reasons do not concur.
- 25.38 However it ought not be consigned to oblivion because always in such inclinations the capuce is up. But when a more profound inclination is required, a greater uncovering of the head is also required, for the same reasons.
- 25.39 This, which we say, must be done not only when we gather for Matins, but is to be observed whenever we gather in choir at another time, since the same reasons would be present.

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## §26. BEFORE THE BEGINNING

- 26.00 There follows: **“And when they come to their places, the prelate having given a signal, kneeling or bowing profoundly according to the time of year, they should say the *Pater Noster* and *Credo in Deum*, and again at a signal from the prelate, they should rise.”**
- 26.01 In the aforesaid constitution it was stated about the humbling to be done when we begin the Office, here however it is stated about those things which should be done immediately before the beginning of the Office. It was said, however, above, at the words, **“Next the *Pater Noster* and the *Credo in Deum* is said,”** [§21.00, c. 43] why before the beginning of the hours do we say the *Our Father* and the *I believe in God*, or sometimes only the *Our Father*? Now it must be seen why we say these with the humbling of an inclination or prostration.
- 26.02 It must be said that before the beginning of an hour:
- We humble ourselves, suppliantly asking from him who gives grace to the humble, that he might give grace to those saying the Office, with the result that it is said so that it would be pleasing to him:
  - We humble ourselves so that by an admixture of humility the prayer following might be acceptable to him, knowing that the plea of the humble is always pleasing to him;
  - We humble ourselves that we might more devoutly offer an oblation of praise to follow, just as he who offers at the altar or a great gift to someone is used to humbling himself in offering, by first genuflecting, expressing devotion.
- 26.03 These humblings we make with prayer in silence, knowing that no humiliation or accompanying prayer is effective unless it first takes its origin from the heart.
- 26.04 Further, we perform the greater humbling, prostrations, on days which are not solemn; a lesser, however, only an inclination, on solemn days, for three reasons:
- Because of the symbolism; a solemn day represents the state of the Church

triumphant; a non-solemn day the state [of the Church] militant. For the triumphant such a supplication is not required as it is for the militant.

- Because of the different Offices of these days. A solemn day is dedicated more to rejoicing than to supplication; but a non-solemn day to the contrary. And so the solemn does not require such a humbling as does the non-solemn day.
- Because of our necessity. On solemn days we trust more efficaciously in the saints of God to intercede for us; and so then as if less solicitous for ourselves do we make lesser humblings on our behalf, allowing room for their praises almost entirely.

26.05 Having seen these, we need to supply for what was not said in the letter of the aforesaid constitution: that after the inclination is made before the altar in entering the choir, it is optional for the brothers to pray before the altars, or to sit in their seats; or to stand, as they wish, until the second signal sounds.

26.06 Then however they should, wherever they were, take themselves to their seats, and stand upright, faces turned to the altar, until the bell ringing comes to an end. To terminate this, if it is rung too long, and for doing the aforesaid humblings, the prelate, or the hebdomadarian, if the prelate is absent, ought to signal with his hand, or with some gavel (*ligno*, wood) apt for this, and when this is done, kneeling prostrate on the prie-dieu, on feast days, or having bowed profoundly, that is, to the knees, so that with the forearms they can touch the knees, on solemn days or semi-solemn, they say the *Our Father* and *I believe in God*.

26.07 The same is to be done before Mass. Before the other hours however only the *Our Father* is said. Then with due diligence taken by him who gives the signal, not too fast, nor too slow, so what must be recited in silence is said, having completed that prayer, he gives another signal; which given, the friars arise, holding themselves upright, as a sign that in the upcoming Office they ought to have a heart uplifted, and that they should seek in it those things which are above, and that in divine praise they conform themselves to those things which are above.

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## §27. BEGINNING: THE SIGN OF THE CROSS

### C. 57 Why the Office should be begun with great devotion.

27.00 There follows: **“And so having begun the hour devoutly, having turned to the altar, they should sign themselves with the sign of the cross, and for the *Gloria Patri* should bow profoundly, choir to choir, or prostrate themselves according to the season, up to *Sicut erat*.”**

27.01 After what was said in the previous constitution about the observances performed before the beginning of the Office, there is added from these what must be done at the very beginning of the Office.

27.02 About what is said here, it must be noted that “devotion” which this text deals with, is called a certain maturity and distinction with major pauses, which are to be observed

daily at the beginning of the hours and in hymns which are sung before the psalms, more than in the rest of the Office. This is what the Cistercians and other approved religious orders do, although among some of us this is not kept, who either do not know what this devotion calls for, or if they know, they neglect to observe what has been written.

- 27.03 The reason for this observation is the deterioration<sup>223</sup> which is accustomed to happen in the performance of the Office. For in these matters, the friars, even what they begin in a praiseworthy and devout way, let it deteriorate gradually, from human weakness at least. So if they would begin the Office less devoutly, and after the beginning it goes on getting worse, it would be said very badly. Therefore, it must be begun with great maturity, so that the deterioration to follow does not excessively disfigure the Office, and lest a bad beginning would result in a worse end.
- 27.04 The turning to the altar about which mention was made here, should happen immediately when the friars stand up, not anticipating the inception. Hence it does not say here: "The hour having begun, they turn themselves to the altar;" but "having turned to the altar" already (before).
- 27.05 This turning happens:
- As a sign that we direct the gaze of the face of our intention in the Office to God, not to anything else, like clergy who seek a worldly profit from the Office; about which the Lord complains through the prophet Jer 2:27, "They have turned their back to me, and not their face."
  - As a sign also that in the Office we have turned our desires to him, according to that which is said in Ps 37:10, "Lord, all my desire is before thee."
  - As a sign that we have then the thoughts of our hearts also to him, lest we be of those about which it is said by the prophet Is 29:13, "this people . . . with their mouth, and with their lips glorify me, but their heart is far from me."
- 27.06 However this turning to the altar is to be done not only at the beginning of the hours, but also
- When the *Venite* <sup>224</sup> is sung.
  - At Mass, whenever the friars stand upright, not singing, or responding to that which the priest says.
  - When the gospel is read toward the altar, and when it is responded *Gloria tibi domine* (Glory be to you, O Lord) at the gospel wherever it is read.
  - Whenever the friars stand in their places before the beginning of the Office.
  - When one reads the *capitulum* or Collect in choir, or thanksgiving, or who reads anything, except in the reading before Compline, for which the reason has been given above. [ Cf. §19.00, C. 37]
  - When two or more sing something in the middle of the choir.
  - When someone sings or begins something alone, except in the beginning of the antiphons for the psalms, and in the intonation of the psalms.

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<sup>223</sup> The latin is *declinatio*. The verb *declinare* would suggest that it refers to the gradual lowering, i.e. drifting flat, of the pitch of the chant tone.

<sup>224</sup> Ps 94 (95), The Invitatory psalm before Matins.

- 27.07 In these the friar beginning the antiphon and the cantor intoning the psalms, standing in the middle of the choir, should pay attention to each other as if harmonizing in the praise of God. And for this it might be better that one cantor alone always intones the psalm rather than two, on feast days.
- 27.08 Where, however two intone, they should turn themselves slightly to the choir in which the antiphon is begun, for the same reason. On ferial [non-feast] days the cantor need not stand in the middle. Such an observance is spared to him because of the weakness of nature. Nevertheless, this should be retained, that he not turn himself to the altar when intoning a psalm, nor in beginning the antiphon. After beginning the antiphon, and the intonation of the psalm, both should turn themselves slightly toward the altar, having finished the first verse, and bow slightly, as if giving thanks for having done well, and humbling themselves for having done less well.

### C. 58 About the sign of the cross.

- 27.09 To know why we fortify ourselves with the sign of the cross at the beginning of the hours, it should be noted that demons are permitted to try to impede every good deed, but especially prayer.
- 27.10 So Abbot Agatho said in his *Lives of the Fathers*:<sup>225</sup> Whenever a man wished to pray, the enemy demons hurried to impede him, knowing that no other source upsets them as much as prayer. Hence it is that whenever friars gather for prayer, they too gather to hinder it. Hence when a certain demon was saying to Macarius that he would go to the evening conference where the brothers had gathered, and he replied to the demon what business did he have with that vigil, the demon replied that without them the certain congregation of monks would not be driven, as it is said in the *Lives of the Fathers*.<sup>226</sup> Hence it is written in Jb 2:1, “when on a certain day the sons of God came, and stood before the Lord, and Satan came among them.”
- 27.11 Forcing himself upon those praying, the demon sometimes tries to seduce one who is praying by suggesting trivial pretexts for withdrawing from prayer. After two days of prayer St. Benedict saw, and he made two others see, a little black boy tugging a monk by the hem of his garment, who was unable to persist in prayer, and leading him out, as Gregory says in the *Dialogues*.<sup>227</sup>
- 27.12 Sometimes, when he is not able to seduce him, he tries to hinder him. So it was that St. Macarius, as we read in the *Lives of the Fathers*,<sup>228</sup> saw Ethiopian boys flying about the praying brothers; and they were closing the eyes of some, and they fell asleep; to some they stuck their fingers in their mouth, and they yawned; some were made to appear like women, others into various images; for some they were sitting on their backs,

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<sup>225</sup> *Vitae Patrum*, 5, 12, 2 (PL 73:941 B).

<sup>226</sup> Cf. Reisner. *Vitae Patrum*, 3, 43 (PL 73 :765 C).

<sup>227</sup> Gregory the Great, *Dialogi*, 2, 4 (PL 66:142 B), and Petrus Cantor, *Verbum abbreviatum* 126 (PL 205:321 A).

<sup>228</sup> *Vitae Patrum*, 3,43 (PL 73:765 C).

and others, without doubt, they rendered groggy for continuing in the Office; for some they were sitting on their heads, and those without doubt they were tempting with elation. Later having heard their consciences, he found it all to be so.

- 27.13 From this it is gathered that demons impede those praying, either leading them away from prayer, if they can, or if they cannot, inducing sleep, or moving to some actions, or introducing other thoughts, or making them sleepy or exciting them in some presumption.
- 27.14 The sign of the cross prevails against enemies, which is clear.
- Just as Origen says, “So great is the power of intense meditation on the cross of Christ, that if it is faithfully fostered in the heart, at its remembrance immediately all fear of death is put to flight.”<sup>229</sup> Death is the devil himself as is said in Rv 6:8.
  - 1 Pt 4:1, “Christ therefore having suffered in the flesh, be you also armed with the same thought,” that is of the passion and cross.
  - Ez 9:4-6, that the exterminating angels did not touch those who had the tau on their foreheads.
  - Gregory says in the *Dialogues* that the devil approaching a Jew sleeping in the temple, who signed himself without faith, fled crying out and saying: “An empty pot, but signed!”<sup>230</sup>
- 27.15 If, therefore, the memory of the cross, the thought of the passion, the figure of the cross, even that sign made without faith, so powerfully protects from these enemies, how much more this cross made in faith and in the memory of the passion!
- 27.16 Hence it is what is said in Rv 7:2 that the “angel . . . having the sign of the living God, . . . cried out to the four angels, to whom it was given to hurt the earth,” lest they do harm, “until the servants of God were signed on their foreheads,” and this lest they do harm; and the *Gloss* explains that that is about the sign of the cross.<sup>231</sup>
- 27.17 We are fortified then by the sign of the cross at the beginning of the Office, so that by its strength in that Office we be defended from the enemies attacking there so vehemently. So we make that sign, when we say, *Deus in adiutorium*, etc.<sup>232</sup>
- 27.18 But it must be noted that we make this sign not only at the beginning of the hours, but also in many other situations:
- Sometimes out of private devotion, as some do when they begin studies, or begin to preach, or read, or pray, or eat or finish supper, etc.
  - Sometimes from the general custom of the secular churches, that in the end of the Gospel, and of the *Credo*, and the *Gloria in excelsis*, and *Benedictus qui venit*, when it is sung at Mass. For master John Beleth<sup>233</sup> says that it is the custom that in the

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<sup>229</sup> Cf. Reisner. Origenes, (tr. Rufini) *In Exodum homiliae* 6, 8.

<sup>230</sup> Gregory the Great, *Dialogi*, 3, 7 (PL 77:232 A).

<sup>231</sup> BLGO 4:564.

<sup>232</sup> Ps 69(70):2, “O God come to my assistance; O Lord, make haste to help me.” This verse is used to begin every hour of the Divine Office.

<sup>233</sup> Jean Beleth, *Summa de ecclesiasticis officiis*, 39 d; CCCM, 41 A, p. 71.

gospel hymns,<sup>234</sup> when they are sung, that we sign ourselves. However, because there is not a universal custom among all nations about this, therefore some observe this, some, however, do not.

- Sometimes from the constitution of the Order, as in the situations which have been written in the *Ordinarium* or in the constitutions.
- Such a sign of the cross is made sometimes just for the sign, as when we sign ourselves at the beginning of the gospel on the breast, mouth, or forehead. In the sign of the cross we have wisdom in the mind, we profess by mouth, and we are not embarrassed publicly to confess it. Rabanus: “The cross is the wisdom of the stupid,”<sup>235</sup> that is, of those whom the world considers stupid.
- Sometimes it is done for a certain effect:
  - for conferring some good, as when a blessing is given with the sign of the cross; for it is the cross itself through which the grace of justification has been given to the world. Anselm in his *Prayer of the Cross*: “Through thee human nature has been justified;”<sup>236</sup>
  - or in effecting sanctification, as when food is blessed, or branches, or candles, and the like; for the cross itself sanctifies. And so bishop John Chrysostom in his *Sermon on Good Friday*: “Today the cross has been affixed, and the world has been sanctified;”
  - or for obtaining liberation, as when we sign ourselves for protection, it frees us from enemies. The bishop John in the same sermon says: “The cross has been affixed and demons have been scattered.”<sup>237</sup>

- 27.19 Hence it is that the Apostle says in 1 Cor 1:30, “[He] is made unto us wisdom, and justice, and sanctification, and redemption,” and this through the cross;
- His servants regard themselves to know nothing but him crucified; and this for the first.
  - They have the grace of justice from nowhere else but through the wood, through which justice happens; and that for the second.
  - If water contracts its sanctifying power from contact with the body of the Lord, how does not the cross contract it more? So it is called holy, sanctifying; that for the third.
  - It is the rod of his power for dominating in the midst of enemies and for rescuing us from them; and this for the fourth.<sup>238</sup>

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<sup>234</sup> The Canticle of Zechariah, the *Benedictus* at Lauds; and the *Canticle of Mary*, the Magnificat at Vespers.

<sup>235</sup> I am unable to verify this citation.

<sup>236</sup> Anselm, *Oratio XLI, Ad crucem Domini*. (PL 158:936 A).

<sup>237</sup> John Chrysostom, *Sermo de die Parasceves*, not yet edited.

<sup>238</sup> Humbert's commentary ends abruptly here. In the manuscript tradition, five witnesses have simply: “etc.”; another has: “The constitutions end. The end.”; and one elegantly concludes: “Thus ends the exposition of the venerable Father Brother Humbert of the Order of Preachers on the prologue and first and second chapter of the constitutions of the same order.” Berthier marks the end of the commentary by citing this colophon found in Jacques Quétif and Jacques Échard, *Scriptores ordinis praedicatorum*, T. I, pp. 145-146: “Blessed Humbert, prevented by death, left his golden gloss unfinished; which shall never be regretted enough by any prudent person.”

## Biblical Abbreviations

### OT & Apocrypha

Am	Amos
Bar	Baruch
1 Chr	1 Chronicles
2 Chr	2 Chronicles
Dn	Daniel
Dt	Deuteronomy
Eccl	Ecclesiastes
Sir	Ecclesiasticus (=Sirach)
1 Esd.	1 Esdras
2 Esd.	2 Esdras
Est	Esther
Ex	Exodus
Ez	Ezekiel
Ezr	Ezra
Gn	Genesis
Hb	Habakkuk
Hg	Haggai
Hos	Hosea
Is	Isaiah
Jer	Jeremiah
Jb	Job
Jl	Joel
Jon	Jonah
Jo	Joshua
Jgs	Judges
Jdt	Judith
1 Kgs	1 Kings
2 Kgs	2 Kings
Lam	Lamentations
Lv	Leviticus
1 Mc	1 Maccabees
2 Mc	2 Maccabees
Mal	Malachi
Mi	Micah
Na	Nahum
Neh	Nehemiah
Nm	Numbers
Ob	Obadiah
Prv	Proverbs
Ps (Pss)	psalms
Ru	Ruth

Sir	Sirach (=Ecclesiasticus)
1 Sm	1 Samuel
2 Sm	2 Samuel
Sg	Song of Solomon (=Song of Songs)
Tb	Tobit
Ws	Wisdom (=Wisdom of Solomon)
Zec	Zechariah
Zep	Zephaniah

### New Testament

Acts	Acts of the Apostles
Rv	Apocalypse (= Revelation)
Col	Colossians
1 Cor	1 Corinthians
2 Cor	2 Corinthians
Eph	Ephesians
Gal	Galatians
Heb	Hebrews
Jas	James
Jn	John (Gospel)
1 Jn	1 John (Epistle)
2 Jn	2 John (Epistle)
3 Jn	3 John (Epistle)
Jude	Jude
Lk	Luke
Mk	Mark
Mt	Matthew
1 Pt	1 Peter
2 Pt	2 Peter
Phlm	Philemon
Phil	Philippians
Rv	Revelation (= Apocalypse)
Rom	Romans
1 Thes	1 Thessalonians
2 Thes	2 Thessalonians
1 Tm	1 Timothy
2 Tm	2 Timothy
Ti	Titus

## Scriptural Citations by Paragraph

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## Glossary of Religious Terms

### General Terms:

- Admonitions – Official warnings, suggestions, urgings from a general chapter.  
Constitution – The most authoritative and permanent written legislation of the Order.  
Custom – unwritten law.  
Dispensation – Exemption from a law or custom granted by a superior.  
*Exteriores* – outsiders, lay people.  
Friars – from the latin *fratres*, brothers, usually translated as friars, brothers in religion.  
*Majores* – major superiors: priors, provincials, masters general.  
Ordinations – Lesser official directives, usually temporary in nature.  
*Religio* – religious order, or individual religious.  
*Saeculares* – the diocesan clergy, or lay people.  
The Rule – *The Rule of St. Augustine*, a short spiritual guide for community living, used the Norbertine Canons (1120), adopted by Dominican founders.

### Dominican Life and Governance:

- Chapter – A formal meeting of the friars in a convent or province, also the place for such meetings.  
Convent – Dominican community.  
Diffinitors – Elected temporary leadership within a chapter.  
General Chapter – General meeting of all the prior provincials and/or specially elected representatives.  
Most General Chapter – A General Chapter with extraordinary legislative powers.  
Master General – The superior of the Order.  
Prelate – A major superior: prior of the house, prior provincial, master general, bishop of the place.  
Priory – Dominican community with an elected prior .  
Provincial chapter – General meeting of leaders, priors, elected representatives within the province .  
Visitor – An appointed official inspector of a house or province.

### Dominican Habit:

- Cappa (magna) – Black cape worn over the habit with its own distinct black capuce.  
Capuce – Upper white shoulder covering, with a cowl.  
Scapular – A length of white habit material, to knees, front and back.  
Tunic – Full length white wool garment with full sleeves.

### Liturgical Books: As contained in Humbert's Prototype of 1256

- Ordinarium*– Liturgical calendar and directives or rubrics for Mass and the Divine Office. A revision is called the *Ordinarium of New Corrections* or simply the *New Corrections*  
*Martyrologium*  
*Collectarium*  
*Processionarium*  
*Psalterium*  
*Breviarium*  
*Lectionarium*  
*Antiphonarium*– The choir book containing the texts and antiphons to be sung during the choral Office.  
*Graduale*– Choir book of music for the celebration of Mass.  
*Pulpitarium*  
*Missale Conventuale* - Celebrant's book containing texts of the Conventual Mass.  
*Epistolarium*  
*Evangelistarium*  
*Missale Minorum Altarium*

## **Liturgical Terms:**

Antiphon – a verse sung or recited before and after each psalm in the Office, suggesting a spiritual theme.

Cantor – leader of chant in the Divine Office

*Capitulum* (chapter) – a brief scriptural reading within an hour of the Divine Office.

Choir – The friars assembled in chapel for the Divine Office, divided into two parts, one facing the other with a wide aisle between. They recited or sang the psalms by alternating verses, combining for hymns and antiphons. One side was called the prior's side, the other the subprior side.

Clapper – A wooden noise-maker used to replace the usual handbell during Holy Week.

*Confiteor...Misereatur* – The confession of sins and prayer for forgiveness

*Credo in Deum* – The I Believe in God, the Apostles Creed.

Discipline – the term discipline can refer to the religious practice of voluntary flagellation as corporal mortification; the act of administering the flagellation; and the instrument, a whip usually made of knotted cords.

Divine Office – The Church's official daily prayer, usually sung or said in choir.

*Fidelium* – A short prayer often used to conclude a liturgical event or meal: *May the souls of the faithful departed, now rest in peace.*

Gradual Psalms – Pss 119-133 (in Hebrew 120-134).

Hebdomadarian – Friar assigned to lead the Divine Office for a week.

Hours – Unit of the Divine Office.

Matins – nighttime Office, e.g. 2 A.M.

Laudes – morning Office.

Prime – minor hour at 6 A.M., morning.

Terce – minor hour at 9 A.M., mid-morning.

Sext – minor hour at noon.

None – minor hour at 3 P.M., mid-afternoon.

Vespers – evening Office.

Compline – night prayer.

*Jube domne benedicere* – “Please lord, a blessing,” a request during the Divine Office.

*Jubilus* – the long vocal elaboration of the final syllable of the Alleluia as it is sung in Gregorian chant.  
office – (lower case), a defined position in the community. Cf. Humbert's *Book of offices*, a book of job descriptions in the Order, from Master General to gardener.

Office of the Blessed Virgin Mary – Sometimes the “Little Office of the BVM.” A simplified version of the Divine Office honoring Mary, to be said from memory privately or communally.

Office of the Dead – Special Office for the deceased said weekly by the community.

*Oratio* – the principal prayer at Mass or at an hour recited by the one presiding.

Oratory – Chapel for prayer.

*Pater Noster* – The Lord's Prayer, Our Father.

*Preces* – (Latin plural of *prex*, "prayer") in liturgical worship, short petitions that are said or sung as versicle and response by the officiant and congregation respectively, usually incorporating the Our Father and Apostles' Creed.

Presider – The superior friar in the choir. Distinguished from the hebdomadarian, the weekly choir leader.

*Pretiosa* – Reading in choir of the daily religious calendar, saints' days etc. which begins with the Psalm verse, “Precious in the sight of the Lord is the death of his saints,” Ps 116:6.

Principalities – One of the nine celestial orders of angels in Christian trad

Proper of the Mass – The scriptural texts and readings which change daily following the liturgical calendar.

Responsory – Meditative scriptural text sung alternatively by a friar with the choir at Mass and the Office.

Rogation days – seasonal days of prayer, e.g. for a good harvest.

Sequence – a medieval chant, in poetic form, sung during Mass

Seven Penitential Psalms – Pss 6, 31(32), 37(38), 50(51), 101(102), 129(130), 142(143).

*Socius* – a friar companion and/or an elected delegate to a chapter.

Subcantor – assistant leader of chant in the Divine Office

*Symbolum* – Creed, either the Apostles' Creed recited frequently in the Divine Office or the Nicene Creed recited at Mass.

*Totum duplex* – Literally, “a full double,” a high ranking of a liturgical feast day.

*Venite* – Invitatory or Introductory Psalm(Ps 95) sung at the beginning of Matins.