

Authority Promoting Fraternal Unity as well as the Universal Mission of the Order

A commentary on paragraph 7 of the Fundamental Constitution of the Order (1980)

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Specialists in constitutional law have often recognized the high quality, not only in juridical expression, but also in human value, of the constitutions in which Saint Dominic and his first disciples expressed the originality and the essential structures of the new Order.' As Father M. D. Chenu so well says : "Dominic and his first brethren were instinctively masters of the structures of the Gospel".



The preceding chapters of this volume have dealt with the ideas, elements and values which enabled the Dominican charism to come to life : the Word of God lived, celebrated and contemplated in a common fraternal life; that same Word of God become capable of discerning the signs of the times and of reaching, in relevant terms, those to whom the mission of the Order sends us. Fraternal unity and mission : for us these two realities are permanently linked together and define for us our way of "following Christ". As opposed to other institutes who lay stress on one or other of these two, the order wants to keep a perfect balance between them, just like the Church which is at once unity and mission. No surprise then that these two shape our notion of authority and government.

If, in the ups and downs of history, the Order has been able to maintain throughout the years the propositum of Saint Dominic, and fulfill its role in the service of the Gospel, this is the result, in large part, of the mysterious strength of the presence of Saint Dominic in the minds of his brethren, but it cannot be denied that from a more human point of view, it is also the result of the nature of its structures which have given it, as the fundamental Constitution puts it, "community government, which is especially suitable to promote the Order and to renew it frequently". (LCO n 1, par 7).

One thinks immediately of the well-known remark of Bernanos : "If it were possible for us to look in an unsullied way at the work of God, the Order of Preachers would appear to us as the love of Saint Dominic made flesh in space and time, like his prayer made visible". (G. Bernanos, Saint Dominique, Paris, Gallimard NRF, 1939, p. 11).

A dialectic : universal mission/fraternal communion

In the perfectly balanced framework of Dominican institutions, there is one thing that immediately strikes one : everything is geared towards a complete dedication to preaching the Gospel. After this one notices, along with a sort of radical dedication which is demanded by the urgency of the task, a deeply felt need to organize. Indeed, in order to live up to its aims, and make sure of its survival, the Dominican charism has to take flesh and express itself in a well-defined type of institution.

This interaction of communion and mission - which in a certain sense is linked to the distinction between the "religious life" and the "apostolate" - works itself out in "the balanced organic collaboration of all its parts aiming at the goal of the Order". (LCO 1, par 7).

At the most fundamental level we find brotherhood in community, which is built, not on the juxtaposition of individuals but on a community structure and a community ethic. It matures not by adding together individual efforts, but by sharing work and life and thus liberating the grace proper to each one, within the charism of the group. In the second place, and this is just as important, this organic collaboration is brought about by various groups, which develop their potential by means of the mutual influence they have on one another : the groupings of houses into provinces and vicariates (or embryonic provinces), the grouping of provinces which makes up the Order of the brothers; and lastly, in a wider sense, the grouping of brothers, nuns, sisters, fraternities of laypeople and even priests, all of which give the Order its full shape, and makeup what today we like to call the "Dominican family".

If this last expression covers a diversity Saint Dominic never knew, - I am thinking especially of the congregations of sisters which did not exist in his days - the new forms added on through the centuries have sprung from the fertile soil of the original charism of Saint Dominic. Let us make no mistake about it, when we speak about the "Dominican family" we mean more than a group of people who, conscious of sharing the same patron, are glad to meet one another. The two words "Dominican family" mean something deeper and more demanding than that. They imply the conviction that our charism cannot develop fully within our branch of the Order, and still less in an individual. Rather it needs the help of everyone else if it is to grow and produce fruit. The effective collaboration of all will multiply the richness of every branch. To speak of the Dominican Family is to become more aware that the unity binding brothers

and sisters of Saint Dominic together must, by means of prayer, the apostolate and the witness of our lives, go beyond the limits of our communities, each person adding his own talents to the whole group by a total devotion to the charism of the branch to which he belongs.

Power and different levels of government

The power which rules and coordinates this great gathering is universal in its head and in its origin : the General Chapter and the Master of the Order (LCO nn 17, 252). Though the names vary, general chapters are common to all religious orders. In the Order of Preachers they are characterized by several original ideas which find their origin in the Dominican way of looking at things, and have a marked effect on our system of government.

First, there is the question of who make them up. We distinguish between general chapters of provincials and general chapters of diffinitors. The former gather together those responsible for each province, those, consequently, who have to face up to the problems of organization, of administration, of encouraging religious life and the apostolate, etc. Chapters of diffinitors are made up of one brother from each province, who come from the rank and file and represent it. The fact that provincials cannot be members of this chapter is a clear sign of the Order's desire to give the power and the opportunity to speak to those religious who, not being in charge of a province, can see concrete problems in a more detached way, and can show more imagination and a greater desire for renewal.

These two kinds of chapter, which have exactly the same power, alternate every three years, in a way that at first sight seems unexpected : two chapters of diffinitors and one chapter of provincials. There might well be a risk of serious inconvenience in this alternation if every chapter had by itself the power to make laws, while the following chapter immediately voted the opposite. To avoid a dangerous state of instability, and to add greater weight to our legislation, it is laid down that, to have the force of law, a proposal must be adopted by three successive chapters. If then our legislation favours "imagination" by giving more importance to chapters of diffinitors, that imagination is held in check by the obligation of three successive chapters.

Some people may question the wisdom of this system. The answer is easy : it has stood the test of time since it goes back to Saint Dominic; what is more, partly for this reason the Order has never been split up as many others have; and anyway the Church has never asked us to adopt another system.

The general chapter is at the top of the pyramid of government; and, as it has active jurisdiction, it has the supreme power. During every chapter the Master General, elected for nine years, gives an account of what he has done; the way he has ruled the Order and his aims can then be considered and questioned. Although between two chapters he does have a certain liberty in the way he exercises control (and all the more so, since, unlike most institutes his assistants or councillors are not nominated by the general chapter but by himself once they are presented by the provinces) the frequency of general chapters means that he remains close to the democratically elected supreme authority of the Order.

This concentration of power, which makes our general chapters quite different from modern parliaments, is not to be looked on just in institutional or juridical terms as if it were just a "machine for making laws and ordinations". Every chapter also has a prophetic role to play. As it has "to discuss and to decide about everything which concerns the good of the whole Order" (LCO n 405), it must proceed to evaluate the organization and the life of the Order. So it awakens the collective conscience of all the brothers to the problems and realities which, directly or indirectly, immediately or remotely, affect their lives and apostolates, whether they be religious, cultural, theological, social or even political : On this analysis and ability to read the "signs of the times" will depend the realization of the authentic evangelizing mission of the Order. (LCO n 99).

I must point out here the increasing importance given during the last five general chapters to the "Prologues". set at the head of each topic discussed : liturgical life and prayer, study, ministry of the Word, Dominican family, etc. Thus in Quezon City in 1977, in a long and beautiful passage about "our apostolic task in the modern world" the general chapter picked out the essential elements of the mission of Dominicans in our days, requiring us to pay attention to the social and cultural changes in the world around us, to the problem of justice and the betterment of all men, to the mass media.

In this way our general chapters see to the running of the Order and to developing a global strategy which is indispensable to the universal vocation of the Order.' in; this way they give a lead to all who see themselves as children of Saint Dominic, even sisters devoted to an active life, and over whom neither the Master of the Order nor general chapters have any juridical control.

Whether it was a question of drawing up laws, or giving reports, or organizing things, or dealing with lifestyle or activity, Saint Dominic wanted every religious to have some part in it in some way or another. This was no more than an application of the classical saying of the middle ages : "Whatever affects everybody should be dealt with by everybody", and in the Dominican Order the same principle is found at every level though the possibility of intervention by the superior, at least in a passing way, is allowed for, and this in order to preserve the balance of

power. The way the conventual prior, elected for three years, takes up office is an example of this. A community elects its prior, but before he is appointed, the newly elected brother needs confirmation from the provincial. In the same way, at a higher level, a newly elected provincial must be confirmed by the Master General. It can more easily be understood, then, that if Saint Dominic and his successors have had to submit themselves to their brethren their authority was not lessened for all that.

What binds the Dominican family together is religious profession, which unites every brother, each nun and also each member of lay fraternities to the Master General (but not sisters living the active life who do not legally depend on him). Along with general chapters, the Master of the Order is the guarantee of faithfulness to Saint Dominic's inspiration, the corner-stone of the unity to the Order, and the direct point of reference for each of its members. This shows the importance of direct relations between him and each of his brethren, through regular visits to houses and provinces, as well as by meeting and writing to individuals.

We will find the same sort of government in each province and in each house. There is the general government of the Order, the government of the province and the government of the house, and it would be wrong to think that each lower level receives a delegation of power from the higher level. That would be a monarchical and not a community version of the Order. At their own level these different entities have their own real autonomy. Thus the prior of a house does not need any special permission from the provincial to receive a novice to the habit or to receive a brother to profession. He has this power by right. But this does not mean that the Order is made up of houses with no legal dependence on the province to which they belong. We only have to remember what I said above about the action of a provincial in the appointment of a newly elected prior.

Although a religious, according to the accepted expression, is the son of a province and not of the house in which he lives, the house is still the basic cell of the Order. For it is in the house that religious must find all the elements which will enable them to become authentic friars preachers, because it is at this level that "communion and mission" find their training ground and the field of their apostolate.

According to the traditional formula the prior's relationship to the brethren in his house is that of "first among equals" (*primus inter pares*), a Dominican expression if ever there was one! It expresses very nicely, indeed his fraternal attachment to his community while safeguarding his authority.

The brothers of a community assemble as a conventual chapter when electing a prior, or organizing the life of the house, or giving it new vitality and enthusiasm. This is where the brethren swap ideas for the sake of the ministry of the Word of God, and try to organize a creative co-responsibility for the enthusiasm which each possesses. Without this chapter there could be a "legal entity" but there could be no "apostolic communion", in the full sense of each word, and which is the characteristic of the Order.

Every four years each conventual chapter sends its prior, with one, two or more delegates according to the number of the brethren to the provincial chapter. This group constitutes the "provincial chapter," whose function it is to elect the provincial and the "diffinitors" (between 4 and 8) of the provincial chapter. It is the function of all the members of the provincial chapter to analyze the situation of the province, to take note of the wishes and criticisms of all the religious, to study the province's problems, and to suggest decisions to be made and aims to be followed. The provincial and the diffinitors have to come to conclusions about all this and send them for approval to the Master General.

Details about the "democratic" regime of the Order

So far I have been talking about what I might call the political regime of the Order. We often hear that this is democratic, and this is true in the sense that we all have a say in how the Order is run. But to leave it at that is to miss the most important part of our notion of government.

The Order is something new, something in line with the Gospel, and therefore with the Kingdom of God which makes us all brothers. To set up this type of life, recourse was had to certain structures which, in political science, are called democratic, where sovereignty belongs to the whole group of citizens. These structures were used to give institutional shape to the brotherhood of which Christ said : "You are not to be called Master, because you have only Master and you are all brothers" (Matt 23 :8). Consequently we should not be surprised if the government of religious institutes - and especially our own - in many important ways goes beyond the ideas of civil government, be they democratic, monarchical or anything else. This is not without consequence in the working out of this "religious democracy".

The fundamental law of democracy is majority rule, but it is not the same with us, in spite of our frequent voting. Our law is unanimous rule. In the conventual chapter - and it is the same for provincial and general chapters - the prior should not look for a quick vote, but should try to have the question threshed out, so that everyone has his say; and a common debate will lead to an agreement which is as near unanimous as possible. This striving for unanimity - even if we do not always succeed in achieving it - is the sure guarantee of the presence of the Lord and his spirit,

and by that very fact, is a more certain way of discovering the will of God. It was thus that in Vatican II Paul VI held up the taking of some votes to help people to understand the question better and prevent decisions being taken just by a majority vote.

There is no need to point out how much this seeking for unanimity demands from each religious and from the whole community. But it is here that the precise point of what the friar preacher is trying to live and preach finds its realization. Lacking this, the complex life, so full - of possibilities, which he is living, may just be an empty shell, while religious houses, instead of being fraternities of men who are living the faith, studying it and preaching it, can be just places where a group of people lead the same kind of life, a life which is vaguely religious.

A real capacity for renewal

Another detail : this legal system of ours which is continually evolving, gives us a real capacity for renewal, and this all the more so in that the self - determination which is part and parcel of it is not the doing of some individuals but of groups and it implies the intervention of all who are involved. Was it not for this very reason that our first brothers chose this type of government - To a large extent, thanks to this, the Order has never experienced divisions - any reform movements that sprung up were incorporated and we can still admire today by the whole institute - the relevance of a type of government more than seven hundred and fifty years old.

The choice made by Saint Dominic was not a random one. The order originated in a confrontation between the Church and the world, in which it found, and continues to find, its purpose and its mission. From this springs the need for continual renewal so that the challenge of a continually evolving world may be met. This constant questioning is necessary not just for individual conversions but is a condition of life for the Order for which continual renewal is second nature. (LCO n 1, par vii). We can understand why the last general chapter in 1977 made so much of "permanent formation" as an indispensable condition of renewal through the years.

Loyalty to the Order's charism

A last detail : like every living thing religious life grows according to the law inscribed in its nature and not by reason of any props holding it up. There can be no progress and no renewal of Dominican life without a new application of Saint Dominic's inspiration in its first flush. If it is true that we receive this grace when we hear the mysterious call to follow Christ with Dominic, it must be added that the strengthening and blossoming of our Dominican personality presupposes a continually renewed effort at joyful and inventive loyalty to the Order's charism. At this level the vow of obedience is part of a more fundamental obedience based on the Gospel. I must live the Gospel within my Dominican life. Father J.M.R. Tillard goes so far as to say : "I obey the Gospel through my Constitutions". It is important to remember this link now that some people are tempted to look elsewhere for elements of spirituality which they try to add on, at any cost, to the wonderful architectural monument which our Constitutions are.

A life according to the Gospel so that we may preach the Gospel : it was from the living relationship between this preaching and our community life that the broad lines of the government of the Order sprang. And if I were asked : "Within this set-up how do you see the role of the Master of the Order ?", I would reply : "His role is one of presence". . . This word, as we all know, comes from the Latin *prae-esse* which means nearness, primary, superiority with their many associated meanings : welcome, listening, dialogue, understanding, help, encouragement, persuasion, expression of authority etc. The word presence means all that. I think that it is perfectly in accord with the analysis which I have suggested : a type of government which springs from fraternal communion and from the universal mission of the Order, and completely dedicated to the service of both.

(Article taken from a book written by several authors : A. Quilici (ed), Dominicains. L'Ordre des Prêcheurs présenté par quelques-uns d'entre eux. Le Cerf, 1980.)