

2. GUIDELINES AND DIRECTIVES

2.1 THE FRIENDLY TALK WITH THE RECTOR, SPIRITUAL ACCOMPANIMENT AND ADMISSIONS: SOME ORIENTATIONS AND GUIDELINES

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We are witnessing a new attention to spiritual accompaniment and formation, both in the Church and in the Congregation. In the Church, the latest signs of this are the Synod on Youth and the post-synodal apostolic exhortation of Pope Francis, *Christus vivit*.¹ In the Congregation we had the survey about young Salesians and accompaniment in 2017,² followed by *Young Salesians and Accompaniment: Orientations and Guidelines* (2020),³ and we are now celebrating the year dedicated to Francis de Sales, a saint who is renowned for his teaching and practice of spiritual accompaniment. Spiritual accompaniment is at the centre of our charism: it is enough to look at Don Bosco's own experience and at his pastoral praxis with young people and his Salesians.

Recently Pope Francis expressed serious concern about the exercise of the role of authority and the way of handling what is shared in confidence with the superior.

And I would like to add – off-text – a word about the term ‘internal forum’. This is not an idle expression: it is a serious one! The internal forum is the internal forum and cannot go outside. And I say this because I have noticed that in some groups in the Church, those in charge, the superiors – let's call them that – mix up the two and take decisions from the internal forum to the external one, and vice versa. Please, this is a sin! It's a sin against the dignity of the person who trusts the priest,

¹ Francis, *Post-synodal Apostolic Exhortation Christus vivit* (2019).

² See M. Bay, *Young Salesians and Accompaniment: Results of an International Survey* (Bengaluru: Kristu Jyoti Publications, 2019).

³ Salesian Formation Department – Salesian Youth Ministry Department, *Young Salesians and Accompaniment: Orientations and Guidelines* (2020). Henceforth YSA.

manifests his reality to ask for forgiveness, [but the priest] then uses it to arrange things for a group or a movement, maybe – I don't know, I'm just making up stuff – maybe even for a new congregation, I don't know. But internal forum is internal forum. It's a sacred thing. This is what I wanted to say, because I am concerned about this.⁴

Despite the fact that we are in the process of revising the Ratio, and without entering into the complex question of the internal forum, we take the opportunity to reiterate and further clarify what was said in *Young Salesians and Accompaniment: Orientations and Guidelines* about the friendly talk with the Rector, personal spiritual guidance, confidentiality, and admissions.⁵

1. Choice of spiritual guide

Our Constitutions ensure due freedom in matters of the direction of conscience⁶ by stating that in the friendly talk with the superior the confrere “speaks with confidence of his own life and work and, *if he so wishes, also of the state of his conscience.*” (C 70) Our Regulations declare formation communities “must have a Rector and a team of formation personnel who are specially prepared, above all as regards spiritual direction *which is ordinarily given by the Rector himself.*” (R 78) Following R 78, the *Ratio* (2016) declares that the Rector is the spiritual guide proposed, though not imposed, on those in initial formation. (FS-DB 2016 233)

⁴ Address of the Holy Father to participants in the Course on the Internal Forum promoted by the Apostolic Penitentiary (29 March 2019).

⁵ Salesian accompaniment is rich and complex: it is communitarian and personal, formal and informal. For more on this, in its relation to and distinction from the sacrament of reconciliation and the friendly talk with the Rector, see YSA 4.2: Clarification of the meaning of Salesian spiritual accompaniment (especially 100-105) and 4.7: Rector, spiritual guide and confessor: three key figures (131-136).

⁶ *Perfectae caritatis* 14. See also SCRSI, *The Contemplative Dimension of Religious Life* (1980) 11; can. 630 §1; and CICALSAL, *Potissimum institutioni: Directives on Formation in Religious Institutes* (1990) 63.

The document *Young Salesians and Accompaniment: Orientations and Guidelines* makes a significant change in the way the *Ratio* (2016) outlines the role of the Rector.⁷ In place of the text that describes the Rector as “*the spiritual director proposed to, but not imposed on, the confreres in [initial] formation*” (FSDB 2016 233), the new text, following C 70, now simply reads: “*If the confrere so wishes, the Rector may also offer the service of personal spiritual accompaniment.*” (YSA 191)

Similarly, instead of speaking of the Rector of the postnovitiate as “following up and helping the postnovices especially through personal guidance and the friendly talk, *the spiritual direction of conscience* and periodical conferences” (FSDB 2016 417), the revised text now speaks of him as “following up and helping the postnovices especially through personal guidance and the friendly talk, periodical conferences, *and if the young confrere so wishes, also the spiritual direction of conscience.*” (YSA 191) YSA continues to see the Rector of the postnovitiate as continuing the action of the director of novices, but at the same time wants to ensure that the formee has full freedom to choose his spiritual guide.

It is true that the formulation “proposed but not imposed” does preserve the window of freedom of choice of spiritual guide. The new formulation, however, intends preventing abusive situations in which the Rector subtly imposes himself as spiritual guide, and where formees, out of fear or in order to protect themselves, declare the Rector as their spiritual guide but do not really open their hearts to him.⁸ Ensuring the conditions for a genuine freedom of choice of spiritual guide goes a long way in promoting a healthy practice of the vitally important instrument of forma-

⁷ See Ángel Fernández Artime, Rector Major, “Presentation,” YSA p. 11: “Dear confreres, I am happy to present to you *Young Salesians and Accompaniment: Orientations and Guidelines*, promulgating it *ad experimentum* for a period of three years. While not being a supplement to our *Ratio (Formation of Salesians of Don Bosco)*, it supersedes the *Ratio* in case of conflict.”

⁸ See YSA 57-60, 108, 119-130, 157, 192-193.

tion that is personal spiritual guidance and in avoiding the risks of psychological and spiritual abuse, which unfortunately are not rare even within religious life.

In the spirit of the Preventive System, the Rector is urged to gain the confidence of those entrusted to his care. In such a context, many might freely choose the Rector as spiritual guide, and to these the Rector will willingly offer the service of personal spiritual accompaniment.⁹

The more a formee makes himself known to his formators, the better it is for him and for all. The *Ratio* of the Church (2016) says that the candidate has the moral responsibility to be transparent and to reveal any matters that might have a bearing on his vocation. “In the process of formation, it is necessary that the seminarian should know himself and let himself be known, relating to the formators with sincerity and transparency.”¹⁰ Confidence, however, has to be gained; it cannot be institutionalized. The Rector has to *strive to make himself loved*.

In keeping with these changes, Provincials, Rectors and other formation guides will ensure real and effective freedom of choice of spiritual guide, taking care to avoid any form of coercion, whether explicit or implicit. (YSA 190-196, 197)

To facilitate a genuinely free choice of spiritual guide, the Provincial (or curatorium, in the case of interprovincial formation houses) will also present a list of Salesians (Priests and Brothers) who could serve as spiritual guides. This list will not

⁹ See YSA 197: “The charismatic figure and role of the Salesian Rector is not to be minimized in any way. Instead, the Salesianity of his figure must be enhanced, inviting him, along with his team of formators, to be truly and fully the Salesians they have professed to be. Ensuring genuine freedom in the choice of spiritual guide cannot translate into lowering of standards in the choice of Rectors. The direction to be taken is precisely the opposite: all our Rectors, and with greater reason those of formation communities, are called to exercise their fatherliness and authority in such a way that confreres will be drawn to open their hearts to them – as used to happen with Francis de Sales, as used to happen with Don Bosco.”

¹⁰ Congregation for the Clergy, *The Gift of the Priestly Vocation*. Ratio Fundamentalibus Institutionis Sacerdotalis (2016) 45.

include members of the local Council, but if some confrere wishes to freely approach one of these, he has the liberty to do so. The formee can also choose someone else, in consultation with the Provincial or Rector.¹¹ Provincials and curatoriums are obliged to make arrangements for the preparation and availability of suitably prepared spiritual guides.¹²

1.1 In the novitiate and prenovitiate

In the novitiate, the novice director is the mandatory spiritual guide of the novices entrusted to him. (Can. 650 §2)

As for prenovices, the person in charge of them is described as analogous to the novice director and has the special responsibility to help the prenovices discern their vocation.¹³

The one in charge of prenovices is sometimes distinct from the Rector of the house. In this case, according to FSDB (2016), it is this person rather than the Rector whom the prenovices approach for the friendly talk. (FSDB 2016 345)

Even in the prenovitiate, however, YSA asks for freedom of choice of spiritual guide. The reasons given are the need to respect the right to privacy, the Salesian tradition in which trust is earned not imposed, and also the widespread perception of lack of confidentiality reported in the survey of 2017:

The free choice of spiritual guide in the prenovitiate is a particularly delicate point... We need to ensure, first of all, that genuine family spirit

¹¹ See YSA 196: "Should the spiritual guide be chosen from within the formation team, and should he necessarily be a Salesian? Here again, the basic principle is the same: it is better to place our trust in the Salesian quality of the formators and of the community rather than in a rule or directive. It is important to ensure, however, also two further elements: that the guide chosen is someone familiar with our charism and spirituality, and that it is possible to meet him or her regularly. Within a relationship of mutual trust and confidence, the Rector will find ways of dialoguing and discerning with the person in formation about his choice of spiritual guide."

¹² See R 78. See also *The Contemplative Dimension of Religious Life* 11, and *Potissimum institutioni* 63.

¹³ *Formation of Salesians of Don Bosco: Ratio Fundamentalis Institutionis et Studiorum* (4th edition, 2016) 345. Henceforth FSDB 2016.

and the practice of the Preventive System prevails in our prenovitiates, most especially through careful attention to the composition of the formation teams and the prior preparation of formation guides, and especially of the one in charge of prenovices. In an atmosphere of mutual trust, it is possible to win the confidence of the young, while allowing them a basic freedom to choose their guide. The Provincial and the provincial formation delegate will do their part in indicating to the prenovices the delicate and critical role of the one in charge, especially as far as vocational discernment is concerned.

A related point in ensuring freedom of choice of spiritual guide is to ensure that the members of the formation team are specifically prepared for spiritual accompaniment, and also that there be at least one confessor among them who is not part of the local Council. (YSA 195)

YSA reminds us of the critical importance of the prenovitiate as far as personal spiritual accompaniment is concerned, because for a very large number of prenovices the first experience of such accompaniment takes place precisely in this phase. The way this new helping relationship is experienced and lived will obviously have deep effects on accompaniment in future phases of formation. (YSA 109-110) Let us not forget, further, that the discernment and decision about the Salesian consecrated life takes place in the prenovitiate and not in the novitiate. (FSDB 2016 346) It is extremely important, therefore, for provinces to select and prepare formation guides for the prenovitiate.

Attention to the prenovitiate inevitably leads us to think of the many kinds of aspirantate experiences in the Congregation. The quality of the accompaniment offered to each young person during these experiences has a formidable impact not only on discernment but also on the rest of the vocational journey. What we have been saying above is, therefore, to be borne in mind, with the necessary distinctions, also by those who are involved in Salesian vocational discernment and the experience of the aspirantate. Those entrusted with the service of animation and governance in the provinces would be wise to make their best formators available as guides to those taking their first steps in their vocational journey.

2. Confidentiality

Confidentiality is an essential element in human relationships. It is a gift we can still give to people in a world with few secrets.¹⁴ Long experience in initial formation teaches us the importance of safe spaces in which a person can take the risk to explore his inner depths and to speak about them without fear. Confidentiality is essential in this regard. Where there is fear there is no formation.

The **sacrament of Reconciliation** is covered by absolute confidentiality. A Note from the Apostolic Penitentiary says:

The confessor is never and for no reason allowed ‘to betray in any way a penitent in words or in any manner’ (can. 983, §1 CIC), just as ‘a confessor is prohibited completely from using knowledge acquired from confession to the detriment of the penitent even when any danger of revelation is excluded’ (can. 984, §1 CIC). Doctrine has contributed to further specifying the content of the sacramental seal, which includes ‘all the sins both of the penitent and of others known from the confession of the penitent, whether mortal or venial, whether hidden or public, insofar as they are manifested in order to be absolved and therefore known to the confessor by virtue of sacramental knowledge.’ [V. De Paolis – D. Cito, *Le sanzioni nella Chiesa*, 2000, p. 345] The sacramental seal, therefore, covers everything that the penitent has accused, even if the confessor does not grant absolution: if the confession is invalid or for some reason absolution is not given, the seal must nevertheless be kept.¹⁵

Personal spiritual accompaniment also enjoys a very special confidentiality as described in the same Note:

In spiritual direction, the faithful freely open the secret of their conscience to their director/spiritual companion, in order to be guided and supported in listening to and fulfilling the will of God.

¹⁴ See Richard Gula, *Ethics in Pastoral Ministry* (Mahwah: Paulist Press, 1996) 117.

¹⁵ “Nota della Penitenzieria Apostolica sull’importanza del foro interno e l’inviolabilità del sigillo sacramentale,” 29 June 2019, section 1: Sigillo sacramentale, at <http://www.penitenzieria.va/content/penitenzieriaapostolica/it/tribunale-del-foro-interno/magistero-e-biblioteca-di-testi/nota1.html> (as of 25.05.2022).

This particular area, therefore, demands a certain secrecy *ad extra*, which is inherent in the content of spiritual conversations and derives from the right of every person to respect for his or her own privacy (cf. CIC can. 220). Although in a way that is only ‘analogous’ to what happens in the sacrament of confession, the spiritual director is made part of the conscience of the individual faithful by virtue of his ‘special’ relationship with Christ, which derives from the sanctity of his life and – if he is a cleric – from the sacred Order he has received.

As evidence of the special confidentiality accorded to spiritual direction, one should consider the prohibition, sanctioned by law, to ask not only for the opinion of the confessor, but also that of the spiritual director, on the occasion of admission to Holy Orders or, vice versa, for the dismissal from the seminary of candidates for the priesthood (cf. CIC can. 240, § 2; CCEO can. 339, § 2). In the same way, the Instruction *Sanc-torum Mater* of 2007, regarding the carrying out of diocesan or eparchial enquiries in the Causes of Saints, prohibits the admission to testify not only of confessors, in order to protect the sacramental seal, but also of the spiritual directors of the Servant of God, even regarding all that they have learned in the forum of conscience, outside of sacramental confession.

This necessary confidentiality will be all the more ‘natural’ for the spiritual director, the more he learns to recognise and be ‘moved’ before the mystery of the freedom of the faithful who, through him, turn to Christ; the spiritual director must conceive his own mission and his own life exclusively before God, at the service of his glory, for the good of the person, of the Church and for the salvation of the whole world.¹⁶

As this text notes, Canon Law forbids the seeking of the opinion of the spiritual director on the occasion of admission to Orders or dismissal from the seminary. In our own tradition – going perhaps by the qualification made by Can. 630 §1 regarding the discipline of the institute (“Superiors are to recognize the due freedom of their members regarding the sacrament of penance and direction of conscience, *without prejudice, however, to the discipline of the institute*”) – we have always allowed the Rector to be part of the processes of admission at local level, even when he is spiritual guide of some of those being admitted.

¹⁶ “Nota” section 2.

This provision remains unchanged in YSA, though steps were taken to ensure genuine freedom of choice of spiritual guide, as outlined above. The document also insisted that, if the Rector happens to be the spiritual guide, he cannot divulge anything that he learns in this capacity to anyone, without that person's free and explicit consent. In fact, he cannot even make use of such information in the process of arriving at his own judgment and in the secret voting of the house Council.¹⁷

The **friendly talk with the Rector** has also enjoyed a very high level of confidentiality in a tradition that goes back to the Rector's manual of Paul Albera. This position has been repeated in subsequent editions of the manual up to the latest, *Animating and Governing the Community: The Service of the Salesian Rector*,¹⁸ as also in YSA.

The friendly talk with the Rector is itself protected by a very high level of confidentiality in all the documents of the Church and of the Congregation, which is also what is required by the code of conduct in many helping professions today, such as counselling. It is enough to quote the *Ratio*: 'Guidance at the different levels of formation requires that those who render the service... must abide by the principles of prudence and justice which, depending on the circumstances, imply discretion or absolute respect for a professional or sacramental secret.' (FSDB 264) As Fr Paul Albera says, there is such a close correlation between confidentiality and trust that even a slight 'leakage' in the first causes the almost complete and immediate loss of the second.

Even external things, if communicated to the Rector during the friendly talk, as for example matters of health or a personal difficulty, are considered confidential, because everyone has the right to his good name and privacy. They cease to be confidential, however, if the Rector later comes to know about them in the external forum; but it would be good for him to advise the confrere on this matter.

Further, since one of the purposes of the friendly talk is also the good run-

¹⁷ See *Criteria and Norms for Salesian Vocation Discernment. Admissions* (2000) [= CN] 21, cited below in section 3.2.

¹⁸ See *Manuale del Direttore di don Paolo Albera* 131; *The Salesian Rector* (1986) 264; *Animating and Governing the Community: The Service of the Salesian Rector* (2020) [= AnGC] 74; and YSA 155.

ning of the community..., the Rector has always the possibility, with the permission of the confrere, to act on the information received. (YSA 155)

Both AnGC and YSA, however, note that *the confidentiality covering personal spiritual accompaniment and the friendly talk is not absolute*, making mention of grave circumstances that can supersede it.

The secrecy covering the friendly talk – as also personal spiritual accompaniment – is not, however, absolute, as is the seal of the sacrament of reconciliation. There are, in fact, grave circumstances that can supersede it, as, for example, the case of abuse of minors, homicide or suicide.¹⁹

When a supreme good like life itself is threatened, the duty to do all that is possible to protect it prevails over safeguarding of confidentiality.

In Canon Law and in the Proper Law of Religious Institutes we also find reference to situations that can become an impediment to admission and profession. Some of these are mentioned in Can. 643 when it outlines conditions that invalidate the novitiate:

Can. 643 §1. The following are admitted to the novitiate invalidly:

- 1) one who has not yet completed seventeen years of age;
- 2) a spouse, while the marriage continues to exist;
- 3) one who is currently bound by a sacred bond to some institute of consecrated life or is incorporated in some society of apostolic life, without prejudice to the prescript of can. 684;
- 4) one who enters the institute induced by force, grave fear, or malice, or the one whom a superior, induced in the same way, has received;
- 5) one who has concealed his or her incorporation in some institute of consecrated life or in some society of apostolic life.

§2. Proper law can establish other impediments even for validity of admission or can attach conditions.

The last-mentioned point (can. 643 §2) means that we must bear in mind also the *absolute counterindications* mentioned in *Criteria and Norms* (2000).

¹⁹ AnGC 74 and YSA 155. Please note that this paragraph was added after GC28, and is therefore missing from copies of AnGC printed in 2019.

Let us therefore explain the sense in which the confidentiality covering personal spiritual accompaniment and the friendly talk is not absolute.

1. In contrast to the confessor who can in no case reveal anything that he has acquired in sacramental confession, even if the penitent releases him from this obligation, the Rector and the spiritual guide may, *if authorised by the person concerned*, reveal to others information acquired in the non-sacramental internal forum by reason of their office (religious superior) or the relationship of trust and confidentiality (spiritual guide). They cannot, however, on their own initiative and without the “liberating” authorisation of the person concerned, make known to others what they have learnt in an internal non-sacramental forum. The Rector may and sometimes must act on the basis of what he comes to know in the friendly talk, for the good of the confrere and the community, but he cannot reveal what he has come to know through the talk without the permission of the confrere concerned.²⁰

This does not take away the serious duty on the part of the Rector and the spiritual guide to speak clearly to the candidate when necessary and exhort him to make the right decision.

In the case of situations that are known externally and need to be addressed, concerning relationships, religious commitments, the community or the mission, it is the Rector himself who must often take the initiative to speak about it, making explicit the fact that it is something known externally. The fact that the Rector “also has a direct responsibility toward each confrere,” helping him “realise his own personal vocation and carry out the work entrusted to him” (C 55) also implies a duty on his

²⁰ Examples could be health problems or family situations that result in or call for changes in the ordinary rhythm of life and distribution of duties in the community. We remember that every person has the right to safeguard his or her good reputation. This is associated with respect for privacy which is increasingly protected in civil law and also in canon law: “No one may unlawfully harm the good reputation which a person enjoys, or violate the right of every person to protect his or her privacy.” (Can. 220 CIC)

part to correct and intervene for the good of the person concerned and for the common good. Here one sees the difference between the friendly talk with the Rector and the dialogue of spiritual accompaniment: each of these contributes to the good of the person, but in ways that are distinct.

2. The Rector and the spiritual guide are not obliged to respond if questioned by a judge about what they have learned in the non-sacramental internal forum. In both cases, the Rector and the spiritual guide are bound to secrecy, given that they are exercising the sacred ministry. Can. 1548 §2 makes this exception with the aim of protecting and promoting the trust placed by the faithful in the services of formative accompaniment and spiritual guidance, ensuring that people can open up with full confidence.²¹

The parties mentioned are obliged to respond, however, if they have received *information from other sources* regarding possible abuse, or else if they *formulate a judgment on the matter, based on well-founded motives, evidence, reputation, rumours, etc.*²²

²¹ See D. Salvatori, “Il dovere di rispondere al giudice e il dovere del segreto come causa esimente: la ratio dei cann. 1531 § 2 e 1548 § 2 nel rapporto deontologico fra giudice e interrogato,” *Quaderni di diritto ecclesiale* 26 (2013) 73.

²² Can. 1548 §2 states:

§2. Without prejudice to the prescript of can. 1550, §2, n. 2 [priests' incapacity to testify with regard to anything which is revealed to them in sacramental confession], the following are exempted from the obligation to respond: 1/ clerics regarding what has been made known to them by reason of sacred ministry... and others bound by professional secrecy even by reason of having given advice, regarding those matters subject to this secrecy.

The spiritual direction of the faithful is a form of exercising the sacred ministry. However, it is always possible for the person concerned to release the Rector and the spiritual guide from their obligation to maintain secrecy.

This principle is reiterated again in *Vos estis lux mundi* art. 3 §1, which concerns precisely the obligation to report:

Except as provided for by canons 1548 §2 CIC [cited above] and 1229 §2 CCEO [“the following are exempted from the obligation to answer: 1° clerics in regard to whatever was made known to them in connection with their sacred ministry...”], whenever a cleric or a member of an Institute of Consecrated Life or a Society of Apostolic Life has notice of, or well-founded motives to believe that one of the facts mentioned in article 1 [offences *contra sextum* committed

3. There are also, however, circumstances in which a higher good must be preserved, such as the life of the person involved in the confidential dialogue, or the lives of others, or the risk of sexual abuse of a minor, and in these cases this higher good overrides the mandate of safeguarding another great good, that is confidentiality.

But these are extreme cases and are understandable in the light of the supreme law of the Church, the salvation of souls,

with violence or threats or by abuse of authority, with a minor or a vulnerable person, or the crime of child pornography, or omissions intended to interfere with civil or canonical investigations into such crimes] has been committed, that person is **obliged to report promptly the fact to the local Ordinary** where the events are said to have occurred or to another Ordinary among those referred to in canons 134 CIC [“§1. In addition to the Roman Pontiff, by the title of ordinary are understood in the law diocesan bishops and others who, even if only temporarily, are placed over some particular church or a community equivalent to it according to the norm of can. 368 as well as those who possess general ordinary executive power in them, namely, vicars general and episcopal vicars; likewise, for their own members, major superiors of clerical religious institutes of pontifical right and of clerical societies of apostolic life of pontifical right who at least possess ordinary executive power”] and 984 CCEO [“§3 Major superiors in institutes of consecrated life, who have ordinary power of governance, are also hierarchs, but they are not local hierarchs”], except for what is established by §3 of the present article. [“§3. When the report concerns one of the persons indicated in article 6 (*Cardinals, Patriarchs, Bishops and Legates of the Roman Pontiff, pastoral heads of a particular Church, supreme moderators of Institutes of Consecrated Life or of Societies of Apostolic Life*) it is to be addressed to the Authority identified based upon articles 8 and 9 (*Art. 8: Procedure applicable in the event of a report concerning a Bishop of the Latin Church. Art. 9: Procedure applicable to Bishops of Eastern Catholic Churches*).”]

Art. 4 §1 states: “Making a report pursuant to article 3 shall not constitute a violation of office confidentiality.”

Therefore, a distinction must be made between “information or well-founded reasons” of possible abuse which a cleric or religious receives (information) or formulates (based on clues, reputation, rumours, etc.) and “what was manifested” to a priest in the context of spiritual direction (“by reason of the sacred ministry”) or to a non-cleric religious who is a spiritual guide or a religious superior (“who are bound by official secrecy”).

In the first case, *Vos estis lux mundi* places an obligation on the cleric or religious to report. **This obligation does not exist, however, in the second case**, as is expressly stated in the *Motu proprio*: “Except in the cases envisaged in canons 1548 §2 CIC and 1229 §2 CCEO”.

set at the conclusion and as the end of the Code of Canon Law: “In cases of transfer the prescripts of can. 1747 are to be applied, canonical equity is to be observed, and the salvation of souls, which must always be the supreme law in the Church, is to be kept before one’s eyes.” (Can. 1752)

When the circumstances do not involve the extreme situations of danger of life or abuse, the spirit of the law is to preserve as much as possible the value of confidentiality, which consists in safeguarding the dignity of the person and the fundamental trust implied in relationships that demand confidentiality.

Summing up: the roles of Rector and of spiritual guide are distinct but convergent. The contents entering the dialogues in each case could be the same, but will be from different perspectives and perhaps not with the same depth of openness of conscience. Both roles, however, are necessary ecclesial mediations for the sake of vocational discernment and formation.

When information on situations that strongly affect vocational orientation is obtained in personal spiritual accompaniment or the friendly talk with the Rector, the guide or Rector is bound in conscience to speak clearly about the matter to the candidate and exhort him to make the right decision, but can take the matter further to the proper authorities only if he has the free and explicit consent of the person concerned. The only exception is when there is serious risk of endangering life (as in the case of abuse of minors, homicide or suicide).

Formators have to be attentive also to the civil laws of the countries in which they work. These laws might require religious superiors and spiritual guides to report certain matters. Here it would be best to abide by the stand taken by the Church in the papal magisterium and in the positions of the relevant Bishops’ Conferences, and to make such legal obligations clearly and regularly known to all, from the very beginning not only of the formation experience but also of the process of Salesian vocational accompaniment.

Obviously, the formation of Rectors and spiritual guides for

the service of accompaniment is both vital and delicate. They have to be able to help the confrere in formation face the reality of his life and history and make coherent decisions, and for this they need adequate knowledge of the teachings of the Church and of the Congregation, capacity building, as well as care of their own integral personal growth. They will be reminded also that the accompanying relationship rests on three pillars: respect for intimacy, the ability to keep secrets and trust.

There will always be a tension between respecting the sacredness of each one's conscience on the one hand and safeguarding the good of the Congregation and the Church on the other. At the same time, we must also recognize that the law will never be able to encompass all the variables presented by real life. Thus the mention of the risk of homicide, suicide and abuse of minors, far from exempting from discernment, calls instead for further and deeper discernment on the part of those actually faced with the concrete situation. The roots of the terms 'jurisprudence' and 'jurisdiction' indicate, in fact, this constant need for mediation and discernment in order to say what is right (*juris-prudentia*, *juris-dicere*) by drawing inspiration from the norm and evaluating the situation being confronted in all its concreteness. Discerning application calls, of course, for maturity and experience on the part of those offering the service of accompaniment, as also the willingness to themselves seek guidance and supervision.

The experience of meeting so many formation communities in the different regions of the Congregation shows that when there is a climate of mutual trust and a personal accompaniment that reaches the heart, it is much more probable that complex situations are addressed and resolved together by those in initial formation and their guides. Where, on the other hand, a climate of control prevails, along with a desire to detect and eradicate things seen as contrary to Salesian life, the likely effect is closure and insincerity. Fully adopting the Preventive System as our model of formation is undoubtedly very demanding but bears fruits that cannot be obtained otherwise. At stake here is not merely a choice of method but fidelity to our charismatic identity.

Obviously, the trust in question has to be mutual: becoming trustworthy and giving trust is required not only of formators but also of those in formation. Those who do not have this basic honesty and the capacity to trust are not made for our Congregation, and it is best that they make other life choices as soon as possible.²³

3. Admissions

3.1 The application

Up to June 2007, nos. 104-105 of the *Criteria and Norms* (2000), speaking of the application for admission to the novitiate, temporary and perpetual profession, the ministries, the diaconate and the priesthood, required candidates to state that they have the consent of their Rector (though not that of the spiritual guide and confessor). *Criteria and Norms* 105 reads:

While respecting its personal nature, *the application* addressed to the Provincial and given to the Rector, *should contain the following elements*:

- the name and surname of the applicant and the date on which it is made;
- reference to talking with the Rector and to his agreement with its being made;
- reference to the discernment undertaken and to seeking the opinion of the spiritual director and of the confessor;
- the purpose of the application, clearly expressed, that is: entrance to the novitiate, the first temporary profession or its renewal, perpetual profession, the ministries or the orders;
- a declaration of awareness of the public nature of the act that one

²³ YSA 170: “The community and the formation guides have their own important role, and we know that there are no perfect communities and guides. But nothing can substitute what is entrusted to each one’s free response. Even the best guide will not be able to help someone who is not ready to open up, sincerely share his experience, and embark on a process of growth. Similarly, if one’s core motivations are not sincere, and pretence is deliberately adopted as a way of ‘survival,’ the damage to discernment and to formation process is incalculable, and is the grave responsibility of the person himself.”

intends to perform and of the freedom to perform it, together with the fundamental motive.

In a letter of 24 July 2007 the councillor for formation communicated, on behalf of the Rector Major, a modification of the above text:

Decision. To avoid restrictive or juridically binding interpretations with regard to the freedom in making the application for admission, the Rector Major and the General Council acceded to the request to eliminate “to his agreement with its being made” from number 105 of “Criteria and norms”, and at the same time reiterated that in this number the expression, “reference to talking with the Rector”, ought to be retained.

Motivation. In the process of admission it is the one in formation who must first carry out a discernment to ascertain whether he judges himself suitable or not for the Salesian vocation. In this discernment he receives help from the Rector and the confessor, and if he happens to be a person other than the Rector, from the spiritual director. Since these persons have been accompanying him, they are in a very good position to offer him their opinion, be it positive or negative. It is then up to the individual to take their advice into consideration with all due seriousness, assume his own responsibility before God and decide in his conscience whether he should, or should not, make his application. Therefore, he does not need the agreement of the Rector to make his application.²⁴

The one intending to apply for vows, ministries or orders, therefore, asks the opinion of his Rector, spiritual guide and confessor before presenting his application, and states in his application that he has done so; but he does not need to explain the advice he might have received, and above all he is not obliged to state that he has the *consent* of the Rector or of the others. The onus of the decision to present the application is placed on the person concerned and not on the ones consulted.

The Rector and the others, on their part, must give their honest opinion to the candidate, and, if they are not the Rector, encourage the person to share this opinion with the Rector.

If, before the session of the local Council dealing with admis-

²⁴ F. Cereda, 24 July 2007, prot. 07/0505.

sions, the Rector judges that an individual is not suitable for admission, or that he is not prepared at that moment for presenting his request, he “is obliged in conscience to say this with charity and clarity to the one concerned that he cannot and should not – also for his own good – go ahead.” (Ricceri, ACG 281 49) *He cannot, however, prevent the individual from making his own decision and presenting his application. Should the application be presented, the Rector cannot divulge in the Council the advice given to the person concerned, and must act as in every other case* (see section 3.2 below).

This also applies to the Council itself: if the Council is of the opinion that someone should not apply for admission, the Rector has the right to communicate this opinion, but he must also make it clear that the individual remains free to arrive at his own decision.

One of the reasons why no application should be prevented from being handed in, is that the authority responsible for admission is the Provincial. The local Council has a consultative role. The provincial Council has an advisory role of the highest kind, involving the giving of *consent* through secret ballot. Once the consent has been given, the admission is the competence of the Provincial. This means that the Provincial cannot admit a person without the consent of his Council, but he can refuse admission even if his Council has given consent. The authority of admission is not collegial but remains vested in the person of the Provincial.²⁵

3.2 The Rector who is spiritual guide

We have already said that when requested by a confrere, the Rector will willingly offer the service of personal spiritual accompaniment. (YSA 197) The Rector, therefore, meets all his confr-

²⁵ Cf. can. 641 CIC. Cf. also *The Project of Life of the Salesians of Don Bosco* (1986) p. 811: “The admission itself belongs to the provincial, and is a formal act of his personal authority and not of the council, though the consent of the latter is necessary.”

eres, especially those in initial formation, for the friendly talk, and could be the spiritual guide of some.

As per our tradition, the Rector continues to participate in the process of admissions at local level. In this tradition there is a tension between being formators and leaders in the Salesian style and the wisdom and prudence of the Church – a tension that the present orientations and guidelines try to integrate and make fruitful.

We have also said that the Rector cannot share with the Council or with anyone else any of the information he has received in the friendly talk or in spiritual accompaniment, with the qualifications made in section 2 above. Once again, he can neither divulge nor make use of what he knows solely through the friendly talk or spiritual accompaniment, not even in the secret voting of the house Council, unless authorized by the candidate concerned. *Criteria and Norms* (2000) is explicit on this point:

As regards the ‘professional secret’ it should be remembered that the Rector cannot make use of what he comes to know solely through the friendly talk, even in the secret voting of the house council. He may make use of it if the confrere freely and explicitly gives his consent. (CN 21)

A note explains ‘professional secret’: “In juridical terms it is sometimes called ‘confidential secret’ or of conscience, in that it is confided to the conscience of someone in view of the office held or exercised.” (CN 21 note 41) A second note cites *The Salesian Rector* (1986) 264:

The very nature of the friendly talk with the rector calls for rigorous secrecy and confidentiality. “Let the rector be careful never to reveal to others the faults a confrere may have, even when they may already know of them through other channels. Let it be obvious to his subjects that he is able to respect the confidentiality of what is entrusted to him. It only takes some small indiscretion to weaken and maybe entirely destroy the confidence they have shown him.”

For reasons inherent in your office, you may be asked by the provincial for your opinion on some confrere or other, and in such a case you have to give the necessary information objectively and responsibly. But it should be based exclusively on the external behaviour of the confrere

concerned and on what others may say about him. Confidences that may have been given in private talks are protected by a rigorous secret: *nihil, umquam, nulli*. (CN 21 note 42)

Clearly, the Rector and his Council, when processing requests for admissions, have to rely solely on what they have come to know in the external forum. (YSA 156) This requires, of course, that they be truly present with the candidates/confreres in initial formation, in the best and fullest Salesian sense of the word ‘presence.’ The informality of life is extremely revealing, sometimes even more than what is shared in the friendly talk or in spiritual accompaniment.

3.3 The role of the local Council

When a Council is dealing with admissions, it is very important to keep in mind the core perspective governing the process of discernment. The overriding question to be answered in the secret of the conscience is: from an overall perception of the life of the candidate, is he called to what he is applying for, and is he suitable? This is not the moment to address this or that incident or to correct this or that fault, behaviour or weakness – that must be done in the course of daily life and fraternal correction and during the trimonthly assessments. The moment of admission is a discernment before God about the overall vocational journey of one of his children, and therefore a very demanding responsibility before God, the Church, the Congregation and the candidate/confrere himself.

As we have said already, our practice is that the Rector (and analogously the one in charge of prenovices or of confreres doing higher studies during the period of initial formation), even when he is personal spiritual guide, continues to be part of the admission process at local level. It is worth repeating that, unless he has the free, explicit and preferably written consent of the one concerned, the Rector cannot share with the Council or with anyone else the information he has received solely through the friendly talk or in spiritual accompaniment. Neither can he make

use of such information in order to arrive at his own judgment about the suitability of the person for admission. (CN 21) “He makes his judgment solely on the basis of his own observations and of those of his Council.” (YSA 156)

The role of the local Council regarding admissions is *consultative*. Given that it is mandatory to listen to its opinion at this moment, the validity of the act requires that the opinion of all be requested (cf. Can 127 §1 CIC). After the members have expressed their opinion about the suitability of the candidate, giving their reasons, it is necessary that the judgment of suitability be expressed synthetically with a positive or negative secret vote (equivalent to a favourable opinion on the suitability or to an unfavourable opinion). This practice preserves the freedom of each councillor and avoids undue pressure from other members.

Membership of the Council carries with it the obligation on the part of each councillor to express his opinion. Abstentions, in other words, are not possible. “All whose consent or counsel is required are obliged to offer their opinion sincerely and, if the gravity of the affair requires it, to observe secrecy diligently; moreover, the superior can insist upon this obligation.”²⁶ Accepting membership of a Council therefore entails serious responsibilities. Anyone who does not feel ready for such a service would be better off not accepting it or else asking to be relieved of it.

At the time of admissions, therefore, the opinion of the local Council is to be expressed not only in a written judgment but also through a secret vote.

The practice of deciding in advance how to vote (the so called “fagioli concordati”) is absolutely to be stopped, because it invalidates the whole reason for the secret vote.

These orientations and guidelines can become truly effective when we invest in the formation and “capacity building” of the members of the Council at local and also at provincial level.

²⁶ Can. 127 §3 CIC cited in AnGC p. 217, with note 3: “On the basis of this norm, abstention is not legitimate.”

4. Passage of personal information

In the case of confreres continuing initial formation in another house or phase (including interprovincial formation communities) and those who opt for the missions *ad gentes*, the Provincial concerned will pass on a copy of the judgment at the time of admission and such other information as may favour the knowledge of those in formation by those responsible for that phase,²⁷ including the periodic personal assessments. It would be very important, however, to keep in mind the clear distinction between the periodic assessment, which is meant to help the confrere to grow in his vocation, and the judgement of admission that is a juridical act.²⁸

The different phases of formation are complementary. This has consequences with regard to formators, those in formation, and the unity of the formation process as such. Effective communication between formators of different levels should be a hallmark of this progressive complementarity of all that is put in place for fostering growth.

The confrere in initial formation is encouraged to be the first to take responsibility for integrating the help received through the periodic assessments into his personal plan of life, and to value it as a road map for his vocational growth, something to be

²⁷ FSDB 2016 298: “Let the **Provincial** see that, especially at the beginning of a phase of formation, those in formation are known by the ones responsible for that particular phase, and let him arrange for the communication of adequate information throughout the whole process of formation in the most convenient way possible.”

²⁸ YSA 168: “It is worth emphasizing that the assessment is not in itself a discernment process linked to the admission of a candidate to the next phase. Such admissions are juridical acts that involve the province and not only the house Council, while the main purpose of the periodic assessments is to foster the vocational growth of the one receiving it, through the qualified contributions offered by members of the local Council. The formation scrutiny is, instead, an assessment of the progress made by someone who is in formation. Used during initial formation to personalize the formative process, it is an instrument of considerable help to the Rector and the spiritual guide in their work of spiritual accompaniment.”

fruitfully shared with his Rector and with the spiritual guide he has chosen, especially when moving to a new community or phase of formation.

At the time of admissions, especially those that concern a definitive commitment such as perpetual profession and holy orders, it is important to keep in mind the whole journey of Salesian life of the confrere concerned.²⁹ It is therefore important to take into account the discernment that has taken place during the previous stages, through admissions, scrutinies and dialogue with the Province of origin, in the case of interprovincial communities (cf. CN 108). What has been said about discretion and respect for good name obviously also applies to the way of dealing with this information, which, however, being part of a discernment process carried out by local and provincial Councils, is not part of the internal forum.

Great care must be taken in the storage and transmission of information, folders, reports or any document with personal data such as those mentioned above, avoiding leaving them in easily accessible areas, even during Council meetings. Equal care must be taken when transmitting and storing in digital form, taking pains to avoid possible infringements of privacy and confidentiality.

5. Guidelines

1. ***Choice of spiritual guide.*** *To facilitate a genuinely free choice of spiritual guide the Provincial (or curatorium, in the case of interprovincial formation houses) will present a list of Salesians (Priests and Brothers) who could serve as spiritual guides, ensuring that they are either part of the community or else easily accessible, and that they are not members of the local Council, keeping in mind also that*

²⁹ FSDB 2019 518: “The admission to perpetual profession is made on the basis of an assessment of the entire process of formation, a verification of the candidate’s motivations, and his assimilation of the Salesian vocation project.”

the formee can, in consultation with the Provincial or Rector, choose someone else. The Rector and members of the local Council can also be approached for spiritual guidance if a candidate/confreere so wishes.

2. ***Application for admissions.*** *In his application for admission, the candidate must declare that he has consulted his Rector, confessor and spiritual guide; he is not obliged to say that he has their consent. The Rector and the others, in their turn, are obliged to give their honest opinion to the candidate about his suitability for the step being requested. They cannot, however, prevent the individual from making his own decision and presenting his application. Should the application be presented, the Rector cannot divulge, not even in the Council, the advice he has given to the person concerned, and must act as in every other case. Similarly, the local Council can advise the candidate about a possible negative opinion but cannot prevent him from presenting his application.*
3. ***Admissions – role of the Rector.*** *The Rector cannot share with the Council or with anyone else any of the information received in the friendly talk or in spiritual accompaniment, with the qualifications made above in section 2: Confidentiality. Neither can he make use of this information to arrive at his own judgment at the time of voting about the suitability of the person for admission.*
4. ***Admissions – role of the Council.*** *At the time of admissions, the local Council will express its opinion through a secret vote and through a comprehensive written opinion that is exhaustive if synthetic, on the overall suitability of the candidate. The practice of deciding in advance how to vote renders the vote invalid and is to be absolutely excluded.*
5. ***Passage of information.*** *When a candidate/confreere moves on to another phase of formation, whether in his own province or elsewhere, his Provincial will pass a copy of the judgment at the time of admission, and other information*

which may favour the knowledge and accompaniment of the candidate/confreere concerned, including the periodic assessments. This will make it possible to carry out a discernment at the time of admissions that looks at the whole arc of Salesian life and the formation journey of the person concerned (cf. CN 108).

- 6. Formation of formators.** *Provincials and animating bodies such as regional formation centres will organize formation courses for first time Rectors, for all Rectors from time to time, and for the members of local and provincial Councils. During these courses, the orientations and guidelines of the present letter will be presented and made the subject of personal study as well as group sharing.*
