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STUDIES

IN
THE SPIRITUALITY OF JESUITS

IES

Are Informationes Ethical?

JAMES F. KEENAN, S.J.

THE SEMINAR ON JESUIT SPIRITUALITY

A group of Jesuits appointed from their provinces in the United States.

The Seminar studies topics pertaining to the spiritual doctrine and practice of Jesuits, especially American Jesuits, and communicates the results to the members of the provinces. This is done in the spirit of Vatican II's recommendation that religious institutes recapture the original inspiration of their founders and adapt it to the circumstances of modern times. The Seminar welcomes reactions or comments in regard to the material that it publishes.

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James F. Keenan, S.J.

STUDIES IN THE SPIRITUALITY OF JESUITS

29/4 · SEPTEMBER 1997

For your information . . .

In the last issue of *STUDIES*, I mentioned the names of the new members of the Seminar on Jesuit Spirituality and promised to give more information about them in this issue. Richard Clifford (NEN) is professor of Old Testament at Weston Jesuit School of Theology and an accomplished scholar in scripture studies. You may most recently have seen several articles by him in *America* on questions surrounding the English-language translations of the Bible appropriate for the Lectionary of the Mass. Gerald Fagin (NOR) is professor of theology in the Institute for Ministry at Loyola University, New Orleans. He was a delegate to the Thirty-fourth General Congregation and in the past has also served as rector at Loyola and provincial of the New Orleans Province, and has also been a member of the National Seminar on Jesuit Higher Education. Edward Oakes (MIS) is professor of religious studies at Regis University, Denver, and a former teacher at New York University. He is a prolific author and a specialist on the work of Hans Urs von Balthasar. Timothy Toohig (NEN) is rector of the Jesuit community at Fairfield University, Fairfield, Conn. As a physicist he spent five years in California and another five in Texas working on the supercollider, most recently as deputy head of construction for the whole project. All of these new members bring their special talents and perspectives to the work of the Seminar and to the production of *STUDIES*. You can find the full membership of the Seminar listed on the inside front cover of every issue of this periodical.

Not a member of the Seminar, but of great assistance to it as a member of the Institute of Jesuit Sources was Martin E. Palmer, S.J. Sadly, I have to use the past tense, because Marty died here in St. Louis on August 7 after a long battle with lymphoma. His talents and exertions produced the translations of many of the "Sources" regularly appearing in *STUDIES*. He had an extraordinary gift for languages (was it ten or twelve of them that he knew?), was an excellent translator and editor, and knew the spiritual writings of the early Jesuits in greater breadth and depth than anyone else I can think of. In addition, he was a fine teacher of Scripture and a very successful retreat director. At White House alone, the St. Louis Jesuit retreat house, he gave forty-four retreats, in addition to giving at least an equal number of them at other Jesuit centers. We shall miss him greatly. Please remember him in your prayers and ask the Lord to help us find a successor for him at the Institute of Jesuit Sources.

Once, when I remarked to a provincial that a particular Jesuit anniversary was coming up in the next year, he replied, "John, I think you could find some Jesuit centenary or sesquicentennial or two- or three- or four-hundredth anniversary of some person or event in the Society to celebrate every year in succession." I hope he was right, because I do think we should commemorate our members, recall the

lives they have lived, the deeds they have done, the institutions they have established, the persons they have touched. We do not do enough of that today. Perhaps that is because of a fear of "triumphalism," although I have not seen that attitude rearing itself as much of a temptation in recent times. It is for our future that we ought to connect with our past. Our present, good or bad, happy or sad, bright or dark, is too often with us. It limits our activities and, more important, it limits our imaginations and our courage for that future.

My remarks are occasioned by the memory of three great men who lived and worked in very different circumstances and whose anniversaries, among others, we are celebrating this year—Peter Canisius, John-Francis Regis, and José de Anchieta. This year, 1997, is the four-hundredth anniversary of the deaths in 1597 of Canisius and Anchieta and of the birth of Regis. Canisius, often called the second apostle of Germany, worked in the context of the Reformation and left, among his lasting contributions, schools, the most popular catechism in German Catholic history, and lands in great part saved for the Catholic Church. Anchieta, a distant relative of both Ignatius and Francis Xavier, was an extraordinary missionary, linguist, and historian, often and rightly called the "apostle of Brazil." Regis was a preacher of popular missions, catechist, confessor, and founder of refuges for prostitutes in the towns, villages, and throughout the countryside of the parts of southern France in which he labored. English-language biographies of all three men exist. They are James Brodrick's *Peter Canisius* (Sheed & Ward), Helen Dominian's *Apostle of Brazil* (Exposition Press), and Albert Foley, S.J.'s, *St. Regis: A Social Crusader* (Spring Hill College). The reading of any one or of all of them, with their details of ordinary life and extraordinary achievements intermingled, can connect us with our past, put our present in perspective, widen our horizons, and enlarge our imaginations about what we should be doing for the future.

Yet more books . . . Even if the summer days for reading are past, the following three books are worth squeezing into the interstices of our days from fall through spring and on into next summer. *As One Sent: Peter Kenney, 1778-1841* by Thomas Morrissey, S.J. (Catholic University of America Press), is the biography of a remarkable Irishman to whom the Society of Jesus in both Ireland and the United States owes a great debt. He helped to reestablish the Jesuits in Ireland on a sound footing; but his greatest work was to help the Society in the United States get started in the early nineteenth century. We have little realization of how uncertain a prospect that was, beset as our predecessors were with national differences, small resources, differing priorities, vast distances, unfocused apostolates, and a good number of other obstacles. As an official "visitor" to the United States, Kenney was an invaluable resource of insight, intelligence, courage, and decisiveness. Jo Ann Kay McNamara's *Sisters in Arms: Catholic Nuns through Two Millennia* (Howard University Press) gives women religious the honor and the credit they deserve. The author is utterly forthright in telling the story and gives the reader a well-written history stretching from the desert hermits to the convents of the Middle Ages to the

apostolic orders of today. These sisterhoods through the ages “created the image of the autonomous woman. They formed the professions through which it was activated. They still devote their lives to the care and development of human beings everywhere.” This story, too, will enlarge the reader’s horizon. Finally, *Impelling Spirit* by Joseph F. Conwell, S.J. (Loyola Press), as the subtitle puts it, revisits “a founding experience, 1539, [of] Ignatius of Loyola and his companions.” The author takes the salutation and three sentences of the draft of a covering letter proposed as a letter from the Pope in approving the *Formula of the Institute* and “unpacks” their meaning. Those sentences never saw the light of day in the final version of Paul III, but they vividly and directly express how the first fathers thought of themselves and of their proposed spirit and aims. This is not a book for a hurried reading; it situates its material in its several contexts—spiritual, cultural, theological, and historical—and asks the reader to share in the processes of discernment by which the ten companions, impelled by the Spirit, determined on the way of life they desired and by which Pope Paul III evaluated the authenticity of their call from the Spirit. The intrinsic worth of the study is enhanced by a rich bibliography.

Oh, yes! 1997 is also the four-hundredth anniversary of the pledge by the citizens of Rome “to give every year to the church of the Professed House [that is, the Gesù], a silver chalice and four large white candles.” This pledge is being honored, in part at least, to this very day. I just thought you would like to know that.

John W. Padberg, S.J.
Editor

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ARE *INFORMATIONES* ETHICAL?

Situating the Question

From the perspective of contemporary ethical reflection, this essay examines the Jesuit practice of formally requesting information about its members. By looking into this procedure, I am not simply trying to reform the *informatio*, an instrument that we have been using for centuries. My more important goal is to persuade Jesuits to think, discuss, and reflect critically with one another on this practice. Had I only wanted to work toward the reformation of the traditional methods of garnering information, I would have contented myself with appealing to the Jesuit Conference. Instead, through the Jesuit Seminar on Spirituality, I wish to engage all Jesuits in the process of reflecting on an instrument that we use on one another, one with ramifications in our Jesuit lives.

Let me acknowledge the limits of both my investigation and my competency. As I examine *informationes*, I will focus only on those that are used for formation, not on those that precede the appointment of major superiors.¹ In view of this limitation, I shall use the technical term “scholastic,” which includes those who are ordained but who have not yet pronounced final vows. Though we distinguish novice brothers from novice

¹The Latin word *informatio* (pl. *informationes*) is traditional usage in the Society, and no entirely satisfactory English translation for this expression comes to mind. Perhaps “personnel report” would serve, but this does not seem entirely suitable either, at least because of its connotations. So in this essay we will use the traditional *informatio* and its Latin plural, *informationes*, and let readers read the words as they please.

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scholastics, nonetheless, I use the term “scholastic” to include everyone who does not yet have final vows.

In addition, I hope the reader will recognize that those who are most affected by informationes, that is, “the scholastics,” do not occupy a position of equality in the Society. Not enjoying the same protection or security as those with final vows, the “scholastic” is more at the mercy of this device of scrutiny than are the formed members. Consequently, the power inequity already experienced by the scholastic is compounded when the instrument employed to evaluate his fitness is not appropriately used. The scholastic, already so vulnerable, deserves to have those in power carefully scrutinize the instrument they employ when estimating his qualifications and subsequently deciding whether to incorporate him fully into the Society.

My experience with informationes is limited. I was an acting consultor here at the Weston Jesuit Community for one semester and read many informationes of those applying for diaconate ordination. Aside from that semester, my only experience has been that of an ordinary Jesuit: I occasionally filled out informationes myself and was aware that now and then others filled them out on me.

In the course of this essay, I address five topics. First, I specify my purpose. Second, I examine Jesuit documents in search of guidelines on the topic. Third, I ask what type of information ought to be provided in the informatio. Fourth, I contrast two very different purposes that the informationes are designed to serve. Fifth, I propose certain reforms to the informatio process. I conclude by suggesting other areas of our lives together that I think deserve critical ethical reflection.

My Purpose

During the generalate of Father Pedro Arrupe, the Society of Jesus entered a phase of development marked by a growing concern for its members. The Jesuits’ identity as “shock troops” became considerably mollified by its own internal call for *cura personalis*. This care became notably evident in the relationship that developed between superiors and their charges. The former became progressively more interested in listening to their community members, in discerning with them the needs and mission of the community, and in explaining to all their own decisions. In effect, superiors surrendered considerable power in order to move all the Society’s members toward stronger fraternity and better service of others.

In the evaluation of those in formation, this personal concern became particularly salient. Over the years local superiors and provincials

have sought to better reflect the fraternity that our Constitutions encourage. In particular, superiors attempted to extend care and compassion to each of their men being considered for advancement in the Society. These relational emphases have significantly humanized a process that had long been in need of it.

Many of those modifications were initiated on an individual basis, however. A given provincial intuited a need for change and acted in accordance with his lights. While he may have consulted his socius or formation assistant, he did not engage in hard, critical discussion with others outside his own office. Individual provincials did not discuss with other provincials how they proceeded nor did they consult the opinions and experiences of scholastics, ethicists, spiritual directors, canon lawyers, and others with much to contribute to such a discussion. In short, the reforms, humane, thoughtful, and compassionate though they were, never reached a broader forum where various competent persons could subject them to critical reflection.

From my viewpoint, that of a Jesuit who teaches ethics, the reforms were a good beginning, but not at all adequate. They were inadequate because they did not engage fundamental ethical concerns. Like others in my field, I raise ethical concerns regarding paternalism, due process, equity, fidelity, confidentiality, conflicting roles, critical explanations, stated purposes, and the ability to universalize processes. These are the fundamental concepts ethicists use to evaluate how objectively right a particular human activity is. I bring, therefore, these concerns to this essay. I will elaborate on each of them throughout the essay; but every time I invoke an ethical evaluation of the informationes, I have these standard concerns in mind, because they allow us a critical vantage point from which to examine whether or not our way of proceeding is ethically right. I hope they will contribute in part toward how we as a group evaluate informationes.

This essay does not at all denigrate the important and laudable contributions of individual superiors and provincials. Instead, I am looking at an instrument, the informatio, and a practice, the gathering of information about the scholastics. As a virtue ethicist, I am particularly concerned about the way practices and instruments form us. John O'Malley illustrated this point in his *First Jesuits*, where he explained the extraordinary effect that its newly adopted apostolate of teaching exerted upon the early Society.² He demonstrated that taking control of educational institutions significantly shaped the future course of our apostolic service and self-image. We were changed by the practices we adopted.

² John O'Malley *The First Jesuits* (Cambridge: Harvard Univ. Press, 1993), esp. 200-242.

My purpose, then, is simply to initiate some ethical discussion about the Jesuit practice of *informationes*. In other forums I have been promoting such discussions for several years. Here at Weston Jesuit, in my introductory classes on moral theology and in my courses on casuistry, I have raised the question of the ethics of *informationes*. Inevitably I find that Jesuit scholastics have given long and hard thought to this question and eagerly welcome the discussion. Moreover, before submitting this essay to the Jesuit Seminar, I sent first-draft copies of it to various scholastics, spiritual directors, consultants, *formatores*, ethicists, and canonists: Kevin Burke, Thomas Clark, Katherine Clarke, John Coleman, Howard Gray, Robert Kaslyn, James Lafontaine, Thomas Lawler, Virgilio Oliveira-Costa, Martin O'Malley, Ladislav Orsy, Robert Reiser, Andrea Vicini, and Michael Wilson. Each gave me extensive comments. I have learned and benefited from these very diverse responses, and I am convinced that a dialogue on this practice is well underway. But this dialogue must be critical.

Engaging in a penetrating critical review of a practice that we have long used with one another will not be an easy task, because old biases remain, hiding behind age-old presumptions. For instance, it is a familiar adage that the *informationes* reveal more about the informant than about the scholastic. Those who believe this often assume that, given human nature, this will always be the case; but I think that this is a gratuitous assumption. *Informationes* disclose so much of the informant because he has never been provided with sufficient guidelines on the use of this instrument, and so has simply relied (like the compassionate provincial) on his own intuitions. Inasmuch as Jesuits are routinely prohibited from discussing a specific *informatio* and inasmuch as few Jesuits ever receive any ethical guidelines on the *informationes*, informants will continue to provide *formatores* with inadequate information, not because they are unenlightened or uncooperative, but because the Society has not provided them a context in which to learn how to use the instrument properly.

Periodically we seriously evaluate our men in formation, relying on an important instrument whose ethical aspects we have not studied sufficiently. That lack of sufficient reflection explains our inadequate appreciation of the ethical complexities that such invasive and frequent *informationes* present and their marked impact on scholastics in particular and on the Society as a whole. Admitting all this will not be easy, especially for the many who have used this process with considerable care in their own administrations. But we need to recognize that caring for our men and showing them compassion do not necessarily guarantee that we are complying with ethical norms. Care and compassion indicate love, to be sure;

compliance with ethical norms, however, depends on institutional management and critical reflection.

What Do Jesuit Documents Say about Informing the Superior?

Whereas the contemporary ear might find the phrase “informing the superior” jarring and unsettling, it is a longtime usage among Jesuits. The Society has practiced it since its foundation, and we individual members have grown accustomed to it since our earliest years. For this reason the Constitutions warn us in advance that anyone seeking admission ought to be asked whether he can live with this practice.

For the sake of his greater progress in his spiritual life, and especially for his greater lowliness and humility, he should be asked whether he will be willing to have all his errors and defects, and anything else which will be noticed or known about him, manifested to his superiors by anyone who knows them outside of confession; and further, whether he along with all the others will be willing to aid in correcting and being corrected, and manifest one another with due love and charity, in order to help one another more in the spiritual life, especially when this will be requested of him by the superior who has charge of them for the greater glory of God.³

So from the beginnings of the Society and, likewise, at the outset of a candidate’s experience of the Society, the process of having one of the brethren fill out informationes on another has been integral to the growth of the scholastic. In fact, the first stated purpose for this practice is that each may achieve his “greater progress.”

The Constitutions specifically apply this practice to the experiments from which the novice’s superior is to receive “testimonials” as well as “other reports” ([78]). The Constitutions urge the superior to “have a complete understanding of the subjects” and explain why information is important for the Society’s mission ([91]).

[T]he more thoroughly they are aware of the interior and exterior affairs of their subjects, with so much greater diligence, love, and care will they be able to help the subjects and to guard their souls from the various difficulties and dangers which might occur later on. . . . Therefore, to proceed without error in such missions, or in sending some persons and not others, or some for one task and others for different ones, it is not only highly but even supremely important that the superior have complete knowledge of

³ *Constitutions*, [63] (hereafter abbreviated *Cons.*). All citations from the *Constitutions* and from the *Complementary Norms* are taken from *The Constitutions of the Society of Jesus and Their Complementary Norms*, John Padberg, ed. (Saint Louis: Institute of Jesuit Sources, 1996).

the inclinations and motions of those who are in his charge, and to what defects or sins they have been or are more moved and inclined; so that thus he may direct them better, without placing them beyond the measure of their capacity in dangers or labors greater than they could in our Lord endure with a spirit of love; and also so that the superior, while keeping to himself what he learns in secret, may be better able to organize and arrange what is expedient for the whole body of the Society. ([92])

Whereas the previous concern focused on the candidate's willingness to have his faults known and reported for the sake of his spiritual progress, the concern here is that the superior has adequate information to assign the individual where he can best advance the Society's mission. For the past four hundred and fifty years, this need fostered in the Society's members an appreciation of the practice of developing at least a one-way information highway to the superior.

According to the Constitutions, that one-way information highway did not pass only through houses of formation. On the analogy of an official position existing in the medieval community, throughout the provinces in the early years of the Society a syndic could be appointed who effectively had the responsibility to inform on, well, anything.

There will also be a general syndic who is to give information to the rector, the provincial, and the general about both the persons and things which he will deem noteworthy. . . .

In addition to this general syndic the rector will have his own particular syndic to refer to him what happens in each class and requires his intervention. ([504])

The regularity of this flow of information from the syndic is highlighted by the norm that "[e]ven if the syndics have no business of moment, they should report this fact to the superior, at least every Saturday" ([506]).

Moreover, the one-way information highway passed through the superiors' lives as well. A superior might find a collateral assigned to him, an associate sent to assist him because the latter lacked experience or needed an equal rather than a subject to help him. This collateral in turn was to inform the provincial or general about the superior ([659-61]). But as one editor of the *Constitutions* notes, "This office, used at times in the early Society, was never in use later nor was it ever abrogated" ([659 n. 2]).

The Constitutions mandate that the superior be well-informed, in the full sense of that word, in order both to help his scholastics progress and to make prudent decisions regarding assignments. The contemporary reader, recognizing the Constitutions' interest in the scholastic's progress, will probably be surprised to see that this document makes no allusion whatsoever to communicating any of this information to the scholastic as he moves

along from the novitiate to the tertianship. The only exception is that the scholastic should be willing to listen when informed about his faults. In no Jesuit document have I discovered any acknowledgement that it might promote a man's spiritual progress and suitability for the Society's mission if superiors would share with him the knowledge they have gained from informations.

Likewise, the Constitutions contain no directives at all concerning the responsible use of this material: no process is described for soliciting information; no standards are set up for gathering the information. Rather, the Constitutions' basic concern is to make the Society's members aware of how important it is to inform the superior.

The newly published *Complementary Norms* to the Constitutions treat the responsible transmission of information with much greater precision. For instance, they offer an "authoritative interpretation" of the "prescription of the General Examen on the manifestation of faults." From an ethical viewpoint, this interpretation is very important: it acknowledges the discernment that the superior ought to have when receiving information and it specifies the type of information that ought to be communicated. This norm insists not only that information be provided but that it be provided responsibly. It raises such concerns as the truthfulness of the information received, the superior's willingness to withhold judgment on the person being reported on, and the right of the subject to defend himself.

1° Since the purpose of the manifestation of the defects of others to the superior is both the common good and the spiritual progress of individuals, it should proceed only from the motivation of charity and be done in such a way as to manifest love and charity.

2° All are allowed to manifest to the superior as to a father any defect, small or great, of another; but this does not refer to those things that the person reveals about himself to another in an account of conscience or in secret or for the sake of seeking advice, so that he might be directed or helped; nor need Ours wait until they are asked by the superior.

3° Each one not only can but should manifest to the superior as to a father matters about to cause serious harm to the common good or imminent danger to some third party, so that he may secretly and prudently provide for both the good of the subject involved and for religious life in general.

4° The manifestation should be made to the immediate superior unless serious reasons suggest that it should be made to the mediate one, in which case these reasons are to be made known to the latter.

5° Superiors should not lightly give credence to those who report the fault of another; rather, they should inquire into each such matter. In particular, they should listen to the one who was reported, so that he can

defend himself; and if he is found innocent, the one who reported him should be reprimanded or punished, in accord with the gravity of the matter. (no. 235)

This norm is pivotal for discerning the answers to particular ethical questions about any information given to the superior, including the informationes. It excludes a certain kind of information that cannot be given to the superior, that is, anything that the subject disclosed to another for the sake of receiving help. It also mandates punishment for those who misinform.

Earlier the Norms, while addressing another source of information, that is, the account of conscience, lay down another restriction in order to protect confidentiality:

§1. The account of conscience, by which the superior becomes able to take part in each one's discernment and to help him therein, is to retain intact its value and vitality as an element of great moment in the spiritual governance of the Society. Therefore, all should give an account of conscience to their superiors, according to the norms and spirit of the Society, inspired by charity, with any obligation under pain of sin always precluded. In addition, the relationships between superiors and their brethren in the Society should be such as to encourage the manifestation of conscience and conversation about spiritual matters.

§2. No one, without exception, may directly or indirectly make known what has been revealed in an account of conscience unless it is with the express consent of the one rendering the account. (no. 155)

Here we find self-disclosure again protected: the superior is told not to disclose anything derived from the account without the subject's explicit consent. This norm restrains the provincial and others, regardless of their good intentions, from discussing any material that the subject reveals about himself.

These two norms, then, protect the scholastics and validate the practice of keeping confidences. Nonetheless, while the superior's need for information is clearly underscored, the Norms still preserve the one-directional character of the information highway. Even the last congregation left unchanged our written law and the presumption that the superior would be the only direct recipient of all the information garnered.

In neither the Norms nor the Constitutions are informationes specifically discussed. Their presentation is found in the recently edited *Practica quaedam*, the practical manual approved by Father General for the use of those preparing correspondence to him. This source first refers to information gathering when discussing the process to be followed when a

candidate applies for admission to the Society. The candidate must be interviewed by four examiners;⁴ but,

if the candidate is not already sufficiently well known, information should be sought, if possible before the examination, from trustworthy persons on his spiritual and bodily health, his practice of the Christian life, his personal qualities and character, as well as on his family and his vocation. (no. 40)

Later, when sending a man to theological studies, the provincial should again gather information.

Before sending a scholastic to begin theology studies, or, where theology is studied at various times, before beginning the period which precedes priestly ordination, the Provincial should seek written information. To do so he should follow the usage established in the Province. The Provincial will examine this information with his Consultors. Following the prescriptions of *Compendium practicum iuris S. I.*, no. 167, the candidate should not be sent to theology if there is any positive doubt about his suitability. (no. 58)

But the most detailed instructions for taking informationes appear in regard to application for ordination:

The candidate requesting Orders may suggest the names of a few people who know him well to provide information. The competent Provincial will designate those who are to be asked for information and send them the form used in the Province for granting approval for ordination. He may also give a copy of this form to the candidate, giving him the opportunity of a self-evaluation.

The forms for the information, of which a model is provided in App. no. 1, may be adapted to the peculiar circumstances of Provinces, with the prior approval of Father General.

Information is to be requested from four Jesuits (or more, if there is a special reason) who know the candidate well. When sending them the printed form, the Provincial will add a personal letter underlining the importance, responsibility, and confidentiality of the service being requested.

In addition, the Superior and Consultors of the house in which the candidate lives will discuss his aptitude for priesthood. The Superior will send the competent Provincial his own opinion and that of his consultors.

The names of those who have requested sacred Orders should be published in good time in the Province, offering to all the possibility of informing the Provincial about their suitability for ordination, before the Consultation which will deal with it.

⁴ *Practica quædam* (Rome: Curia of the Superior General, 1991), no. 39.

All this information and these judgments will be examined in the Province Consultation. The Provincial will make the final decision and inform Father General. (62-67)

Lastly, for final vows, the *Practica quædam* states:

At the appropriate moment, the Provincial must ask for information on the candidate from four Jesuits (or more, if it seems advisable). He may take names suggested by the candidate. The informants should be men of sound judgment who know the candidate well. Conscious of their responsibility towards the Society and the individual, the informants should give their opinion with the greatest possible objectivity, with prudence and charity and complete confidentiality. (no. 78)

In addition to this information, the Provincial consultation should have, in the case of those who are priests, the informationes prepared prior to the scholastic's ordination (no. 80). In the event that Father General decides to defer final vows, that deferral is for one year and "complete information must be requested again for a fresh presentation in the Consultation." If the deferral is only for six months, then the provincial may decide whether there is need for another set of informationes (no. 86).

Reading these guidelines from the *Practica quædam* should lead to at least four conclusions. First, as opposed to the practice common in the United States, the *Practica* requires the gathering of information on only three occasions: prior to theology, prior to ordination, and prior to final vows. In this country, however, informationes are prepared with greater frequency. Though the Constitutions demand testimonials only from the directors of the novice's experiments, in the States some novice directors solicit informationes from others when a man applies for first vows. Likewise, some provinces gather some information at the end of a man's philosophy studies, prior to his assignment to regency. Moreover, besides the informationes that are requested for one invited to apply for final vows, "pseudo informationes" are gathered in some provinces when an individual applies for tertianship. Thus it is not uncommon that six sets of informationes are sought for a U.S. Jesuit as he makes his way from entrance to final vows.

We should not think that other provinces follow the same practice. For instance, in Italy there are only two times that informationes are used—for ordination and final vows. In France, there is a third occasion—in preparation for regency. In this case, however, the question is not about whether to advance, but rather whither. Here the scholastic provides the provincial with the names of four or five Jesuits, who in turn are asked to suggest to the provincial the type of ministry for which the scholastic shows the greatest aptitude.

Our American tendency to resort to documentation sets us apart from the rest of the Society. How, after all, did we as an assistancy decide to engage in so many investigations, far more than other provinces and assistancies? When some U.S. provinces use the *informatio* *three times* as often as the world's largest province, should this not stir up a question or two? As we added yet another systematic evaluation to a scholastic's formation program, did we try to justify our policy, or did we simply presume that frequently documenting a person's advancement is helpful, without considering the effects that such repeated formal evaluations can have on a person? Or indeed, is our frequent recourse to documentation merely a reflection of our culture? If so, this mind-set deserves examination.

Second, among its norms for petitioning ordination, the *Practica quaedam* suggests a method of proceeding notably different from the procedure presently followed in the United States. Our method seems to have been tentatively articulated in a memo issued by the Jesuit Conference in 1971, entitled "Proposed Guidelines for Evaluation of Candidates to Be Ordained Jesuit Priests." In the last two paragraphs we read:

It is important that all candidates in the Society be helped to an ongoing appraisal of their growth in accordance with the ideal outlined here. In this connection, from the knowledge of the candidate (which he derives from all the members of a candidates's community, from others who know the candidate well, and from the candidate's account of conscience), the Major Superior ideally would have little, if any, need of evaluation forms and "informatio" sheets.

However, evaluation forms retain their importance and should be used. But forms are to be viewed as instruments which are intended to help the candidate grow more fully in the spirit of the Society and to assist the Provincial in his progressive evaluation towards ultimate approval of the candidate for ordination. They should be filled out initially at the local level and forwarded to the Provincial by the Local Superior, after consultation with both the candidate and the consultors in the community.⁵

Before examining the differences between the U.S. practices and the *Practica quaedam*, I want to note that the Jesuit Conference stated in 1971 that the basic "ideal" was to have "little, if any need of evaluation forms and "informatio sheets." Yet, since 1971 we have, by more frequently resorting to *informationes*, *increased* our dependency on these sheets. This shift suggests that the present tendency to frequent evaluations is a departure not

⁵ Jesuit Conference of the American Assistancy, "Proposed Guidelines for Evaluation of Candidates to be Ordained Jesuit Priests," ed., John V. O'Connor, Executive Secretary, memo addressed to Jesuit Communities (November 8, 1971), 6.

only from the common practice of other Jesuits around the world but also from the original intentions of our own Jesuit Conference.

According to the U.S. practice regarding preordination evaluation, the local superior of the theologate, not the provincial, selects the informants. Then, the superior with his consultors reads the informationes, comments on them, and sends both the informationes and their own comments on to the provincial and his consultors. The differences between the methods are numerous. First, whereas the provincial might select informants from both the province as well as members of the theologate, the local superior usually picks informants exclusively from the theologate, most of whom are not from the scholastic's province.

Second, the provincial receives informationes from mostly "unfamiliar" sources. Moreover, these come bolstered by comments from both the local superior and his consultors, the majority of whom are certainly not from the provincial's province. The provincial's own familiarity with those supplying the information is seriously deficient.

Third, in contrast to the *Practica* guidelines, where the informationes are sent to the provincial directly, the current method requires the local superior and his consultors to "interpret" the informationes. If the local superior and his consultors disagree, even slightly, with an informatio, the reports from the superior and consultors will countervail the original informationes. The result is that ironically, the informationes gain greater influence in the U.S. practice. In the *Practica* the local superior and consultors gave their own assessments, independent of informationes; here, before any assessment is given, the local consultor must first read the local informationes. His assessment is certainly influenced by what he has read.

Fourth, a surprising number of people see these professedly confidential informationes. The provincial, his consultors, and in some instances his staff see them, as well as the local superior and his consultors. Moreover, in some provinces the assistant for formation has his own "consultors" who see these informationes as well. When ethics demands that no one should see confidential material who does not have a serious need to do so, one wonders what rule governs the expansion of this circle of readers?

Fifth, there are important issues of conflicting roles here. Remembering that usually the majority of the informationes in this procedure are filled out by scholastics and realizing that half of the theologate's consultors who interpret the informationes and evaluate the scholastic are themselves scholastics, then if a man is "approved" or "delayed," it is usually due to the judgment of those who are either themselves petitioning ordination or will soon do so.

As an ethicist familiar with other organizations' procedures of advancement, I have never seen such a mélange of conflicting roles. For instance, in educational institutions granting tenure, a nontenured member may be allowed to submit a letter of support for a petitioner, but the actual evaluation of the petition and of the letters is made solely by tenured faculty. Persons striving for advancement are too swayed by a variety of fears and hopes to review and decide about another who applies for advancement. Thus, as in the tenure policy, throughout our culture we allow peers to contribute their estimate of another's fitness for advancement, but we permit only those already secure in their status to render judgment on another's application.

According to our practice, a scholastic can be invited to submit an informatio on a fellow scholastic. In addition, we now allow scholastic consultants to review those informationes and vote to approve another for diaconal ordination. This latter innovation departs from the specific guideline that ethicists have urged upon other institutions. Presumably this new practice went into effect in order to share the "power" of decision making across "grades," but that practice seriously compromises a guideline found advantageous in almost every other institution that reviews members for advancement.

Finally, the U.S. method, in which the U.S. provincials handed over to the local superior the selection of the informants and, effectively, delegated to the theologates the task of determining whether the scholastic is approved for ordination, places enormous stress on the theologates each year and creates to some extent an air of suspicion.

This shift of responsibility preceded a third divergence between current U.S. practices and the *Practica*. Recently some provincials have invoked the *Practica*'s norm for posting the names of those petitioning ordination, in order to offer "to all the possibility of informing the Provincial." This exercise, perhaps a copy of the old custom of posting the banns of marriage, allows the provincial (who now does not know the majority of those submitting informationes) to notify the entire province that he is willing to receive any information they care to offer. Would the provincial extend this blanket, indiscriminate invitation to submit information if he himself were selecting the four informants in accordance with the *Practica*?

Instead of employing this norm univocally, the provincials seem to interpret it arbitrarily. Some invite their province to submit information, others do not; and some of those that do invite contributions one year do not do so the next. What all of them have in common this year is that none (that I saw) offered any guidelines at all about what constitutes responsible informing. That is, while the provincials turned to the *Practica quædam* to

extend a blanket invitation to inform, none turned to the newly minted Complementary Norms for guidance in responsible informing. Some of the objects of such a careless, haphazardly used instrument, the scholastics, namely, refer to this random, indiscriminate invitation as the "turkey shoot."

Fourth, in the *Practica* as in the other Jesuit documents, no standard at all regulates what information is to be imparted to the scholastic at the conclusion of this process.

What Type of Information Should One Provide?

In the new Complementary Norms we find that any information that the scholastic "reveals about himself to another in an account of conscience or in secret or for the sake of seeking advice" ought not be included in information reporting. This canonical standard is important and is consonant with ethical norms. To grasp this matter more clearly, let us consider the four types of information that we are dealing with. Someone can acquire knowledge by self-disclosure on the part of another, observation, and hearsay, and he can receive unsolicited information from others.

Self-disclosed information includes anything that a Jesuit tells another about himself for the sake of seeking advice. Generally society at large protects this type of knowledge in most forums. For instance, in the courts of law, our Constitution protects its citizens against involuntary self-incrimination. Likewise, spousal privilege exists because the intimate nature of the relationship makes it impossible to distinguish self-disclosing conversations from other conversations. Moreover, that protection accorded self-disclosed, confidential information confers upon a confessor a privileged position not only in the Church but also in civil society.⁶ Similarly, lawyers, physicians, and therapists are required to protect the confidentiality of material disclosed to them.⁷

⁶ Paul Dechant, "Confidentiality and the Pastoral Minister," *The Journal of Pastoral Care* 45 (1991): 61-69; William Rankin, *Confidentiality and the Clergy* (Harrisburg: Morehouse, 1990); Michael Smith, "The Pastor on the Witness Stand," *The Catholic Lawyer* 29 (Winter 1984): 1-21; John Thomas, "Confidentiality and the Clergy," *Journal of Pastoral Counseling* 23 (1988): 108-16; William Tiemann and John Bush, *The Right to Silence: Privileged Clergy Communication and the Law* (Nashville: Abingdon, 1983).

⁷ Two cases have engendered considerable discussion. The first is *Tarasoff*, where the California Supreme Court ruled that a psychiatrist whose patient confided an intention to kill his girlfriend had an obligation to inform the potential victim. See Paul Appelbaum, "Tarasoff and the Clinician," *American Journal of Psychiatry* 142 (1985): 425-29; James Beck, ed. *Confidentiality versus the Duty to Protect* (Washington, D.C.: American Psychiatric Association, 1990). The second case involved the release to her biographer of

Even though revelations of confidential material may occasionally avert harm, still in almost every area of life—for example, familial, business, academic, medical, professional, and religious—ethicists insist upon the need to protect privileged information and the need to encourage each to respect the other's privacy. For this reason, several ethicists have written urging ministers in particular to develop professional standards of confidentiality applicable to their ministries.⁸ Unanimously they insist that self-disclosed information must be protected.

Applying this insight to the question of the types of information that ought to be excluded from an informatio leads to notable ramifications. While the seal of confession clearly prohibits the scholastic's confessor from releasing any material from the internal forum, what guidelines apply to the scholastic's spiritual director? Should she or he fill out an informatio? Certainly it would seem that the director has information that is both privileged and biased, since the source of the director's knowledge is clearly the scholastic's own self-disclosure. Therefore, this knowledge, like confessional material, ought not be disclosed.

Someone might suggest, however, that the director could offer his impressions of the scholastic based on what he has observed outside of spiritual direction; but in practice, could the director effectively wall off what he has observed from what the scholastic has disclosed, revealing material from one source and not from the other? Claiming to do so would be greeted with suspicion at best.

Further complications arise when during philosophy, regency, or theology the candidate's spiritual director happens to be among the consultants reading his informationes and evaluating his progress. If the director ought not to fill out an informatio, should he not also be excluded from evaluating the candidate? Inasmuch as a supportive relationship should exist between the director and the scholastic, it seems that the director ought not

Anne Sexton's medical records on the part of her therapist. See *Society* 29 (1992): 5–26, esp. Barbara Lewin, "The Anne Sexton Controversy," 9–11; Paul Roazen, "Privacy and Therapy," 14–17; Moisy Shopper, "Breaching Confidentiality," 24–26. Also see James Keenan, "Sexton's Last Tapes," *Commonweal* 118 (1991): 635–37.

⁸ Joseph Allen, "Recent Books on Ministerial Ethics," *Interpretation* 45 (1991): 406–11, 414; Margaret Battin, *Ethics in the Sanctuary* (New Haven: Yale University, 1990); William Everett, "Human Rights in the Church," *Religious Human Rights in Global Perspective*, ed. J. Witte and J. D. Van der Vyer (Boston: Kluwer Academic Publishers, 1996), 121–40; Richard Gula, *Ethics in Pastoral Ministry* (New York: Paulist Press, 1996); James Keenan, "Confidentiality, Disclosure, and Fiduciary Responsibility," *Theological Studies* 54 (1993): 142–59; Karen Lebacqz, *Professional Ethics: Power and Paradox* (Nashville: Abingdon, 1985); Anne Patrick, *Liberating Conscience* (New York: Continuum, 1996).

to assume an *evaluative* role with regard to the same person. For example, consider the case of the scholastic whose admittance to theology is delayed for a year. His spiritual director is among the consultors. Now the scholastic, who would like to have the freedom to search his soul and weigh his response to this deferral, faces a spiritual director who he knows participated in the decision to delay his advancement. Unfortunately, in the absence of any contrary policy, the scholastic, already somewhat marginalized by his deferral, is further alienated by any suspicions that he may have of the director. Thus, the privileged position that the Ignatian vision accords to the spiritual director is compromised unless we exclude the director from both the *informatio* and the consultative-evaluative processes. But, in the absence of any explicit policy, some spiritual directors following their intuitions fill out *informatio*es and others vote at consultations.

Good casuists that they are, some readers might ask whether the spiritual director could not be allowed to speak, but only in favor of the scholastic. They may see an analogy between the Society and civil society, where clients ask their therapists to testify regarding their suitability for a particular position. Similarly, some readers might permit the director to testify to the scholastic's spiritual progress. While I consider this a credible approach, I also think that we should curb our tendency to go after information no matter where we must search. Nonetheless, in a rather extreme situation, one could ask the spiritual director for his input, but only, as the Complementary Norms prescribe, with the scholastic's consent.

The topic of spiritual direction becomes even more convoluted in those novitiates where the novice's spiritual director could be the novice master or his assistant. It seems here that the practice of conflating the two is again problematic. How does it serve the interests of a man to develop a relationship of self-disclosure with a person who is evaluating him? Many difficulties have ensued when in some instances the combined novice master-spiritual director refused to give the provincial any information on the novice, and others have arisen when he did give information. If spiritual direction was separated from evaluation of any kind, the integrity of the former would be better preserved.

Other informants as well ought to observe both ethical standards and the Complementary Norms on this matter, namely, using no information that the scholastic disclosed about himself in any sort of confidential context. If the scholastic has disclosed in confidence to a friend something like his concern for a family member, then that information is privileged and not to be communicated. The one possessing the information would, thus maintain confidentiality, thereby practicing a virtue most becoming a religious.

What does this mean in concrete terms? One scholastic told me, "I never put my best friend or my worst enemy on the list of names I recommend." While I wonder why it would occur to anyone to put his worst enemy on the list, I am inclined to agree that the scholastic ought not nominate his best friend. A superior might find it surprising to find such a friend's name omitted from the list of suggested informants, yet ethically it is hard to see why a man should propose his closest peer to inform on him. The information funneling in to the superior from a variety of sources is not vitiated by the lack of what the best friend could add, but the relationship of friendship is jeopardized when the privileged knowledge acquired therein is revealed for extraneous purposes.

This question of dealing with the revelations of a close friend helps us, we may hope, to recognize that the need for information cannot always trump other needs in the Society. Moreover, it should remind us that the concern for protecting self-disclosed information is not a simplistic endorsement of the standards of professional ethics. The reason for concern about blurring the lines, for instance, between novice master and spiritual director is not primarily that it violates standard contemporary professional canons, but that it impinges upon the distinctive needs of the Society and its members. On the one hand, we need to have a superior who leads and decides; on the other, we need to have a spiritual director who is someone other than the superior. I am convinced that when we shut our minds to ethical insights, we inevitably undermine our own long-range purposes.

Still, some readers might wonder whether I am throwing up unnecessary barriers. They may suspect that these ethical claims unnecessarily constrict the flow of information necessary for the superior to exercise good judgment. Certainly, the Constitutions first recognized the reliable supply of information as necessary for sound judgment. But other goods are also at stake, goods that are particularly vital to the scholastic, like the ability to confess his sins freely, to receive good confidential spiritual direction, and to confide in close friends.

Unfortunately, our mission often deludes us into thinking that ministerial effectiveness offsets the claims urged on us by other goods. To the extent that we accept this premise, we shut our minds to a real ethical conflict between the Society's own needs and the scholastic's.

Alasdair MacIntyre notes in his famous work *After Virtue* that only in the modern era does the question of conflict between "goods" arise. Previously we believed that an evident good should always be protected;

now we recognize that two or more goods might be in competition in our lives, giving rise to the tensions typical of the modern world.⁹

Thus the conflict between the individual need to have confidences respected and the communal need to assess a candidate seems to me to focus on the type of information being provided. Self-disclosed information, as the new Norms observe, ought to be privileged against the Society's need for information. Is this an absolute? Certainly not always. Whereas it seems that the confessor, the spiritual director, and the friend should protect all confidences, still there may be some exceptional instances where especially the friend might need to release some information about another who made the self-disclosure. Here we appeal to the parallels in medical ethics where some confidences are in rare, urgent moments to be betrayed. But these instances are extraordinary and involve evident threats to the common good.¹⁰

Moreover, if the self-disclosing information concerns possible harm, the information should not be released through informationes. A confidant should release self-disclosed information to the superior only in extraordinary, urgent circumstances where the person is a threat to himself or to others. If the confidant is certain that there is nothing that he can do within the purview of the confidential relationship, he ought to approach the superior as soon as the threat is evident. To be sure, in times of manifest threat there is no need to divulge such information to anyone other than the superior.

While self-disclosing information ought to be protected, information regarding things observed should be conveyed through the informatio. These forms of information are quite distinct from hearsay, which is based on what a third party claims to have observed.

Hearsay is unworthy information. In fact, it is by nature detrimental to both the process and to the scholastic because it is usually communicated when the one being discussed is absent. Yet, hearsay routinely makes its way into informationes, usually while the writer is commenting about a

⁹ Alasdair MacIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1981), 190–209. For discussion on the centrality of conflict in modern ethical thought, see such diverse writers as Tom Beauchamp and James Childress, *Principles of Biomedical Ethics*, 211; William Frankena, *Ethics*, 2nd ed. (Englewood Cliffs, New Jersey: Prentice-Hall, 1973), 52; Stanley Hauerwas, *A Community of Character* (Notre Dame: University of Notre Dame Press, 1981), 144; Paul Ricoeur, "Love and Justice," in *Radical Pluralism and Truth: David Tracy and the Hermeneutics of Religion*, ed. Werner G. Jeanrond and Jennifer L. Rike (New York: Crossroad, 1991), 187–202; William Spohn, "The Return of Virtue Ethics," *Theological Studies* 53 (1992): 60–75.

¹⁰ *Tarasoff* being the classic case; see note 7 above.

person's "reputation." The juxtaposition of reputation and hearsay is ironic, because hearsay usually detracts from the person's reputation. ("John has a reputation for talking about others" ought to strike us as a mighty compromising remark!)

Hearsay is only a secondhand observation. Thus, the informant cannot responsibly attest to any information that he gained through hearsay, and so he lacks the accountability that the Norms demand.

Like hearsay, unsolicited information is also usually detrimental to both the process and the scholastic. While the superior may occasionally receive unsolicited material, he should neither regard that material as an *informatio* nor allow it to enter into the consultative circle. As is the case with self-disclosing information, an informant should direct any unsolicited material to the superior alone.

Moreover, in the new Norms we read, "Ours should neither seek to have externs intercede for them with superiors nor allow this to happen in any instance" (no. 156). Presumably this admonition ought to work both ways; that is, just as the scholastic ought not to network with externs in order to influence the superior, superiors should resist any extern's attempts to influence them when they have not solicited this assistance. Thus, the ethical conduct of all protects the fraternity of the Society.

What Is the Purpose of the *Informatio*?

While the reply to this question may seem self-evident to some, I find two very different interpretations of the purpose of an *informatio*. The Jesuit documents clearly see them as instruments for helping the superior to know a member better so that he can both assist him to progress spiritually and appoint him to suitable ministries within the Society. In practice, however, they are the key instruments used to determine whether a scholastic should proceed to the next phase of his formation. This distinction between their informing and approving roles makes the *informationes* very problematic instruments.

For centuries we have viewed the importance of gathering information in terms of the superior's needs. But when we look at the issue from the perspective of the scholastic, we see that this confusion of objectives can lead to unsettling difficulties. Many scholastics regard the *informatio* process as aimed first and foremost at approval rather than knowledge. Their fundamental concerns are not whether they will be understood but whether they will be approved.

I do not wish either to overstate this issue or to minimize it. I am *not* suggesting that the majority of our scholastics are *fearful* that they won't

be approved; rather, their ultimate hopes are that the process will allow them to say that they have been “approved” for studying theology, they have been “approved” for ordination, they have been “approved” for final vows. A glance at the *informatio* itself will demonstrate that their concerns are realistic. The last question on the *informatio* for ordination asks, “Finally, please express your judgment by checking one or more of the following statements.” Seven statements follow regarding approval—one positive, the six others shading off from reservations to deferral and finally to dismissal.

Moreover, as I noted above, no Jesuit document requires superiors to share any of this information with the scholastic. While many individual superiors, formation assistants, and provincials do provide oral and/or written information to the scholastic, still, as I pointed out in the beginning, these practices have not been discussed, formalized, or standardized either within or across province boundaries. Moreover, some, though certainly not a majority of Jesuits, tell the story that at the end of an *informatio* process they received no more than a letter congratulating them on being “approved.” Since there is no policy in any of our ten provinces or in any Jesuit document specifying the type of information that the scholastic is to receive, it follows that the only information he is guaranteed to receive is whether he is approved, delayed, or rejected.

If the end of the *informatio* process is not primarily understanding but judging, then both the scholastic and the informants approach it not simply as a means of gathering information but also as a test to determine another’s future. Thus an informant, aware that his friend, classmate, associate, or companion is up for evaluation, often writes in ways that “protect” the scholastic and ensure his approval. The informant is prone to report not what he observes that might reflect unfavorably upon his fellow religious but rather what he thinks will expedite his petition, all because of the unclear purpose of the process. Here as elsewhere, observing ethical canons and ensuring that our policies have explicit purposes benefit rather than hinder the Society.

Furthermore, the scholastic is repeatedly and routinely subjected to an approval process in which the informantes play a key part. At each juncture in his formation, the scholastic is once again reviewed by peers and others. As his superior gathers information about him, the scholastic once again is left suspended in uncertainty. Living thus from crisis to crisis, as it were, powerfully affects the scholastic and distorts his attitude toward the *informatio*, rendering the formation program more a set of hurdles to be surmounted somehow than a natural process of spiritual development and growth.

A further problem looms when we incorporate the possibility of dismissal into the informatio process. Certainly in the majority of petitions for regency, theology, ordination, tertianship, or final vows, dismissal of the scholastic is rarely an issue. Why, then, do we systematically and routinely take it into account in this process?

Our present systematic consideration of dismissal clashes with the Constitutions. There we read, "No matter how advanced the incorporation may be, in some cases anyone can and should be separated from the Society." But Ignatius adds, "The more fully one has been incorporated into the Society, the more serious the reasons ought to be" ([204]). Is that seriousness in evidence when an informant can simply check a space that says, "I think he is suited for the priesthood, but not in the Society," or, "I think it would be a grave mistake to ordain this man"?

Imagine, for instance, a high school in which every year administrators, as part of their evaluation of each student, deliberate whether or not to expel him or her. In a high school one basically expects the students to progress; evaluation of the students' work is important in monitoring and assisting them, but it does not routinely assume that it may terminate in dismissal. Thus, after looking at their report cards, the students do not usually exclaim, "I wasn't expelled this year!" Instead, they comment about their areas of work: "I'm doing well in math and science, weak in English and art, average in history and languages." When topics like dismissal, deferral, or approval are not emphasized, more user-friendly information asserts its proper role.

Finally, because of the routinization of information gathering, local superiors and provincials who are convinced that a certain man should be dismissed often wait for the next triennial informatio process to roll around. By using the informatio as part of a single scholastic's dismissal process, the provincial or local superior incorporates the possibility of dismissal into every other scholastic's development, thus tainting the formation process. If a provincial thinks he should dismiss a man, then he should begin the process according to the Constitutions and the Complementary Norms. By keeping a dismissal investigation separate from the routine informationes, the Society heeds the Constitutions' warning that we should not be excessively ready to dismiss ([204]).

Thus the ethical insistence on stated purposes is helpful here. As we observed above, assigning to the informationes an evaluating function compromises their original purpose—to provide the provincial with better knowledge of the scholastic so that he can guide him to greater spiritual progress, and also to enable the provincial to assign the scholastic where he can best serve the mission of the Society. Yet, in our practices the "ap-

proval" purpose too frequently comes to the fore. As one scholastic said to me, "Basically the informatio process is a thumbs-up or thumbs-down issue."

Proposing Reforms

I make these suggestions for reforms simply to initiate discussion, not to resolve problems. Though they formally address the Jesuit Conference, these fourteen proposals for reform are intended primarily to engage the readers of *STUDIES* and to prompt discussions in local communities. For this reason they are specific and concrete. The Jesuit Conference will, one hopes, consider them and in turn will ask other Jesuits to express their own insights and judgments.

1. **The Jesuit Conference ought to solicit from individual provinces their reflections on the ethics of the informatio process; moreover, it should constitute an ad hoc committee to articulate basic guidelines regarding the use of informationes.** In order to reform the use of informationes, the Jesuit Conference ought to engage persons of diverse competencies to enrich their reflections on this issue—scholastics, spiritual directors, superiors, ethicists, and canonists. The conference should also familiarize itself with the procedures followed in other assistancies and observe how others employ these instruments more positively. Finally, even though the provincial and not the formation assistant usually issues the invitation (and informationes) for final vows, the Jesuit Conference ought also to articulate guidelines for this informatio gathering as well.

2. **The conference ought to distinguish an informatio for approval from one for simple information gathering.** Certainly there are only two times when the informationes should be used for approval—ordination and final vows. At no other time, aside from first vows, is the scholastic applying for a publicly recognized status. Inasmuch as ordination is an ecclesial appointment, the Society must be able to testify to the Church that the man is known and approved. Likewise, the general should have an adequate knowledge of the scholastic in order to invite him to take final vows.

Whether the informatio ought to remain the main instrument for exploring with the scholastic a decision about priesthood and about final vows is, I think, arguable. In the case of final vows, one wonders what more information the Society needs on a man who has lived in the Society for fifteen, twenty, or twenty-five years. Is such a formal institutional instrument really an appropriate way of judging whether a man is worthy of final vows? Likewise, there is something strangely incongruous about a formation program that claims to accompany the man through the process of formation and then on the eve of his ordination submits four to six standard

questionnaires that conclude with check boxes about his suitability for priesthood. The entire personal approach is completely at variance with such a procedure.

If the Jesuit Conference insists, however, that the *informationes* are needed for those two stages, it is hard to see why at any other time the *informationes* ought to be used as instruments of approval or deferral. Rather, they should be used to assist both the superior to know the scholastic better and the scholastic to learn how others perceive him. Therefore, evaluative judgments ought to be omitted from any *informatio* not pertaining to ordination or final vows.

3. **There should be fewer periods of information gathering.** The present practice of information gathering is clearly excessive. It is a commonplace today that when a scholastic is ready to move to the next stage, the extensive *informatio* process shifts into gear once again. Our tendency to put the scholastic through this routine scrutiny stems in part from our own cultural bias toward documentation. Having so many people now responsible for various stages of his formation further exacerbates the situation: the director of the philosophate wants to reach closure on the man before “approving” him for regency; the local superior wants to reach closure on the regent before sending him to theology; the provincial wants to reach closure on the scholastic before sending him to another province for tertianship. But why should an impersonal instrument be used for achieving this closure? If definite accountability is called for at two stages (ordination and final vows), why do we have to mimic that at other phases?

We need to ask, then, whether—and, if so, when—a provincial and a scholastic would benefit from an *informatio* process designed solely to facilitate spiritual progress and incorporation into the Society’s mission. If there is need for a nonapproval-oriented *informatio*, then the Jesuit conference ought to establish a single process across the ten provinces and curb other attempts to generate similar processes.

4. **The Jesuit Conference needs to decide whether the period at the end of regency or at the end of theology is the appropriate time for an evaluative *informatio* for ordination.** Two important evaluative scrutinies occur for scholastics applying for ordination. The formation assistant or the provincial generally conducts an information gathering at the end of every scholastic’s regency. This seems to be a fairly definitive assessment of the scholastic, which includes, if he is not a brother, his suitability for ordination. At the end of the process, the approved scholastic is missioned to theology. But then, in his third year, a similar scrutiny for those seeking ordination is begun by the local superior.

There is no need for two such important evaluative informations. Either one can serve as the definitive evaluation. Some have suggested that the end of regency is preferable: coming at the end of a fairly extroverted period of activity, the scholastic has more clearly demonstrated his ability to work with and for others. Moreover, the Jesuit charism is directed toward apostolic work, and it is generally during regency and not during studies that a scholastic's more creative and life-giving energies are evident. Furthermore, an approval at the end of regency could give the scholastic a sense of the province's confidence in his own ministerial future. Finally, in terms of the scholastic's theological formation, a provincial would only need to know that the scholastic successfully completed the requirements for the M.Div.

On the other hand, the emphasis given to an evaluative informatio at the end of regency seems to be another American anomaly. Other provinces outside the United States have the ordination evaluation at the end of theology. Perhaps this anomaly resulted from the provincials' surrendering the informatio process at the end of theology to the theologate's rector. Thus, in order to gain some evaluative knowledge about the scholastic, the provincials created the regency informatio. If the informatio process for the end of theology was initiated from the provincial's office rather than the theologate rector's office, then the provincial could do an evaluation that included the full spectrum of the man's development—novitiate, philosophy, studies, regency, and theology.

5. In any event, the informations for ordination ought to be initiated by the provincial. The present practice leaves the provincial in the dark about the informants and the local consultors and gives too much authority in the approval process to men in similar situations at the particular theologate. Inasmuch as the provincial presents a man to the bishop for ordination, the Jesuit Conference should once again designate the provincial as ultimately responsible for approving the scholastic for ordination. If the conference should decide to retain the ordination evaluation at the end of the theological preparation, there is no reason why the provincial should not be the one who asks for informations from those who are in theology as well as others who are in the scholastic's province. As the *Practica* notes, the theologate rector and his consultors must also send their own assessment on the scholastic to the provincial.

6. Scholastics awaiting or petitioning ordination ought not see or review fellow scholastics' informations nor should they ever be invited to vote on or determine in any consultative way another's ordination petition. The Society, in the United States and elsewhere, has rightly incorporated scholastics into the consultative process both at the local and provincial level. Nonetheless, that incorporation ought to observe the fairly

universal practice of excluding any person whose own roles could seriously conflict with their judgment. In the area of promotion and advancement, this generally means that anyone who will eventually apply for a position, even a noncompetitive one, ought not pass on another's petition.

7. The scholastic should be given a written summation of the informationes every time they are used. We have seen that information gathering exists for the dual purposes of aiding a scholastic in his growth and of assisting the provincial to assign a man to the greatest advantage. But, as we have also seen, no international or provincial document ever written instructs those gathering information to share it with the scholastic.

Ironically, however, we have also seen that in the case of some informationes, such as those prepared at ordination time, as many as twenty(!) people may actually read them. Yet, the only determinant of what information the scholastic should receive is found in the *Practica quaedam*'s cover letter sent to the informant by the superior: "Finally, I ask that you keep in strictest confidence the contents of this evaluation, not communicating to candidates that you have or have not received a request to evaluate their suitability for Orders." In the gathering of information, the one most isolated from the information gained is the scholastic.

Some provincials and superiors have already begun a process of orally conveying to the scholastic the feedback from the informationes. This process ought to be institutionalized into a norm. Moreover, in addition to the oral report, the scholastic should be given a written, thorough description of the issues addressed in these informationes. This written report ought to represent what the provincial, after his consultation, understands about the scholastic and will place in his permanent file. In this way, the degree of candor and trust that provincials have been fostering especially during these past twenty years can be institutionally protected and promoted.

Receiving such oral and written reports would begin to reverse the long-standing practice of making the information gathering a one-way highway and bring the scholastic into the information-gathering circle. These new practices would, I believe, also foster the type of fraternal support that the information gathering actually was intended to achieve.

8. The Jesuit Conference ought to allow the scholastic to know the names of those who have been asked to inform the provincial. On two points the Jesuit informatio process diverges from other petitioning processes that require outside letters and comments. Though the scholastic may be invited to submit some names as possible informants, the provincial actually makes the final selection. Thus, unlike someone requesting letters of recommendation for positions of employment or education, the scholastic neither decides nor even knows who his informants actually are. Giving the provin-

cial the responsibility and freedom to determine the informants is important and legitimate, for it assists him to get the information he needs. But the anonymity of the process seems to marginalize the scholastic unnecessarily from the process, while at the same time promoting, I think, a needless atmosphere of secrecy that harms true fraternity and maturity in the Society.

9. **The Jesuit Conference ought to encourage informants to write only what they would be willing to tell the scholastic in person.** By urging the informant to write to the provincial as he would write to the scholastic, the Jesuit Conference would impress upon the informant how important it is to recognize the scholastic as a “subject” and not as an “object of comment.” Let me explain. The present practice encourages us to form impressions of scholastics. Although, to be sure, these judgments are to be fraternal and compassionate, nonetheless, they are judgments. Nowhere else are we encouraged to form judgments on other members except, of course, on those being considered for office as a major superior. Thus, the informationes get us thinking about “them.” How can we be encouraged to treat the scholastics as individuals like ourselves? I suggest that if we write informationes as if we were addressing the scholastic as “you” instead of talking about “him,” that is, if we wrote to the provincial as if we were writing to the scholastic, then we might direct our own way of thinking into the type of mature and respectful honesty that writing an informatio requires.

10. **Questions regarding dismissal ought to be distinct from the informationes.** Even in the instances of ordination and final vows, any question of dismissal ought to be eliminated from the informationes. If a man should be dismissed, he should be dismissed as early as possible rather than later in his formation. But such a process should not be timed to coincide with the informationes. Instead, it should unfold in those other forums where a provincial becomes familiar with his province members—provincial visitations, conferences with local superiors, consultations. This shift may empower, in turn, provincials and superiors to deal more directly, promptly, and effectively with men who are not appropriately matched with the Society.

11. **Informationes ought to contain instructions that specifically request “observed” information and not “hearsay” or “self-disclosed” information.**

12. **Informants who submit informationes that give the wrong type of information ought to be corrected.** As the new Norms stipulate, we must be held accountable for what we write. As we train one another in the use of these instruments, we should remind ourselves of the serious moral significance of describing a brother’s character. Some will discover adapting

to this modification of approach more difficult than will others; the superior or provincial will need then to address personally the way some informants write up informationes.

13. The Jesuit Conference ought to consider the significance of inviting other religious, priests, seminarians, and lay people to submit informationes for the ordination information gathering. Even though, as John O'Malley points out in *The First Jesuits*, we have always ministered to lay persons, still we associate with them more closely today than ever before, not only in our apostolic work but also in our formation.¹¹ Because we are so involved, because we have much to learn, and because the provincial attests at the ordination that after inquiry he has found the ordinand fit for priesthood for the whole Church, provincials ought to consider whether those not in the Society ought to be invited to inform also.

14. Appreciating that the informatio process prompts in each Jesuit the willing disposition to inform the superior, the Jesuit Conference should consider whether it could initiate other practices that foster the healthy sharing of mature information with one another. On visiting the Museum of the Cloisters of New York recently, I sat in the chapter room there and imagined a monk kneeling in the center of the room, willingly(?) listening to his brother monks as they spelled out his faults. This practice, for all the problems it can raise, at least encouraged direct, candid communication from one religious to another. Certainly I am against adopting this practice; but I think it is worth recalling, because it makes us recognize that today we lack any instrument or practice that fosters direct, candid communication among one another. Instead, we only have one that encourages us to inform the provincial, and we are the poorer for it.

On this point let me suggest that the Jesuit Conference could enlist the aid of others in imagining practices that could promote greater communication that is not rigidly one-directional. To promote that type of imagining, I close this section with the comments of one scholastic reader of my first draft.

In an ideal world (or perhaps in an adult, mature Society of Jesus), I would be proud to support a process of "checking the signposts" along the way rather than a cloak-and-dagger process for impersonal "information gathering" for final approvals.

In that ideal process I would love to see a scholastic sitting down for a conversation with his rector, his formation assistant, and three or four of his peers. In that open, face-to-face conversation (done in the spirit of

¹¹ Here I am thinking especially of the confraternities; see O'Malley, *First Jesuits*, 192-99.

freedom and the context of prayer), they would discuss not only the man's "suitability" for approval but also his desires, his questions, his struggles, and his dreams. They would, of course, deal openly and honestly with his "demons" and dark side as he would see them (perhaps using a written self-evaluation as a starting point for the conversation).

Why is this model of conversation so foreign to us? Why does it seem so outrageous or impossible to support? Undoubtedly, there are some who say that you would not reach a deep level of true honesty about the scholastic's weaknesses and "issues" . . . but I really must disagree. We need to put more faith in a man's maturity and self-knowledge: if a man truly *trusts himself to the Society*, he will be honest; . . . if he is not honest, someone in the room will surely call that to his attention; . . . if he is not comfortable with the process, then that alone is a red flag about the state of his conscience.

Conclusion

I believe that this essay will generate some necessary discussion about the ethics of our institutional practices. Certainly there are recent instances of reflecting on the ethics of such practices. I have in mind the Thirty-fourth General Congregation's document "Jesuits and the Situation of Women in Church and Civil Society," acknowledging our participation in the oppression of women. Likewise, there is Edward Beckett's essay in *JESUIT STUDIES* that invited us to consider the slave holding practiced by certain U.S. provinces during the nineteenth century. But both instances address how we have treated others. In this essay, we have analyzed a practice we use within our own membership, in particular, to examine our newest members.

The Society's strongly extroverted spirituality warrants our considering apostolic availability and effectiveness hallmarks of the Jesuit vocation. But at times, preoccupied with the effectiveness of our service, we may not attend to the needs of one another. In an era that began with the generalate of Father Pedro Arrupe, Jesuit effectiveness took on a concern for the person. This was achieved through our renewed spiritual-direction programs, our innovative attempts at promoting the Spiritual Exercises, and our continued defense of individual conscience. We came to see that concern for the individual did not demand that we sacrifice our concern for the greater mission; the two concerns could be compatible.

If, then, this essay has convinced us that ethically reviewing our practices could help us achieve a balance between our concerns for mission and for one another, I want to propose by way of conclusion that we need to engage in critical ethical reflection on several of our other internal

practices as well. Again, these are not proposed here so that the Jesuit Conference can apply a quick solution. Rather, since these practices engage and shape us personally and communally, we need to enter upon a collective consideration of the ethical and formative import of them. Let me mention four topics for discussion.

Though the matter cannot be adequately treated here, for the last ten years or so the ten provinces of the United States have required all candidates applying to the Society to be tested for HIV.¹² This policy, perhaps not familiar to many readers, is an extraordinary one inasmuch as only religious orders and congregations, the military, and the prison system are permitted by U.S. law to test for HIV. While the U.S. Government can demand such testing of those in prison and in the military because their civil rights are already curtailed, separation of church and state allows religious orders to pursue an admissions policy at variance with the practices of every other institution in the United States. Not only does our policy bypass many ethical and canonical considerations, it also contravenes the USCC position expressed in the "The Many Faces of AIDS," which stated that "[w]e oppose the use of HIV antibody testing for strictly discriminatory purposes."¹³

Our superiors' requiring such testing might prompt us to wonder what type of ethical reflection and inquiry they engaged in when they mandated protocols not admitted by the standard ethical norms that govern society at large. And now ten years later, when dramatic advances have been made and people are "living with HIV" and "living with AIDS," what structure do our provincials have in place to revisit and possibly revise these policies?

¹² Jack Anderson, "How Healthy Is Healthy Enough? Canon Law Considerations in Matters of Health and HIV-AIDS Testing Policies," *Horizon* (Winter, 1993): 8-18; R. R. Calvo, "Admission to the Seminary and HIV Testing," *Roman Replies and CLS Advisory Opinions, 1991* (Washington: Canon Law Society of America, 1991), 72-75; Jon Fuller, "HIV/AIDS: An Overview," in *Clergy and Religious and the AIDS Epidemic* (Chicago: National Federation of Priests' Councils, 1994), 3-50, esp. 27-29; and id., "HIV-Considerations for Religious Orders and Dioceses," 57-76, esp. 66-74; R. Gibbons, "Admission to the Seminary and HIV Testing," *Roman Replies*, 76f.; James Keenan, "HIV Testing of Seminary and Religious-Order Candidates," *Review for Religious* 55 (1996): 297-314; Bill Kenkelen, "Dilemma for Religious Orders: To Test or Not to Test for AIDS," *National Catholic Reporter*, Sept. 2, 1988. See also Jay O'Connor, "HIV Testing of Applicants," James Schexnayder, "HIV/AIDS Policy Department," and Diocese of Oakland HIV Policy Committee, "Policy Statement," all in *Clergy and Religious and the AIDS Epidemic*, 77-82, 83-86, and 87-93 respectively.

¹³ Administrative Board of the USCC, "The Many Faces of AIDS: A Gospel Response," *Origins* 17 (1987): 482-89.

For several years I have been asking these questions. It is not the issue itself that I find perplexing, however, but rather the way brother Jesuits respond to the issue. Aside from the comments of scholastics who underwent the testing prior to their entrance, I have never detected any interest in evaluating the policy. When the issue is raised, Jesuits simply call upon their intuitions to justify the policy. They offer such defenses as “We require physical exams”; or “We are not an employer, we are a religious community”; or “We are a religious institute; no one is required to enter.” Surely these assertions have some merit, but they ignore other issues. First, a HIV test is hardly included in a routine a physical exam. Moreover, HIV testing represents a whole new approach to medicine. It does not describe a present pathology but rather displays the possibility of a future one. That is, HIV testing is akin to DNA testing when used to predict one’s future health. Now that we are accustomed to HIV testing, will we eventually require DNA testing to furnish other health prognostications? Is this the type of screening that we want? Second, the prognosis for one who tests positive is strikingly different today than it was ten years ago. Third, American society has made a powerful argument that one who is HIV positive *lives* with his condition. Does our policy dispute that attitude? Fourth, if one were excluded from entrance because he tested positive, why is his condition incompatible with our mission? Here we should clearly state our objective in maintaining this policy. Is it to satisfy insurance providers, to protect the superior from possibly more burdensome health issues, to ensure that a candidate has a reasonably long life expectancy, to avoid the embarrassment that could ensue if a Jesuit should develop AIDS, or conceivably does some other motivation underlie our policy? Articulating the purpose reveals both to those we exclude and to ourselves what it is that we are about.

The testing issue is an ethical one. This does not automatically mean that we should not require testing. Rather, it means that we need to critically and *ethically* assess whether we should require testing. This assessment will entail three steps: (1) engaging persons of diverse competencies to examine all the issues, that is, to review the various positions critically; (2) articulating the purposes for the policy; (3) developing a structure for critically revisiting this policy at an appropriate time in the future. Until we do that, we have not formulated an ethical policy.

A second practice concerns the interview process to which candidates applying to the Society are subjected. When, for instance, I asked one vocation director his view of the ethical implications of mandatory testing of candidates for HIV, he responded simply that the interview process is a veritable Pandora’s box, containing elements more distressing than requiring a test for HIV. His willingness to take for granted such intrusive procedures

conveys a glaringly inadequate appreciation of the ethical complexities involved here. While we certainly have a responsibility to know the applicants, we cannot arrogate a *carte-blanche* right of access to the personal histories of our candidates. Thus we need to develop guidelines to help interviewers distinguish between what is necessary knowledge and what is unnecessary intrusion. How will we articulate those guidelines and to whom will the vocation directors turn in their attempts to address this issue?

We have a third practice requiring writers to submit their works for judgment as to their suitability for publication. This practice reinforces the important awareness that the work of each contributes to the institutional service of the entire Society of Jesus. But, as any theologian knows who has submitted an essay to his superior for review prior to publication, the entire process is *sui generis*. While not suggesting that the purpose is wrong, as an ethicist I ask what ethical standards have been put in place to make sure that the grounds for possible censorship are objectively valid? Indeed, have superiors entered upon a sustained ethical reflection enabling them to judge fairly when censoring another's writing? Have they sat down to discuss how one judges, with whom (and how many) one consults, and what type of theological argument could justly invoke censorship? Though the new *Complementary Norms* remind us that the "regulations enacted both by the common law of the Church and our own Institute with regard to the publishing of books should be fairly and exactly put into practice,"¹⁴ superiors still need some sort of vehicle for discussing with one another and with theologians, canonists, and ethicists the purposes of these reviews, the method to be employed in reviewing, the universal applicability of that method, and the type of appeals available to a scholar when confronted with an unfavorable judgment. These critical procedures are not designed to put Jesuits into confrontational postures. On the contrary, they are designed to enlist one another's collaboration and thus promote the work of the Society. The widely divergent practices in effect today demonstrate that here as in other matters intuition and not open, rigorous critical discussion undergirds superiors' decisions regarding the censorship of manuscripts.

Fourth, there needs to be some sustained ethical reflection about superiors accessing material confided to therapists. Joyce Harris has suggested that the rules governing confidentiality for members of religious communities who undergo therapy ought to be based on the family-therapy model and not on the individual-client model. The confidentiality between therapist

¹⁴ *Complementary Norms*, no. 296. The norm refers the reader to "An Ordination on Writings and Other Works Intended for Publication," *Acta Romana Societatis Iesu* 19:1016f.

and client, she argues, ought not to be absolute; the superior ought to be made privy to the insights developed during therapy. She writes, "The most critical assumption in this paradigm is that both the religious client and the community representative are equal participants in the therapeutic relationship."¹⁵ Obvious deficiencies in the analogy make her proposal untenable: The relationship between members and their superiors is neither spousal nor familial; moreover, the superior is not himself involved in the therapy. Still more important, since confidentiality is extraordinarily problematic in family therapy, it cannot serve as a worthy paradigm for determining exceptions to the general rule.

Harris's concerns, however, are similar to those we are expressing in this essay. To what extent ought we to protect not only an individual's need for confidentiality but also (what is even more important) the institution of confidentiality; and to what extent ought we to grant superiors access to privileged information so that they can more effectively govern and care for their subjects? Interestingly, in an exchange on the same topic between two religious women and a Jesuit provincial, the women expressed greater concern for confidentiality, whereas the provincial emphasized the responsibilities and prerogatives of the superior.¹⁶ The participants seem to have relied on their own experiences and intuitions when forming their opinions. But for those who make and direct communal policies, individual intuition and experience is insufficient. What type of broadly based ethical considerations have superiors taken into account before deciding whether to approach a subject's therapist? What universal guidelines do they follow here? What are their stated purposes?

The question of ethically analyzing our own practices toward one another is vital to our mission.¹⁷ The Methodist ethicist Stanley Hauerwas argues that the function of the Church is not to preach ethics to the world, but rather to practice it within its own membership: the challenge of the Church is faithfully to embody in its own practices the integrity of the

¹⁵ Joyce Harris, "Therapy for Religious," *Review for Religious* 51 (1992): 282-88, at 285. See my response, "Confidentiality: Erosion and Restoration," *Review for Religious* 51 (1992): 882-94. Also see Mary Moore, "Therapist, Client and Superior in Relationship," 49 (1990): 539-44.

¹⁶ See William Barry, "A Superior's Relationship with a Therapist," *Human Development* 10 (1989): 11-13, and "Letters to the Editor," *Human Development* 10 (1989): 42-45.

¹⁷ Other practices that we should ethically examine include our exclusion of women from our ranks and the articulation and communication (as the Archdiocese of Chicago did) of our policies regarding sexual impropriety.

Gospel.¹⁸ Its mission, then, is to its members, for to them the Church is to be the faithful witness of the message of Jesus. Hauerwas's insistence that we are not to minister to the world at large may seem extreme for Catholic sensibilities, but he does call us to consider the importance of our own internal practices. This essay has been an attempt to get us all to do just that.

¹⁸ See especially the first four essays in his *Community of Character*.



SOURCES

Ignatius's Instructions to Canisius, Jay, and Salmerón, about to leave for Germany

Duke Albert V of Bavaria invited the Jesuits to send lecturers to the University of Ingolstadt, which had fallen into severe decline. Ignatius wrote the following instruction for Peter Canisius, Claude Jay, and Alonso Salmerón, the men sent there. He urged them to fulfill the specific mission for which they were called, while at the same time carrying out the full range of the Society's ministries. They were to concentrate their efforts on persons of influence and likely future ministers, and do all they could to help the faith in Germany and promote the founding of a college of the Society in Bavaria. The original text of this letter is found in S. Ignatii Epistolæ et Instructiones, 12:239-47, vol. 43 of Monumenta Historica Societatis Iesu. See STUDIES 29, no. 2 (March 1997): 18-21 and 28f. for further details of the circumstances leading to this mission and of how the Jesuits there began to carry it out. This translation is the work of Martin E. Palmer, S.J., and John W. Padberg, S.J.

Helps for Those Departing

The goal to be chiefly kept in sight is that intended by the Sovereign Pontiff in sending this mission, namely, to help the university at Ingolstadt, and, as far as possible, Germany itself, in matters related to correctness of faith, obedience to the Church, and solid, wholesome doctrine and life.

A secondary goal will be to promote the affairs of the Society in Germany, in particular by endeavoring to start colleges of the Society at Ingolstadt and elsewhere, for the common good and the glory of God.

The means for pursuing these closely related goals are themselves closely related; however, some contribute equally to both, some more to the first, and others more to the second. Hence we shall treat them in that order.

Means Common to the Pursuit of Both Goals

1. The first and most important help will be if, placing no confidence in yourselves at all, you trust courageously in God and have a strong desire, aroused and nourished by charity and obedience, for achieving your goal; this will ensure that you keep your goal always in mind and before your eyes, commend it to God in your prayers and holy sacrifices, and make diligent use of every appropriate means.

2. The second is a life that is excellent in itself and hence a pattern for others. This means avoiding not just evil but every appearance of evil, as well as showing yourselves models of charity and every virtue. This will be of great help to Germany, so much in need of such models. Moreover, in this way, without your saying a word, the Society

will be promoted and God will fight on its behalf.

3. You should have and display a sincere charity towards all, particularly persons of greater consequence for the common good. Among these is the duke himself; you should apologize to him for your late arrival and signify to him the love in which the Sovereign Pontiff and the Holy See holds him, as does the Society as well; and you should earnestly promise to work hard on behalf of his subjects, and so forth.

4. You should display your love in word and truth and render good services to large numbers of persons, by both spiritual assistance and exterior works of charity, as indicated below.

5. People should be able to see that you seek not your own interests but those of Jesus Christ, that is, his glory and the salvation of souls; and that for this reason you accept no guaranteed regular stipends for Masses or for the ministry of the word or sacraments, and may possess no revenues.

6. You should make yourselves beloved by your humility and charity, becoming all things to all men. You should adapt to the local customs insofar as the Society's religious Institute allows, and as far as possible never let anyone depart from you unhappy (except for their salvation). In your efforts to please, however, you should respect your conscience and not let excessive familiarity breed contempt.

7. Where factions and party strife prevail, you should not take a stand against either side, but instead show that you remain in the middle and love both parties.

8. It will help very much if you yourselves and the Society as a whole

enjoy solid authority and a reputation (grounded in fact) for sound teaching—with everyone, but particularly with the prince and notables. This authority will be much fostered by outward as well as inward gravity in your gait and gestures, the propriety of your dress, and especially the circumspection of your speech and the maturity of your advice on both practical and doctrinal matters. This maturity entails not hastily giving your opinion on any question (unless it is quite easy), but taking time to think about it, or study it, or consult with others.

9. You should cultivate bonds of goodwill especially with those who exercise supreme power. It will be of considerable help in this regard if you are able as much as possible to assist both the duke himself and the more influential members of his household through confessions and the Spiritual Exercises. You should also try to win over the university professors and other dignitaries by your deep humility and modesty and by rendering them becoming acts of service.

10. Hence, if you know of anyone, especially among the more influential persons, who has an unfavorable opinion of the Society or of yourselves, you should take prudent countermeasures, supplying the person with information about the Society and yourselves, to God's glory.

11. It will be helpful to have a good idea of individual persons' ways of acting and to plan ahead for various contingencies, especially in more important matters.

12. It will be advantageous for all the companions not only to think and to say the same thing but also to dress alike and act alike in ceremonies and other external matters.

13. The brethren should individually reflect on how best to achieve the above-mentioned goals, and confer with each other; and the superior, after hearing the others, will decide what should or should not be done.

14. They will take care to write to Rome either for advice or to report on the state of affairs. This should be done very frequently, for it could be of more than a little help in all matters.

15. You should occasionally reread these and the following guidelines, along with any others that may be added, so as to refresh your memory of them in case it fades.

Means More Appropriate for the Primary Goal—the Upbuilding of Germany in Faith and in Christian Doctrine and Life

1. The first thing is to do well in your public lectures; it is principally for this that the duke requested your services and the Sovereign Pontiff sent you. You should give solid doctrine without too much scholastic terminology, which tends to put people off, particularly when abstruse: the lectures should be learned but comprehensible. They should be regular but not too long or too rhetorical. Prudence will dictate how much use to make of disputations and other academic exercises.

2. To increase your audience and be of most benefit to them, you should not only nourish the mind but also add things that will nourish the religious affections, so that the hearers go home from your lectures not just more learned but better persons.

3. In addition to the scholastic lectures, it would be good to have sermons or biblical lectures on feast days. The aim of these is less to instruct the intel-

lect than to move the affections and shape behavior. They can be given either in Latin in the schools or in German by Master Canisius in the church where crowds of people attend.

4. So far as these essential occupations permit, you should devote time to hearing confessions, in which one ordinarily reaps the fruits of the plants that have been cultivated in lectures and sermons. You should hear the confessions not so much of women and common people (they should be sent to others for this purpose) as of young men of good character who might themselves become pastoral workers, as well as of other persons who, if given spiritual aid, could make a greater contribution to the common good. For when we cannot satisfy everyone, preference should certainly go to those who promise a greater return in the Lord.

5. You should endeavor to draw your students to spiritual friendship, and if possible to confession and the Spiritual Exercises; these should be the full Exercises for those who appear suited for the Society's Institute, while you could admit and even invite larger numbers to the Exercises of the First Week, along with a method of prayer and so on—mainly, however, persons from whom a greater good may be expected and whose friendship should be sought for God's sake.

6. For the same reason, great importance should be given to conversation and familiar dealings with persons of this sort; and while on occasion you may digress to a merely human topic because of their individual interests, you should return to the goal of their spiritual improvement lest your conversations be useless.

7. You should also devote some time to more visible pious activities—hospitals, prisons, or other ways of helping the poor—which beget a good reputation in the Lord.

Such also are the reconciling of feuds and the teaching of catechism to the uneducated where these are appropriate; prudence will dictate whether, depending upon the place and the disposition of the people, this should be done by yourselves or through others.

8. You should attempt to win the friendship of any leading adversaries and of the more influential among those who are heretics, or suspected of heresy, and are not altogether obdurate. You should try to withdraw them from their error tactfully and lovingly; some guidelines for this are being written elsewhere.

9. You should be competent in cases of conscience. With particularly difficult cases, you should take time, as said above, for study or consultation. For, while you ought to avoid excessive scrupulosity and anxiety, you should not be overly lax, indulgent, or unconcerned either, to the peril of your own and others' souls.

10. You should all try to have at your fingertips the matters regarding dogmas of faith controverted with the heretics, particularly nowadays where you will be and among the people you deal with, so that, where appropriate, you can assert and defend Catholic truth, attack errors, and strengthen the doubtful or wavering, both in lectures or sermons and in confessions or conversations.

11. As to the manner of doing this, remember that, adapting yourselves to the character and inclinations of persons,

you should act with prudence and proportion, not putting new wine into old wineskins, and so on.

12. In defending the Apostolic See and its authority and bringing people to sincere obedience thereto, be careful that you do not, by incautious defenses, lose credibility as "papalists." Conversely, your zeal in pursuing heresy should evidence above all love for the heretics' persons, desire for their salvation, and compassion for them.

13. It will help to make good use of the Society's faculties and of those granted by the Sovereign Pontiff; these should be employed for building up and not for tearing down, generously but wisely.

14. It will help to dispose people as far as possible for God's grace by exhorting them to a desire for salvation and to prayers, alms, and all kinds of charitable works, which contribute to the reception and increase of grace.

15. To help your hearers to grasp, retain, and practice what you set before them, you should consider whether something might be given in writing, and to whom.

16. It is important that, either through the duke, or Eck,¹ or other friends, a convenient site be selected for celebrating Mass, hearing confessions, preaching, and being available to people who seek you out.

17. It will help for the priests of the Society to confer with each other on their studies and sermons, and to critique each other's lectures; in this way any shortcomings in your lectures can be corrected at home, so that they will

¹ Leonhard Eck was a counselor of the duke and very devoted to the Society.

be more acceptable and helpful to your hearers.

Means for the Secondary Goal, the Society's Promotion in Germany

Besides the above measures, which would perhaps suffice without recourse to any others, a few more specific ones will be mentioned here. They come down to convincing the duke and other influential persons of the desirability and feasibility of having schools of the Society in their dominions.

1. The first is that efforts to found a college should not appear to be of our own doing; or that they should clearly stem from concern for the good of Germany and in no way from ambition or self-seeking on our part. We should make it clear that the Society appropriates to itself from the colleges nothing but toil and the exercise of charity, and that the college's revenues will be spent on the education of poor students, so that after their education they can be more useful laborers in the vineyard of Christ.

2. When you deal with those who might be able to influence the duke of Bavaria and the persons around him (such as Eck) to found a college, without actually mentioning it explicitly, try to insinuate this idea into their minds, letting them gently draw the conclusion for themselves.

3. For this it will help if they have a good opinion of the Society's Institute, being informed about those aspects of it more likely to please them and about the progress that by God's grace the Society has made in the course of just a few years in so many parts of the world. This account will be all the more effective if the duke has already begun to

experience some of these results in his own dominion.

4. Show the duke how valuable it will be for his own subjects, and indeed all of Germany, to have educational institutions under the care of men who, unmotivated by ambition or avarice, will help others by sound teaching and the example of their lives. Describe for him the experience of the King of Portugal, who from a single college of the Society has provided spiritual workers for numerous places in the Indies, Ethiopia, and Africa, even outside his own kingdom.

5. Indicate to him how advantageous it will be for the university at Ingolstadt to have there, as at Messina and Gandía, a college where not only theology but also languages and philosophy are taught with scholastic exercises after the mode of Paris.

6. Show him what a great crown awaits him if he is the first to introduce into Germany colleges of this sort for the advancement of sound doctrine and religious practice.

7. So that he can be convinced of the ease of so doing, he should be informed that colleges of this kind may be founded and endowed by allocating the income of benefices, abbeys, or other pious works that are no longer useful, especially given the strong approval of the Sovereign Pontiff and the leading cardinals for the erection of such colleges.

8. If others join the Society's Institute and increase the body of men living there at the duke's expense, this might make it easier to induce him, in order to be free of this burden and the teachers' salaries, to take steps for getting the college a perpetual endowment.

9. Many of these matters could be more conveniently and fittingly handled by persons having influence with the duke, such as Eck and others of the duke's friends, especially important persons such as the cardinals, who can write to the duke about the Pope's mind. All this will be more effective if early results of our work have begun to justify [our appealing for the duke's support].

10. If the duke or others seem inclined to want the colleges to be more open and even to have others besides religious living in them, they should be told that the college can include both religious and others so long as the administration remains in the hands of those who by their teaching and example can bring others to advance in both studies and religion.

11. Investigate also whether there may not be private persons of greater income or property who are being moved by God to initiate the college. Steps should be taken to interest these persons and other important personages in this, for the common good of Germany.

12. Besides the colleges, the Society's cause can be promoted by attracting young men (and older ones, if educated) to its Institute. This can be done by the example of your lives, by cultivating acquaintances through the Exercises and spiritual conversations, and by other means discussed elsewhere. If such persons cannot be supported there or would be better off not remaining there, they should be sent to Rome or other places in the Society. Similarly, we can, if necessary, transfer men from other places—Cologne or Louvain, for example—to Ingolstadt.

Martin E. Palmer, S.J.

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