

Title	On the principle of constitution in the early Franciscan order
Sub Title	
Author	坂口, 昂吉(Sakaguchi, Kokichi)
Publisher	三田史学会
Publication year	1975
Jtitle	史学 (The historical science). Vol.46, No.4 (1975. 6) ,p.2- 3
JaLC DOI	
Abstract	
Notes	Abstract
Genre	
URL	https://koara.lib.keio.ac.jp/xoonips/modules/xoonips/detail.php?koara_id=AN00100104-19750600-0118

慶應義塾大学学術情報リポジトリ(KOARA)に掲載されているコンテンツの著作権は、それぞれの著作者、学会または出版社/発行者に帰属し、その権利は著作権法によって保護されています。引用にあたっては、著作権法を遵守してご利用ください。

The copyrights of content available on the KeiO Associated Repository of Academic resources (KOARA) belong to the respective authors, academic societies, or publishers/issuers, and these rights are protected by the Japanese Copyright Act. When quoting the content, please follow the Japanese copyright act.

studies.

Scientific explanation is merely a logical instrument of our historical thinking, and need not be extended to a problem of, say, historical perspective, which is surely open to the philosophy of history.

On the Principle of Constitution in the Early Franciscan Order

Kokichi SAKAGUCHI

This essay intends to show what kind of ideal animated the constitution in the early Franciscan Order. In order to solve this problem, we must above all examine the writings of St. Francis of Assisi, especially the First and Second Rules of his Order. According to these documents, we can find the names and roles of officials in his Order, e.g. a general minister, a provincial minister, a custodian and a guardian. But it seems strange to us that their functions, competences and statuses are too vague. It seems to us that, among them, only the general minister has a clearly defined status and authority. Besides, his power and competence has no limit except for the revision of the Rule of Order. Therefore, some people might say that the general minister had almost absolute power and the early Franciscan government was a kind of dictatorship. It is true that the early Franciscans were exposed to such a peril. However, St. Francis of Assisi and his true followers strongly hated such an absolute power within the constitution of their Order.

2 Then, we must ask the reason why St. Francis conceived those Rules in which the peril to dictatorship originated. At first, we must notice that St. Francis and his followers renounced not only to the world and its properties but also to their legal status in the civil and ecclesiastical society. Following up such a heroic ideal, they could not form such corporation as a judicial person in its strict sense of the word. For this reason, when St.

Francis and his followers drew up the Rules of their Order, they intentionally avoided the strict legal words. The result of this was that they could not make the clear legal provision which would have kept off the peril of tyranny. In other words, Franciscan Order was not any legal corporation but a fraternal congregation of strangers and pilgrims who all had no legal privileges at all. Therefore, theoretically speaking, not only the general minister but also any official in Franciscans could not have any legal power as to their colleagues, because the Order itself was not a legal corporation at all.

Recent Trends in Biblical Archaeology

Hideo OGAWA

To write an article which is to follow my former study, "A Historical Survey of the Excavations at Samaria", *Shigaku* 41-3 and 42-2, it has been necessary for me to know what the biblical archaeology today is. Fortunately as a staff-member of the Tel Zeror Expedition I visited Israel again in 1973 and had opportunities to work at excavations of Tel Anafa, Tel Qasile and Tel Aphek, to see some of major sites such as Jerusalem and Tel Beer-Sheva and to discuss related problems with specialists. This visit made it possible for me to follow more recent development of methodology in the biblical archaeology. It is hoped that the discussions in this article will benefit the renewed excavation at Tel Zeror, which is to run for coming several seasons.

From 'Explanation' to 'Understanding'

3

Shoji MASUZAWA

In Part One of this paper I shall comment on the Popper-