

HERIBERT HOLZAPFEL OFM

HISTORY
OF THE FRANCISCAN ORDER

Original German edition
Handbuch der Geschichte des Franziskanerordens,
Freiburg 1909

Latin edition
Manuale Historiae Ordinis fratrum Minorum,
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INTRODUCTION

One hundred years ago, in 1909, the Franciscan historian brother Heribert Holzapfel published the *Handbuch der Geschichte des Franziskanerordens*. He composed this manual of Franciscan history when Dionysius Schüler was Minister General of the Order of Friars Minor (1903-1911), on the occasion of the 700th anniversary of the foundation of the Order (1209-1909).

Heribert Holzapfel was born in Neckarsulm in northern Baden-Württemberg near Stuttgart, Germany, on 22nd November 1868, feast day of Saint Cecilia. His baptismal name was Joseph. His father, a shoemaker died very early. His pious mother raised her five children solidly and religiously. As a young student Heribert attended the Gymnasium in Landshut. He finished it as a Franciscan student after 7 years. In the meantime he had been accepted in the Order of Friars Minor in the Franciscan Province of Bavaria, and entered the Novitiate house at Dietfurt, 38 kilometres west of Regensburg, on 1st October 1884. After the Gymnasium he was called for military service in the second infantry regiment in Munich as a volunteer for one year.

Heribert then continued to study philosophy and theology in Tölz and Munich. He was ordained in 1891 in the cathedral of Freising by Archbishop Antonius von Thoma. After a short time of pastoral work in the friaries of Mühldorf and Dingolfing he became a rector of the seminary in Landshut for three years. He was then guardian and director of the friary of Pfreim. In 1897 he began teaching theology for the Franciscan students in Tölz and then in Munich, where he continued to live after 1900. On 8th November 1902, feast day of Blessed John Duns Scotus, brother Heribert acquired his doctorate in theology.

In the Bavarian Province brother Heribert occupied the post of master of clerics. For 12 years he belonged to the definitory, or council, of the Province. He was also responsible for canonical visitations of various provinces in the Order, including the provinces of Tyrol, Austria, Thuringia and Silesia. On 1st October 1934 Heribert celebrated his golden jubilee in the Franciscan Order.

For more than half of his life brother Heribert lived in the Franziskanerkloster of St. Anna in Munich. All the friars who were ordained after 1897 had been formed by him. He was very active as a priest, confessor, retreat director, and he entered into dialogue with atheists and communists.

Brother Heribert specialized in mediaeval studies. He published works on St. Dominic and the Rosary, the Manual on the History of the Franciscan Order, a study on the Portiuncula Indulgence, a historical study about the disputation regarding Rites in China, to name just a few of his many publications.

From 1912 to 1918 brother Heribert was Minister Provincial of the Bavarian Province. It was a difficult period, because of the Great European War. Heribert took care to open the friaries for the care of wounded soldiers.

Heribert Holzapfel died on 26th May 1936 in the clinic of Kopernicus house in Frauenburg, from an *embolus* after a car accident on the way to visit the bishop of Ermland. At that time Heribert was travelling from Munich to Berlin in order to start the canonical visitation of the Province of Silesia. He was buried on 30th May, vigil of Pentecost, after a funeral led by Cardinal Faulhaber.

The *Necrologium* of the Bavarian Province states that the best way to describe brother Heribert is that of the words of St. Bonaventure: *cum scientia pietas pulcherrima societas* (with the science of piety there is a most beautiful company). Brother Heribert was a pious man, and he was also a man of science. The aim of what he wanted in life was that of striving to attain what the Church states in the antiphon of the divine office of the feast of St. Francis: *non soli vivere, sed aliis proficere vult Dei zelo ductus* (he did not live for himself, but wanted to strive for the good of others, led by zeal for God).

The moment of the publication of Holzapfel's *Handbuch der Geschichte des Franziskanerordens*, translated into Latin with the title *Manuale Historiae Ordinis Fratrum Minorum*, was one of the most fruitful in the study of Franciscan history. In 1877 the Minister General Bernardino dal Vago da Portogruaro had founded the College of San Bonaventura at Quaracchi, Florence, whose principal aim was the preparation of the critical edition of the works of Saint Bonaventure. The task was undertaken by a group of Franciscan scholars led by Fedele da Fanna (†1881), and then by Ignatius Jeiler (†1904). The eleven-volume edition of the *Opera omnia* was published in 1882-1902 at Quaracchi. The same scholars also took charge of the publication of the writings of Saint Francis and those of the great medieval Franciscan masters like Alexander of Hales, John Duns Scotus and Bernardine of Siena. Since 1908, just one year before Holzapfel's volume was published, they have been publishing the *Archivum Franciscanum Historicum*, with the aim of furthering historical research in Franciscan history. The College of Quaracchi was transferred to Grottaferrata in 1971 and is now in Saint Isidore's Irish College in Rome.

The aim of the Manual, as stated by the author, was that of providing a comprehensive history of the Order of Friars Minor, in order to strengthen the sense of unity and religious discipline of the Order. One should read these words against the historical background of events unfolding in the Order of Friars Minor in 1909.

On 4th October 1897, solemnity of Saint Francis, Pope Leo XIII (1878-1903) had published the Constitution *Felicitate quadam*, which marked the unification of the four branches of the Order of Friars Minor of the Regular Observance (Observants, Reformed, Recollects, Alcantarines) into one family, henceforth to be known simply as *Ordo Fratrum Minorum*, Order of Friars Minor. This unification had not been easy and was bound to find resistance from within the inner ranks of the Order, particularly by the group of ex-Reformed friars. The other Franciscan families of the First Order, namely the Friars Minor Conventuals and the Friars Minor Capuchins, were not at all happy with the turn of events, since they regarded the name Order of Friars Minor without any further additions as a usurpation by one particular religious family of the official name of the Order founded by Saint Francis.

Although the strong will of Leo XIII and of the general government of the Friars Minor succeeded in getting the unification through, problems cropped up once more during the pontificate of Saint Pius X (1903-1914). This time the protests regarding the name Order of Friars Minor arrived at the proper channels in the Roman Curia, and particularly in the Congregation for Regulars, headed by the Capuchin Cardinal José de Calasanz Vives y Tutò.

The year 1909 marked the 700th anniversary of the approval of the first Franciscan Rule by Pope Innocent III in 1209. For the occasion the German Franciscan historian Hebert Holzapfel OFM presented his *Handbuch der Geschichte des Franziskanerordens*,

published with the permission of the Minister General Dionysius Schüler OFM on 23rd March 1909 and the *imprimatur* of the ecclesiastical authorities on 16th April of the same year. The volume was a milestone in presenting a comprehensive history of the Franciscan family, but it was met with criticism, probably within the framework of the turn of events at that particular moment. In fact, it was exactly on 4th October 1909 that Pope Pius X published the Apostolic Letter *Septimo iam*, in order to commemorate the 700th anniversary of the approval of the Franciscan *Forma Vitae*, but also to state that, since it was becoming clear that there were protests regarding the name Order of Friars Minor being given to one Franciscan family, he henceforth willed that the Order would be known as Order of Friars Minor “of the Leonine Union”. This name was hardly ever used in official Church documents, but it left a legacy of bitterness and a polemical atmosphere among the three families of the First Franciscan Order.

Holzapfel’s Manual of Franciscan History, however, was never meant to provide a polemical reading of Franciscan history seen from the eyes of the Observant tradition. Unfortunately it was thought that Holzapfel was out to prove that the Friars Minor were the true descendents of the original Order founded by Saint Francis. An attentive reading of the volume would show that Holzapfel was a genuine historian, although he could not refrain from being influenced by the polemical atmosphere in the Franciscan family during the early decades of the 20th century.

Holzapfel’s Manual became a classic textbook of Franciscan history and was immediately translated into Latin for use in the classrooms of Franciscan student houses in the Order of Friars Minor. It was followed by another documented history of the early period of the Order by the Capuchin Gratien de Paris, *Histoire de la Fondation et de l’Évolution de l’Ordre des Frères Mineurs*, Paris 1928. Other historians who were not members of the Franciscan family presented their own versions of Franciscan history, chief among them the Anglican bishop John Moorman, *A History of the Franciscan Order: From Its Origins to the Year 1517*, Clarendon Press, Oxford 1968. In more recent times Duncan Nimmo published *Reform and Division in the Medieval Franciscan Order from Saint Francis to the Foundation of the Capuchins*, Capuchin Historical Institute, Rome 1987.

On the part of the two other Franciscan Orders, Raphael M. Huber OFMConv published *A Documented History of the Franciscan Order 1182-1517*, Kessinger Publishing Company 1997, whereas Lázaro Iriarte OFMCap is author of *Franciscan History. The Three Orders of St. Francis*, Franciscan Herald Press, Chicago 1983.

The most recent contribution to Franciscan history, by the lay professor Grado Giovanni Merlo, entitled *Nel Nome di San Francesco. Storia dei frati minori e del francescanesimo sino agli inizi del XVI secolo*, was published by Editrici Francescane, Padova, 2003. It has now been translated into English by Raphael Bonanno OFM, *In the Name of Saint Francis*, published by St. Bonaventure University, NY 2009. Bonanno states that “as a layman, Merlo is not out to prove who the ‘true’ Franciscans are today, as was the case with past historians like Herbert Holzapfel, Raphael Huber and Lázaro Iriarte, all Franciscan priest-scholars representing respectively the OFM, Conventual and Capuchin traditions.”

My aim in presenting this English translation of the *Handbuch der Geschichte des Franziskanerordens* by the two Franciscans Antonine Tibesar and Gervase Brinkmann is that of celebrating this great Franciscan historian on the 100th anniversary of its

publication, in a crucial moment of the modern history of the Order of Friars Minor. For this brief introduction I am indebted to the biographical information on Heribert Holzapfel kindly forwarded to me by the friars of the Franciscan Province of Bavaria.

I have tried to leave the English translation of the volume as it is, even though the style and vocabulary might seem rather outdated to the contemporary reader. Whenever it was possible, I also attempted an approximate and incomplete translation of the Latin quotations that the translators left in the original. Although the studies of Franciscan historians can now point at some minor inaccuracies in the text, Holzapfel's work is still a remarkable achievement of scholarly mastership in historical research.

I thank especially brother Maximilian Wagner OFM, who until recently has been Minister Provincial of the Bavarian Franciscan Province of Saint Anthony of Padua, for his permission to reproduce the English text, and brother Louis Bohte OFM, who lives with me in the Bethlehem friary, for his help in translating the biographical information sent to me from German into English.

Noel Muscat ofm
Convento Santa Caterina "ad Nativitatem"
Bethlehem
4th October 2009, Solemnity of St. Francis of Assisi

FIRST BOOK

THE FIRST ORDER

Part 1

HISTORY OF THE ORDER UP TO THE SEPARATION IN THE YEAR 1517

Chapter 1

INTERNAL HISTORY

Section 1

The Beginnings of the Order up to 1226

Paragraph 1

Chronological Conspectus of the Life of St. Francis (1181-1209)

Assisi! “Blessed art thou by the Lord! For through thee many souls shall be saved.” A traveler coming from Foligno, even today reads these words over the gate of the city; a token of the gratitude which Assisi pays to the greatest of her sons.

Christianity must have found followers quite early in this pleasant town perched on the top of a mountain, because already in the third century a bishop, St. Rufinus, is mentioned. The ancient cathedral bears his name; even up to the present day all baptisms in Assisi are performed in this church. There in 1181 or 1182, Francis also was baptized, receiving the name John, according to the wish of his mother, Pica. But the father, Peter Bernardone had, by reason of his many business trips to France, acquired such a love for that land that upon his return, he insisted that the name be changed. The boy from now on should be called Francis.

The education which his parents gave him, did not have for its object the acquisition of many learned sciences, since he was to continue the business of his father. Nevertheless his education was superior to the average education given to his class of people, and certainly was better than he gave himself credit for later on: besides Latin, which he had learned from the priests of St. George, he spoke French, though perhaps not perfectly. But neither the study of languages nor the parental clothing business could check the interests of the youth. A jovial, merry nature, he wished to enjoy himself in the circle of similarly minded companions, and he willingly took part in their youthful escapades. His liberal, lovable and knightly bearing soon made him a leader among his companions, which indeed pleased the ambition of his father, but also here and there caused scandal. Many a time his mother had to defend him against the charges of pious women of the neighborhood, who were shocked at the behavior of the young lads.

When war broke out in 1201 with the neighboring city of Perugia, Francis enlisted, but was captured by the Perugians and held captive for a year. After peace had

been restored, he returned and resumed his former mode of life, until a severe illness led him to perceive the futility of his previous conduct. But his will was as yet too weak to embrace nobler aspirations, and this internal dissension induced him to seek new diversions and to make new plans for the future. Consequently, when a nobleman organized the youth of Assisi for an expedition to Lower Italy, Francis joyfully joined the company; but he came only as far as Spoleto. There a nocturnal vision admonished him to return immediately. This was in the spring of 1205.

The Legends do not inform us with the desired accuracy of what really happened during this night. All are agreed in this however, that it was an extraordinary occurrence, which marked the beginning of Francis' permanent conversion. Although at the time, he did not completely break with his friends, still he no longer found any more true joy in their company; he retired into solitude, which he had hitherto studiously avoided. In a cave near Assisi, he had to go through severe interior struggles, until grace finally obtained the complete victory over rebellious nature. This soon showed itself in the heroic conquest of his aversion for lepers and in that he also became more and more the helper and the consoler of the other poor, for whom even earlier he had had a tender heart. On the occasion of a pilgrimage to Rome he wished to make an attempt whether he could be poor with the poor: he exchanged garments with a beggar and begged for alms at the church doors. His proud nature was conquered. But it was not yet clear to him, how the future would shape itself in his regard. Then one day, as he was praying before the crucifix in the little church of St. Damian, he heard a voice, as if the Lord was speaking to him: "Go and repair my church." Francis applied this message to the half ruined little church. Accordingly he sold his horse and some cloth from his father's shop, and paid for the restoration of the chapel with the proceeds. The priest of St. Damian, from fear of Francis' father, did not indeed accept the money, but he permitted the youth to remain with him in solitude.

The father's patience came to an end with this. He had long been displeased with the changed conduct of his son. Peter did not mind the prodigality of Francis nor his neglect of business, as long as he was a leader among the nobles of Assisi. It was too much for parental pride however, that Francis, the son of an esteemed citizen, should associate almost exclusively with the poor and lepers. At first the father thought to change the youth by force, but Francis hid himself and remained in hiding for some weeks. Finally however he was ashamed of his unworthy timidity and resolved candidly to inform his parents of his firm resolve to lead a life consecrated to God. Hardly had he showed himself on the streets in his poor garments, with face emaciated with his penitential practices, when the children ran after him, ridiculing Francis as a fool, until his father himself appeared on the scene and angrily dragged his son into the house and locked him up. After all efforts to bring him around had failed, Pica, in the absence of her husband, out of sympathy released the young man and he immediately returned to St. Damian. After his return, the father sought in vain with the help of the magistracy of the city to win over his son or at least to have him banished; Francis appealed to the Episcopal court, to whom alone he was subject, after his complete consecration to the service of God. Thus – probably in the spring of 1206 – there occurred that touching spectacle before the Episcopal palace; in the presence of a great crowd of people, Francis handed over to his father all his clothes and the little money which he still had. Hastily and amid the murmuring of the spectators, Bernardone gathered up his possessions while

Francis cried out: “Now in all truth can I say: Our Father, who art in heaven.” His conversion was complete.

For the next two years Francis, clad the poor garments of a hermit, but without belonging to any eremitical congregation, devoted himself exclusively to the service of the poor and the lepers as well as to the restoration of the chapels of St. Damian, St. Peter and St. Mary of the Angels or Portiuncula, which was to become his favorite church. There on one occasion he heard from the priest celebrating Mass the words of the Lord Mt 10,7ff: “And going, preach saying: the kingdom of heaven is at hand ... do not possess gold nor silver, nor money in your purses; nor scrip for your journey, nor two coats, nor shoes, nor a staff; for the workman is worthy of his meat.” “This is what I have sought,” he cried out, and immediately cast aside purse, staff and shoes, changed the hermit’s garb for the poor clothing of the Umbrian peasants, and instead of a girdle took a simple rope. From a hermit Francis had now become a Minorite, in the first months of the year 1208.

Already on the following day he began to preach in Assisi. These were simple, sincere talks accompanied with the greeting: The Lord give thee peace! When after a few weeks, two esteemed men of the city joined him the rich Bernard of Quintavalle and the canon and doctor of laws, Peter Catani, he went with them to the little church of St. Nicholas, there to find out the will of the Lord by consulting the Gospel. They came upon the passages: Mt 19,21: “If thou wilt be perfect, go sell what thou hast and give it to the poor;” Lk 9,2: “And he sent them to preach the kingdom of God and to heal the sick, and he said to them: take nothing for your journey; neither staff, nor scrip, nor bread, nor money; neither have two coats.” Finally Mt 16,24: “If any man will come after me, let him deny himself, and take up his cross and follow me.”

Without hesitation Francis exclaimed: “That shall be our life and our rule. Do as you have heard.” Shortly after Giles of Assisi joined them, and they now began a life such as the world had hitherto never seen. As “the men of penance of Assisi” they went about, everywhere serving the lepers, preaching penance, and announcing the kingdom of God. They had no fixed abode belonging to them, but in the beginning they met in an abandoned hut in the country, called Rivortorto, not far from their place of prayer, Portiuncula. When their number had reached twelve, Francis journeyed with this little band to Rome, in order to seek the Pope’s confirmation for the Rule which he had drawn up in a few words. Due to the intercession of the cardinal of St. Paul, John Colonna, Innocent III, after some deliberation received them graciously, orally confirmed their way of life, and permitted them to preach penance everywhere. By this act, the Franciscan family was juridically established: in 1209, on the 16th of April according to ancient tradition. One should however not think of an Order in the strict sense of the word at this time. It was a free organization of friars who were held together by a high religious ideal, namely the imitation of the apostolic life, and by a dominating personality: and it lacked any further fixed organization. Francis then, as later, expressly refused incorporation into an Order in the old sense: he did not wish to pour new wine into old sacks.

Paragraph 2
Chronological Conspectus (Continued) 1209-1226

Having returned to Assisi, Francis gave his society the name of Friars Minor. They should be lowly in their own eyes as were the ordinary people, and subject to all in mind and deed, in opposition to the *Majores* as the nobles of Assisi were called, who just at that time had after long conflict, concluded peace with the people's party, the *Minores*.

In the following years, the friars continued their former activity, which extended to the preaching of penance and to labor of every kind. Their meeting place now however, probably since 1210, was Portiuncula; there they built themselves some huts in the neighborhood of the little church, which the Benedictines (Camaldulense) of Mt. Subasio, had handed over to them. From now on they always met here, especially at Pentecost and on the feast of St. Michael, where they held chapters, i.e. they related their experiences and mutually encouraged each other to fidelity in their calling. Among the new friars, who were received in the beginning without any novitiate, but merely under the condition that they dispose of their property and observe the rule, the ones deserving special mention are: Leo of Assisi, Rufinus Sciffi, and Masseus of Marignano. These enjoyed the special familiarity of the saint.

In 1212 the society gained a woman's branch when Clare of Assisi embraced a poor life, similar to that which the Friars led (See Second Book).

But soon preaching merely in Italy did not satisfy Francis any more. He wished his followers to announce the Gospel to all countries and to all peoples. On this account in 1212, he embarked for the Orient, but was cast upon the shore of Slavonia, and soon had to return again. His journey to Spain in 1213-1214, whence he had planned to cross over to Morocco, seems to have had just as little success.

It was probably in the year 1215, on the occasion of the Lateran Council, that he met St. Dominic, the founder of the Order of Preachers for the first time. From that time on the friendship between the two saints was uninterrupted and passed also to their two Orders. There were indeed many quarrels between them in the course of the centuries, occasioned by petty jealousy; but the Orders as a whole always took measures against the excesses of the individuals and have preserved the friendly attitude of their founders up to the present day. Shortly after the Lateran Council, Innocent III died at Perugia: Francis was residing there at that time. We must also place the granting of the Portiuncula indulgence at this time, July 1216: according to a tradition not disproven up to the present day, Francis had obtained this from the newly elected pontiff, Honorius III. Francis' ambition to save souls was expressed still more clearly at the Chapter of 1217. Here the countries were divided for the first time into provinces of the Order: a provincial minister was placed at the head of each province. New missionary expeditions were sent to the Orient, to Germany and Hungary, to Spain and to France. Francis had reserved this last country to himself, but he was dissuaded from his plan by Cardinal Hugolino and had to remain two years longer in Italy. At the Chapter of 1219 however he could no longer be restrained; he put himself at the head of the mission to the Orient, while he sent other friars to Morocco where these very soon, January 16, 1220, died a martyr's death – the first blood witnesses of the Order. Francis himself was not so successful. He did indeed preach boldly before the Sultan and made a deep impression upon the Crusaders in

Egypt; but not obtaining marked success there he went to Palestine and remained there, until bad news from Italy called him back.

The vicars appointed for the time of his absence, Matthew of Narni and Gregory of Naples, had introduced changes which were entirely against Francis' will, namely an alleviation of poverty, introduction of monastic observances, in particular more severe fasts. Another friar, Philip by name, had on his own authority made himself the procurator for the Clares, and still another, John of Conpello (of Capella?) sought to establish a new Order of lepers. Hardly had he arrived in Italy when Francis hurried to the Pope and obtained a Protector in the person of the Cardinal Hugolino, long his friend. By his efforts the independent proceedings of the two friars were brought to naught, and a year of novitiate was prescribed for the friars on September 22, 1220. In this way the danger of receiving unfit members was lessened; but, on the other hand, the freedom of departure was also done away with and so the society was forced to retain also such friars who had lost their ideals in the course of time.

At a chapter held in the same year, Francis appointed a Vicar General for the whole Order; this was first Peter Catani and after his premature death (March 1221), Brother Elias. The motives for this action by Francis are not entirely clear: his ill health, the thought that natures better bitted for organizing were necessary, perhaps also dejection that the development of the Order was taking a course not altogether according to his liking, - all these may have led him to take this step. It is equally unclear what authority these Vicars Generals possessed; they were sometimes called Minister Generals, sometimes known as the Vicars of St. Francis. The Saint acknowledged them as the exclusive rulers of the Order, and likewise as his own superiors, just as earlier he had at times appointed a guardian over himself, in order to subject himself to obedience. But it is very unlikely that he lost all power over his foundation. For it was he who independently appointed the Vicar Generals, who undertook to change the rule in the following years, and who in the last rule appeared as the representative of the Order and was acknowledged as such by the Pope.

However this may be, the care for the whole Order was, in any case, taken from him in great part by the appointment of Vicars. He could thus work at leisure during the winter of 1220-1221 at the new redaction of the rule, in which Caesar of Spire helped him, especially by enriching the text with biblical quotations. At the Chapter of Pentecost of 1221 the enlarged rule was probably published, and in addition the unsuccessful mission to Germany was again taken up, and under the leadership of the same Caesar was successfully carried through. A more fixed organization of the Third Order seems likewise to have been proposed in this year, 1221 (See Third Book).

For the rest, accurate reports concerning the activity of the saint for the next two years are lacking. We know only that he spent quite a long time in the hermitage of Fonte Colombo near Rieti and there prepared the rule, which received the papal approval in 1223. Shortly after this, the missionary expedition to England was decided upon so that about 1224, the friars were dispersed throughout the whole of civilized Europe.

The last two years of Francis' life were filled with sufferings of every kind. To his bodily ailments - he suffered from stomach and liver trouble and from a disease of the eyes - were added interior sufferings, occasioned chiefly by the party of minister provincials, who thought and governed not according to his liking, and wished to conform the Order more and more to the older Orders of monks. But the assertion is by

no means correct that Francis had become completely at variance with his foundation or that the Church itself had destroyed it for him. His whole later conduct and not least of all, his Testament, speaks against this.

The extraordinary occurrence on Mt. Alverna was the climax of his sufferings and of his joys; there in September 1224, in a wondrous vision, the stigmata of the Lord were impressed upon him. Despite the continuous pains which the stigmata caused him, Francis once more went on a preaching tour in the company of the Vicar General, Elias. Then he stayed for some months at St. Damian with St. Clare and there composed the much admired Canticle of the Sun. In late summer of 1225 at the wish of the devoted Cardinal Hugolino, he had to journey to Rieti for medical treatment. Since the treatment had no permanent success, the sick man was sent to Siena to a distinguished eye specialist; but the skill of this doctor was also fruitless.

In the spring of 1226 therefore, he returned to Assisi, where he was cared for and guarded in the Episcopal palace, because the citizens did not wish to have this precious treasure stolen by the neighboring cities. From his bed of pain, if not already earlier, he wrote touching letter to the Minister General, likewise to all the friars of the Order, in which he especially exhorts the priests to show the greatest reverence for the most holy sacrament of the Altar, a devotion which appeared to him to be a remedy for the infirmities of the Order. When a doctor from Arezzo coming to visit him, told him that his death was near at hand, he joyfully exclaimed: "Welcome, Sister Death." Then he had himself carried to the Portiuncula, that he might die at the place where he had begun his life's work.

Here he probably first dictated his Testament to his Friars in which he exhorted them to a faithful observance of the primitive mode of life. Then, together with those standing around him he sang Psalm 141: "With my voice I have called to the Lord," blessed all his friars, those present and those to come until the end of the world, and following the example of the Lord, held a last repast with his followers. "Before the festival day of the Pasch, Jesus knowing that his hour was come, that he should pass out of this world to the Father, having loved his own who were in the world, he loved them unto the end" (Jo 13,1). Lying on the bare ground, strewn with ashes, but with a heart filled with sincere joy, Francis then gave up his wonderful soul to his Creator. "Mortem cantando suscepit," says Thomas of Celano. It was Saturday evening, October 3, 1226.

Already on the following day, the body was carried to St. Damian where it was viewed by Clare and her daughters; from St. Damian the body was borne to the church of St. George and, according to the custom of the time, immediately buried. Gregory IX, the former Cardinal Hugolino, canonized his friend July 16, 1228, and ordered the construction of the magnificent church of S. Francesco in his honor; on May 25, 1230, the remains of the saint were transferred to this church. There they remained hidden in the lower church, until they were again found after much labor on December 12, 1818.

Paragraph 3
Historical Significance of St. Francis

Francis is not only a saint and a founder of an Order, but he is also a figure in world history. His influence rests upon the peculiar character of his piety, and upon its influence on the religious and cultural development of succeeding centuries.

Francis' personal way to sanctity was nothing else but an imitation, as perfect as possible, of his Master, Jesus Christ. The Order has always recognized this, and books, written by Friars Minor, have brought it strongly forward, occasionally also in an unattractive manner, which did not escape severe censure. But can more be said, that is now being asserted by writers hostile to the Church? Francis is a second Christ, or better, a mirror of Christ. His importance for a critique of religion is incomparable. He is the one who, after Christ, possessed the greatest purity of conscience, the most perfect simplicity, and the most living consciousness of his filial relationship with his heavenly Father. In his life he was the most childlike and the most powerful exponent of the Gospel in Europe, he is perhaps the best hearer of the Sermon on the Mount. His life is a simple, living illustration of the thoughts of Jesus. The absolute devotedness which religion demands was found in Francis so that one stands before him as before a new revelation.

Such praise cannot be bettered even by the most faithful son of the saint. This only remains to be added that Francis attained this wonderful likeness to Christ *inside the Church*. He knew well that with his literal following of Christ, he was undertaking something new, something unusual; he would imitate, not the greatest founders of Orders before him, not Benedict, not Bernard, not Augustine; but he would imitate Christ; not behind cloister walls would he renew the apostolic life but in the world. But he did not do this in opposition to the Church, somewhat after the fashion of the Waldenses, whose influence upon Francis is often alleged, but never has been proven. Herein lies the greatness of the saint, that in the midst of a worldly Church, he understood how to go back to the source of all piety and still to give to the Church what belongs to the Church. Therefore, he cannot be considered as an exponent of modern subjectivism; for he did not start a religion himself but merely accepted what he heard in the Gospel with inexorable earnestness for himself and his sons. He did not shrink from the imitation of the divine Cross-bearer and on this account he merited the enjoyment of the beatitudes promised by the Master in the Sermon on the Mount: the happiness of true sonship of God. Therein he found his happiness and spiritual freedom, and therein he saw the invitation to consider and to love all other creatures as children of God, as his brothers and sisters. The innocence of Paradise seemed to have returned. The birds carry away the crumbs from his frugal tables; the pheasant, whose life he had saved, would not part from him and enjoyed his caresses. The rabbit, which he had freed from a snare, hid himself in his bosom. The birds, which he found in the field, remain quiet and listen with outstretched necks, to his sermon. "Sing, Sister Cricket, and joyfully praise God the Creator," he said to the cicada, and she flew upon him and began to chirp. On Alverna, the birds greeted him with joyous song, and during the night at the hour of prayer, 'Brother Falcon,' who nested in a tree near his cell, woke him up. And when he had come to his last hour, the

swallows began to circle around his cell and sing his requiem. So Francis saw in all nature the splendor of God's power and majesty.

It was, however, not enough for Francis to reproduce the life of the Lord in himself alone. He desired also to announce to others that Gospel, by which he had been changed into another man. Here also let us hear voices which do not stand on Catholic ground. According to them the religious life of Western Christendom attained through Francis a warmer, deeper tone; in comparison with the earlier medieval times it became more personal, it increased its power over individuals. Francis was the religious genius of the second half of the Middle Ages. Italy around 1210 witnessed the rebirth of the enthusiasm of apostolic times. In crowds people ran to Francis, whose words consoled and freed souls. He applied the balsam of the Gospel to all wounds. To those who chafed under the yoke of an unjust rule, he held up the Kingdom of God as a reward for the reverses of this mortal life, if these reverses were patiently borne. He knew how to banish from souls the discontent which by degrees weans them away from the Church; he showed by his own example that a Christian, faithful to the Church, could enjoy ineffable gladness. He preached not freedom of thought, but the freedom of love. He restored to the Church the strength of the first apostolate. And his Order, despite the vicissitudes to which it has been subject, has known how to foster the deep and tender religious sentiments which Francis awakened. The distinguishing characteristics of Francis' religious life: freedom of the spirit, love, piety, joyousness, and confidence, have for a long time been stamped upon Italian Christendom, a glaring contrast to Pharisaism, fanaticism, and sterile intellectualism.

In fact, Francis considered the *internal mission* in the Church as his greatest work. He wished, by word and example, to introduce a reform in the Church which would accord with the spirit of evangelical simplicity and sincerity. For him, the way to this was not criticism and polemics; fighting against the abuses did not seem to him the best way to obtain victory for truth; Francis way was personal example, and so in the sight of the people he lived the Gospel in all its purity. And he himself has become so popular because he popularized Christianity by his own simple, natural grasp and preaching of it which was dictated by his burning love. "Francis is the father of our popular mysticism, the friend of the pious who faithfully look to God," observes a more recent biographer. Nothing illustrates more forcibly the influence of Francis upon the religious life that the fact that in his time, Christ dying on the cross was preferred by the artists to Christ triumphant. Valuable as the consideration of the Lord in glory always will be for religious life, still the common people have better understanding of the God Man bearing his cross, and they can more easily draw applications for their own life from this consideration. That Francis in this wise brought the Christian people closer to their Savior is a service that cannot be praised sufficiently.

But he wanted still more! As a soldier of Christ, a knight of the Redeemer, he wished to win the whole world for his Lord. On this account he twice made the attempt to bring the Gospel to the Mohammedans. He indeed did not attain his goal, but his example gave the impetus to that extraordinary mission activity which sprang up in the 13th century and extended into the Far East. Besides the Dominicans, it was almost exclusively his sons who devoted themselves to the evangelization of the heathen.

In still another sphere, the activity of the great saint must be mentioned, namely in social work. The present age has so much interest in this field that it should cause no

surprise if Francis is now especially honored on all sides on this account. But in what did the social activity of the Poverello consist? Briefly stated: he taught men not to demand rights but to practice virtue. That was for him the solution of the social question. It was fundamentally the method of Jesus himself: the rich should detach their hearts from wealth, should practice mercy and justice; the poor on the other hand should bear their poverty patiently and gladly, for blessed are the poor. It is easier to reach the kingdom of heaven by way of the cottage than by way of the palace. The message itself was not new, but the practical illustration of it that Francis gave was new. He willingly relinquished all the possessions which were his, and demanded that his disciples do the same, and this in favor of the poor. Such a sermon every one believed absolutely. By his destitute appearance he taught that poverty willingly borne makes men interiorly much more free and happy than wealth, which only too often fetters its possessors and takes from them true interior joy. In this however he was in no way opposed to the rich. The rich, to take care to say, are our brothers, for we have all been created by God. They are our masters, because they help us to do penance since they give us what is necessary. He did not preach opposition and hate against the upper classes but he preferred the little ones, the lepers, those neglected by fortune. To these he was a consoler and at the same time a model. Whithersoever he and his brothers came, they sought to smooth away difficulties and to bring peace between two warring parties; and in numerous cases their mere word restored order and contentment. Popes and rulers, cities and private individuals used them therefore with confidence as restorers of the peace.

Taking all this together, it is perhaps no exaggeration to say: "Next to Christianity itself the activity of the Franciscans has been the greatest stimulus to the people which history knows" and "the Church owes its preservation especially to the mendicants of the 13th century.

A religious renewal however always influence the entire civilization of a people, and in particular its art and scientific studies. Not that Francis himself labored for the advancement of these things – nothing was farther from his mind than this – but in so far as he warmed and deepened religious life, he exercised the greatest influence upon the development of culture, especially upon poetry and art. Francis was himself a poet. True, only one song can as yet be attributed to him, namely the beautiful Canticum of the Sun. "But whoever could compose such a song deserves a place in the literature of the world. No one before or after him ever sang in that manner." But poetry and music were not only a prayer and a necessity for him, they were also a weapon for winning souls. He sent out the friars as "Jesters of the Lord" to sing peace and joy into the hearts of the poor. He sang in rivalry with the nightingale until he had to acknowledge himself bested. His disciple, Vita of Lucca, was more successful; the nightingale in the forest silently listened while Vita sang, and only took out its song when the friar had finished. And is it anything else by the religious spirit of Francis that we hear ringing forth once more in the *Dies Irae*, in the *Stabat Mater*, in the songs of Dante?

His influence upon painting and sculpture was perhaps even more pronounced. The sense of the supernatural was restored to the artists of the time due to the Franciscan movement. Art owed its rebirth to the union of nature and religion which was embodied in this movement. The natural consideration of Christ and his life, the tender conception of the Redeemer and his mother brought into rich artistic expression by the preaching and poetry of Francis and his sons, - these were the peculiarly dominating elements of the

new Christian art, which broke with the Byzantine method and brought living, spiritual forms into being. A proof of this contention is the fact that the first real examples of this new school of painting are the portraits of St. Francis, and that there is scarcely a saint who was so frequently painted by great artists.

The Gospel and nature were the leading elements in this new art and remained so until about 1400 when a further factor, antiquity, entered; in much of this later development, art showed a pagan stamp. Francis cannot be brought into relation with this Renaissance but only with that of the 13th century.

Paragraph 4
Francis as Founder of an Order. Development of the Rule

The first rule, which Francis presented to Pope Innocent III for approbation, is no longer in existence. In extent it limited itself to a repetition of the three monastic vows together with the biblical quotations about the most perfect abdication which had exercised a determining influence upon Francis and his first companions. The aim was: “to follow the doctrine and the footsteps of our Lord Jesus Christ by the most perfect imitation of the apostolic life.” The first Franciscans were, like the apostles, roving preachers, without fixed residence. They earned the necessaries of life by their labor, either continuing their own profession or turning to any honorable form of service, but always in inferior positions. If they could not obtain in this way what was necessary they, like other poor people, had recourse to the “table of the Lord.” Where someone offered them hospitality, there they remained; and this especially in the dwellings of the sick and the lepers, to whom they devoted themselves with the greatest tenderness. If one would speak of the dwellings of the brethren in those early days, he must think chiefly of hermitages, huts, or cells, to which they returned at intervals in order, by means of prayer and mortification, to gain new strength for preaching. Even these places were not their own property and had to be given over for the use of anyone who might care to lay claim to them. In this way absolute poverty was observed although at that time there was no basis in the law for their utter poverty. No one bothered about asking to whom the clothing and the tools of the friars belonged, because all their thoughts and endeavors were turned to higher things.

No one has left us a more vivid portrayal of the life of the first Franciscans than an eye witness, the celebrated Bishop Jacques de Vitry: “The Friars Minor are not concerned in the least about temporal things, but with great ardor and diligence they labor each day to withdraw souls which are perishing from the vanities of the world and to lead them along the paths they themselves are walking ... They live after the manner of the primitive church of which it was written: ‘and the multitude of the faithful had but one heart and one soul.’ By day they go into the cities and villages that they may earn some reward by working; at night however they return to the solitude and hermitages and devote themselves to contemplation ... I believe that the Lord, - and this is to the shame of the prelates who are as ‘dumb dogs not able to bark’ - wishes to save many souls before the end of the world by means of simple and poor men of this kind. They strive zealously to duplicate in themselves the religious zeal of the primitive church, its poverty and humility. Eagerly and ardently drinking the pure waters of the Gospel fount,

imitating not only the evangelical precepts but also the counsels, they strive in all ways to fulfill the Gospel, renouncing everything that they possess, mortifying themselves, and by taking the cross upon themselves, the naked ones are following the Naked One ... They are sent out two by two to preach as before the face of the Lord and before His second coming ... It is not allowed for any member of this Order to possess anything. They have neither monasteries, nor churches, nor fields, nor vineyards, nor animals, nor houses, - no possessions, not even a place to rest their head ... If anyone invites them to a meal, they eat and drink what is before them. If they receive donations, they do not make provision for the future. They give a tunic and cord to those joining their ranks; as for the rest, they leave that to divine care. For the Lord gives a hundredfold in this life to His servants, who walk in this way; He keeps His eyes upon them, and in them we know to be fulfilled to the letter what has been written: 'the Lord loveth the stranger and giveth him food and raiment' (Dt 10,18) ... This is the holy Order of the Friars Minor, and the religious life of apostolic men which should be admired and imitated."

About ten years after the formulation of the first rule, the number of friars had increased beyond all expectation, so that the former statutes no longer were adequate. Therefore Francis drew up a new rule which was finished in 1221. It had 23 chapters and, besides numerous biblical citations, contained important regulations concerning the organization of the Order (37) and concerning poverty. The possession of books and tools was permitted. On the other hand, even acceptance of money was stringently forbidden, whether this money had been collected by a friar himself or through others; not even as a remuneration for labor could it be received. There is only one exception: money may be collected for the sick, if necessary. The rules concerning labor – and begging as a last resort – were retained. As yet, the friars did not have their own convents, at least not in the sense that outsiders could be excluded from them.

This rule of 1221 did not meet with approval because of its excessive length and confused arrangement of material. Neither was the papal approval for it obtained. Therefore the saint worked out yet another revision which was then approved by Honorius III on November 29, 1223, in the Bull *Solet annuere*; because of this method of approval it is called the *Regula Bullata*. The *Regula Bullata* again places this sentence in the beginning: "The rule and life of the Friars Minor is this, to observe the Gospel of our Lord Jesus Christ," and closes with the repetition of the same challenge. As to poverty, in which we are here primarily interested, great changes had been made. The prohibition of money was stricter since even for the sick the friars are no longer permitted to accept money. Therefore the ministers and custodes must take care that help is brought to the sick through spiritual friends. There is no mention in the rule of guardians, since there were no permanent, juridically established residences. "As pilgrims and strangers" the friars should go through this world and they should appropriate to themselves neither a house, not a place nor anything. Labor remained a duty and the first means of sustenance; where the due reward of labor was not given, begging for alms was a second means of livelihood.

This duty of the friars to work for a living was emphasized just as forcibly by Francis in his Testament of the year 1226. In the meantime however the development of the Order had been making rapid strides, especially regarding the acceptance of permanent residences. The saint could not stop this development, but he feared that a diminution of his original ideal would follow from it. Therefore he wrote that all these

residences together with the churches attached must be in accordance with holy poverty, that the friars should live there as “pilgrims and strangers,” and that they should in no wise seek papal privileges in order to remain in one place, not even to practice their profession of preaching. During persecutions they should flee and do penance somewhere else with the blessing of God.

Thus we see how the saint always introduced new measures against the force of circumstances lest there should be any departure from his ideal, the poor, apostolic life. In consideration of the past development, he forbade any explanation of the rule and wished that the Testament be considered not as a new rule, but as an exhortation for the proper fulfillment of the *Regula Bullata*.

Practical utility is however stronger than the most admirable idealism. This fact is evident from the whole succeeding history of the Order. Shortly after the death of the Saint, the Order had itself freed from the obligation of observing the Testament, and from poverty as observed in the first years of the Order. A dozen times men and even whole congregations rose up within the Order – men who strove to reintroduce poverty in all its primitive rigor, and each time these attempts either were completely ruined in a comparatively short time, or they gradually returned to the ways of the milder observance. A person cannot understand these quarrels, which shook Francis’ Order in the course of centuries, if he does not clearly understand the import of the precept of poverty, which the saint had in mind. One might say that it is precisely because the spirit of the saint was ignored by many, that these attempts could be made again and again, and of necessity always came to a sorry end. The spirit quickeneth, the letter killeth.

Section 2
Period of the explanations of the Rule and controversies regarding poverty

Paragraph 5
The Generals John Parenti and Elias: 1227-1239

Soon after the death of St. Francis, Elias of Cortona wrote a letter to the friars in which he informed them of the death of their father and gave them a description of the stigmata. He did this because of his office, since he had already been ruling the Order for about five years. Although very different in character from Francis, Elias was always very highly esteemed and admired by the saint, because he had a great talent for governing, which cannot be said of the saintly founder. Moreover there is nothing to prove that during the lifetime of the saint, Elias even manifested the disposition which he showed later. That statement, however, does not deny the fact that the changes in organization of the last years came principally from him and from ministers favorable to him, working together with Cardinal Hugolino. The change in his attitude dates probably from the General Chapter of 1227, where the friars chose as their General not him but John Parenti. John had been a lawyer earlier in life; he had also been provincial of Spain; he was a man of penance and mortification, but not big enough for the existing situation. Elias appears to have acted quite as he pleased even though he was no longer in supreme control. The independent spirit of Elias manifested itself principally in the manner in which he carried through the building of the basilica of St. Francis, even though this was done under the protection of Gregory IX. The Pope himself laid the corner stone and wished the Church to be called the “head and mother” of the Order. Because of this papal favor, the Fr. General could do nothing against the wonderful building which he must have considered contrary to poverty.

To celebrate the translation of the Saint’s body to the new Church, the Pope commanded a General Chapter to convene at Assisi in 1230. An immense throng of friars had come together in order to see their holy father once more. But to the great indignation of all, before all the friars had appeared for the celebration, Elias, with the cooperation of the civil authorities, had already buried the remains, and this so secretly that only a few learned of the site of the grave. What led him to do this is not clear. Perhaps it was chagrin that the Minister General, and not he, had been commissioned to direct the translation; more probably still the reason was his displeasure at the order of the General that only those friars who were allowed to vote could come to the chapter; those who had no vote could not come. But Elias had especially invited all his adherents to show up, because he hoped with their help to become General. Despite the prohibition of the General, many of these appeared; they broke the doors of the Chapter hall and forcibly placed Elias in the General’s chair. In the face of this sad spectacle, Parenti was inclined to hand in his resignation, but the majority of the Chapter, under the leadership of St. Anthony, at that time provincial of Romagna, voted for John. The friars who had caused the commotion were dispersed among the various provinces to do penance. Elias himself retired to a hermitage and tried, by a show of penance, to win back the esteem of the Order.

Not satisfied with this, the Chapter sent a deputation of friars, St. Anthony among them, to Rome to complain to the Pope of the conduct of Elias, and to ask for an authentic explanation of the Rule and Testament. Without doubt this matter was treated of in the Chapter but as it seems, the friars there present could not agree whether they should seek a papal declaration or not. It was an affair of fundamental importance. Should the will of St. Francis, expressed in the Testament be respected, especially in the prohibition of privileges and explanations of the Rule? Should the prohibition of property and money remain in all its rigor? It is clear that those members of the Chapter who answered these questions in the affirmative, would not hear of any delegation to the Pope. The majority, however, decided against them, convinced that the healthy development of the Order made modifications in the matters just mentioned an absolute necessity. To this majority belonged St. Anthony and the Minister General, Parenti. It is of great importance for the correct appraisal of the movement to remember this.

The Pope, as was to be expected, entirely approved of their stand in the Bull *Quo elongati* of September 28, 1230. First of all he speaks of the “almost inescapable difficulties” which burden the consciences of the friars, then of the Rule of the Order, which according to the statement of the deputation contains “certain dubious and obscure passages and some things hard to understand”, an evil which however could not be remedied by the friars themselves since Francis in his Testament had forbidden any explanation of the Rule and all recourse to a papal brief. The Pope then explained that he knew the intention of the saint very well, since he had assisted him both in the drawing up of the Rule and at the granting of the papal approval. Notwithstanding, he considered it to be his duty, for the tranquility of the consciences of the friars to ordain as follows:

The Testament has no binding force since Francis considered in himself, had no power to make laws.

The brethren are not obliged to the observance of all the evangelical counsels, as could be adduced from the Rule, but only to the observance of those which are expressly mentioned in the Rule.

Recourse to money was made possible for the friars by the appointment of a Nuntius chosen by them, who should take charge of money alms given for the pressing necessities of the friars and who, as the representatives of the donors, should dispose of them according to the directions of the friars.

With regard to the question of property, it was stated that the friars could not possess nothing at all, neither personally nor as a community; however they had the use of household furnishings, books, and necessary residences. The property right of immovable goods remained with the donors, and the alienation of movable goods is invalid without the express authorization of the Cardinal Protector.

The right of the General to approve preachers remained in force, and was not to be exercised in union with the ministers at the General Chapter. An exception was made with regard to those of whose ability there was no question.

The Provincials had not the right to dismiss friars from the Order; similarly they were not allowed to entrust the reception of novices to the vicars of the provinces when they themselves went to the General Chapter.

In future, all the Custodes should not appear at the Chapter, but only one from each province, who should be chosen for this duty by his colleagues.

These are the principal regulations in the first explanation of the Rule. This explanation marks a milestone in the history of the Order. There are some who seek to represent both the request of the friars for an explanation and the granting of it by the Pope as an impious desertion of the ideal of St. Francis. That this view is not justified will be readily seen if one but considers the personages who joined in making the request, especially that strict General of the Order, Parenti, and St. Anthony. The resolution to take the step was made with regret. There was nothing else left for them to do if they did not want to permit the Order to be ruined or at least seriously impeded in its utility. Any Friar Minor, no matter how inflamed with love and reverence for his holy founder he might be, must confess after due reflection that Francis had overestimated the power of ordinary mortals. A St. Anthony himself saw this, as later also a St. Bonaventure, both champions of the mitigated observance in the Order. Both wished to hold fast to the ideal of the Order as far as possible; but both preferred to give up the means rather than the end, a precept rather than the usefulness of the Order. Because of this reasonable stand, the moderate school was in continual controversy with the extremists of the right and of the left. The former wished to hear nothing about any explanation of the Rule, but to hold fast to the letter of the Rule, even if through this the whole Order would be greatly hindered and even condemned to inactivity. Whether any friars took this position and whether they held it already in 1230 cannot be said with certainty. If there was such a party at this time, its members at any rate kept quiet. The first became a danger to the Order later on, when we meet them under the name of Spirituals. At the other extreme, there were friars already at this time who wished to go farther than the status given by the explanation of the Rule and advocated complete laxism. Elias soon became the leader of this group.

At the General Chapter at Rieti in 1232, Parenti resigned and from that time on devoted himself to the missions in Sardinia. His successor was Elias who had regained public favor by his penances. He was recommended too as an old friend of the founder, as the builder of the church of St. Francis, and also as the protégé of the reigning Pontiff, who wished him to be elected.

Elias possessed rich endowments which made him eminently capable of assuming the government. He had the power of ever going forward towards his objective without losing himself in non-essential details, energy, skill in business matters, and zeal for the spread and activity of the Order both in the care of souls and in knowledge. He favored the missions, wished the foundation of many residences in the cities where there was a rich field of labor open to the friars. He knew how to acquire the esteem both of the Pope and the Emperor. But there were also dark shadows in the character of Elias. First of all, his private life was not that of a Friar Minor. Indeed before his election he had been granted several relaxations because of ill health, but he carried these much too far. He had several riding horses which he used to go even for short distances; he had fine food prepared by a private cook; he ate alone, never with the community. He collected money not only for the erection of the new basilica but also for himself and was not immune to bribery. Even the study of alchemy was brought up against him. The statement seems strange to us that once, when corrected on account of his conduct, he explained that he was not obliged to the observance of the Rule of 1223, since he had not made profession of it. Since Elias was not alone in this opinion, it was decreed by the General Chapter of 1239 that all the friars should renew their profession according to the *Regula Bullata*.

By his administration, Elias soon incurred the hostility of the two other parties in the Order, the Moderates and the Ultra-conservatives. The latter were scandalized at the un-Franciscan life of the General, although it is probable that they were also disgruntled at the Bull of Gregory, *Quo elongati*, which was not to their taste. How far they let themselves go is hard to say since credence should not easily be given to the latter party historians. Still what these relate is not impossible. According to them, the adherents of the old ideal – later called Caesarenes – had broken from the community and betaken themselves to hermitages, whereupon Elias proceeded against them and imprisoned those who resisted. Bernard of Quintavalle fled from him and hid himself until the deposition of Elias. Caesar of Spire was killed by a guard on a supposed attempt at flight. This much at least is certain; the members of this party grimly hated the General and in their writings they gave a very one-sided and objectionable picture of affairs, especially regarding the relations of St. Francis to Brother Elias.

The General lost favor with the Moderates to whom he had previously belonged, because of his private life and his mode of government which only too soon developed into positive absolutism. The power of the General was indeed unlimited at this time, but the methods of Elias were absolutely opposed to the wishes of St. Francis. As a lay brother, Elias gave preference to lay brothers who were more willing tools in his hands than were the clerics; he frequently deposed provincials, in order to put his favorites in their places; he unnecessarily increased the number of provinces to 72 (cfr. par. 30) and by this means weakened the esteem in which Provincials were held; during his entire regime he never held a General Chapter in order to avoid being brought to justice. At the most, he permitted the brethren of Italy, whom he had carefully chosen and from whom he had nothing to fear, to assemble in Chapter.

But the provincials beyond the Alps, in France, England, and Germany, were not so easily intimidated. It was in these regions that bitterness against Elias was most intense, especially because of the Visitors sent by Elias. He himself never visited the provinces as was incumbent upon him according to the Rule; and the friars were prejudiced in advance against the Visitors he sent because such officials had scarcely ever been used before and it was doubtful whether they were permissible. But the friars would probably have borne this evil had the Visitors not been so harsh and insolent and avaricious, and if they had not undermined the authority of the provincials. The Visitors declared that according to the order of the General every friar was ipso facto excommunicated who hid anything at all from them, and that they were obliged to bring all complaints to the General. What wonder then that some of the provinces would not even grant entrance to the Visitor, and that the whole arrangement was regarded as the work of the devil.

The first defense measures against this regime were planned in Paris under the guidance of the famous teachers, Alexander of Hales and John de la Rochelle. These were apparently unsuccessful. Better fortune attended their colleague Haymo of Faversham, who won the English and the Germans over to his plan: to hold a chapter in Rome of the delegates from the provinces even against the will of the General and then to appeal to the Pope himself. Haymo secured the active support of his fellow countryman, Friar Arnulf. This friar was the apostolic Poenitentiarius of Gregory IX and as such knew how to win the Pope over to their side. After long discussions, the Pope sent them back to their provinces and instructed them to form a commission of twenty friars to consider

and work out the reforms. Then the Holy Father called a General Chapter at Rome in 1239 at which Elias was deposed and Albert of Pisa, Provincial of England, was chosen General. A number of laws were promulgated at this Chapter, expressing probably an epitome of the foregoing reform discussions. The constitution of the Order was changed from the very foundation: - the independence of the General was curtailed, and the General Chapter was placed above him. Thus even today the Order suffers from the misrule of Elias!

Paragraph 6
From the downfall of Elias until the election of Bonaventure
1239-1257

Albert of Pisa was the first priest to be General of the Order and since that time no lay brother has ever been General. The conduct of the lay brothers, who had been so favored by Elias, brought matters to such a pass that Haymo of Faversham, successor of Albert who died in 1240, excluded lay brothers from all the offices of the Order and commanded that the admission into the Order of lay brothers should be limited. From this it seems that the clerics at that time were in preponderance in the Order – in authority if not in numbers – otherwise the command would have been carried out only with great difficulty.

In the meantime Elias, to avoid obeying the new General, joined Emperor Frederick II and was thereupon excommunicated by Gregory IX. But the Pope died in 1241 and Haymo, Elias' chief opponent, died three years later. Elias now hoped to gain control once more, since a large part of the Order still favored him and the new Pope, Innocent IV, had not as yet taken any action hostile to the emperor. Elias appeared at the General Chapter held in Genoa in 1244 and tried to prove that he had been unjustly deposed. But the majority declared against him whereupon he again departed and was again excommunicated by the Pope and expelled from the Order. With his faithful followers, he went to Cortona, built a house and a church in honor of St. Francis. Here he resisted the repeated efforts on the part of the Order to induce him to return, fearing imprisonment. Shortly before his death in 1253, he was fully reconciled with the Church and died penitent, frequently repeating the prayer: "Lord, spare me, a sinner."

Unfortunately a penitent death did not repair the harm which Elias had brought upon the Order while he was General. The Laxists had grown in numbers and influence during the regime of Elias. The Ultra-conservatives had become ever more inclined to follow a separate path. These extremists made the situation very delicate for the Moderates who formed the main part of the Order. Elias' immediate successors, Albert and Haymo, did what they could to improve the spirit of the Order by their own good example and personal visitation.

In order to clear up certain controversial matters, Haymo requested opinions from the provinces on some points of the Rule. His own province, England, declared against any interpretations, wishing to have only the Rule as it stood. On the other hand France, about 1242, sent the famous "Exposition of the Four Masters", composed by the Parisian doctors Alexander of Hales, John de la Rochelle, Robert of Bastia, and Richard. This exposition shows clearly how much uncertainty and speculation still prevailed in the

Order about some points of the Rule, as for example, who owned the movable goods of the Order (A definition on this point had not yet been obtained). The Four Masters advised further authentic interpretation of the Rule, but they decried dispensations, from which the ruin of the Order was to be feared. They pointed out as injurious privileges the Briefs of Gregory IX issued December 12, 1240 and June 19, 1241. In these the Pope for the first time expressly dispensed from precepts of the Rule, since he gave the provincial the right, without the intervention of the General, to approve of preachers, and to receive novices through delegates, which according to the Rule devolved on the general alone.

Of much greater importance was the exposition of the Rule, *Ordinem vestrum*, of November 14, 1245, which Innocent IV gave to the General, Crescentius of Jesi. In this exposition:

The Pope transferred the property rights of all movable and immovable goods of the friars to the Holy See if the donors have not expressly retained it;

He conceded recourse to money through the mediation of the Nuntius not only in pressing necessities, but also for the “convenience of the friars.”

How did the Order take this innovation? Under Crescentius, it seems that the majority were contented. The description of Crescentius furnished by the sources differs according to the party prejudice of the writers. In the eyes of the later Spirituals he was considered a lax superior. The reason for this is not far to seek. Already as minister provincial of the March, he had proceeded severely against members of the Spirituals because they had withdrawn themselves from obedience, dressed according to their own inclinations, and despised their confreres. When he was made General, seventy two of the friars opposed him and wished to lodge complaints against him at Rome, probably because of his conduct as provincial and because of the relaxations of the Rule during the last years. But Crescentius was in Rome ahead of them with his grievances, punished the seventy two by order of the Pope, and scattered them throughout the various provinces. The General however seems soon to have lost the favor of the Pope: the reason is not known. In 1247, when the General Chapter was held at Lyons in the presence of the Pope, Crescentius excused himself because of his old age although Innocent had commanded him to appear. He was replaced by John Buralli of Parma. Soon after this Chapter, Crescentius was chosen bishop of Assisi, but did not receive the approbation of the Apostolic See. In 1251 however, he was allowed to assume the office of bishop of his home town, Jesi.

John of Parma leaned decidedly more toward the stricter observance than had his predecessors. The Spirituals indeed considered him as one of their own, although, as a former teacher at Paris, he was favorably disposed to studies. In fact he said that the welfare of the Order depended upon two things: firm discipline and knowledge. This was not the exact position of the Spirituals. He departed still more from the Spirituals' viewpoint by seeking many papal privileges, some of which were of a fundamental nature. Only a month after John's election, the Pope at his request granted that the provincial in each province could appoint some God-fearing men who might take charge of all movable and immovable goods of the friars as the representatives of the Apostolic See (to whom the property had already earlier been assigned). These “Procurators” were to act in accordance with the wishes of the friars and could be deposed and replaced by others according to the desires of the friars. The Order, to be sure, probably at the Chapter of Metz in 1249 and upon the representations of the provincial of Ireland,

decreed that the ordinances of Innocent IV should be temporarily suspended in so far as they contradicted the explanations of Gregory IX. But the General in 1256 had all the privileges granted by both Popes renewed.

Already a year before, October 21, 1255, John had secured authorization that upon the transfer of a residence, the friars might take along all movable goods and sell all immovable possessions with the exception of churches. This permission was as little to the liking of the Spirituals as that other privilege of April 5, 1250, whereby the churches of the Order annexed to convents – but not the churches joined to hermitages – should have the rights of Conventual churches together with the right of burial.

In the face of these facts it is difficult off hand to number John of Parma among the Spirituals. When the Spirituals claim him as one of their party, they had other reasons.

The personal holiness of the General could not have been one of these reasons, because in this respect many friars of the moderate observance could compare favorably with the Spirituals, though probably only a few were equal to John. The General visited on foot a great part of the Order and gave moreover the most beautiful example of humility and love of peace. The Pope called him an “Angel of Peace” and called upon him to undertake important missions. John also proceeded zealously against the excesses of individual friars who took from the novices part of their goods for the convent as well as against those friars who were idlers, or who tarried around the Curia and there sought for ecclesiastical positions of honor. Frequently he asked for papal letters which made the acceptance of such honors dependent upon his approval. He was not in favor of increasing the constitutions of the Order. He wanted the friars to observe the existing ones.

What especially commended the General to the Spirituals was his conduct towards the zealots who, under Crescentius, had been the victims of too strict discipline. John recalled them to their provinces and did not molest them further. He is even supposed to have praised them highly.

The Spirituals admired him even more for his true or apparent leanings toward Joachimism.

Joachim of Fiore in Calabria – a Cistercian abbot who died in 1202 – had circulated mystical ideas which culminated in the doctrine that with the year 1260 a new period, the era of the Holy Spirit, would begin. In this period a gospel of a spiritual kind would dominate the world; a gospel developed from the Gospel of Christ. The written Gospel of Christ would then vanish. The Church also would then become a spiritual Church, unchanged in essence but minus everything external and material. A future Order, led by the illumination of the Holy Spirit, in accordance with this eternal gospel, would announce the truth to the whole world and win the world to the truth.

Such ideas flitted phantom like through the minds of many in the Order – friars who by no means wished to break with the Church but who were ignorant of the consequences of such mental vagaries. But the danger of his break with the Church was ever at hand; therefore it is easily understood that the thinking elements of the Order opposed such dreamers and in this opposition found the active and ready cooperation of the Church. Among the important followers of Joachim in the Order there were numbered two friends of the General, the learned Hugo of Digne and the friar Gerard of Borgo San Donnino. The latter published a work in Paris in 1254 with the title,

“Introduction to the Eternal Gospel.” In this work he understands by the “eternal gospel” something altogether different from the gospel of Joachim, namely his own three principal writings, which are as it were, the canonical books of this third era, of which Joachim is the evangelist, and the Friars Minor the apostles. Gerard’s book was replete with inanities, so that even many of the adherents of Joachim would have nothing to do with it. With the exception of one friend, he did not receive the approval of his fellow adherents of Joachimism in the Order. Shortly after the appearance of the book, he was sent back to his own province in Sicily and was there imprisoned until his death. In spite of this, the work was blamed on the Dominicans and Franciscans by the University of Paris, which at that time was in conflict with both these Orders. Pope Alexander IV condemned the book in 1255, but espoused the cause of the unjustly accused Orders.

This disagreeable occurrence was to have unfortunate consequences for the General. He had confessed Joachimists as his friends and he himself seems to have been favorable to these ideas, which indeed had not yet been condemned by the Church and which hitherto had admitted an orthodox interpretation. At any rate he stood close to the Joachimists. Later on he was even falsely accused of being the author of the “Introduction.” His opponents in the Order, especially those who were not satisfied with his government, now used this occurrence to bring about his downfall.

John wished nothing so ardently as to resign, and for this purpose, before the regular time, he had convened a General Chapter in February 1257 at Rome, where the large monastery of Aracoeli had been given over to the Order by the Pope in 1250. Here, on John’s motion, Bonaventure Fidenza of Bagnorea, who was stationed in Paris, was chosen General.

It is very unlikely that the majority of the friars were in favor of deposing John. Likewise it cannot be decided with certainty whether the Pope induced him to resign his office because of his leanings towards Joachimism. Still, only a few months after his resignation, he was summoned before an ecclesiastical court which, under the direction of the Cardinal Protector and the General of the Order, was to investigate the case. The evidence was of such a nature that the judges believed they had to declare him guilty. It was due only to the strongly worded letter of recommendation of Cardinal Ottoboni, later Hadrian V, that John escaped without punishment. He now chose the hermitage of Greccio as his abode. Here he lived a holy life for his remaining years. He died in 1289.

Paragraph 7 ***The Generalate of St. Bonaventure: 1257-1274***

Born in 1221 at Bagnorea in Tuscany, Bonaventure (John Fidenza) entered the Order in 1238 – according to others 1243 – and studied in Paris for a time under Alexander of Hales. He soon obtained a teacher’s chair there but owing to the conflict at the university he was able to obtain admission to the faculty as a Doctor of Theology only in October 1257, at the same time as his friend, St. Thomas of Aquino. In the meantime he had already been called to the highest dignity of the Order.

Several weeks after his election, Bonaventure obtained a renewal of the privilege granted by Innocent IV in November 1245. In April of the same year, he sent his first encyclical letter to the Order. In this letter he complained that the good name of the

Order was being harmed more and more by the abuses in the lives of some of the friars. These friars were few in number but their actions were injuring the good repute of all. In particular he cited the following abuses:

The excess of business concerns, which was leading to the destruction of poverty and to a careless handling of money;

The indolence and idle wanderings of individual friars;

The importunity in begging, which caused the people to fear the friars more than they feared highway robbers;

The costliness of their buildings;

Careless association with other people, from which arise suspicion and scandal;

Giving offices in the Order to unworthy friars;

The endeavor to acquire funerals and legacies to the great displeasure of the parochial clergy;

The frequent useless removal of the friars, resulting in discontent and unnecessary expenditures.

As remedies against these evils he urged the friars to strive for the spirit of prayer, to expel unworthy members, and to be prudent in accepting new members. These abuses must be uprooted wherever they are found. As for new legislation, Bonaventure did not wish to make additional laws.

These acts at the very beginning of his term as General characterize the entire policy of St. Bonaventure. He defended firmly the traditions of the past; he upheld the privileges of the Order and asked for new ones only where these seemed necessary.

Convinced of the impossibility of leading the Order back to the position of twenty years previous, he made not the slightest effort in that direction. On the contrary he defended the necessity of studies, of the care of souls, of large houses for educational purposes, of exemption from the Ordinary, and similar things which gave the Order solidity. But he wished that within these limits discipline and order should reign, that the poverty of the friars should be safeguarded, and that the unrestrained freedom, which led on the one hand to relaxation and on the other hand to factions and lack of harmony, be held in check.

During the first year of his generalate, Bonaventure asked for two additional privileges. The first of these permitted the acceptance of legacies as well as of restitution money, where the lawful owners could no longer be found. The second concerned an inveterate vice which, in the course of centuries, was to cause very great harm to the Order, that is, the grant of papal privileges to individual friars, houses, or provinces. Bonaventure obtained from the Pope that no such privilege could be used without the express authorization of the General. For the same reason, the saint, like his predecessor, steadfastly defended his right to recall the friars who were staying with bishops. He also passed the law that no friar could accept such positions with bishops without the permission of the superiors of the Order.

How did Bonaventure carry out his program? The writers of the moderate observance give him unstinted praise; the Spirituals on the other hand, acknowledge indeed his personal holiness, but mourn the fact that despite all his good will, he did not show enough energy in the eradication of abuses.

With regard to this charge of the Spirituals, it is not to be forgotten that they considered many things to be abuses which the General regarded simply as a necessary development of the Order.

Bonaventure, by reason of ill health, could not, like John of Parma, distinguish himself so much for bodily mortification. In zeal for the regular life however and for the good of the Order, he certainly was not inferior to John. During his term of office, he left his usual residence, Paris, and traveled to Italy some ten times. This fact alone, in view of the difficulties of traveling at that time, showed great corporal exertion. According to the constitutions, he held a General Chapter every three years, and almost always he alternated between the two sides of the Alps.

The most important of these Chapters was the first, which he convened at Narbonne in 1260. Here the numerous ordinances of former General Chapters were arranged by him, and published as the Narbonne Constitutions. These have remained the model for all succeeding constitutions of the Order both in content and in form. The Narbonne Constitutions are arranged in twelve chapters in coordination with the Rule. Abstracting from the regulations in the Narbonne Constitutions which will be spoken of elsewhere, the following deserve to be mentioned:

The reception of novices, who wish to become clerics, depends upon their knowledge of grammar and logic;

Lay brothers for domestic service shall be accepted only in cases of necessity and with the special permission of the General;

The education of novices should take place in novitiate houses, under a special Master. After the novitiate is completed, the profession is made (in words which the Order has retained unchanged to the present day);

The color of the habit is gray, and should be neither perfectly black nor perfectly white, as was sometimes the case before;

A concession to old monastic customs is the prohibition against eating meat in the friaries; likewise the introduction of silence and the Chapter of Faults;

The reception of the sacraments was regulated; - the brothers are to go to confession twice a week and receive communion fifteen times a year;

When a friar remains for any time outside the cloister, he must always have a companion with him, who has to report any delinquencies to the superior;

Good but humane prisons are to be held ready for the punishment of unworthy friars;

Any friar, even the General, who works towards a division of the Order, is subject to a particularly severe punishment;

In order that the General might not occasion any schisms, he is not allowed to promulgate any laws for the entire Order except at the General Chapter and then only with the previous consent of the Definitors; for the same reason the General may not solicit any privileges by which the Rule may be harmed.

Besides these constitutions, further precepts were passed at this Chapter (Memorialia, Definitiones, Statuta, Ordinationes), the juridical value of which is difficult to appraise. In so far as they were not merely exhortations, they had the same binding force as the constitutions themselves since, according to the then existing law, papal approval was not demanded. They were often regarded as such with this consequence, that the uncertainty of the law was thereby increased and a continual revision of the

constitutions became necessary. Bonaventure put an end to the confusion for himself by abrogating all the decrees of preceding Generals, both written and oral decrees. Unfortunately a similar proceeding was often omitted at later Chapters, and since new precepts were given which partially contradicted the former ones, the unavoidable consequence was an increasing mix-up in the legislation of the Order.

Among these resolutions passed at Narbonne, one explained that the custodes and the guardians should be considered as prelates and should receive the *cura animarum* over their subjects from the General. This resolution was logical because of the existing exemption from the Ordinary, but the name of prelate would have pleased St. Francis very little.

The repetition in this General Chapter of the earlier resolution to exclude from the explanation of the Rule by Innocent IV those things which contradicted the explanations of Gregory IX had no significance because already in the year 1256 all the previous papal privileges in favor of the Order had been renewed. This must necessarily have destroyed the significance of the resolution passed by the Chapter.

During the following years, Bonaventure, in response to a petition of the General Chapter, wrote the "Legend of St. Francis" which was then approved by the Chapter at Pisa in 1263. The goal of Bonaventure in all his activity was the pacification of the Order and this purpose is also evident in his biography of the sainted founder. He passed over those aspects which could provide new inflammable matter for the conflicting parties; on this account the *Legenda* received such wholehearted approval that the General Chapter, held at Paris in 1266, ordered under obedience that all earlier biographies should be destroyed. This explains why the biography by Bonaventure held undisputed sway throughout the entire Middle Ages until the older sources, especially those of Thomas of Celano, were discovered later. The decree, which was issued by the General Chapter and not by Bonaventure himself, as his opponents stated, was unfortunate, but it is easily understandable and excusable in the light of the unrest then prevailing.

After the Chapter at Paris, the General again sent an encyclical to the provincials of the Order in which he repeats his complaints of the abuses already denounced in the first encyclical. These abuses, he wrote, are lowering the Order in the eyes of the people and still more in the eyes of the clergy. Regarding poverty he said that some carried it only in their mouths, but in deed they wished to know nothing of it: "It is a shameful and a vulgar lie for a friar to profess to be a follower of the highest poverty and at the same time to be unwilling to be deprived of anything: for a friar to be interiorly as affluent as the rich, and exteriorly to beg after the manner of the poor." Those superiors, he continued, are burdened in conscience who permit such abuses and do not energetically carry out the existing decrees, by which they should be made impossible. If clemency help not, they should have recourse to expulsion in order that the whole Order may not be sullied by such members.

But we should not draw too far-reaching conclusions from such writings which merely wish to show up abuses and which prefer biting terms in order to strengthen the impression. A picture of the whole state of affairs cannot be given by painting merely the dark sides. To arrive at a correct evaluation of the Order at the time of St. Bonaventure, we should not overlook the fact that it was accomplishing exceptional work in all the fields of the ministry, mission activity, and studies. But as in all societies and at all times, so also in the Order at this time, there existed blameworthy transgressions.

Perhaps Bonaventure might have succeeded in removing them for the most part if he had ruled longer. But unfortunately he was called from his post by the Pope.

In 1273, Gregory X made him Cardinal Bishop of Albano and commanded him to accept this without any remonstrance; in 1265, Bonaventure had refused the archbishopric of York. He retained the government of the Order until the next General Chapter held at Lyons in 1274.

Bonaventure rendered noteworthy service at the General Council of the Church held at that same time. He won the esteem of all, especially of the Greeks. His sudden death on July 15, 1274, removed him from the work of the Council. The grief of the assembled prelates was sincere and touching. The Pope himself was present at the obsequies and commanded that all the priests throughout the world celebrate one holy Mass for the deceased Cardinal.

Among the many matters treated by the Council were the religious Orders, particularly the numerous mendicant Orders which had been founded since the last Lateran Council despite that Council's prohibition against them. The Council of Lyons suppressed some of them outright, others it condemned to gradual extinction. These latter it forbade all participation in the care of souls. The Dominicans and Franciscans were expressly excluded from these decrees, because of their manifest usefulness to the Church.

Especially affected by the decree of suppression were the numerous societies which had borrowed one or the other feature from the two great Mendicant Orders, especially with regard to clothing and manner of life. These societies hoped thereby to make an impression on the people. However these groups opposed both Mendicant Orders and for the most part professed Joachimistic and heretical doctrines. To this class belong the Saccati, also called Boscarioli (wild men), who had arisen in the Provence due to the preaching of Hugh of Digne.

More important and more obstinate than the Saccati was the sect of the Free Spirit, or the sect of the Apostolic Men, or Brethren of the Apostles (Apostoli, Pseudoapostoli). This many-named sect was founded about 1260 by Gerard Segarelli, who had been refused admittance by the Friars Minor at Parma. The activity of the Apostolic Men soon became so dangerous both to church and state that the greatest energy and even recourse to military force was used to suppress them. The leaders, Segarelli (†1300) and later Dulcino (†1307) were burned at the stake. These sectaries were here and there erroneously enumerated among the Fraticelli (cfr. par. 12).

The news that decrees against the mendicants had been passed at the Council of Lyons spread also to the March of Ancona among other places. The report was considerably garbled. It was said that the Pope intended to force the mendicants to hold property in common as did the older Orders. This announcement brought the discord, already secretly existing among the friars there, into open schism. The majority held themselves ready to submit, in case such a decree should come, but some thought that it would not be necessary to submit to such a decree, since it was unjust. Although these sentiments never came to actual test since the rumor was not true, the Provincial Chapter of 1274 demanded satisfaction and retraction from all the friars who had spoken against obedience to the Council. The few who refused, among them Thomas of Tolentino and Peter of Macerata, were deprived of the habit and confined to hermitages. That was the

beginning of the great war between the Community of the Order and the Spirituals. For a better understanding of this conflict, some general remarks must be given.

Paragraph 8
General Remarks concerning the Parties of the Order around 1270.
Private interpretations of the Rule.
The name “Spirituals”

According to some the name “Spirituals” is taken from the 10th chapter of the Rule (observe the Rule *spiritually*). According to this each friar has the right to demand help from the superiors as soon as he considers his salvation to be imperiled for any cause whatsoever as, for example, by reason of his activity or surroundings.

According to others and this is more probable, the origin of the term is to be found in the method of speaking at that time, according to which a “Spiritual” man meant an interior, deeply religious person. This explanation seems to be more correct when he consider the parallel case among the Dominicans. The stricter party in this Order also called itself the Spirituals, until the name was forbidden as disturbing the peace of the Order.

Were the Spirituals of the Franciscan Order in reality what their name indicates? A general answer to this question is impossible. There were various groups among them and what was true of one group was not true of another. We can say this: among the Spirituals there were true saints; among them also there were unreasonable fanatics, friars who were disobedient, proud and even heretical.

This opinion seems closer to the truth than that which later found favor in the Order. The Observants considered the Spirituals to be their forerunners and tried to place them in the most favorable light. The Conventuals, on the other hand, erroneously considered the members to the Community as their allies and so took an antagonistic position against the Spirituals.

How long had the Spirituals been in existence? When did they start? A decision on these points is difficult. It is purely arbitrary to consider the opponents of Elias and Crescentius of Jesi as belonging to them, although in some points these were in agreement with the Spirituals. But we certainly can not say that they arose only in 1274, at which time the conflict actually broke out. They were certainly existing before that time, scattered among the hermitages of central Italy, perhaps also in southern France; little is known of them in the other countries.

All the characteristics of the later Spirituals did not make their appearance in 1274. Among such characteristics can be mentioned:

- The endeavor to observe the Rule of St. Francis literally, together with the Testament, without any papal declarations;
- A too exalted evaluation of the poverty of the Order, which for them is identical with the highest religious perfection, so that even the Pope cannot dispense from it. Considering the various papal concessions, this was bound to lead to conflict with the Church especially since among the Spirituals, Joachimism and other deviations from the teaching of the Church had found a footing;

• Indeed, various facts in the history of the movement almost lead us to think that the really distinguishing trait of the Spirituals is just this Joachimism; in relation to this, zeal for poverty is merely a partial cause, if not entirely a pretext.

Still many individual Spirituals deserve unstinted praise since they fought in holy conviction for a high ideal and even lost their lives for it. But the whole movement would certainly have been more beneficial to the Order if it had held aloof from many excesses, and had remained as a quiet leaven in the Order.

Opposed to the Spirituals stood the Community, which was itself divided into a moderate and a lax observance. The majority of the Order, under the leadership of the Generals, fought against the lax observance, as will be seen quite often in the following pages. It was therefore unjust to lay the excesses of these lax members at the door of the Order, as the Spirituals did with great delight. The Spirituals deliberately concealed what the Order was constantly doing against abuses, although they must have known quite well.

So it came about that the desired understanding between the moderates and a great part of the Spirituals became more and more impossible, and that the whole Community proceeded with all possible rigor against these extremists.

In doing so, the Community not infrequently exceeded the bounds of moderation, and meted out too severe punishments. But they saw in the Spirituals the destroyers of the Order, men who would not submit to the commands of their lawful superiors and who refused to accept the papal explanations concerning poverty. The Order did not think of departing from these explanations nor could it have done so, even if it had wished. The activity of the Order had increased to such an extent that it could no longer have remained in existence if the position of the Spirituals concerning poverty was maintained.

The Order, said the Community, was founded for the purpose of developing a rich activity and living for the home and foreign missions. If the Spirituals would only erect a province of their own, with all the obligations of such a province, for example, to educate the young, to care for the old and the sick, then certainly many of them would not cling to their opinions. But they have it easy, living as they are a personally strict life, in the bosom of the province and complaining about the others who must provide for them.

It is indeed striking that among all the leaders of the Spirituals hardly one can be found who might be regarded as a calm, sensible man. Practically all of them were more or less violent, immoderate, and in part untruthful. They laid claim to restoring the spirit of St. Francis; but not a trace of this spirit can be found in them unless you consider as such a love of poverty carried to the extreme of caricature.

Among the moderates of the Community, however, we find many earnest and outspoken friars whose holy lives condemned laxism as much as their clear vision rejected Spiritualism. They condemned both extremes, because either would have led the Order to its ruin. Outstanding examples of this observance, to which we owe all that is good in the Order, are St. Anthony, Alexander of Hales, John Pecham, David of Augsburg, Berthold of Regensburg, and not least, St. Bonaventure.

The official writings of St. Bonaventure already quoted show that he opposed laxism; a Spiritual could not have written more vehemently. But from these writings as well as from other numerous documents of the saint concerning the Rule of the Order, it is apparent that he considered the poverty of the Order practicable only with the help of the papal declarations. We are like the servants in a house, he says, who receive all that

is necessary from their master, but not as if it were their property. Our master even in temporal things is the Church; the friars in the Order find themselves in the same relation towards the Church as the individual monk in the other Orders stands towards his monastery. St. Bonaventure also preferred large houses to small ones, because in the larger houses better discipline reigns, and the education of novices, progress of studies, and care of souls can be more perfectly carried out. But he wished that these houses also rely on the providence of God, that they have no landed estates or any assured income. He minced no words with the zealots who, instead of fixed residences, wished to have the old wandering life: "If you say that we should go from house to house like strangers and pilgrims, may God have mercy on him, who first thought of this foolishness."

Bonaventure's contemporary, John Pecham, who became archbishop of Canterbury in 1279, took the same stand. He approved of the declarations of the Popes, but condemned all laxism relative to poverty, particularly a too great outlay in monasteries and the accumulation of supplies in cellars and granaries. He spoke against the opinion that the friars could accept inheritances, and he did not hesitate to state that many of them considered the simple use of money as not being forbidden.

David of Augsburg asserted the same thing for Germany but he did not express his own opinion clearly with regard to this question. He sought to console the many friars whose consciences were troubled by this money question with the words: "Our holy father Francis, filled with the divine spirit, wished not to injure the friars with this snare of perdition, but to obstruct somewhat the ways of avarice." With candid sincerity this eminent ascetic stated that the rigor of the early times could not be observed any more on account of the great number of the friars, and because of the homes for the sick and houses of study. But even for these, he permitted no fixed incomes, since they are completely opposed to our state of life.

Hugh of Digne, in his explanation of the Rule, agreed with David on this point. Hugh raised no objections against the "nuntii" and "procuratores", which is surprising in so far as he is generally enumerated among the Spirituals. But he came closer to the Spirituals in another work: "An Argument between a Champion of Poverty and an Enemy of his own Household." In this book he scored the position of the laxists, who boasted of their lack of property, but will not bear of the "poor use" of things.

Entirely Spiritual in concept is another exposition of the Rule from this time, which bears the title: "A Brief Explanation and Most Accurate Application of the Rule, edited by Esteemed Fathers of the Order." This holds fast to the old conception of money, a conception also adopted by the four Masters: "Money is anything which is received in order to be sold." According to this money included grain, chalices, arms and horses. (Horses were often given to the friars at funerals, that they might be sold for the benefit of the friars). Several years later, this opinion was officially rejected by the commentary on the Rule *Exiit qui seminat*.

All these private explanations of the Rule agree in this that without exception they refuse all landed estates, with the exception of the monasteries and the gardens connected with them, and refuse as well all fixed income. The Order also defended this viewpoint before the Pope who, in 1276, thought that a convent should be established at Mallorca, for whose upkeep a fixed income should be provided.

Paragraph 9
The Generals from 1274 to 1289.
The Decretal “*Exiit qui seminat*”

Jerome of Ascoli Piceno had been sent on a special mission to Greece by the Supreme Pontiff. He had not yet returned from this embassy when the Order elected him General at Lyons in 1274.

Among the acts of the Chapter held at Lyons, the statute which forbade recourse to the laity under the most severe penalties is noteworthy.

“No friar may have recourse to persons outside the Order, be these persons princes or even prelates, in order to bring about through their mediation any changes whatsoever, either for the whole Order, for a single province, or for a residence of the individual friar.”

Had this decree always been faithfully observed, many disturbances would have been spared the Order.

Likewise the explanation which the General sought from the Pope and obtained November 25, 1274, was important for the question of poverty. According to this explanation, the friars without the intervention of the procurators or of the Apostolic See, could themselves take care of the exchange or alienation of movable goods. Such a wide authorization was dangerous, and was consequently limited considerably several years later by the Decretal *Exiit*.

The next General Chapter held at Padua in 1277 took severe measures against transgressions of poverty: some of the friars had introduced poor boxes and money collections.

Jerome must have resigned already at that time on the plea of inability and an excess of other work. Certainly his services were called upon frequently by the Pope for all manner of embassies. In 1278, Gregory X sent him to France, together with the General of the Dominicans, to undertake preliminary negotiations for peace with Aragon. In Paris both Generals found themselves forced to admonish their subjects to foster the ancient friendship between the two Orders. This friendship was threatened by foolish quarreling. Before he returned from this embassy, Jerome was raised, much against his will, to the rank of Cardinal. He was commanded to continue governing the Order until the next General Chapter. In 1288, despite his emphatic refusal, he was forced to ascend the Chair of Peter. He took the name Nicholas IV. He was the first Pope from the Order. Piety, disinterestedness, and unceasing activity for the rescue of the Holy Land are all with justice attributed to him.

In 1279, at the General Chapter of Assisi, Bonagratia of San Giovanni in Persiceto was elected General.

Before Bonagratia's election, Nicholas III had sent a letter to the Order from which it is evident that the Order, despite individual disorders, stood high in the esteem of the Pope and of the Church. Among other things Nicholas wrote: “Therefore We rejoice in the Lord with worthy and full joy, when We look upon you, the followers of him who bore the burdens of austerity, spurning the delights of the world; in order that he might appear in splendor among the saints of God, and you, by professing his Rule, stand forth as noble followers of the testament of the Lord; not do We rejoice without cause, since the Church also rejoices, enjoying the odor of sweetness of your works.”

The newly elected General, probably at the will of the Chapter, soon went to the Curia which was either at Soriano or Cimino during the summer months. He had two objects in view. The first was to secure the appointment of a new Cardinal Protector. The Pope appointed his nephew, Cardinal Matthew Orsini, to whom he gave the care of the friars in these words: "We give you the best we have; We give you the desire of our heart, the apple of our eye."

More important was the General's second object: a revision of the previous papal explanation of the Rule. Nicholas III had been the Protector of the Order for a long time and had even known quite a few of the companions of St. Francis. Considering his favorable attitude towards the Order, the friars could hope for a fulfillment of all their justifiable requests. The result justified this confidence. The Pope appointed able men as a council, among them the two cardinals of the Order, Bentivenga and Jerome of Ascoli, as well as the Protonotary, Benedict Gaetani (the later Boniface VIII), the General of the Order, Bonagratia, and some picked friars. Together with these men, he devoted a large part of his summer vacation to the requested revision, which was published August 14, 1279. It was the Decretal *Exiit qui seminat*.

The introduction extols the Order, which is faithfully following the footsteps of the Apostles and scores its opponents who fight against the Order out of envy, and seek to show that its way of life is not permissible or not possible.

Of the exposition itself, which not infrequently calls to mind the writings of St. Bonaventure, the parts concerning poverty deserve a special attention.

The complete abdication of possessions, even in common, is meritorious and was taught by Christ, although He at times accepted money, in order to be an example also to the weak.

The "moderate use according to the Rule" should not be denied the friars.

All that is given to the friars, passes to the ownership of the Apostolic See, if the donor does not himself retain the ownership. This is true for all movable as well as immovable goods, also for those which the friars have bought with money alms.

Should any one give over a house to the friars for their use only, he himself retaining the ownership, the friars must leave at any time according to the will of the owner; only churches and cemeteries remain reserved in all cases to the Apostolic See.

The use of things by the friars must be in harmony with their poverty and should exclude all luxury and excess, but should however in a reasonable way be regulated by circumstances.

The question of money was considered with special minuteness since the friars had the most scruples concerning this matter, and their opponents attacked them most strongly on this point.

Loans are entirely forbidden.

But it is not against the purity of the Rule to appoint intermediaries, "Nuntii", or spiritual friends who may take the money from the donors and expend it for the real necessities of the friars.

The ownership of money remains with the donor, even if he himself should not think of it, and he can recall it at any time.

The friars have no authority in the matter and cannot prosecute an unfaithful "Nuntius" in court, nor can they require a reckoning from him. Only in the form of a

request may they tell him of their necessities and ask that he should relieve these needs with the money alms.

They may not have more money deposited with the intermediary than is necessary for their present necessities.

The acceptance of legacies is permitted to the friars, provided there is no question of things whose use is forbidden to them, for example, landed estates. Should such estates however be given with the provision that they be sold and the needs of the friars be relieved with the money obtained from the sale, then the friars may accept them. The heirs should willingly hand over such legacies, although they cannot be forced to it by a court.

The exchange of movable goods for other movable goods can be made by the ministers of the Order themselves, by virtue of the delegation of the Apostolic See, to whom the ownership pertains. The sale of such movable goods however must take place through the Procurator, who is to be appointed by the Pope, or the Cardinal Protector in the name of the Pope.

Furthermore, the Pope renewed the right of provincials to approve preachers and to delegate trustworthy friars for the reception of novices.

The Holy Father also defined, conformably to the Bull *Quo elongati*, that only one custos from each province should appear at the General Chapter.

The Testament of St. Francis has no binding force.

All earlier papal explanations are to be considered null and void.

In conclusion: Nicholas commanded that this constitution, as the other decretals, should be taught in the schools, and forbade under sever penalties any contradiction and every explanation which did not conform to the evident meaning of the text.

The importance of this Decretal. *Exiit qui seminat* has an apologetical character and was issued primarily for the protection of the Order against the attacks of certain adversaries. It did not give the Order itself a single new privilege; it merely defined existing ordinances more clearly and at times considerably increased their rigor. Where, according to the explanations of Innocent IV, recourse to money was permitted “for conveniences”, now it was limited to necessities. The procurators could no longer be appointed by the friars, but received their position from the Holy See. Lack of property is no longer a mere legal term, at least not in those cases where the residences of the friars belong to private persons. For now, at the request of the owner, the friars must leave the house. It is certain that, under the circumstances, stricter ordinances were not at all feasible. From this time, *Exiit* was numbered among the fundamental laws of the Order.

Still the Pope did not completely attain the end which he desired. Gifts and legacies for the friars were still unjustly held back, and the Order could not enforce their claims to these by going to court. Recourse to the Church or to the procurators appointed by the Church, for which definite ordinances were not given, proved to be practically impossible in many cases.

Martin IV sought to remedy this defect for the entire Order by his brief *Exultantes* of January 18, 1283, in the same way as Clement IV had already done for a single province. Pope Martin in this brief approved the *Oeconomici* or Apostolic Syndics. The ministers and custodes, according to the necessities of the individual friaries, should appoint upright men to receive money alms in the name of the Apostolic See and to dispose of such alms for the friars according to their request. These men are empowered

in the name of the Church to dispose of property left to the Order, to sign agreements concerning this property, and to take the affairs of the friars before secular or ecclesiastical courts. If the men appointed do not give satisfaction, the superiors of the Order can replace them with others. These Syndics were both the *Nuntii* and the *Procuratores* in the earlier sense of these terms. The Syndics now however were not merely representatives of the donors as were the *Nuntii*, but also vicars of the Apostolic See. Thus the reality of the high ideal of poverty as preserved in the Decretal *Exiit* was once more forsaken, and once more a mere legal term was substituted.

The General Chapter of Milan in 1285, which elected Arlotto of Prato as General, accepted the privilege of Martin IV, but warned against a multitude of legal litigations, which might follow from it and thus bring the Order into disrepute. The contention of the Spirituals that the Order had voluntarily renounced all claim to this papal concession at the Chapter held at Strasbourg in 1282 is incorrect for this very good reason that at that time the privilege had not yet been granted.

This General Chapter is noteworthy however in the internal history of the Order. At this Chapter, the writings of Olivi were considered for the first time.

Peter son of John Olivi of Languedoc had been attracting attention in the Order for some time by his writings. His opinions on poverty were not the cause of this attention for in these, as the reading of his works shows, he does not depart from the conscientious friars of the Community. Rather it was his views on certain dogmas and his Joachimistic opinions which stamped him as a leader of the Spirituals and incurred for him the dislike of the Community.

Without doubt disagreement with these teachings of Olivi was a welcome opportunity for the lax friars to proceed against this troublesome preacher of more strict poverty. This motive however is not found among the moderate observants in the Community. They let themselves be guided exclusively by the thought that the Order could not tolerate such teachings for its own welfare. The memory of the conflicts which Gerard of San Donnino had stirred up was enough warning for the moderates.

Therefore the Chapter at Strasbourg requested the General to have the writings of Olivi examined by Franciscan teachers at Paris. The examination turned out unfavorably; a number of Olivi's opinions were denounced as errors, and the reading of his books was forbidden. In the beginning, Olivi seems to have submitted. Soon however he published writings defending the condemned opinions. An understanding must have been reached at the General Chapter of Montpellier in 1287, because the newly elected General, Matthew of Acquasparta, sent Olivi to Florence as a teacher in the college of the Order. From Florence he went, several years later, to Montpellier in the same capacity.

The Chapter of Montpellier was a stormy session, although the reasons for this are not clear. According to some, the friars wanted to have a General who was not an Italian; according to others, the storm was caused by the Spirituals who were opposed to the Decretal *Exiit*. A book published at that time by Nicholas, the provincial of France, condemned the entire decretal as contrary to the will of St. Francis who had forbidden all glosses. Matthew, the General, energetically proceeded against this spirit, but he could not uproot the evil as was soon apparent. Added to this, Matthew was created a cardinal scarcely a year after his election as General. This was unfortunate for the welfare of the Order, since the quick change of Generals made a thorough visitation of the provinces impossible and a government of the Order based upon a detailed knowledge of conditions

in the Order was out of question. The elevation of Matthew must therefore have exercised an unfavorable influence upon the discipline of the Order.

Paragraph 10
Conflicts of the Spirituals: 1289-1305

At the Chapter held at Rieti in 1289, the Provençal, Raymond Godefroy (Gaufredi) was chosen General, contrary to the wishes of the Pope. Raymond belonged to the stricter party within the Community. As a result he labored zealously against the excesses of the laxist party. Although he proceeded against the extreme Spirituals as well as against the laxists, his attitude towards these Spirituals seemed to Pope Boniface VIII to be too lenient. Accordingly the Pontiff demanded his resignation in 1295, after Raymond had refused a bishopric which had been offered to him. Later we shall find Raymond in the ranks of the Spirituals, but always a very moderate exponent of their ideas.

The revision of the General Constitutions made at the Chapter of Paris probably comes within his regime, although in the opinion of some historians this edition first appeared at the Chapter of 1296, which elected John Mincio of Murrovalle as the head of the Order.

The Generalates of both Raymond Godefroy and of John Mincio were filled with conflicts with the Spirituals, whose strength was centred in the March of Ancona, in Tuscany, and in Provence. In the other provinces of the Order only at rare intervals do we meet individual friars who must be reckoned among the Spirituals.

In the March of Ancona, Thomas of Tolentino, Peter of Macerata and some other Spirituals had been punished by the provincial chapter in 1274 (cfr. par. 7). After a short truce, feelings again became so aroused that in 1280 five provincials of the district decreed that the aforementioned friars together with several others, including Peter Clarenus de Fossombrone, be condemned to perpetual imprisonment as heretics and enemies of the Order. This sentence had to be read in all convents and whoever dared to oppose it should be afflicted with the same punishment. Such a procedure was undoubtedly too severe. The General, Raymond, therefore liberated the captives in 1289 and sent them to the missions in Armenia where, according to the statement of the Armenian king, they labored with great success. In 1293 these friars returned to Italy, presumably because of the persecution which they suffered at the hands of the friars in the Syrian province. When the superior of their own province refused them admission, they appeared before the General. Raymond referred them to the newly elected Pope Celestine V. The Pope in his kindness of heart allowed himself to be deceived by their representations and permitted them to separate from the Order. Dwelling in poor hermitages, they were to observe the Rule of St. Francis without any papal explanations; however, they should no longer call themselves Friars Minor but Poor Hermits or Celestines. Despite the identity of name, the new organization had no connection with the already existing Order of Celestines.

Peter of Macerata was appointed superior of the new group, whereupon he took the name Liberatus. His companion, Peter Clarenus, took the name of Angelus.

This separation was naturally looked upon as apostasy not only by the Community party of the Order but also by some among the Spirituals, for example, Olivi. Olivi's letter to Conrad of Offida in 1295 gives a trustworthy record of the views of these new Celestines. According to this letter the new organization considered the Popes Gregory IX and Nicholas III as heretical falsifiers of the ideal of poverty because of their explanations of the Rule. Some of them even dared to call Innocent III a heretic because he had condemned a doctrine of Joachim of Fiore at the Lateran Council. The doctrine that a Pope could not resign was commonly championed by them; consequently, they regarded Boniface VIII as no Pope at all, and considered all his adherents as excommunicated. In conclusion, Olivi predicted the sad consequences of the Spiritual excesses, and recalled that even the saintly companions of the founder, such as Giles, Leo, and Masseus, did not become apostates even though there were abuses in the Order.

This letter was aimed not only at the immediate followers of Liberatus, but also at the band of Tuscan Spirituals of whom Ubertin of Casale was the leader and perhaps also the founder.

Ubertin was associated with Olivi as a teacher in the school of the Order at Florence. Here he had embraced the scientific enthusiasms of Olivi without however sharing the moderation of Olivi on the question of poverty. After he had been preacher at Perugia for some time, Ubertin was forced, on account of his biting criticism, to relinquish his dearly loved activity to take an unwished for rest on Mt. Alverna. There in 1305, he wrote his principal work: "The Tree of the Crucified Life of Jesus Christ" (*Arbor vitae crucifixae Iesu*), a book full of Joachimistic ideas and invectives against the Pope, the Church, and the Order. In 1307 we find Ubertin in the service of the Cardinal Napoleon Orsini, whom Celestine V had appointed Protector of the Spirituals of the March of Ancona in 1294.

The protection of this Cardinal availed only as long as Celestine V occupied the Apostolic See. After Celestine's resignation in December 1294, Boniface VIII was elected. He, as a co-laborer on the Decretal *Exiit*, brought to the papal throne a complete understanding of the import of the pending conflicts. Liberatus expected nothing favorable from him and fled with his followers to Greece in 1295. His position now became illegal because Boniface annulled all the decrees of his predecessor. Consequently Liberatus' followers were tolerated nowhere and were even excommunicated by the Patriarch of Constantinople. Hence they resolved to return to Italy; but they were everywhere received with insults. When Liberatus died in 1305 on his way to the papal curia, Angelus Clarenus assumed the leadership of the group.

It is difficult to form a just judgment on the character of Angelus, since the principal sources for such a judgment are his own writings. These certainly do not deserve that credibility which is awarded them by many students, who accept without question his charges against the Community. That holds primarily for his famous work, the so-called "History of the Seven Tribulations of the Order of Friars Minor" (*Chronicon seu Historia septem tribulationum Ordinis fratrum Minorum*), which seems to be considered the most important source for the conflicts of the Spirituals, although in many points it is untruthful, even in matters which Angelus must have known well enough. This overpowering prejudice of his should not bind us to the heroic determination of Angelus and most of the other Spirituals. They fought for a religious ideal, for the perfection of evangelical poverty as they saw it. From this ideal they

expected the reform of the Church according to the mind of Joachim. In their fight for this ideal Church of the future, they did not hesitate to deny obedience to the Church of the present when circumstances seemed to demand this disobedience. That was Angelus' position not only towards Boniface VIII but also towards John XXII. Concerning his activity during the time between these two Popes, we know little. He remained in the vicinity of Rome until 1311, then went to Avignon, where he found protection with Cardinal James Colonna. His followers in the meantime lived in retirement, scattered throughout middle and lower Italy.

The Provençal Spirituals, also called Narbonne friars from their main convent, gave the Order considerable trouble during this period. They had existed for a long time, and were organized by Hugh of Digne, who personally held Joachimistic ideas. They were strengthened by the apocalyptic writings of Olivi whom they honored as their champion, although he adopted the standpoint of the moderate Community on the question of poverty.

This circumstance (i.e. adopting Olivi as their champion) together with many other characteristics of the whole conflict only strengthens the conclusion that perfect poverty, considered in itself, was not the primary goal of the Spirituals, but that Joachimism was the main issue and poverty only a side issue. Otherwise it is difficult to explain the admiration on the one hand of the Spirituals for John of Parma and Olivi, who opposed the Spirituals on the question of poverty, and the aversion on the other hand of the Spirituals towards the better part of the Community who agreed with John and Olivi on poverty but opposed their Joachimistic ideas. To these friars of the Community belonged not only St. Bonaventure, but also all his successors, especially the two Generals, John of Murrovalle and Gonsalvus of Valboa, whom the Spirituals, against their better knowledge, accused of laxism.

John of Murrovalle had issued an encyclical to the Order in 1302 in which he vigorously condemned violations of poverty. Landed estates, annual incomes for individuals, and fixed incomes for a convent, as well as litigations on the part of the friars for temporal things were all forbidden under penalty of excommunication.

His successor, Gonsalvus, renewed this decree together with the punishment prescribed. The General Chapter of Padua in 1310 even increased its rigor by expressly commanding the *usus pauper* and denying the right to vote in the Chapters to all those convents which did not observe the ordinances concerning poverty.

From all this it is clear that the Order as a whole and especially the Generals of the Order and the General Chapters saw the existing abuses and fought them as much as possible – a further proof that the fundamental issue of the conflict was not the question of poverty but the opposition of the Community to the fanatical ideas of the Spirituals.

The conflict between the friars in the Provence began anew around the year 1290, this time about the *usus pauper*, which had been considered obligatory from the very beginning. Nicholas III had expressly commanded that the *usus pauper* should be observed in all cases mentioned in the Rule. But the laxists had begun to propound doctrines which reduced the entire poverty of the Order to a theoretical abdication of property, and denied the obligation of actually leading a poor life.

At least Ubertin so contended. As usual however he allowed himself to be blinded by party hatred in this question so that unreserved credence must not be given to him. To date of the type of writings condemned by Ubertin, only one is known, written

by Peter Aureolus. In this book, Peter considers the lack of property the essence of poverty, and consequently he denies that the friars are obliged to the *usus pauper* by reason of the vow of poverty. This does not mean that the friars need not observe the *usus pauper*, because friars are bound not only by their vow, but also by the Rule, and the Rule does prescribe the *usus pauper* in some cases. It is apparent that such a position could give rise to misunderstandings. So it can easily be conceded that the lax party brought forth teaching with severely limited poverty: just as it is also certain that the Spirituals extended the *usus pauper* to everything and thus attempted to extend the obligations beyond the limits prescribed by Nicholas III. The Spirituals respected his explanation of the Rule no more than they respected the explanations of the earlier Popes.

Nicholas IV accordingly commanded that the Order proceed against these disturbers of the peace. The General brought the result of the investigations before the General Chapter at Paris in 1292. Olivi presented to this Chapter an explanation of his views wherein he proved that his teachings coincided with the Decretal *Exiit*. Godefroy however, was forced to mete out punishments to many of Olivi's followers, although the General himself was very well disposed towards the Spirituals.

Olivi spent his last years undisturbed, apparently in the convent at Narbonne. He died here March 14, 1298. Shortly before his death, he published statements regarding his position on poverty, which every earnest member of the Community of the Order could endorse. He likewise protested again his good will to accept all the dogmas of faith of the Church and to recognize the present Pope Boniface as the true Pope. After his death, he was honored in the Provence as a saint, until the impious destruction of his tomb in 1318. The conflict concerning his writings however continued after his death. The General Chapter of Lyons in 1298 ordered that these writings be collected and burned, and threatened with excommunication those friars who did not heed the decree. However quite a few propositions were presented to the friars in the Provence which they were forced to abjure. Many of the friars refused to comply with this demand and were punished severely by their superiors. The persecution lasted to some extent until the accession of Clement V.

Paragraph 11
The Conflicts of the Spirituals under Clement V: 1305-1314
The Decretal "Exivi de paradiso"

Under Clement V, the lot of the Spirituals in Southern France was more pleasant, at least for a while, until the Pope by the course of events learned of their true character. It remains uncertain whether Clement protected them in the beginning because they were of the same nationality as he or because they opposed Boniface VIII. At any rate, by this protection, he relieved his difficult position towards the French court and towards that party among the Cardinals which demanded that he proceed against the dead Boniface. A factor which influenced the Pope most strongly was the favor shown the Spirituals by Charles II of Naples. In 1309, this king wrote a letter to the General, Gonsalvus, demanding that the persecution of the Spirituals in Provence should cease, otherwise he would take up the matter with the Pope. The author of this letter was the king's physician, Arnold of Villanova, who was also highly esteemed by the Pope. Arnold's

opinions were very similar to those of the Spirituals. After the death of Clement V, Arnold's works of this nature were condemned by the Church.

When the General received the king's letter, he immediately informed the Pope. In the meantime, the Community had drawn up a complaint against the writings of Olivi, in order that the whole affair might be decided in the forthcoming Council of Vienne.

Clement V appointed a committee to investigate. This committee was composed of several Cardinals and theologians not belonging to the Order. At the same time, Clement also summoned the most prominent Spirituals of Provence to his court. The most important and likewise the most moderate of these was the former General, Raymond Godefroy, whose position is hard to understand if we do not suppose Joachimistic tendencies in him. Ubertin acted much more vehemently and arrogantly than Raymond. He was cited even though he did not belong to Provence. Besides several provincials, there were present as representatives of the Order the General, Gonsalvus, Alexander of Alessandria, who succeeded Gonsalvus as General, Raymond of Fronsac, the procurator of the Order, and Bonagratia (Buoncortese) of Bergamo, the appointed advocate. The impetuosity of the procurator equaled that of Ubertin.

The acts which the procurator submitted concerning the conflicts between the Community and the Spirituals are the best source of material for this period in the history of the Order. They are certainly more reliable and more objective than the writings of Angelus and Ubertin. We see from this *Codex Diplomaticus* that a great number of works had been published between 1310 and 1312. All of these works presented, or at least were intended to present, the author's position regarding the four questions proposed by the Commission.

The questions proposed were:

- the relations of the Order to the sect of the Free Spirit;
- the condemnation of Olivi;
- poverty and the discipline of the Order in general;
- the persecution of the Spirituals by the Community.

With regard to the first point the parties seem to have made no protestations of importance.

The Spirituals quickly passed over the second and fourth points, saying merely that the works of Olivi contain no errors and that their condemnation by the Order was therefore unjust and the punishment of his followers too severe.

The writings of the Spirituals dealt at great length with the third question, which had reference to poverty and to discipline in the Order. Especially noteworthy here is the sincere admission of the ex-General, Godefroy, that the Rule as well as the explanation of Nicholas III was being observed essentially in the Order. Even Ubertin, who would never let himself be moved to such a confession, was forced to admit that strict discipline prevailed in the Order at least as far as morals were concerned: that is the only thing, according to him, for which the Order deserved respect. For the rest, Ubertin accused the Order of numerous though often very slight infractions of the Rule.

The Community countered these charges of Ubertin by denying that many of the alleged infractions had ever occurred. The Community explained moreover that the infractions of the Rule, which had really taken place had been punished by the Order when they became known to the superiors.

Ubertin, undaunted, then openly opposed the papal explanations of the Rule which, in his opinion, were ruining the Order. He demanded the observance of the Testament and compliance with the letter of the Rule together with all the evangelical counsels as Christ had taught them. Since, he concluded, this goal could not be attained in the Community, reform convents and reform provinces should be erected, otherwise the conflict will continue.

The advocates of the Community justly replied to this plan that such a demand meant schism in the Order, because the Order must observe the Rule according to the papal declarations. A departure from the declarations would again bring up all the earlier doubts and conflicts, and besides, a useful life without them would be practically impossible for the Order.

With regard to poverty and discipline the Community replied: The *usus pauper* is insisted upon as an obligation especially where the Rule prescribes it; in all other cases only unnecessary expenditures are considered to be forbidden. Too great severity in this matter would lead only to scruples and perplexity of conscience.

It is unjust for Ubertin to accuse the whole Community of the transgressions of individuals. He should prove that such excesses had come to the knowledge of the superiors and had nevertheless not been punished. He knows from his own experience that he had been condemned to prison because of moral failures and this by one who shared his opinions, Godefroy. He would have known still more about the strictness of the Order if he had taken part in the common life of the other friars, instead of always sojourning and hiding out in the courts of great personages, as just recently again in Vienne.

Concerning the persecution of the Spirituals by the Community, the latter remarked: - it is proper that the Order proceed against all who wear monstrous, torn and extraordinary habits, who are disobedient, relate extravagant visions, seek out the houses of the Beguins, and propose heretical or dangerous doctrines. Godefroy himself knows that as General he was forced to punish such friars. There are only a few friars who may be able to say they have been punished unjustly. As soon as the superiors were forced to oppose the Spirituals, they cried out that they were being persecuted because they observed the Rule. If they would be calm and investigate, possibly they might see that there are other reasons. The truth of the matter is: they are heretics and indulge their errors under the guise of poverty.

The Community laid special stress on this accusation of heresy, and again insisted that the teachings of Olivi were deserving condemnation.

The impression which the writings of the parties made upon the commission, upon the Pope hitherto favorable towards the Spirituals, and upon the Council, is seen most clearly from the two decrees which brought the conflict to a provisional settlement. At the third and final session of the Council of Vienne, May 6, 1312, Clement promulgated the dogmatic Decree *Fidei catholicae fundamento*, which condemned several speculative errors of Olivi without however mentioning him by name. The Constitution *Exivi de paradiso* which treats of the discipline in the Order, appeared on the same day.

Exivi de paradiso is not an explanation of the entire Rule as is the *Exiit*. It merely insists on the observance of the existing precepts and permits the *Exiit* as well as the

ordinances of Martin IV to remain in force. On the force it is the faithful reflection of the preceding conflicts in the Order.

It repeats the accusations of Ubertin concerning the abuses in the Order in order to add immediately that the Community and especially the superiors of the Order either entirely deny them or punish them according to the old constitutions.

Throughout it commands nothing new as when, for example, it says:

- the friars may not demand any reckoning from their spiritual friends, nor may they have a key to the money chest which contains the money for their use;
- they are incapable of receiving inheritances nor may they possess any annual incomes, vineyards, or landed estates;
- they are not allowed to carry on litigations concerning temporal matters, nor may they act as executors of wills;
- gardens are permitted to them for reception and for growing necessary vegetables, but these may not be sold;
- cellars and granaries are not according to the intention of St. Francis but are permitted in case of necessity, when it is to be feared from past experience that the friars cannot live well without them; the superiors and discreet friars are to judge in this matter;
- the *usus pauper* is obligatory only in the points prescribed by the Rule; otherwise an *usus moderatus* (moderate use) is permitted.

The *Exivi* is, in character, a lawyer's view of the precepts of the Rule. The gravity of each precept is carefully weighed and exactly determined. The extremists of the right and of the left, who on one side treated the Rule lightly or on the other side wished to have the entire contents bind under mortal sin, were the cause of this method of treatment. Hitherto the friars had been satisfied to accept some precepts as binding in conscience merely in general wherever the Rule used words of command or words equivalent to a command (*tenentur*) without however fixing the obligation as mortal or venial. Thus Bonaventure, as also the *Exiit*, explained that the friars were bound "only to those counsels which have been expressed in the same Rule, either as a command or as a prohibition, or in words equivalent to these."

Since all doubts were not removed by this treatment of the precepts, Clement V wished, for the tranquility of the friars, to be more exact. He explained for the first time that St. Francis wished to oblige under mortal sin wherever he used words of strict command or equivalent expressions. Then the Pope cited twelve passages of the Rule which, according to their content, must be counted among the precepts binding under grievous sin (*praecepta aequipollentia*). He quoted these with this preamble: "Considering that in these things which refer to the salvation of the soul, the more secure position must conscientiously be held in order to avoid worry."

The *Exivi* and the *Exiit*, together with the Rule, thereafter remained the basic law of the Order.

The new trend begun by the *Exivi* may be illustrated by the explanation of the Rule which the General, Gonsalvus, wrote in the same year or soon after. He divided the Rule into 27 precepts binding under mortal sin, 12 exhortations to virtue, 6 warnings against vice, 6 liberties, and 12 requisites for admission to the Order. St. Francis would have a difficult task to recognize his own Rule constructed in this manner! But the movement of the Spirituals had led to this and this was its worst result, that the Order believed it could resist zealots as well as laxists in no other way than by explaining the

most important points of the Rule as binding under mortal sin and thereby explaining away the very spirit of the Rule as merely empty exhortations.

For the rest, it must not be imagined that the new declarations on the Rule betokened a victory for the Spirituals. In truth, they were just as completely vanquished here as in their defence of Olivi. The Community was completely upheld, - in its view of the *usus pauper* and of the obligation towards the Rule, while the Spirituals had attained nothing but a reaffirmation of long standing precepts, upon which the Community itself had often insisted. The Spirituals had wanted above all no new explanations of the Rule, but the abrogation of all existing ones, the literal observance of the whole Rule, and separation from the Community by the establishment of reform convents.

In the face of the foregoing, it sounds ridiculous for Angelus Clarenus to call the new explanation of the Rule “a flying eagle” compared to the other explanations, approaching closest to the mind of the founder.

What the Spirituals thought in reality was soon bound to show itself. Their party in Tuscany first seems to have drawn the logical conclusion from their former conduct. There, ostensibly to escape the persecution of the Community, they chose their own General and other superiors, and with the help of some secular friends, they expelled the friars of the Community from several convents and maintained themselves there by force of arms. Some also lived in the houses of their secular friends, others fled to Sicily. When the Pope heard of this, he sent a letter to the Bishops of the neighborhood in July 1313, ordering them to bring the fugitives back to obedience. When the friars did not obey the order, the Pope excommunicated them in 1314 and placed their convents under the interdict.

The Spirituals in the Provence behaved in similar fashion. Shortly after the appearance of the *Exiit*, they separated themselves from the Community and, dressed in their own particular garb, they lived as they preferred in several places of their home province. The Pope seems to have tolerated this in the beginning, and even allowed the superiors of the Provence who had proceeded too vigorously against the Spirituals, to be deposed. Bonagratia of Bergamo was banished by the Pope to a distant cloister because of his violent conduct at the Curia. The return of the separated friars could not be effected by these measures. The Pope ardently desired their return and finally commanded it in 1313 after he had procured the appointment of new superiors who would treat the Spirituals kindly. Ubertain also was commanded to return to the Order but, so it seems, he did not obey the command.

In the meantime, the Order held its General Chapter at Barcelona in 1313. Alexander of Alessandria was elected General in place of Gonsalvus who had died suddenly. The Pope sent a letter to the Chapter, praising the Order, and commanding the new General to treat the leaders of the Spirituals and their followers with paternal mildness, and to promote them to the offices of the Order if they were thought worthy. Alexander, acting on this command, allotted to the Spirituals of Provence the three convents of Narbonne, Béziers and Carcassonne, where they could live by themselves separated from their opponents. But this peace did not last long. In 1314 both the Pope and the General died, and there was an unusually long vacancy in both positions.

Paragraph 12
The Downfall of the Spirituals: 1314-1318

Discord among the Cardinals was the reason why the Church received a Supreme Pastor, John XXII, only in August 1316.

In the Order, although the General died in October 1314, the General Chapter could convene at the earliest in 1316 according to the constitutions. The appointment of a vicar general was impossible, because such an appointment at that time had to be made by the Pope. So it happened that the Order was without a superior for a year and a half.

Michael Fuschi of Cesena was elected General at the General Chapter held at Naples in 1316. This Chapter also appointed a commission to consider the General Constitutions. The commission soon met and deliberated at Assisi and made some changes in the Statutes. Several months later, the General wrote a letter to the Order in which he requested uniformity in dress, more strict observance of poverty. He also tempered the precept of abstinence which had been voluntarily accepted by the Order, by permitting the use of meat at least at dinner. The exhortation to shun peculiarities in dress was aimed primarily at the Spirituals, who had assumed many arbitrary privileges during the long vacancy.

The Spirituals in Provence – if one may believe their one-sided reports – were irritated at the fact that the superiors deposed by Clement V were restored to office and dignities, even in the convents which had been handed over to the Spirituals by the preceding General. With the help of lay people, they expelled the friars of the Community from the convents of Narbonne and Béziers, reinstated their own superiors, and adopted a peculiar costume. (The adoption of a different costume was the rule with all sectaries in the course of the Order's history). Their adherents in Provence hastened to these two convents so that their numbers mounted to 120. When they did not obey the commands of their lawful superiors, they were excommunicated and their convents were placed under interdict.

The newly elected General next tried mildness and offered them a full pardon. They answered with protests and appealed to the future Pope. When John XXII was elected, the Community brought their complaints against the Spirituals in Italy and France to him.

The Pope summoned the leaders of the Spirituals to him. This summons included Angelus and Ubertin. He also commanded that the apostates in Sicily should be pursued and that the rebellious friars in Provence should return to the obedience of their lawful superiors. The latter order had been given by a commission of Cardinals and went unheeded. Therefore in April 1317, John cited by name 62 friars from the convents of Narbonne and Béziers to appear before him. Two additional friars came of their own free will: one of these was the notorious Bernard Delicieux (Dulcino). The 64 friars arrived in Avignon toward evening about the feast of Pentecost 1317, marched directly to the papal palace, remained there the entire night and waited for an audience. The result of the audience was a very unpleasant surprise for them. The six speakers of the group were immediately imprisoned: the remainder were handed over to the custody of the convent at Avignon until the Pope should decide what he wished to be done with them.

In the meantime, Angelus was cited before the Consistory, where the Pope declared him to be excommunicated by reason of the write of Boniface VIII and of the Patriarch of Constantinople from whose sentences he had never been absolved. Held captive in the house of a Cardinal, he wrote his *Epistola excusatoria* in which he acknowledged the actual pronouncement of excommunication, but explained that it was null and void since it was caused by the lies of his confreres. He and his followers, continued the letter, were persecuted solely because of their faithful observance of the Rule. He did not know whether the letter made any impression upon the Pope. Angelus seems to have been set at liberty again, and John hoped to terminate the whole conflict amicably by a new explanation of the Rule.

Ubertin received more lenient treatment than Angelus. Since 1313 he had probably been living in the house of Cardinal James Colonna at Avignon. When the Community made their complaints against him, the Pope on October 1, 1317, gave Ubertin permission to transfer to the Benedictines and freed him from all obligations towards the Order of Friars Minor. It is unknown whether he actually made the transfer. It is more than likely that the Benedictines denied him admission, convinced that he would be no asset to them. In later documents at any rate, he is designated only as an ex-Minorite, never as an ex-Benedictine.

After these measures had been carried out, the Pope published the Constitution, *Quorundam exigit*, on October 7, 1317. In this he expressly praises the explanations of the Rule given by Nicholas III and Clement V and affirms, in accordance with the precepts of the latter, that the superiors alone, acting with the advice of some approved friars, should make provisions for the quality of clothing and decisions concerning the necessity of cellars and granaries. All friars must submit to the decision without reserve. "For religion perishes if the subjects withdraw themselves from meritorious obedience." The Spirituals must lay aside their narrow, short, and shapeless habits. The superiors on the other hand shall deal with them kindly and charitably, so that the unity of the Order may be once more completely reestablished.

With this papal pronouncement, the Spiritual movement was legally suppressed. John XXII also saw to it that the law was carried out. Most of the Spirituals of Provence declared themselves prepared to submit and they were then punished according to the laws of the Order. The 25 who resisted were handed over to the Inquisition which succeeded in bringing 20 of them back to obedience. The remaining five were handed over to the civil court. On May 7, 1318, four of them were burned to death at Marseilles; the fifth, who showed himself less obdurate, was sentenced to imprisonment (*ad immurandum*).

Angelus Clarenus evaded the law. Although he had hitherto always praised the Rule and the Testament as the norm of life for himself and his followers, and had always proclaimed himself a loyal Friar Minor, when commanded by the Pope to enter an approved Order, he explained that he already belonged to such an Order, the Celestines. Thereupon the Pope ordered him to don the habit of this Order and to live according to its Rule. Angelus readily promised this, but did not observe it. By the Constitution, *Sancta Romana*, published December 30, 1317, John suppressed the group, which called themselves *Fratricelli*, Brothers of the Poor Life, Bizzocchi, or Beghini. Several weeks later, by the Constitution, *Gloriosam ecclesiam*, he ordered strict proceedings against those Spirituals who had fled to Sicily and had there chosen an apostate friar, Henry of

Ceva, as their general. These men had established a formal Order with provincials and guardians, had founded houses in Rome itself. Angelus Clarenus joined them apparently in 1318, and took over their government as minister general. The Inquisition had to deal with these “religious” for a long time because there were many heretics among them and they were not free from immoral practices. Angelus himself managed to escape from the effects of these decrees, and governed his followers by letter until his death on July 15, 1337. Probably Angelus was also the man who prevailed upon Philip of Mallorca, brother of Queen Sancia of Sicily, to approach John XXII in 1331 with the request to be allowed to establish an Order, wherein the Rule and Testament of St. Francis would be observed to the letter without the explanations of the Popes. John refused the request. Later on Benedict XII also refused the petition, adding an allusion to the notorious heresy of the petitioner.

Little by little the society (of the Sicilian Spirituals) rid itself of undesirable elements and in the 15th century, it appeared as an independent congregation with the name of Clarenes (cfr. par. 26). But the less worthy brethren remained until late into the 15th century and were called *Fratricelli*. They stood in no relation to the Franciscans only in this that they stemmed from the Spirituals and later on apostates from the Franciscan Order as well as from other Orders enrolled among them. For the rest, the term, *Fratricelli*, itself is by no means strictly defined. It was applied in the course of centuries to entirely different societies, mostly of a very doubtful character.

Paragraph 13

The Crisis of the Order under John XXII: 1321-1324

The suppression of the Spirituals was a good thing for the Order. Had they gained the upper hand, the Order would have been ruined. They were fanatics. Their conception of the Rule was untenable. Indeed it can be doubted whether their conception of poverty was an honest opinion and not rather a disguise to camouflage their heretical and self-seeking endeavors. With the exception of a few Spirituals, as for example, Blessed Conrad of Offida, whose personal sanctity and earnest longing for the mode of life of the first Franciscans cannot be denied, we notice very little of the spirit of Francis. The spirit of Francis still attracts the admiration of the world. But the Spirituals saw in him only a fanatic for poverty. The rest of his qualities almost entirely escaped their attention. The majority of them overlooked the goal which the saint wished to attain: the conversion of the world by example and by preaching.

There is no doubt that the friars of the Community had the more correct view. They wished above all to develop a wide activity for the welfare of the Church and of the world. And that they did, as both enemy and friend testify. In order however to attain such a goal, they considered a further natural development of the Order necessary. Only by this development would such activity be made permanent. The Church allowed the friars to have residences and all necessary articles, and assumed the ownership of them. By the institution of procurators or syndics it made the indispensable business activities possible for the friars. The Order gratefully accepted this solution of the problem, because by it both the activity of the Order and the principle of poverty, abdication of all property, seemed to be assured. It can readily be understood that the friars strongly

emphasized this abdication of property since it was the distinguishing mark between the Friars Minor and other Orders.

The Dominican Order during the lifetime of its holy founder had also professed this abdication of common property (*in communi*), but for practical reasons had soon departed from it. The theoretical doctrine of the Dominicans changed with their change of practice. Thus in the beginning St. Thomas had defended the opinion: "It is more perfect and also more certain to possess no property even as a community, than the contrary." Later on he taught: "That Order which has the greater poverty is not necessarily the more perfect, but the Order whose poverty is more adapted to its purpose."

Opposed to this, the Minorites insisted all the more vigorously that the Rule of St. Francis, which forbids all property, was the highest expression of religious perfection, a perfection which had been practiced and taught by the Redeemer and the Apostles themselves. On this point, at least, the friars of the Community and the Spirituals agreed.

Outside the Order this opinion was not accepted, although Nicholas III, in the *Exiit* had unmistakably defended it. John XXII did not share the opinion of Nicholas III. He was against the assertion that the poverty of the Friars Minor was the highest ideal and the faithful image of the life of Jesus and the Apostles.

Knowing this view of John XXII we may note with interest his treatment of Alvarus Pelagius. Alvarus was a Spiritual on the question of poverty, and was accused of this before the Pope. On the other hand, Alvarus, in his book *De Planctu Ecclesiae*, had vigorously defended the papal supremacy even in temporal matters. When the case was brought up, John not only did not condemn Alvarus but even made him a bishop.

In 1321, the Inquisitor, John of Belna, objected to the opinion that Christ and the Apostles possessed property neither in common nor as individuals. The friars appealed for his verdict. The question was referred to the Pope and to the Consistory. Some of the Cardinals upheld the Inquisitor's verdict, others rejected it. John wished to open the question to free discussion. Therefore by the Constitution *Quia nonnumquam* of March 26, 1322, he abrogated the prohibition of *Exiit* which forbade the discussion of the question. The Pope requested the opinions of learned men, among whom was Ubertin.

Ubertin's opinion was: Christ and the Apostles as private persons did indeed reject all property but as prelates of the Church they provided for the defrayal of necessary expenses by having possessions.

Other theologians gave more or less complicated explanations. All of these explanations preserve intact the *actual* poverty of Christ and his Apostles, which is very clearly mentioned in the Bible, but they sought to establish their *right* to property and the use of things.

In the meantime the Order, at the General Chapter of Perugia in 1322, had taken a stand on this all important question. In a letter to the Pope, the Chapter suppliantly requested that he publish no new Bull against the Order, since this must of necessity lead to the greatest unrest. It also decreed prayers for the Pope. Sad to say the Chapter did not stop here. In two documents, which were intended for the whole Christian world, the Chapter unanimously declare that it was sound and Catholic doctrine to believe that Christ and the Apostles possessed no property. To establish the correctness of this opinion, express reference was made to *Exiit* and to the praise which the reigning Pontiff

had bestowed upon this Decretal. John XXII indeed, in his Constitution *Quorundam exigit* had called the *Exiit*: “sanelly written, learned, clear, composed with much care.”

The Pope was greatly incensed at this conduct of the Chapter. He answered with the Constitution, *Ad conditorem*, given out December 8, 1322. In this, after a review of the edicts of Gregory IX and Nicholas III, he said:

“Although these things were indeed decreed by our predecessor with loving care, still we have not noticed that they have benefitted the aforesaid friars but rather, in many ways, have wrought harm both to them and to others. Indeed the above-mentioned papal reservation could in no way aid these friars towards the state of perfection. For the perfection of Christian life consists primarily and essentially in charity, which is called by the Apostle the bond of perfection and which unites man in some way with his end. Contempt and even abandonment of worldly goods at the most can merely smooth the path leading to Christian perfection; and this can be effected only if, thereby, the worry and distractions which the acquisition and retention of the goods of this world entail, and which generally hinder the exercise of charity, are done away with. It follows therefore that if the same worries and distractions remain after the abandonment of these goods as before, then such abandonment is in no way an aid towards perfection.

“In the case of the abovementioned Order, it is certain that after surrendering all ownership, the members are not less anxious about acquiring and retaining possessions both in court and out of court, but are in reality even more anxious about such things than the other mendicant religious who possess goods in common. Experience forces this conclusion only too clearly upon all honest observers.

“That this abandonment of ownership has harmed the friars themselves is evident from the following. By reason of this abandonment these friars began to glory foolishly concerning the highest poverty, which they imprudently claim principally distinguishes them from all other mendicants, because they say they have only the bare use of things and not the ownership. If however they wish to pay attention to reality, rather than to words, and are willing to bow to the truth, as they should be, then having studied their manner of using possessions and the patience of the Church with it, they should say just the opposite, namely that the use of things by them is not bare, but that the ownership retained by the Church is very bare indeed.

“Who indeed would call him a bare user who is allowed to sell, exchange and give away the thing used? Beyond doubt these acts exceed the nature of bare use and are recognized to belong rather to the owner, than to a mere user, as these friars like.

“That they are not bare users of those things which are consumed by their use is even more evident because it is contrary both to law and reason that the *usus juris* or the *usus facti* should be separated from ownership.

“Nor does it seem to have been the intention of our aforesaid predecessor to reserve the ownership of such things to the Roman Church. For what sane man could believe that it was the intention of such a father to reserve to the Roman Church the ownership of that one egg, or that morsel of cheese, or crust of bread which are given to these friars? But if that was his intention, who will not see that this assumption of ownership by the Church was not real but merely verbal, not a genuine assumption but merely a legal fiction?”

The Pope develops this last thought at some length, whereupon he concludes:

“We therefore, having sincerely weighed the matters explained above and having been aroused by the cries of many, wishing to cope with such evils and at the same time to make provision for the consciences and condition of the friars as well as the honor of the Roman Church and the privileges of its prelates, rectors and other officials, upon the advice of Our brethren, We think that the Roman Church prefers to be deprived of so useless and so dangerous ownership.

“Whereupon by this decree from now henceforth forever We wish that the Apostolic See should have no right in the goods which henceforth shall be offered or shall accrue in any way to the aforesaid friars or Order. We also decree that the Apostolic See shall acquire no more of right either in these possessions or on account of the possessions which are acquired in whatever manner than it acquires either in the possession or on account of the possessions of other mendicant Orders.

“Moreover, We determine that for the receiving, demanding, seeking, defending or administering the aforesaid possessions, no procurator shall henceforth be appointed in the name of the Holy Roman Church or in the name of the Supreme Pontiff except by his express command and permission. Also, We revoke whomsoever has been constituted by whatever authority and We declare that such appointments are invalid and vain, if they shall be attempted by anyone.”

The answer of the friars to this decree was given in the appeal which the procurator, Bonagratia of Bergamo, at the command of the Order, presented to the Pope in the Consistory of January 14, 1323. This appeal is full of legalistic arguments concerning the right of property and use, and seeks to show that there is just as little contradiction in the abdication of property by the Order as there is in the abdication of property by a monk, who receives everything from the monastery without really owning anything. The friars find themselves in the same relation to the Church as the individual monk to his own monastery.

The document also strongly emphasized the example of Christ and his Apostles, the declarations of the preceding Pontiffs, and even the earlier statements of John XXII himself.

Only a short time ago, the appeal stated, John had incorporated in the *Corpus Juris Canonici*, the Decretal *Exivi*, which treats the question of poverty in the traditional way. Now however the Pope has given ear to the enemies of the Order and has made charges against it: some of these charges are untrue, others apply only to a few bad members. Convinced that the decree owes its existence only to these false accusations, Bonagratia appeals to the Pope and to the Church, to whose decision he will submit.

Bonagratia’s audacity in presenting such an appeal was immediately punished with a year’s imprisonment. The Pope, however, felt obliged to change the Constitution, *Ad conditorem*. In its changed form, it was again published under the same *Arenga* and with the same date. The more vehement passages were toned down considerably.

A part of the Order – the members who had previously been laxists with regard to poverty – now completely forsook the earlier tradition, acquired more and more landed property, yearly incomes. These friars also personally undertook the administration of this property. This was, practically at least if not legally, the birth of Conventualism.

Other friars wished to hold at least to the theory of the abdication of property and to leave the question of ownership unsettled.

The appointment of syndics was soon stopped, although these were still permitted to take care of immovable goods obtained up to this time. At least this interpretation was in accordance with a strict adherence to the letter of the papal decree although the decree could also be understood in a different way.

On November 12, 1323, the Constitution *Cum inter nonnullos* appeared. This condemned as heretical the opinion that Christ and the Apostles had possessed nothing either individually or in common, but had only the *simplex usus facti* of property.

With regard to this Constitution, it must be noted that the Pope did not deny the poverty of Christ. Many of the friars did not grasp this fact at that time. The result was that they felt justified in accusing the Pope of heresy. Their reaction to the Constitution should have been something like this: - Christ and the Apostles led a very poor life. Therefore they are the models of Franciscan poverty. But Christ and the Apostles did not quarrel about the notions of *dominium*, *usus juris*, and *simplex usus facti*. Therefore these terms should not be used when we are discussing their poverty.

In the light of history, it is easy to understand why this error in interpretation took place on the part of these friars. The Order wished to observe in principle the absolute abdication of property desired by Francis. In practice it could do so only by means of the transfer of property to the Holy See and through procurators. As long as these procurators were appointed by the Pope and were independent of the friars this method of observing Francis' ideal of poverty could be defended. But when Martin IV made the procurators entirely dependent on the friars, there was no longer any reason for them to glory as if their poverty were so much more perfect than the poverty of other mendicant Order. But some of the friars did brag excessively; this did not please the other Orders who finally gained their victory under John XXII.

The logical conclusion for the friars of John's action should have been: the Order remains today as before faithful to its ideal, which is the imitation of the poor, apostolic life. The complete abdication of property is not essential for that. The Order therefore will accept what it needs, residences and the necessary movable goods, just as other poor people do and now as previously will rely on the providence of God for the daily necessities. We will not be anxious about temporal things for this is neither evangelical nor Franciscan.

Instead of this, however, while one part of the Order conformed to the Constitution *Ad conditorem*, and remained loyal to the earlier tradition, another part completely lost heart for its former ideal.

Paragraph 14 ***The Crisis of the Order (continued): 1324-1334***

The latest edict of John XXII had caused intense agitation in the Order. Still the great majority of the friars obeyed when the General, at the Chapter of 1325, requested the Order to speak of the new decisions only with moderation and reverence. A minority however in all countries stubbornly clung to the opinion that the Pope was guilty of heresy, even if they drew no further conclusions. Some few openly advanced their views: others went over directly to the enemies of the Pope in order to be able to fight him more successfully.

About this time, John XXII had taken his position in the quarrel concerning the rightful king of Germany. The Pope's position was highly unpopular in Germany and as a result, great harm was done to both the Papacy and the Empire.

Louis of Bavaria, the victor in the fight for the crown, protested against the measures of the Pope in the Nürnberg Appellation of December 8, 1323. He also accused the Pontiff of remissness towards the Friars Minor who had violated the seal of confession. No proof of this accusation was ever brought forth, although the accusation was made frequently. The Pope himself took no notice of it, which is an argument in favor of the friars since during these years the Pope was not very exact in checking the basis for his reproofs of the Order.

In the Sachsenhausen Appellation of May 22, 1324, Louis speaks in an entirely different strain. In this document, the friars were defended and the Pope was charged with heresy because of his decree concerning poverty. The entire contents show conclusively that the friars had a hand in its composition. Passages from the writings of Olivi and from the appeal of Bonagratia are cited. These writings could only have been communicated to the king by the friars. One is immediately forced to think of the friars of the upper German province. The provincial of the province, Henry of Thalheim, had signed the encyclical of the Chapter of Perugia in 1322. A fanatical Spiritual, Francis of Lautern, who made no secret of his enmity for the Pope, was a member of this province. Perhaps Ubertin of Casale had also fled to the king by this time. This is conjecture however because Ubertin disappears entirely from history after his unauthorized departure from Avignon.

The Sachsenhausen Appellation must have enraged the Pope beyond measure. As an answer, he released the Constitution *Quia quorundam* of November 10, 1324. He takes up most of the objections advanced against him, dealing particularly with the accusation that he had contradicted the explanations of his predecessors. He condemns as heretics the opponents of the Constitution *Cum inter nonnullos* while the opponents of *Ad conditorem* are branded as rebels against the Roman Church. Within the same month, the Pope sent his four last decisions on poverty to the most important universities. These decisions, like the other decretals, were to be read in class.

The indignation of many of the friars against John XXII was not diminished when the Pope in 1326 condemned Olivi's book of homilies on the Apocalypse, although the Community had frequently requested this action. The proximate cause of the condemnation at this time was, to all appearances, the connection of this book with the Sachsenhausen Appellation.

In 1327, the General, Michael of Cesena, was cited to Avignon because of his suspicious position regarding poverty and because of his secret understanding with King Louis. After Michael arrived in Avignon, the Pope received him at first graciously and demanded only that he should depose some provincial ministers apparently because these had opposed the papal decrees.

Soon John assumed a sterner attitude and reproved the General because of the resolution passed at the Chapter of Perugia in 1322. Michael thereupon opposed the Pope openly, and in the presence of several trusted friars, he read a complaint which clearly showed that he had never submitted inwardly to the ordinance of the Pope.

When the Pope heard this, he determined to replace Michael as General and forbade him to take part in the General Chapter of Bologna in 1328. Cardinal Bertrand

Poyeti was sent to the Chapter as praeses, and he had orders to see that a new General should be elected. But the General Chapter rejected this papal demand and confirmed Michael in office. Before the news of this action reached Avignon Michael, despite the prohibition of John who had initiated a process against him, fled together with the equally threatened friars, William of Occam and Bonagratia of Bergamo.

They hurried to King Louis with whom they henceforth made common cause against the Pope. This benefitted neither the Order nor the King.

In the meantime, Louis had marched into Italy and in Rome had set up an antipope in the person of the friar, Peter Rainalducci of Corbara. The pseudo-pope took the name, Nicholas V. He was crowned May 12, 1328. Shortly after the departure of the king, Nicholas' position became so hopeless that in 1330 he cast himself at the feet of John XXII. John granted him full pardon, and he remained in honorable captivity at Avignon until his death in 1333.

The conduct of the General Chapter at Bologna showed the Pope that the leaders in the Order were in sympathy with their General. Michael had meanwhile grown more insolent. When the Pope commanded him to return to Avignon, he refused, saying that he saw in John an unjust persecutor of the Order, who was guided more by his feelings than by reason.

In order to check the ever increasing danger, John deposed the General on June 6, 1328 and excommunicated him together with Bonagratia and William of Occam. Then he appointed Cardinal Bertrand de Turre, who had been a member of the Order, vicar general until the next General Chapter.

Not even half of the provincials were present at this General Chapter of Paris in 1329 where Gerald Eudes (Odonis) was elected General. Eudes was a friend of the Pope. Already at the Chapter of Lyons in 1325, he had recommended the abrogation of the prohibition against money. His proposal was unsuccessful due to the opposition of the General and many others.

Despite the new election, Michael still acted as General and refused to surrender the seal of the Order. He was also greatly esteemed outside the Order so that many princes went to the Pope to act as mediators in the quarrel. These attempts however were just as unsuccessful as were the numerous appeals of Michael and his followers. In one of these the ex-General charged the Pope with tolerating the apostates and other undesirable elements of different Orders in Avignon, where their calumnies against the Friars Minor had influenced the Pope to formulate his decrees against the Order.

To quote Michael's own words: "Likewise it is very well known at the court of Avignon that the lord John, the heretic, favored, supported and advanced infamous men, apostates and even heretics who are willing to malign the condition and Order of Friars Minor. He has granted them favors and benefices and in many and diverse ways has induced and aroused them to slander the state and community of that Order. These slanders and blasphemies he has listened to and made his own and in his consistory he has forced them to be read and published and to be preserved in the documents of his curia to defame the Order. One specimen is Thomas of Braucestonia ... other specimens are simply foul-mouthed scoundrels ... In brief, every filthy apostate and heretic has access to the lord John if only he is willing to defame and malign the Order and community and by such vile lies find favor and encouragement in his eyes."

In another passage, Michael writes against the new General, Gerard:

“In that friar Gerald and in his followers is fulfilled the inspired prophecy of blessed Francis: ‘Woe to those who, trusting only in the appearance of piety, shall grow lukewarm and shall not resist in the times permitted by God for the trial of the elect.’ That friar Gerald writes or had one of his followers write these lying words: that the lord Pope thinks that our Rule and ideal in themselves are holy and salutary way of life; and yet that is the same lord Pope who by his heretical decrees pronounces and asserts that our Rule and ideal is neither a Rule nor a life according to the Gospels but contrary to the life and teaching of Christ and the holy Gospel. Indeed he openly asserts that it is heretical to say that Christ and the apostles did not have property nor the ownership of temporal goods either individually or in common. Then contradicting himself the same friar Gerald within a few lines writes: ‘the lord Pope thinks that our way of life is not in accord with the laws for regulars nor with the papal enactments and hence the Pope urges that we should seek some other good manner of life!’ If our kind of life differs from the laws for regulars and from the papal enactments and therefore he is urging that another salutary mode of life should be chosen, then we must conclude evidently that the former manner of life which has been observed up to this time by many holy fathers, was neither salutary nor lawful, but, on the contrary, unlawful and harmful. And in order that they may choose a mode of life different from that which has been observed to this time by the holy fathers and brothers of the Order, friar Gerald commands that his followers shall convene on the feast of Pentecost at Perpignan. He says he does this at the command of the same lord John, whom he calls most holy Pope...”

John XXII answered the charges of Michael in the very long document *Quia vir reprobus* of November 16, 1329. In this Constitution, John repeated his earlier declarations concerning poverty, and referred to the universal dominion of Christ as the justification for his stand.

Many more works opposing the Pope were written by Michael and his followers as a result of this Constitution. One of these was addressed to the friars assembled for the General Chapter at Perpignan in 1331. This was signed also by Henry of Thalheim, Francis of Ascoli, Occam, and Bonagratia, all of whom were residing with the ex-General at Munich. In this letter Michael rejected the command given him that he return to the Church and the Order because “he had never fallen away from them in the first place.” He also warned the Chapter to guard against any changes in the Rule.

The rumor that the General was contemplating some changes in the Rule had been widely spread throughout the Order so that, at the request of friars faithful to the Rule, very many royal personages sent letters to the Chapter with the urgent request not to yield to any changes. Queen Sancia of Sicily in particular, a bitter opponent of the General Gerald and a faithful follower of the deposed Michael, wrote about the Rule as if she had never heard anything about the latest decrees of John XXII.

Gerald was not intimidated by these letters. He had his predecessor expelled from the Order, and he renewed the suggestion made at Lyons concerning the prohibition of money. For this however he failed to gain the vote of the majority. The Chapter on the contrary passed the decree that no General and no other superior could accept a privilege contrary to the poverty of the Rule.

Nevertheless the General won 14 provincials over to his side. This minority formally requested the Pope that he should recall all papal explanations since they cause only bewilderment anyhow, that he should empower the provincials to dispense from the

precepts of the Rule, and that he should allow the handling of money as much as possible. John was not unfavorable to this petition, but he saw the opposition of the Chapter and some of the cardinals began to have misgivings about granting the request, lest he should stir up new tempests. Still it leaves us room for reflection when we see how, at the end of the period devoted to explanations of the Rule, the complete abrogation of all such explanations is demanded by two entirely opposing parties, the Spirituals and the laxists.

Gerald now as before remained in favor of the Pope. He also defended John's opinion concerning the beatific vision, according to which the dead only come to the full vision of God at the last day. The General here also was openly opposed by his brethren. In the same manner, men outside the Order so strongly opposed this opinion that John retracted his private view shortly before his death and issued this statement: "All the aforesaid teachings and everything else said and preached and written by Us on whatever subject ... We submit to the determination of the Church and of Our successors."

The rebellion of the "Michaelites" was certainly not condoned by this statement. The later fate of these men has no bearing on the history of the Order. Michael died November 29, 1342. Whether he was reconciled with the Church is not known. The same holds true for Bonagratia, whose death occurred probably in the year 1343. Both were buried in the Franciscan church in Munich. Occam likewise is buried in the same church. He died at peace with the Church in 1349 after he had handed over the seal of the Order to the rightful General. Thus the schism in the Order was ended, although traces thereof still appear in the next decades.

Section 3
Development of Conventualism.
The Observants unite against Conventualism: 1334-1430

Paragraph 15
Notion and Causes of Conventualism

“Conventual” originally was merely the adjective of Convent. “Convent” was used to designate either the house of the Collegiate Chapters or of communities in an Order, or the number of religious in the convent. Thus early in the Minorite Order, the larger residences were called convents in opposition to the hermitages. Innocent IV (*Cum tamquam veri*, 5th April 1250, confirmed 21st August 1252) first called the churches of these convents “Conventual” when he granted them the privileges of Collegiate or Conventual churches, for example, the right to preserve the Blessed Sacrament and the right to take charge of burials.

From that time on, the friars distinguished between Conventual churches and non-Conventual churches; at times also they drew the distinction between Conventual friars (*Fratres conventuales*) and non-Conventual friars (*Fratres non-conventuales*) according as they dwelt in the larger houses or only in hermitages. Each friar was “conventual” to that house to which he belonged, “non-conventual” with regard to all other houses in the Order. The word had no further significance for several centuries.

It first acquired a further significance in the course of the 15th century. At that time two parties existed in all Orders, especially in the Mendicant Orders. Of these parties the more lax was called Conventuals, because the friars of this party usually dwelt in the larger houses, the *loca conventualia* with the *ecclesiae conventuales*. The stricter friars, the so-called Observants, lived at first in the hermitages and smaller houses.

The origin of these parties goes back to the 14th century. As the differences between the parties became ever more marked with the course of time, increasingly more sincere efforts were made to bring the *Conventualitas* back to the “regular observance”. The Dominicans, with the help of Pius V, succeeded completely in eradicating Conventualism; but this was not true of the other Orders. The proponents of the milder rule of life in these Orders had the customs, acquired in the course of time, legally approved insofar as they were compatible with the life of their Order in general. Thus they formed congregations which were lawful, but were separated from the Observant branch.

One big difference between the Observants and the Conventuals in the Order of Friars Minor lay in their view of the poverty of the Order: the Observants adhered to the abdication of property “in common” and renounced all fixed incomes and landed estates, while the Conventuals permitted common possession, incomes, and estates. But, in the 15th century especially, the difference consisted not only in the question of poverty, but much more in the general discipline of the Order; this had been relaxed to a great extent among the Conventuals. Herein lay their chief weakness and at the same time the chief reason for the success of the Observants in winning the good will and sympathy of the clergy and the people. But we should not overlook the fact that there were numerous

excellent men among the Conventuals just as we also meet bad elements among the Observants.

Now what were the causes of Conventualism? They are essentially the same in all Orders except that for the Franciscan Order the conflict concerning poverty is to be assigned as the first cause in the order of time. Although the Pope had permitted the main ideal of the Order (lack of property in common) to remain at least in essence, all his decrees showed an unmistakable aversion for it. Moreover, by the restriction of the Syndics, he had forced the friars to take care of a number of temporal goods, and even to appoint friar procurators. The efforts under the General, Gerard, are a further proof that a considerable portion of the Order wished to go even farther along the road of relaxation.

How all this affected the friars is shown by the fact that at this time the number of transfers to other Orders increased beyond all expectations. True the great strictness of the Order was usually alleged as the reason, but in truth the cause for the increase of transfers was dissatisfaction with the former ideal, against which so much had been said by the highest authority. It is evident that the less worthy and more lax friars in the Order, always present in a religious community, more lax especially in the observance of poverty, must not have increased in number and influence due to the events of the last decades.

The fight between the Pope and the King had also harmed the Order, especially because of the interdict placed upon all those provinces which adhered to the King. Many who wished to observe the interdict, were forced to leave their cloisters and the rest lived at war with their consciences. Some of the Minorite monasteries in Germany chose this way out of the difficulty: they left a few friars in the convents who conducted no divine services, while the rest wandered from city to city. This make-shift must have affected the discipline of the Order unfavorably.

The Black Death, the plague which ravaged Europe about 1348 and inflicted untold suffering, did even more harm to the Franciscans. The Order lost about two thirds of its members at this time. Since the number of residences increased rather than diminished in the years following the plague, the friars sought to fill in the gaps as quickly as possible. Numbers were sought and not much attention was paid to fitness. Men without a vocation and boys who had barely passed the age of childhood were rushed into a habit. Such lack of judgment in accepting candidates always leads to the certain ruin of an Order. The mendicants, who up till now were esteemed by all, more and more fell into disrepute.

Another consequence of the large death toll was the increased wealth of the remainder. This too was a disadvantage to the Order.

Adding to all this suffering and confusion were the everlasting wars in many lands, especially the 100 years' war in France, which dissolved all bonds of discipline and order.

To fill up the cup of misfortune, the schism in the Church, lasting almost 40 years, now broke out. During this unfortunate quarrel, members of the same Order were forced to adhere to different Popes whether they wished to or not, and were forced to obey different Generals and Provincials. Party affiliations were changed frequently and often for the best motives of self-interest. In order to hinder the transfer of their subjects to another obedience, the superiors very readily made concessions which ruined the discipline of the Order.

All these factors led gradually to a decay of discipline and furthered the advance of Conventualism. Efforts to uproot the evil were made everywhere, but all such efforts were bound to fail as long as the causes of the evils flourished unhindered. The better elements longed for a reform, that is, for the re-introduction of the regular observance. Some of these earnest men believed their aim could most effectively be attained only by a separation from the Community. So they erected reform convents in the various countries. These gradually united and opposed the unreformed part of the Order.

Paragraph 16
The Generals up to the Western Schism.
The Constitutions of Cahors and Farinier: 1334-1378

Pope Benedict XII had formerly been a Cistercian monk. He gave new Constitutions to the friars as well as to the Benedictines. The General Chapter did not take part in the preliminary discussions as heretofore. The preliminary work was done by a few friars, among them the General. The Constitutions were published November 28, 1336 by the Constitution *Redemptor noster*. They are known by two names: *Constitutiones Benedictinae*, because they had been given by Benedict XII, and *Constitutiones Caturcenses*, because at the command of the Pope, they were to be accepted at the General Chapter of Cahors in 1337.

These Constitutions occupy a singular place in the history of the statutes of the Order. They had absolutely no consideration for the historical development of the Order and hence they were more applicable to the old Orders of monks than to a mendicant Order. They do not follow the Rule, but begin with the obligation of choir service, which had been mentioned only incidentally in previous statutes. Then follow definite precepts concerning silence, the introduction of books to record the deeds of benefactors, the enclosure and dormitories, together with important decrees on studies and on the constitution of the Order (chapters 3 and 4). There is no mention of any insistence on poverty or the prohibition of money, but there is mention of total abstinence from meat in the refectory.

Dissatisfaction with the new Constitutions was expressed already at the Chapter of Cahors, where many of the friars demanded the deposal of the General. This could not be effected since the Pope favored him.

But when Benedict XII died in 1342 and his successor, Clement VI, created the General Patriarch of Antioch, the Chapter of Marseilles in 1343 decided to reintroduce the old Narbonne Constitutions with some amplifications. The new General, Fortanerius Vassalli, had collaborated on the Benedictine Constitutions but now he was obliged to bow to the will of the Chapter, and to seek a dispensation from the Pope from some points regarding the organization of the Order (paragraph 39).

In 1348, after Fortanerius, because of his election to the Archiepiscopal See of Ravenna, had surrendered the government of the Order to William Farinier, a new revision of the statutes could be attempted. The General proposed this revision to the General Chapter of Assisi in 1354. The Constitutions were named in honor of the author, *Constitutiones Farinerianae* or *Constitutiones Gulielmi*. Both in contents and in form these Constitutions imitate closely those of St. Bonaventure. They decree the more

frequent reading of the decrees on poverty as contained in the decretals, *Exiit* and *Exivi*, but ignore entirely the contradictory decrees of John XXII. It is regrettable that these decrees were not annihilated by this silence. Only the first Constitution of John against the Spirituals is cited, but at the same time, a benevolent attitude towards the friars who wish to live according to a stricter observance is enjoined upon the superiors. For the rest, the Constitutions show that the common life in the Order had greatly declined. Depositing of money is conceded to the individual friars under certain precautions, and in many cases the friars are explicitly advised to have recourse to their friends. Only when this fails must the superior provide the necessary article. The control of movable goods was to all appearances placed entirely in the hands of the friars and of the friar procurator chosen from among them. The duty of hospitality is enjoined, especially towards the Dominicans, who should be received as the friars of our own Order. In conclusion, all preceding Constitutions are abrogated.

This decision however could not apply to the Benedictine Constitutions because they were a papal ordinance which the Order could not annul without papal permission. Consequently we find the Constitutions of Benedict XII cited much more frequently in the next century than the Constitutions of Farinier. The Chapter at Montpellier in 1446 issued the surprising decree that the friars (Conventuals) were bound by both the Constitutions of Benedict and the Constitutions of Farinier.

Among the Memorials of the Chapter of Assisi is found a decree against the Episcopelli, as those friars are called who by their ambition had obtained the Episcopal see. Since by their life they contribute only to the defamation of the Order, they should not be admitted into the residences of the friars. Moreover, no companion from the Order may be given to them as to other prelates who wish such a companion.

Farinier was made Cardinal in 1356 but was obliged to govern the Order until the election of his successor, John Bouchier. Bouchier died after only a year in office and Farinier again took over the government of the Order as vicar general until the General Chapter of 1359, which elected Mark of Viterbo. With this election was realized a long-desired wish of the Italian friars who feared that the generalship might become hereditary with the friars of Aquitaine since the last four generals had been elected from among them.

After a richly blessed activity as an apostle of peace in Italy, Mark was created Cardinal in 1366. Contrary to previous custom, Mark did not continue to govern the Order until the next General Chapter. The government was taken over by the Cardinal Protector, Nicholas of Bessa, who did not even belong to the Order. The reasons for this unusual procedure are not yet clearly known.

With the Protector of the Order as praeses the Chapter of 1367 elected Thomas of Frignano General. Shortly after Thomas' election, the famous Cardinal Albornoz, a great patron of the Order, died. He had provided for his burial in the convent at Assisi, and the whole Order, at the command of the General, was obliged to hold obsequies for him. Within a year, Thomas became the victim of calumnies of which we know nothing beyond their existence. Because of these lies, he was suspended for a year and a half by the Pope. When he had proved his innocence, he was reinstated. In 1372, Thomas was called to the Patriarchal See of Grado and in 1378 he was raised to the rank of Cardinal.

His successor, Leonard de Rossi of Giffone, was elected at the Chapter of Toulouse in 1373. Gregory XI, imitating the custom of earlier Popes, sent a letter to the

Chapter. It contains a message of appreciation for the services of the friars, but at the same time gives various solemn admonitions. The Pope deplores the many “dissensions and scandals” in the Order, and forbids under pain of excommunication any illegal intrigues in the election of the General. These words are of special importance because Gregory XI was a particular friend of the Order. Later on he even assumed the protectorate over it and praised its activity very highly.

In another letter to the same Chapter, the Pope insisted upon the cessation of an abuse which had sprung up recently that the General appointed as his representatives in various places men who did not even belong to the Order, for example, Cardinals or Bishops. The Pope also forbade the friars to have recourse to the Cardinal Protector in any private matter, and similarly he forbade the Protector any interference in the government of the Order. How he regarded the question of poverty is shown by a letter to the Custody of Barcelona in 1374 in which he concedes indeed to the friars the acceptance and the legal collection of legacies, but especially remarks that any movable goods accruing to them must be sold immediately and only the proceeds are to be distributed for the necessities of the friars. In order to carry out the reforms more effectively, Gregory gave the General extraordinary powers of replacing unfit provincials and of transferring friars who caused discord to some remote provinces. It is unfortunate that this Pope died already in 1378 shortly after his return to Rome. With his death a terrible trial befell both Church and Order.

Paragraph 17 ***The Order during the Schism: 1378-1417***

In the year 1378, Urban VI was legally elected in Rome. But the great majority of the cardinals were soon so dissatisfied with him that in the same year they elected a new Pope, Clement VII, who again took up his residence at Avignon. The schism was continued because the cardinals of both sides always convened again for a new election after the death of their Pope. Thus after Urban VI, there followed successively Boniface IX, Innocent VII, and Gregory XII. Clement VII had only one successor, Benedict XIII. Without doubt the Popes residing in Rome were the lawful Popes. But because of the proceedings of the cardinals, minds at that time were so puzzled that even the best were not certain who was actually the true Pope. This uncertainty lasted long after the schism itself, so that later on the Popes ruling during this troubled period were considered as of equal worth, and designated simply as Shepherds in the domain of their obedience (*in obedientia sua sic vocatus*). The case was similar with the General superiors of the different Orders. Now we know for certain which side possessed the lawful succession, but at that time one General was considered as valid in his obedience as his opponent was in his obedience.

When the schism began, the General Leonard was up against this question: which of the two Popes would he follow as the lawful successor of Peter. As a Neapolitan, he decided in favour of Clement VII, probably induced to do so by the queen, Joanna of Naples, who had gone over to the side of the same Pope. France, Spain, and Scotland also belonged to the Avignon obedience, while the other countries for the most part remained true to Urban VI. But we meet provincials of Genoa also, and Milan and upper

Germany who acknowledged the Avignon Pope. In such provinces, conditions were deplorable because provincials from the same region with their followers stood opposed to one another, and this necessarily was bound to lead to a dissolution of all discipline. Clement VII very soon raised the General who had come over to him to the dignity of a Cardinal which he, as it is said, had already been offered earlier by Urban VI, but had refused. In the following year, Leonard summoned his followers, that is, the Avignon obedience of the Order, to a General Chapter at Naples, where Angelus of Spoleto was elected as his successor. After the death of this friar in 1391, Clement VII appointed John de Chevegneyo General and when he died the Chapter of Avignon in 1403 elected John Bardolini, a friar zealous for reform. This general, Bardolini, was still exercising his office over a limited following in 1417.

Urban VI, enraged at the defection of the General, deposed him and appointed Louis Donatus as vicar general. Louis was elected General at the General Chapter held at Gran in Hungary in 1379. Only twelve provinces were represented at this Chapter. The rest of the provinces either supported Clement VII or vacillated between the two Popes. The Chapter commanded among other things, the appointment of worthy friars who were to prepare Constitutions to rid the Order of abuses. At each General Chapter there was to be a consulation concerning the reforms of the Order. This meeting was to take place on the Tuesday after Pentecost. The General was given the right to dispense from the General Statutes.

When Louis became cardinal in 1381, he continued to govern the Order for two more years as vicar. In 1385, together with some other cardinals, he was executed by Urban VI because they were suspected of conspiracy against the Pope.

Peter of Conzano ruled for only one year when he was succeeded by Martin of Sangiorgio who died in office three years later. A longer rule – 18 years – was the lot of Martin's successor, Henry Alfieri. He labored earnestly in numerous Chapters to renew the discipline of the Order which had suffered greatly during the Schism. The Popes of both obediences, in order to hold their followers, had been lavish in the bestowal of personal favors of all kinds, and this was dangerous to discipline in the Order. True the Popes sought to curb the evil by declaring the grants of their opponents invalid, but this was not effective. The worst privileges were those which more or less freed the subjects from obedience to their superiors, - and, for the friars, those privileges which assured individuals of incomes which were to go to the convent after their death. Once this bad example was given, it is only natural that many imitated it even without such a privilege. Many superiors in the Order were also remiss in the fulfillment of their office. This is clearly shown by the repeated deposal of provincials by the General and from the complaints of the esteemed contemporary Bartholomew of Pisa. His book, *Liber conformitatum*, was approved by the General Chapter of 1399 and the author received a habit of St. Francis as a reward.

The reintroduction of syndics, such as Martin IV had permitted, also occurs during the Generalate of Alfieri. At least on February 16, 1395, Boniface IX renewed the brief of his predecessor, with this remark which may have a twofold meaning: "But b this we wish that no new right be acquired by you, but only that the ancient right be preserved" (*Per hoc autem nullum jus vobis volumus de novo acquiri, sed antiquum tantum conservari*). There is no mention of the abrogation of the contradictory decree of John XXII. But this decree was annulled in a brief of the same Pope, written November

24, 1395, in which he permits the upper German province to reappoint syndics as intended by Martin IV, with the express remark however that this favor should have no value for the other provinces of the Order.

The Chapter at Munich in 1405 elected Anthony of Pireto as General. He soon had to face a difficult problem. In order to restore unity to the Church, the cardinals of both obediences assembled at Pisa in 1409, deposed both Popes and elected the friar, Peter Philargi of Crete. Peter took the name of Alexander V. Learning, friendliness and unbounded charity towards the poor were his distinctive traits. He was wont to say that as bishop (of Milan) he had been rich, as cardinal he had been poor, but as Pope he was a beggar. Among Alexander's official acts, his brief of December 31, 1409, is of importance for the internal history of the Order. By this brief he permitted to some French monasteries the acceptance of pious bequests which hitherto had been forbidden. But he expressly excluded the acceptance of landed estates. After his short and unjustly defamed pontificate, the cardinals elected John XXIII. Both of the "Pisa Popes" were, in theory, unlawful, because the Council could not proceed in that manner against the will of the rightfully elected Gregory XII. But this situation was so complicated that by far the greatest part of Christendom unhesitatingly acknowledged the Pisa Popes as the lawful rulers, as that they can not be placed on the same level with the other anti-popes. Since Gregory still had some followers in Germany and Italy and Benedict XIII had at that time not yet been forsaken by Spain, in reality three Popes reigned in the Church after 1409.

The necessary consequence of this multiplicity of papal claimants was that the Order soon had three Generals. When Anthony of Pireto placed himself on the side of the Council of Pisa, he was deposed by Gregory XII, but under the protection of the Pisa Popes, he continued to rule over the largest part of the Order. The vicar general, Angelus Salvetti, appointed as ruler of the Order by Gregory, seems to have transferred soon to the obedience of the Pisa Popes, whereupon Gregory appointed Anthony of Cascia General in 1410. Anthony was probably able to govern until 1415, although he had only a few provinces under him. Theoretically Anthony was the lawful General, but practically Anthony of Pireto and not Anthony of Cascia was considered as General in most countries. Spain remained faithful to the General Bardolini for some years. Since all three superiors held General Chapters, and deposed the followers of the other obediences wherever possible, the confusion in the Order became immeasurable. In order to lessen this confusion to some extent, the Chapter at Rome in 1411, held by the majority of the Order under Anthony of Pireto, commanded that all the ordinances given out by the various obediences during the schism should be annulled. But the command had little significance since the schism still continued for some years, till the Council of Constance (1414-1418). This Council, which John XXIII had assembled at the insistence of the emperor Sigmund, finally restored order. Gregory XII willingly resigned in 1415, the two other Popes were deposed. Martin V, chosen November 1417, began to rule the Church as the sole Chief-Shepherd "amidst the universal rejoicing, that men could hardly speak for joy." With this, unity was also restored to the Order, since Bardolini had just as few followers as Benedict XIII.

The Council of Constance, in which the General with thirty-three doctors of theology took part, concerned itself with many of the affairs of the Order. Besides the important decree concerning the recently constituted Observance in France (cf. paragraph

20), it quite frequently discussed the teachings of the friar, Jean Petit (Joannes Parvus: died 1411), doctor at Paris, who had defended tyrannicide, if not absolutely, at least conditionally. The University of Paris had condemned the doctrine but, despite all the efforts of its chancellor, Gerson, at the Council, it did not succeed in having its sentence confirmed by the Council.

Paragraph 18
The Reform Movement in Italy up to the Council of Constance

As already shown, efforts were not lacking within the Order to eradicate the abuses which had crept in. Lasting and general effects however, were not to be expected from these efforts as long as the causes, which the Order could not abolish, continued to exist. Thus the results remained limited to single houses, and perhaps only to single friars. Such zealous religious were found everywhere. Outside of these "Observants", there were others who, in the course of the 14th century, came together in reform houses. These centres of reform, however, were not uniform in organization and did not at all times have the same purpose. Some contented themselves with a heremital life apart from the community, others wished to influence the Order and to reform it by their example. The reformed friars of the 14th century cannot, therefore, be completely identified with the Observants of the 15th century. In fact, they only prepared the way. They were the elements upon which the later Observance built. This is true above all of the reform residences in Italy.

Here already in 1334, John of Valle, had obtained permission from the General of the Order to take possession of a hermitage with four friars and there to observe the Rule in its primitive severity, without the papal declarations. They chose the little convent of St. Bartholomew de Brugliano in the vicinity of Foligno, also called *locus Pistiae*. John lived there under the obedience of the ordinary superiors until his death in 1351. According to Marian of Florence, John was advised in his activities by Angelus Clarenus. This is quite possible. A new schism might have resulted from the separation of John and his companions. Hence Clement VI in 1343 commanded the General to grant no exemption, not even the slightest, to the friars who ostensibly wished to observe the Rule literally. The same Pope surprisingly acted in an entirely different manner towards the lay brother, Gentilis of Spoleto, a companion of John, who had gathered a large number of friars around him. In 1350, Clement permitted them to occupy four hermitages, among them Le Carceri near Assisi, with 12 friars who wished to observe the Rule in its purity, as Francis had given it. He gave them the right to receive novices, and practically exempted them from the jurisdiction of the provincial. Privileges, here as so often, were their ruin. They adopted a peculiar garb, shorter and narrower habits, and they were very injudicious in acceptance of apostates and even heretics as new members. These were perhaps Fraticelli who, under the protection of the papal Brief, wished to attain their old goal. The Order consequently opposed this new group at the Chapter of Assisi in 1354, with the result that Innocent IV, in the year 1355, revoked the enactments of his predecessor. Gentilis, with some other equally guilty members, was imprisoned and his society was dissolved. The good elements returned to the obedience of the superiors and continued their strict life of penance unmolested.

Among these latter was the lay brother, Paul Trinci (Paoluccio Vagnozzi Trinci da Foligno) who, in 1368, at the intercession of his relative, Ugolino da Trinci, received permission from the General once more to go to the solitude of Brugliano with some companions. There, in very great poverty, these friars led an exceedingly strict life, rendered more severe by the many snakes around the solitude which caused them much trouble. As a protection against these reptiles, they wore wooden shoes (*calepodia, zoccoli*) and thus inaugurated a style which was to continue for a long time in the family of the Observants. This feature won for them the name, *Zoccolanti*, or *Lignipedes*. But not all could imitate the severity of their leader. Many returned to their convents. Sometimes Paul had only one companion, and sometimes he was completely alone. But his perseverance and his earnest striving aroused admiration, and by and by he attracted other friars who remained. Brugliano had to be enlarged and soon one residence was no longer adequate. By the year 1373, they already occupied ten little houses to which number St. Damian near Assisi was soon added. All this took place with the consent of the General of the Order although in the beginning some provincials and custodes jealously persecuted the movement. Gregory IX, in the year 1374, took these adversaries sternly to task. From the Pope's words on this occasion we learn that these friars observed the Rule *ad litteram*. Whether this expression is to be taken in the Spiritualistic sense or, in other words, whether they wished to observe the Rule without the papal declarations, is more than doubtful. To all appearances, this term meant the strict observance of the existing precepts as opposed to the widespread laxism. The conduct of Paoluccio and of the Superiors of the Order favor this interpretation. Paul sought papal privileges, wore the habit of the Community, accepted permanent residences without quibbling about the question of the right of property, and above all fought successfully against the Fraticelli, who pretended to be the true sons of St. Francis. The superiors on their part, after their initial prejudices had been dispelled, saw in the reformed friars no separate party, but friars of their Order, imbued with greater zeal for the *Regularis Observantia* than the others. Consequently without any further ado, the friars from the residences of Paoluccio could be placed in the houses of the Community. This was of advantage for the internal strengthening of the reform movement. Thus the distinguishing mark was neither garb nor name – they had no special designation – but solely the spirit which emanated from Paul and his companions and brought about powerful results. His superiors soon realized this. Accordingly in 1380, his provincial appointed Paul commissary of the twelve reform convents in the Umbrian province and gave him the authority to receive novices. The General of the Order was just as friendly. Alfieri in 1388 appointed him General Commissary and permitted him to accept some houses in the province of the March of Ancona as well as the right to send friars to all the regions of Italy, Bosnia, and Corsica, where they should serve as a leaven for the rest. At those times there was absolutely no thought of a separation from the Order such as followed later. The Superiors hoped for a renewal of the entire Order through the zeal of these friars. Thus matters stood when Paoluccio died on September 17, 1390.

His successor was John of Stronconio (died 1418) who knew how to spread the reform movement with prudent moderation. As the vicar of the General he could summon the friars to Chapters. By this fact however the power of the General and the Provincial was in no way curtailed but it was exercised with benevolence. In the face of this it is difficult to understand why John went to the Pope in 1403 with the request to be

allowed to begin two new hermitages in Italy together with church, cemetery and workshops without being forced to obtain the permission of any third party. From the Papal Brief of permission it is also evident that John was placed as vicar of the General only over the residences in the provinces of Umbria and the March of Ancona, although reform convents also existed in the Roman province. It appears from this that opposition had been shown by some provincials, if not against the movement itself, then at least against the partial exemption of these friars. Be that as it may, the number of reformed monasteries grew and reached 34 by the year 1414. In 1415, the convent of Portiuncula was added with the condition however that the offerings must go to the Sacro Convento. All these residences were hermitages or smaller convents situated outside of the cities. The friars dwelling there, about 200 in number, were mostly lay brothers, whose primary purpose was self-sanctification. There were however some priests among the members of the reformed houses who did some work for the care of souls.

Conditions soon changed when priests, in increasing numbers, important preachers and educated men, joined the reform. Very prominent among these are the "four pillars of the Observance." First of these was St. Bernardine of Siena. He entered the Order in his home town in 1402 and after a short time went to the nearby reform convent of Colombaio where he made his profession. At that time this was not considered as a transfer from the Conventuals to the Observants; both parties still belonged together. Bernardine preached at the command of the General. He preached with all the spirit which he had imbibed in the reformed convent. Naturally he carried this spirit everywhere and in all places his powerful eloquence won esteem for himself and esteem also for the reform movement. Besides he strove to introduce learning into the reformed convents in order to be able to make their valuable ascetical powers serviceable for the care of souls. Thus he prepared the way for the later importance of the reform in Italy. It is easy to understand that he was hailed as the founder of the Observance, and that little mention is made of Paoluccio in the 15th century.

The most famous disciple of St. Bernardine was St. John Capistran, who had gained admission among the Observants of Perugia in 1414. In the following year Albert of Sarteano placed himself under the direction of the great master, after he had lived for ten years in non-reformed convents. Finally in 1416, James of the March also joined the Observants at the Portiuncula.

These four men guided the reform movement with a firm hand through all the dangers which threatened it in the next decades.

Paragraph 19

The Reform Houses in Spain and Portugal up to the Council of Constance

Very little is known about the beginnings of the Observance in Spain. In the following pages, the short notices contained in the pertinent papal documents are the only source. These furnish indeed only a very incomplete picture of the reform movement in Spain, but they are at least a sure guide and permit us to avoid the confusion of the chronicles.

The Iberian peninsula was divided into three provinces in the 14th century. The lines of division extended from north to south. The western area was called the Province

of Portugal or St. James, the central the Province of Castile, and the eastern the Province of Aragon. In all three provinces there were about 1400 reform monasteries, which apparently arose independently of one another.

The Province of St. James suffered the most during the Western Schism. A part of this province, comprising the present Portugal, did not place itself under the Avignon obedience, as did the kingdoms of Castile and Aragon, but remained faithful to the Roman Pope. On that account, there was a division with resultant disorders of every kind. Therefore in 1398, Boniface IX requested the provincial of England to send Visitors to the province since the General, Henry Alfieri, despite all exhortations, had done nothing. That is however very easy to understand since a great part of the province followed not Alfieri, but the General Chevegneyo. The zealous friars who belonged to the Roman obedience, were very much dissatisfied with the state of affairs and sought to separate from the rest of the friars. Already in 1392, the friars Didacus Arias, Gundisalvus Marini and Peter Diaz had obtained permission from Boniface IX to lead a solitary life in a small house which was to be erected. Gundisalvus then established some more residences in the northern part of his province and had them occupied by like-minded companions. These however soon placed themselves under the Avignon obedience. Thereupon, in 1407, they asked Benedict XIII to confirm the houses established without papal permission. The Pope granted the request with the regret that the founder of these convents still adhered to the Roman obedience. We know nothing more of the ordinances according to which these friars lived in distinction from the rest. On the other hand we know that around 1407 a house, dedicated to St. Anthony, in the neighborhood of Lisbon was occupied by friars who called themselves *de Observantia*. The same is true of the large convent at Oviedo which had certainly adopted the reform already in 1409. Besides the nearby hermitage of S. Maria *de radicibus*, which a lay brother, Ferdinand Gundisalvi, established in 1413, we hear no more of efforts for reform up to the Council of Constance. If one may draw legitimate conclusions from a later decree of 1427, the Observants of this province had a lively interest in books and learning.

In the Province of Aragon, some friars must have obtained permission from the Papal Legate already in 1389 to be allowed to lead a solitary life independent of the superiors. The two houses of Xelva and Mantanera must have been founded by them. For these two cloisters already some years before 1424, lived *sub regulari observantia*. In that year, together with the monastery of *Sanctus Spiritus in Eremo* near Murviedro, founded by Queen Mary in 1403, they formed a separate custody. The guardian of Murviedro, Bernard Escariola, and the brother Bartholomew Borraz are mentioned as the founders of *Sancta Maria de Angelis*. Both the houses just mentioned had wide exemptions already before 1424, in that they could choose their own guardian for three years, could accept friars and admit them to profession, and were free from the obligation of contributing money to the province. After 1424 these four convents were permitted to elect their own custos, who was practically independent of the provincial. We note also here that these monasteries wished to live not solely for the strict observance of the Rule but also for theological study and preaching.

Of the three provinces of the peninsula, the reform was most necessary and most far-reaching in the Province of Castile. In 1374, two friars from Aquitaine held a visitation in the name of the Pope. This resulted in the deposition of the provincial of

Castile. It is questionable whether the command mentioned in 1413, namely, to erect a house in each custody in which the friars could and should live *secundum Regulam et totalem traditionem B. Francisci* had been issued there already at the time of this visitation. At any rate, we have no proof that the command, if given, was actually carried out at the time. For it is only a generation later that we meet such reform houses. These were largely disunited and unorganized. Some groups however may be distinguished.

To the first group belong St. Francis of Villaverde in the diocese of Seville existing at least since 1401, St. Michael of the Mount, founded before 1404 in the diocese of Cuenca, and S. Maria de la Rabida which was established by John Roderici in the diocese of Seville in 1412. These had almost the same constitution and the same privileges. The friars lived *sub regulari observantia*, observed the papal declarations together with the statutes of the Order and the priests devoted themselves also to the care of souls. The superior of the house, called now guardian, now vicar, was in the beginning appointed by the General or Provincial, but since 1417 was elected by the friars at least in Villaverde. The superior acted as delegate of the provincial, could admit friars to profession and send unsuitable friars back to the provincial.

The hermitage constructed by Ferdinand de Rueda, the hermitage of St. Francis de Arrizafa not far from Cordoba, was very similarly organized. St. Didacus took the habit there. It is especially mentioned that the friars could not be removed against their will as long as they lived in regular observance and obedience to the explanations of the Rule. The same thing was established for the hermitage of S. Maria del Castamar, founded in the diocese of Toledo in 1415 by Garcias de Roales.

The introduction of the reform in some of the houses of the Segovia custody was of greater importance. Already in 1413, we come across Cuellar as a convent of the Observance, where the friars lived in accordance with the papal declarations of the Rule. They were completely exempt from the jurisdiction of the custos, a privilege granted by the Pope. This seems to have been the case with all Observants. Also the power of the provincial was limited since he could demand no money contributions for the province and was obliged to confirm the guardian whom the friars elected annually. The guardian also had the right to accept friars and to send transgressors back to the provincial, while the provincial could not remove them from the convent of the Observants against their will. The same favors were conceded in 1414 to the *fratres conventuales* of the house of Medina del Campo who had lived already for a long time *sub regulari observantia*. In 1417 the convent of Arevalo received the same privileges. It is uncertain how long these convents had led a reformed life; of the fourth convent, that of Santander, which joined them, we know that it first introduced the Observance in 1417 and thereby obtained the privileges of the others.

A short time before the convent of St. Dominic of Silos had sought to obtain the same rights, and it strove to incorporate the nearby hermitage of Aguilera. This attempt however was blocked by the opposition of its founder, Peter de Villacreces. The Pope made the desired incorporation dependent upon Peter's convent, otherwise it could not be effected before his death. Peter refused his consent. According to the chronicles, Peter is supposed to have been the real originator of the Observance in Spain. His name occurs for the first time in the Papal Briefs of 1396 when, as a Baccalaureus of Salamanca, he addressed a request to Benedict XIII to be promoted to Master of Theology. The petition was granted: this we learn from a Brief of the same Pope written in 1413 which

empowers Villacreces to reform the convent of Sahagun (S. Facundus). In accordance with a resolution of the provincial chapter, this house had been chosen as a reform convent for the Custody of Palencia. But since this resolution was not carried out, Villacreces with some companions of like mind turned to the Pope and obtained for Sahagun the same privileges as those possessed by the reformed convents in the Custody of Segovia. This leads us to presume that Villacreces also governed those residences of Segovia; but to date we have no certain proof for this. Of the hermitages, the founding of Aguilera is to be ascribed to Peter. This is certain. Concerning his influence over the other convents, especially over S. Maria de Salzeda in the diocese of Toledo, which later became so famous, we find no mention in the Papal Briefs of this period; just as little mention is made of his disciples, St. Peter de Regalado, who lived in Aguilera, Lopez de Salazar and Peter de Santoyo. It must remain doubtful with what right mention was made later on of a *Recollectio Villacretiana*. In any case, up to 1417, the discipline in the convents under the influence of Villacreces differed in no respect from the Regular Observance.

On the other hand, some other men, contemporaries of Villacreces, despite outward appearances can hardly be considered as Observants, since they sought and obtained privileges which were apt rather to undermine than to further the Observance. In this connection must be mentioned Ferdinand de Villaquiran, Gometius Fernandi, and Ferdinand de Illescas; de Illescas is also mentioned as a reformer of the Poor Clares.

But Peter de Pernia and John de Baeza are to be considered genuine upholders of true reform. In 1416 they received permission from the Pope to found a convent on the Canary Island Fuertaventura; the guardian of this convent was to be elected annually by the friars and confirmed by the provincial of Castile. Thereupon, soon after John de Baeza had erected three more residences on the neighboring islands, he was appointed vicar general over the Canary Islands by Martin V in 1423.

This extensive reform activity, joined with the partial exemption, must have caused disturbances in the entire Province of Castile; all the more so since, besides the above named residences, others accepted the reform. Among these were Castro de Ordiales (1406) and Soria (1415), which however were not affiliated with the other convents of the Observants.

It is not surprising then, considering these facts, to find in the Papal Briefs of 1417 that the province is considered as divided into two parties. For the non-reformed part, Benedict XIII commanded that the provincial chapter of that year must appoint two friars as visitors. These visitors may even proceed against the provincial if they find it necessary. As for the Observants, whether they live in convents or hermitages, they must choose two visitors from among their number for each three years. These visitors exercise the rights of the provincial over the Observants, but they must give an account to the provincial himself. Preachers and teachers are to be appointed for the houses of Observants just as for the others.

From what it has been said, it is evident that the Observance in Spain did not receive any noteworthy impetus from without, and that up to the Council of Constance it far exceeded the reform movement in Italy in importance and extent. Many important discoveries concerning the evolution of the Observance as a whole may be expected. The present survey gives only a fragmentary picture.

Paragraph 20
The Reform Movement in France up to the Council of Constance

It is surprising that the reform movement appears last in the two southern provinces of France, in the Provence and in Aquitaine. Before the Council of Constance, we hear nothing at all of such a movement in Provence, where once the Spirituals had been so powerful. In Aquitaine, it seems to have been limited to an insignificant attempt which Peter of Villanova made in 1402. He together with some similarly minded companions, received from Boniface IX, to whom the English portion of Aquitaine adhered, the authorization to establish two houses where the Rule should be observed *spiritualiter*, that is, according to the Papal declarations. The plan however seems never to have become a reality, because later on we hear no more of it. Peter disappears from history in 1408 as the chaplain of Gregory XII.

We are better informed about the three northern provinces, Burgundy, Francia, and especially Turonia, where the reform movement may have begun already in 1358. In 1388, some of the friars, disgusted with the irregularities in their province, appealed according to the Rule to the General who referred them back to their provincial, John Philippi. He received them joyfully, gave them the convent of Mirabeau, where they lived peacefully under a reform guardian. From here the reform spread to the newly established monasteries of Laval and Bressuire, and to other already existing convents. Whoever in these convents did not wish to observe the Rule “to the letter”, that is, “according to the traditions of the apostolic declarations” had to withdraw in order to make room for friars who were zealous for reform. Sad to say, this golden era ceased with the death of the provincial, John Philippi.

In the Province of Francia, the convents of Amiens and Peronne were also reformed about the year 1400 and these, at the injunction of the Pope, had to introduce the Observance at Hesdin in 1406. Possibly the influence of St. Coleta was decisive in this affair as also in the reform of the monastery of Dôle in the province of Burgundy.

The reform convents of the three provinces took a momentous step when, in 1407, under the leadership of Mirabeau and Bressuire, they appealed to Pope Benedict XIII for help against their provincials, who were not permitting them to live according to the laws of the Observance. The Pope now commanded the General of the Order, Bardolini, to free those convents completely from the jurisdiction of the provincials, and to give them vicar provincials who belonged to the reform.

In the following year the Pope went a step farther, after the convents, St. Jean d’Angely and Loches had embraced the reform, and Cholet and Fontenay-le-Comte had been newly established. On May 13, 1408, Benedict commanded the General to give the Observants of the provinces their own vicar general, in the person of Thomas of Curte, since the decrees of the preceding year had not been carried out.

Alexander V, in the beginning, also recognized the vicar general and gave him permission to establish a new house at Amboise; but within 14 days he annulled the edicts of exemption of his predecessor, Benedict. He reproached the Observants, in whose favor even the University of Paris had given an honorable decision, that they were wearing a special garb, were refusing obedience to their lawful superiors, and with the help of influential patrons, were obtaining privileges from the Roman See – complaints

which could be repeated a dozen times within the next century. Naturally this annulment took effect only in the regions of Alexander's jurisdiction. In Spain everything remained as formerly. When the Pope died, the Observants appealed to his successor, John XXIII, who referred the question to the Cardinal Protector. For a short time, they again received a vicar general, Nicholas of Bretagne, but he was soon deposed at the instigation of the ministers. In 1414, the Pope renewed the annulment of Alexander V, but imposed the duty upon the provincials not to hinder the Observants of their provinces in their endeavors.

However, the provincials did not obey this command. Unrest and scandals resulted in many convents. After the Observants had appealed to the General, but to no avail, about 200 of them, many priests, preachers and degraded men among them, went to the Council of Constance where they drew a dark picture of the condition of the Order in France. They presented the petition to the Council to be allowed to observe the Rule according to the papal explanations, but without the harmful privileges, which were only leading to conflicts with the secular clergy. The petition made the following suggestions:

No new convents should be established, but the old ones should be reformed.

Permit two convents in each custody to be entrusted to reformed friars with which individual friars or even entire convents, if the majority wish, can be affiliated.

Should there be twelve reformed houses in a province, they should have the right to elect a provincial for themselves, who is subject to the General just as the other provincials.

Should the number of convents not reach twelve, the Observants should at least be permitted to form their own custody, the superior of which is subject to the provincial just as the other custodes.

This petition was advocated by the convents of Laval, Clisson, Amboise, St. Jean d'Angely, Bressuire, Cholet, Fontenay-le-Comte in the province of Turonia; by the convent of Dole in the province of Burgundy; and by the convents of Seez, Saint-Omer, Varennes in the province of Francia.

The Council, which had taken upon itself the reform of the Church, energetically took up the consideration of this petition. After preliminary deliberations, at which the Cardinal Protector and the representative of the General were present, the following concordat between the opposing parties was drafted, September 23, 1415:

Let the above-mentioned convents (to which Mirabeau was added since the "strict regular observance" had its beginnings in that convent) choose a vicar provincial in their provinces. This vicar provincial is independent of the provincial in everything except confirmation in office. The provincial retains merely the right of visitation; at this time he may punish the Observants but only with the consent of some tried and prudent Observants.

Let the three vicar provincials together with representatives of the convents then elect a vicar general who is to be confirmed by the General, but for the rest possesses the same rights as the General. The Council appointed the vicar general for the first time, namely, the friar Nicholas Rodolphe.

The General's right of supervision however, remains secure; he can hold visitation and punish also in the convents of the Observants.

If the vicar provincials and vicar general do not give satisfaction, the subjects can replace them by others according to their laws.

The chief concern of the Observants should be to see to it that in the convents entrusted to them, the Rule should be observed strictly according to the papal declarations and that all superfluity, which is contrary to poverty, should be removed and the superfluous things sold.

Moreover the Council decreed that individual friars, as well as entire houses if the majority were in favor, might embrace the reform and thereby place themselves under the vicar general; but then they are no longer able to withdraw from the vicar's obedience without his express permission.

Such newly reformed convents may also remain under the provincial. But for the convents named in the decree, exemption is an obligation, not a free choice.

The decrees of the Council of Constance were apparently a great victory for the Observants. And yet one is obliged to wonder whether, in the interest of the whole Order, this victory was not unfortunate. With the decision of the Council, which even surpassed the demands of the Observants, a way was opened which sooner or later was bound to lead to a division of the Order and this in a manner very injurious to the higher superiors. For the exemption of the reformed friars from the obedience of the provincials implied that these superiors were either not capable or not willing to carry out the reform of the Order. But was this actually the case? The Observants affirmed this emphatically, at least those who were present at the Council. But it is of importance to keep before our eyes that not all the reform monasteries, and perhaps not even the majority, joined the petitioners. Even the convent of Mirebeau was not among them. This monastery was incorporated into the exempt group by force, even if with an honorable motive. From this it may be concluded that there existed a difference of opinion among the Observants themselves concerning recourse to the Council. To this may be added that the joint conclusion of the eleven convents having recourse was not reached in an entirely blameless way. Ambition, rather than zeal for the welfare of the Order, played an important role in forcing the decision. The friars of Dôle themselves tell us this. They returned to the obedience of the provincial in 1426. And the convent of St. Jean d'Angely was in conflict with the vicar general by 1418 because it did not wish to possess exemption.

But the greater fault lay with the three provincials concerned. Had they possessed the ability to measure up to the task assigned to them after the exemption had been abrogated by Alexander V, the decrees of the Council would have been unnecessary. Instead of taking the houses of the Observants energetically under their protection and furthering the reform, they did just the opposite. They were, as is easy to understand, angered by the earlier exemption obtained against their will and probably also by the excesses which many Observants permitted themselves with regard to the Community. But even that should not have blinded them to the good which lay in the movement, and which, rightly directed, could only be of advantage to the entire Order. The ministers, during the decisive years from 1409 to 1415, did not even in the least fulfill their duty of protecting the zealous friars. Rather, to a large portion of the Observants, the superiors seemed to be enemies of the movement. Hence it seemed to the Observants best to carry the movement through without the provincials and eventually against them. The Council adopted this opinion but did not content itself with merely exempting the Observants from the jurisdiction of the provincials. It exempted them from the head of the Order as well by appointing a vicar general. That was something which the Observants had

certainly not requested. By this move, the General was forced to the side of the opponents of the Observance, and made the stepfather of his best children. Mutual confidence was undermined by this privilege and the reform was forced to seek victory by conquering the leader of the Order.

But once the fatal step had been taken, the Observance sought to push forward on the road pointed out by the Council. In 1416 the vicar general held a chapter with his subjects at Bressuire. The resolutions of this chapter give us a clear insight into the spirit of the French Observance. The General Constitutions together with the papal declarations must be observed, with the exception of some dispensations concerning money. The friars shall remain in the convents as much as possible, except when duty, for example preaching, calls them out.

The lectors shall diligently develop all capable friars in studies, the rest must devote their energies to manual labor.

All conflict with the pastors and ecclesiastical prelates is to be avoided.

Poverty shall be observed in all places, especially in the churches and convents.

The superiors shall have the power to dispense with regard to clothing.

All this is nothing new. It is merely a re-emphasis of existing precepts. No one should be able to reproach the Observants as transgressors of the statutes, nor as originators of new precepts. The French Observance wished nothing else but the observance of the Order's regulations and the reform of the manner of life which had become lax. They were not hermits but engaged in the care of souls and the pursuit of knowledge. In this, they offer a marked contrast to the Italian Observants, who only later on began to imitate these aspects of the French and partly also of the Spanish friars.

Consequently also it seems absolutely foolish to hold that the Observance spread across the Alps from Italy.

Paragraph 21

The Order from the Council of Constance until the General Chapter of 1430

Shortly after the close of the Council, the Order held its General Chapter at Mantua. Here it was forbidden under severe penalties to have recourse to persons outside the Order in order to bring about any change in the Order. All the friars must obey their provincials, attend the Provincial Chapter and accept that guardian whom the Chapter would give them.

These regulations were indeed well meant, but pointless, because the authority of the Council and the Pope, which stood above the Chapter, had already decided otherwise. The Observants in France were not content with the mere exhortation to the provincials to treat benevolently the friars who were zealous for reform. They demanded rather maintenance of their exemption until the reform of the Order should have been carried out in head and members, because otherwise the Observance would again be destroyed. For greater certainty, they appealed to the Pope for a confirmation of the decree of Constance. Martin V granted the request in 1420.

Considering this, it is a mystery how the following Chapter at Forlì in 1421 could impose excommunication upon the friars who obeyed the vicars instead of the ministers. The newly elected General, Angelus Salvetti, sought to further the reform by a number of

decrees passed at the Chapter, and sought especially to eradicate the unbelievable abuses of poverty. But all these reform edicts were again rendered vain by the concluding decree that the General could dispense those provinces from those decrees where the observance of them was shown to be difficult. The situation was not bettered by the structure: *salva semper Ordinis bona reformatione*.

After the short regime of Salvetti who, as titular abbot of Palignano in lower Italy, was the first General to wear the mantle of an abbot, Anthony of Massa ruled the Order. He was elected at the General Chapter of Ferrara in 1424.

Anthony was totally averse to a reform both regarding his personal life and for the Order. The decrees against the Observants who obeyed their own vicars were emphasized by the decree that the excommunication imposed upon the Observants must be announced publicly in the churches. It is evident that hostile feelings were merely intensified by such a tactless and even illegal procedure. Similarly the Chapter of Casale in 1427 drew attention to the punishments decreed by John XXII against those who wear different clothing and it forbade any addition to the title "Order of Friars Minor" bestowed by the holy founder. This was aimed at those Observants who, in order to proclaim openly their difference from the Community, had begun to wear habits which departed from the usual form and to add to their name the title *de Observantia*, a formula which had been used for decades in the Papal Briefs.

But we must not yet think of a unified life among these zealous friars in the various countries. "Various ones began to live variously" (*coeperunt diversi diversimode vivere*) says a chronicler, a circumstance which led to many unedifying conflicts and hampered the force of the movement.

Still the Observance spread continuously and not only in the countries where it had previously gained a firm footing but also in regions in which it had hardly been known before, as in Germany, Austria-Hungary, Poland, etc.

In Hungary there are supposed to have been Observants about 1380. However that may be, we know that their houses increased in the beginning of the 15th century under the protection of the Emperor Sigismund. The friars there, like those in France, wished to observe the Rule "to the letter" according to the papal declarations and the traditions of the Order, and were on this account called "friars of the Observance." They were however not exempt from the General and the Provincial but only from the Custos.

Only toward the year 1450 did the Observance make great strides in Austria, Hungary, Poland. This was due to the efforts of Capistran. In these regions, the Observants later on were called Bernardines, after the great saint who was considered the founder of the Observance.

In Germany the Observance seems to have made its first appearance in the March Brandenburg. In 1428, the reformed houses there received the right from the Pope of choosing a vicar provincial for themselves every three years, and he was to discharge the duties of his office under the supervision of the General. In the province of upper Germany, the convent of Heidelberg was the first to be reformed. This took place in 1426 with the help of the Observants from the province of Turonia. In the following year, these Observants obtained the right to elect a vicar annually. Particulars are lacking concerning his relation to the Provincial and the General. In 1428, the Observance made its entrance into Metz. Thereafter, under the leadership of Nicholas Caroli, greater progress was made.

In Bosnia the Observance had been established early. It was mentioned in the 15th century that it had existed there before it existed in Italy. Authentic proofs are at hand for its existence there only from the beginning of the 15th century.

Around 1427 the Observance spread from Bosnia to the east and north into the vicariates of Russia and Tartary. Francis de Spinolis, the vicar provincial for those regions, took the lead in introducing the reform. This leadership in reform by a provincial superior was exceptional and therefore deserves special mention.

In France the Observants had indeed constantly received new residences, but here too the division between them and the Community had also widened, partly through their own fault. In 1421, the Pope had to forbid them to persecute those friars who forsook the obedience of the vicars and again placed themselves under the provincials. In the following year the provincial of Burgundy succeeded in obtaining from Martin V a prohibition against the further spread of the Observance in his province. Thus the movement was halted in Burgundy, at least temporarily.

In Spain on the contrary, the Observance went forward irresistibly under the protection of the privileges already mentioned. Since 1420, we find a residence even in Ceuta in Morocco. The Decree of Constance was extended to Aragon in 1425. In Castile, it was considered expedient in 1427 to limit the movement by a concordat between the Observants and the *Claustales*. This is the first time we meet in the term *Claustales* in an official document. Whether this resolution of the Chapter had received the consent of the Observants is not said, and is indeed very doubtful, since their former rights were curtailed. Consequently the *Claustales* sought to secure the agreement by papal approval, but this move had only temporary success.

Perhaps this move of the Community provoked the counter move, made in 1428, of some zealous friars and their guardians. These friars appealed to the Pope for permission to be allowed to observe the Rule of St. Francis in its purity "in the primitive habit of the Order," since this Rule had been modified and dispensed from in many ways by the papal declarations and the decrees of the Chapters. They now feared that if the Pope would not grant their request, they would be hindered in their plans and punished as refractory members by the superiors of the Order. Martin V was willing to grant the petition. He praised their intention, and forbade anyone to proceed against them in any way. This step is not consistent with the previous conduct of the Spanish Observants. One is forced to blame this move upon some new group or a group which had separated from the Observants, perhaps the *Recollectio Villacretiana* which, since the death of its leader, may have developed this radical trend.

The true Observants, as has been emphasized quite frequently, based their life from the beginning on the Rule together with the declarations, and wished only to eliminate the numerous and grievous abuses which had gradually crept into all the spheres of discipline in the Order, especially however with regard to poverty. Landed estates, annual rentals, and private incomes were not at all rare among the friars and at times had been approved by the Pope himself for individual persons and houses. To fight against this corruption of discipline was the aim of the Observants. But they did not wish, as the Spirituals had once done, to observe poverty without the declarations which modified it, and thus merely renew the scandalous conflicts of the past. The Popes had declared against the Spirituals and their declarations were considered as fundamental laws for the Order and the Observance of these laws as an absolutely necessary condition

for the preservation of unity. Therefore the attitude of Martin V towards the abovementioned petitioners becomes all the more incomprehensible. This case, unfortunately, was repeated only too often. Consequently we cannot always hold the Order responsible for the many divisions in the course of the centuries. The Order often fought them with all its strength but was helpless in the face of the interference of higher authority. Members who are inclined towards separations and extreme measures are found in all Orders; were these always to prevail, the unity of all Orders would long ago have vanished.

This fact was most apparent to the great leaders of the Observance in Italy. With untiring zeal they sought to extend the Observance. Their zeal in this regard met with ever increasing success. They even obtained some houses in Crete. Moreover they rid themselves more and more of their earlier eremitical character. They sought to foster studies and thus to fit their friars for the care of souls. Perhaps it is also to be ascribed to their influence that the Order made efforts for the reintroduction of the Apostolic Syndics of Martin IV. The Pope actually granted this favor November 1, 1428 together with the express abrogation of the Constitution *Ad conditorem*. Thereby the subterfuge which had been put forward for a hundred years as the excuse for many violations of poverty, was removed.

In one point only the Italian Observants did not follow the example of their friends in France, Spain, and Germany. That was in the question of exemption. They always remained under the obedience of the General and the provincials. The vicars who were given to them had only so much power as the regular superiors saw fit to give them. The Observants were frequently allowed to hold General Chapters and to elect their own superiors. But they had no voice in the Chapters of the Order. The transfer of friars from the stricter party to the Community was not forbidden. This circumstance was deplored by many Observants, but when all is said, it was only to their advantage. On the whole there was peaceful harmony between the Observance and the Community in Italy so long as there was no question of serious competition for popular favor. But when the friars of the reform grew, not only in number but also in importance, when they attracted the attention of the people by their public activity, and thereby the differences in the manner of life of the two parties were made known to the people, then began the intense rivalry between the friars also in Italy. We see traces of this rivalry already in 1429 in a Papal Brief which, at the request of the Generals of the various Orders, forbade the monasteries of the Observants in places where there were other Mendicant monasteries. This duplication of convents was moreover forbidden according to the current law, but the Popes had often made exceptions. It is noteworthy that the Generals in their request maliciously attributed to the Observants that they strove for expansion *sub fictione melioris vitae*.

Martin V, however, did not allow himself to be deceived by this charge. The great men of the Observance, whom he had become personally acquainted with, were proof enough for him of the goodness of their cause. Under their influence he formed the great plan of bringing about unity in the Order by effecting a fundamental reform of the entire Order. Therefore the Pope summoned all the authorized friars, also the French Observants, to a General Chapter at Assisi to be held in 1430 "that according to Our desire, a needed reform might be made in the said Order."

Section 4
Conflict between Conventualism and Observance
until the victory of the latter: 1430-1517

Paragraph 22
From the General Chapter of Assisi to the General Chapter of Padua: 1430-1443.
The Constitutiones Martinianae

As praeses of the first *Capitulum Generalissimum*, with the title of *Reformator Ordinis Minorum*, the Pope appointed the Cardinal John Cervantes, because the deposition of the unfit General was a matter already previously decreed. His successor was William of Casale.

The spiritual leader of the Chapter however was John Capistran. He had fought the exemption of the French Observants and had accused them of dividing the Order. The Chapter should prepare the way for reunion but not by way of the suppression of the Observance as many wished it, but by way of reform for the entire Order. Therefore, the saint together with other friars, prepared new Constitutions which held the middle way between laxism and rigorism, and hence could be received with good will by both parties of the Order. Since they were confirmed by the Pope, Martin, they are usually called the *Constitutiones Martinianae*. They deposed the vicar generals and the vicar provincials, even in France. They demanded however a general reform of the Order on the basis of the existing precepts. With regard to poverty it was ordained that the Apostolic Syndics were to be appointed again in all places, and the prohibition of money was to be strictly observed. If the General dispensed from it, he was thereby considered deposed, and the friars need no longer obey him. Those convents which have accepted property in the course of time must sell their immovable goods, settle their obligations and supply the necessities of the convent with the proceeds. But the decrees which dealt with the constitution of the Order were extremely scanty and even inadequate.

After the new Constitutions, which only repeated old decrees, and even made them partially milder, had been read in a loud voice by Capistran, all the members of the Chapter gave their consent and exclaimed: "We wish to stand and to live and to die in brotherhood in our holy Order according to these constitutions and reforms." (*Volumus stare et vivere et mori in dicto Ordine nostro sancto fraternaliter secundum constitutiones et reformationes praedictas*). The General swore a solemn oath to carry to carry out these Constitutions and never to have himself dispensed from this oath, and to refuse any such dispensation if offered to him. Similarly each friar present bound himself by oath to the observance of the new statutes. To aid in carrying out the statutes, St. John Capistran was appointed *socius* to the General. With this solemn ceremony, the reform of the Order seemed certain and its unity assured. The wishes of the Observants were fulfilled and so every reason for a separation had been removed. The Community likewise had perfectly attained its object: to lead the separated friars back to the obedience of their lawful superiors. A turning point in the history of the Order had come.

Then the unexpected happened. Even during the Chapter some friars are supposed to have sought for a dispensation from their oath. It is certain that on July 27,

1430, some six weeks after the Chapter, the General had himself dispensed from his oath, and mitigated some of the new statutes. On August 23 of the same year, he sought and obtained from the Pope the Brief *Ad statum*, which nullified all the reform decrees of the Chapter concerning poverty. The houses which possess or will in the future acquire landed property or fixed revenues, may retain them, and the procurators of the convents, in the name of the Apostolic See, can do with them as with the objects hitherto permitted in the Order. That a friar himself may take over the office of procurator was not stated; but the Brief was soon interpreted in this way and executed accordingly. This Papal Brief forms the *Magna Charta* of the Conventuals. It allowed the enjoyment of all goods, as the other Orders possessed them even though the property right was vested in the Roman Church up to the Council of Trent. Before this time, many Popes had conceded such privileges to one or the other monastery by way of exemption. But in those cases the Pope had always stated that it was an exception and contrary to the general laws of the Order. But Martin V now made the exception the rule.

How is this action of the General and his companions to be judged? Had they acted thoughtlessly and rashly when they swore to reform the Order and then only later had they realized the full scope of the statutes? Had the Order become so degenerate that the observance of the decrees seemed impossible to them? Such questions naturally force themselves upon the attention, if we do not wish to consider these leaders as men who merely toyed with their oaths. In fact the abolition of numerous abuses, about which so many and loud complaints had been uttered, was no small matter. Especially would they meet with many difficulties in the abrogation of landed property and incomes which were partially based on endowments. Still the Observants also had difficulties and nevertheless they carried out the Constitutions, even in those houses which they had taken over from the Community. But that the leading personages did not even make an honest effort towards reform, that they sought to confirm the existing conditions by legal dispensation, that they had procured authorization to introduce these practices which were contrary to the Rule into places where they did not yet exist – all this shows clearly that they did not sincerely desire a reform according to the decrees of the Chapter. But the Community rejected the reform not merely for itself, but it also did not wish the Observance to make any progress, because the Observance was an ever-present reproach against it. Therefore the Conventuals, with shameful injustice wished that the Martinian Constitutions be strictly observed in so far as they curtailed the former rights of the Observants, but they had themselves dispensed from the precepts which concerned themselves. Such an attitude must have embittered the Observants and robbed them of all confidence in the good will of the Community. St. John Capistran himself, who hitherto had fought for unity, was not gradually forced to the side of those who saw salvation only in the self-government of the Observants. Since the Community through its own fault had made an enemy of this man, powerful alike in word and deed, its fate was also decided. The conflict, conducted with unheard-of violence on both sides, continued for a long time. But the victory inevitably went to the side which possessed the greater moral power, and that was unquestionably the Observance. The Observants no longer made any attempt at unity. Past experience seemed to have taught them the futility of any cooperation with the Community. Hence such attempts, when made by the other side, always failed. The Community did not wish a reform, and the Observance did not want to be subject to non-reformed superiors.

When Martin V died, the Observants sought protection and help from Eugene IV who had himself belonged to a reformed community. Eugene in 1431 did in fact annul all the mitigations of his predecessor and held the General to the oath he had taken at the Chapter. But the next year the Pope yielded to the persistent requests of the General and again sanctioned the decrees of the Brief *Ad statum*. Still he continued to be well-disposed towards the Observance and favored its spread.

St. James of the March labored for the Observance in Bosnia. Capistran gained this concession that the Italian Observants might hold their own General Chapters and elect their vicars, although indeed in full dependence upon the General and Provincial.

The Observants obeyed the Constitutions of 1430 strictly despite the dispensation given by the Pope. These followers of Capistran were called Martinists, by which were understood all those who embraced the reform according to the Martinian Constitutions but under the obedience of the ordinary superiors.

The Pope, by the Brief *Super gregem* of October 1, 1431, granted the Observants in Greece their own vicar who was independent of the provincial. In this letter the word *Conventualis* occurs for the first time in the sense in which we use it now. It signified a friar who, in opposition to the Observants, demanded dispensations from the Rule.

The General Chapter at Bologna in 1433 had the audacity to emphasize the decrees of the Chapter of Assisi in so far as they were against the Observants, and at the same time permitted new alleviations to be proposed for the Conventuals by Matthias Doering, provincial of Saxony and a pronounced opponent of the Observance. The French Observants immediately appealed to the Council of Basle, then in session.

The General was present at this Council by order of the Pope. The French Observants, under the protection of their king, strove for a renewal of the decrees of Constance, while the General demanded their continued abrogation. In this he was supported by many Italian Observants. At that time Capistran himself seems to have been against complete exemption of the Observants.

The argument of the French Observants was that the real reason for the opposition to the exemption of the Observants was envy, because the people think more highly of them than of the Conventuals. Let anyone obtain authentic information concerning the mode of life of the two parties, and he will discover that the difference between Observant and Conventual is greater than between two entirely different Orders. Therefore a single rule for both is an impossibility. The Observants cannot successfully be governed by the Conventuals, nor the Conventuals by the Observants. The hope of good elections and of the appointment of zealous superiors is futile. The Observants usually have no voice at the Chapters and never have a majority. But the Conventuals always elect a man who clings to their party and is an opponent of the Observance. It is moreover unjust to accuse the Observants of having no degreed teachers and of not wishing to study. It is true only that they as yet have no convent of General Studies, as they would like, and that the Observants who do study are not advanced to the degree by the superiors of the Order. May the Council also see to it in this connection that the Observants are able to devote themselves to studies as did Alexander of Hales, Bonaventure, and Scotus.

The deliberations ended in 1434 with the victory of the French Observants. They were permitted once more to live according to the Decree of Constance. The Pope, at the intercession of the queen of Castile, granted the same right to the Spanish Observants.

In Italy also, despite much opposition, the Observance made constant advances. Among other residences, it finally received the famous monastery of Mt. Alverna in 1431. It had held this residence for a time as early as 1420. In 1434, the Pope also gave them the Custody of the Holy Land because of many complaints against the Conventuals.

Finally in 1438 the General was forced by the Pope to appoint a Vicar General of the Observants for the Italians. His choice fell upon St. Bernardine of Siena. Eugene IV immediately approved the choice and made him independent of the General. But when the General showed himself displeased at this, Bernardine freely gave up all claims to the Papal Brief in order to avoid even the appearance of striving to bring about a schism in the Order.

During his four-year term, some of his subjects seemed to lean towards the old ideas and ideals of the Spirituels. Therefore in 1440, Bernardine sent a letter to the Italian Observants. He calls them the *fratres devotorum locorum* in order not to give offense to anyone by the word "Observants" which so angered the Conventuals. His letter breathes the spirit of mildness and moderation even in questions of poverty. In cases of doubt, he refers his friars to the decision of their superiors, to whom they must accommodate themselves. He censures the fanaticism of individual friars who wished to alienate from the houses all articles which seemed superfluous to them, even though they themselves had not acquired them but had received them from the earlier inhabitants of the friaries.

Because of advanced age, Bernardine tendered his resignation in 1440 to the Pope. Eugene IV did not accept the resignation but gave him instead the right to appoint a coadjutor and to give him whatever powers he pleased. In 1441, Bernardine chose St. John Capistran as his helper.

Bernardine's desire for unity was not shared by many of his subjects. In 1440 the former vicar general of the Observants in lower Italy, Nicholas of Osimo, obtained permission from the Pope that the Observants in Italy should be just as independent of the provincials as those in France. Bernardine was not in favor of this concession. At the time of the grant, the General was in France attempting to bring the king over from the side of the schismatic council of Basle to that of the Pope. When he returned from France, he was easily able to bring about the annulment of the exemption.

In the Spring of 1442, the General died. Final judgment on his life and activities must await the results of a deeper and more detailed study. On the one hand his attitude toward the reform movement is still quite puzzling. On the other hand, his efforts for the unity of the Church were incontestably great, and they earned for him the gratitude of the Pope. His personality must have been extraordinary since it induced St. Bernardine and St. John Capistran to remain faithful to him despite the happenings of 1430.

After the death of the General, Bernardine also resigned his office.

Eugene IV now named Albert of Sarteano Vicar General to complete the term of the late General. Shortly before, Albert had been elected Provincial of the Venetian province. The Pope hoped that this was proof of Albert's acceptance by both the Conventuals and the Observants. Now for the first time since the division, the Order had a leader who openly adhered to the Observance. The wish of Capistran was satisfied. The next General Chapter would have the opportunity of preparing the way for a reform from within by electing Albert as the General of the Order.

Also in 1442, the Pope appointed the saintly Capistran to be visitor and reformer of the provinces outside of Italy with the special task of leading back to the unity of the Church the adherents of the anti-pope Felix. There were many of these adherents even in the Order. This was especially true in Germany where the schismatic friars even elected their own General at the Chapter of Berne in 1443. The choice of the Chapter fell upon Matthias Doering. Matthias was confirmed by the Council of Basle. His power was lost entirely in 1449 by the resignation of the anti-pope, although it had been waning for some time. Felix V favored the Conventuals while the Council of Basle in general favored the Observants.

Paragraph 23
From the General Chapter of Padua
until the publication of the Constitutiones Barcinonenses: 1443-1451

The General Chapter at Padua in 1443 was well attended both by the Observants and by the Conventuals. About 2000 friars are supposed to have been present. The Vicar General, Albert of Sarteano, the Pope's candidate for General, was the praeses. The Conventuals however would not hear of his election and stormy scenes resulted. St. Bernardine sought to ally the storm, and he himself seems to have dissuaded the leaders of the Observants from electing Albert, since he predicted more harm than good would come from his election. A moderate Conventual, Anthony Rusconi of Como was then elected.

The Pope was exceedingly angry, especially when he heard of the manner in which the Chapter had been conducted. Capistran spoke out bluntly: "*Beatissime Pater! Cum ista hominum generatione nulla ratione concordare valemus*" (Most holy Father! We cannot arrive at a reasonable agreement with this generation of men). Eugene wished to give the reformed friars their own General, but the Italian Observants protested against this. St. Bernardine above all would not hear of it, and even Capistran did not yet think of going so far.

But, taught by the events of the past decade, Capistran laid aside his earlier aversion for the independence of the Observants, since his fondest hope, the reformation of the entire Order, was now completely impractical. So he figured out a way, which would assure the position and the spread of the Observance, without totally destroying the unity of the Order. "He was an excellent canonist," a contemporary says of him. It was not difficult for him to make the necessary proposals to the Pope. These proposals also found the complete approbation of the Cardinal Protector, Cesarini.

By order of the Pope, the General was forced to appoint to Vicar Generals, John Capistran for the Cismontane and John Perioche of Maubert for the Ultramontane family.

These terms: Cismontane and Ultramontane, occur frequently in the history of the Order. In the chronicles they are relative terms, varying according to the residence of the writers. To avoid any ambiguity, the terms are here used in an absolute sense. The Cismontane family means Italy and the regions connected with it, namely the whole East with Austria-Hungary and Poland. By Ultramontane family the other countries are understood – France, Spain, Germany, the whole North and West, including America.

Since the 16th century, the Far East was also counted in with the Ultramontane family because the friars working there were mostly Spaniards and Portuguese.

The two Vicars General ruled their subjects together with the convents of Clares belonging to them with almost unlimited powers, but in such a way that the supervision of the General and the provincials was not entirely eliminated. The General, who from this time called himself “Minister General of the whole Order of Friars Minor”, could visit and punish the two Vicars General and their subjects and they could not hold a General Congressus (General Chapter of the Observants) without his permission. The General Congressus was lawful only within each family, not for all the Observants together.

Likewise the provincial had to be approached for permission to held a Provincial Congressus (Provincial Chapter of the Observants) and for the confirmation of the newly elected vicar provincial. The superiors of residences of the Observants were to be listed on the general tabula of the province.

The secession of Observants to the Conventuals was forbidden; Conventuals however were permitted to join the Observants. The vicars were not permitted to take over Conventual monasteries.

Thus the Observants attained all they could wish without completely separating from the superiors of the Order. In order to make any change impossible, the Pope very soon confirmed the decrees of the General by the Brief *Fratrum Ordinis Minorum* of August 11, 1443.

The Cismontane Vicar General, John Capistran, immediately set to work with his usual fiery zeal. In the solitude of Mt. Alverna he prepared new statutes for his subjects (*Constitutiones B. Joannis Capistrani*). They do not seem to have been practicable and consequently the Italian Observants in 1446 declared their wish to abide by the Martinian Constitutions. Capistran was more successful in his personal influence over the friars; he enthused them with the desire for religious discipline and even for heroic self-sacrifice. True to the example of his master, Bernardine, he also insisted upon the obligation of study against which much oppositon had developed among the Cismontane as well as the Spanish Observants.

Capistran’s experiences during his term of office convinced him of the inadequacy of the decree of 1443. Conflicts and complaints did not cease. Thereupon, he went to the Pope, who was very much attached to him, and protested that since the time of Martin V, he had left nothing untried to bring peace and harmony into the Order, but that all his efforts had been in vain. No other means remains, he said, except to separate, but let the separation be so effected that the family of the Observants will not be completely torn loose from the General as the head of the Order.

Capistran himself drew up the Bull of separation *Ut sacra Ordinis Minorum religio*, which the Pope published January 11, 1446. This Bull made the institution of Vicars General permanent; hitherto this office had only been set up provisionally until the next General Chapter.

The appointment of the Vicars General is taken out of the General’s hands. Now he possesses only the right of confirmation, which he must exercise within three days.

The same holds for the provincials with regard to the vicars provincial.

The General and Provincial Congress enjoys complete independence of the ministers.

The General still has the privilege of personal visitation, but any interference on his part with the government of the Observants is forbidden.

The transfer of Observants to the Conventuals is forbidden under pain of excommunication, but the Conventuals may transfer to the Observants just as long as every ignoble motive is excluded.

By this Bull, the Observants became independent in practice, although legally the union was still intact. The decree enraged the Conventuals. They gave the Observants the derisive names of *Fratres de Bulla*, or *Bullistae*. The Observants countered by calling the Conventuals *Fratres de Bursa*. The Pope's action at the General Chapter at Montpellier in 1446 did not pour oil on troubled waters. He forbade the Chapter to interfere in any way with the business of the Observants. At the same time he added the reflection that the Observance was advancing continuously and was winning the esteem of the people, a fact which could only redound to the honor of the entire Order.

Before the General Chapter, Capistran had called a General Congress for his subjects. It was held in the large Roman monastery of Aracoeli, which the Pope had reformed in 1445 and had handed over to the Observants. Here the saint resigned his office and James de Primadizzi was elected. From this time on, if some extraordinary circumstances did not make an earlier meeting of the Congress necessary, General Congresses took place every three years in both families of the Observants, at which election of new officers was held.

Shortly before his death, Eugene IV issued a Brief which could have been of decisive significance for the advance of the Observance had it been observed. This was the Bull, *Dum praeclara*, of February 9, 1447. In it, he repeated the command, already given in 1446, that all reformed houses of the Order must place themselves under the obedience of the vicars general and vicars provincial.

This Bull was directed against Observants in France, Spain and Germany. There were many friars in these countries who observed the Martinian Constitutions without the later dispensations but who still remained under the obedience of the General and the provincials. These "Martinists" were also called "Observants of the Community" or "Observants under Ministers" (*Ministeriani*), in contradistinction to the "Observants of the Family" or "Observants under Vicars" (*Vicariani*). There was no unity whatsoever among the Martinists. They disagreed among themselves, formed their own congregations, and were united only in opposing the Observants who were subject to Vicars.

This lack of a united front weakened the reform movement considerably. No general reason can explain the reluctance of the reformed friars to unite. Many may really have thought as they said, that they were obliged according to the Rule to obey the General and Provincial, and therefore were not allowed to follow the Vicars. But the majority must have seen that the Vicars took the place of the Ministers and had another name only to preserve the appearance of unity in the provinces and in the Order. The Pope himself had spoken repeatedly and plainly on this point. If the name of Vicar had been the real reason, then the friars could not have obeyed the Vicar who was appointed by the Pope in the case of the death of the General.

There must have been other decisive reasons. Aversion to a complete separation which was ultimately inevitable if the Bulla of Eugene was followed to its logical conclusion, may have been the reason in many instances. But for a part of the friars,

there were certainly very human motives which held them back from joining the family of the Observants. Especially was this true of those individual friars, houses and congregations which changed their position according to circumstances. Many also were satisfied with the name of Observants and lived as they pleased under the provincials who for the most part bothered little about them and were satisfied as long as they did not join up with the Family. The Italian Observants accordingly decided to consider such friars simply as Conventuals.

From these facts we can see the falsity of that oft-repeated contention: the government by Vicars is superfluous because a friar can live as a good Observant also under the Ministers. If the Observance had not found such a firm support in the Vicars, the whole reform movement would not have made such progress as it actually did make. The experience of many long years had demonstrated the decisive influence of the Vicars in the spread of the Observance.

Soon after the death of Eugene IV, the provincial of Turonia appealed to Nicholas V and obtained that, despite the Bull *Dum praeclara*, the Ultramontane Observants, who hitherto had remained under the Provincials, might also in future remain under them. Further, it was granted that the Observants under the Vicars, whether singly or through a resolution of the majority in the convent, might again return to the obedience to the Provincials, but that then they must remain with them forever.

This was a sever setback for the Observance, especially in France. Henceforth, if a Vicar wished to perform his duties conscientiously, he must needs fear that the friar corrected or even the monastery, would withdraw itself from the Observance and, once withdrawn, it remained away forever. Such a condition led to disagreeable conflicts between the parties of the Observance in France, such as we rarely meet in other countries. It also hindered the deepening of the entire movement, an injury which could not be compensated by mere external spread. For centuries the Observance in France was forced to suffer the consequences of this step. The Conventuals likewise did not gain from it, because they had to permit the Observants under them to live according to their own customs nor were they permitted to place them against their will in the monasteries of the Conventuals. Even the right to receive novices had to be conceded to the reformed houses, so that the provincials had under them two entirely different classes of novices and professed friars.

Such a state of affairs could have good effects if the provincial himself belonged to the reformed friars, and wished to spread the reform in his province. The success of his efforts was then assured. But where this was not the case, it meant the cessation of the reform movement or conflict between the two parties.

It is not known how many houses left the obedience of the vicar general, John Maubert, with the permission of Nicholas V. The vicar did all in his power to hinder a notable desertion. In 1447, he held a General Congress at St. Omer in the province of Turonia, where he prescribed unity in clothing. The color of the habit should be gray, according to the ancient decrees. In the same year he went to Spain, where he united five convents of the province of St. James into a vicariate. Other friars in Castile placed themselves under the provincial.

In Italy, the legal situation had remained unchanged. Capistran was its most energetic defender. In 1449 he was again elected Vicar General. The canonization of Bernardine of Siena in 1450, which was celebrated with great splendor, was

advantageous for the Observance. Capistran, by order of the Pope, left soon after this celebration for Germany and Austria to combat the heresy. He spread the Observance in all places with such success that it could be said without exaggeration that Capistran did more for the propagation of the reform of the Order than anyone else. He found a powerful helper in the Cardinal Legate, Nicholas of Cusa. Nicholas even commanded that all the Orders in Germany accept the Regular Observance within a year. Unfortunately, he did not possess the power to enforce obedience to his command.

The Ultramontane family of the Observants held a General Congress at Barcelona in 1451, and sought by means of new statutes, to gain unity and solidity. The *Constitutiones Barcinonenses*, promulgated at this Congress, remained in force among the Ultramontane Observants for centuries. They possess great merit since they were modeled on the Narbonne Constitutions, without overlooking the lessons learned during the last centuries. Whatever seemed in any way useful and valuable in former statutes, was epitomized in nine chapters. All other laws were expressly annulled. Thus the very confused condition of the legislation in the Order was ended.

The Cismontane family was never able to make statutes of similar importance and permanence. After the close of the Congress, the newly elected Vicar General, Theodoric Voiturier (Auriga) appointed Alfons Boroxius as his commissary general for the Observants in Spain. During his activity of 15 years in this office, this friar accomplished marvels for the extension of the reform in his native land.

Paragraph 24

Attempts at unity under Nicholas V and Callixtus III: 1452-1458

Angelus Serpetri, elected General at Aracoeli in 1450, left nothing untried to have the *Bulla Eugeniana* revoked. Circumstances favored his enterprise; Capistran, the most dangerous opponent of the Conventuals, was across the Alps and was so much in demand that a speedy return was not to be feared. Among the Observants themselves, especially among the distinguished preachers, there were many who were gradually becoming disgusted with the rigor of the life, and were seeking admission among the Conventuals.

The most important of these was Robert of Lecce, who stands much higher as a pulpit orator than as a man and religious. The harsh accusations which have been made by the Observants concerning his mode of life are not to be believed without further investigation; but so much is true, that already as an Observant he had obtained a Brief from the Pope which exempted him from obedience, and that after his defection to the Conventuals he sought readmission into the Observance, only to go over to the Community again within a short time. Robert and similarly minded companions fought the Observance from the pulpit and in their writings. The Observants felt compelled to use the same means in defense; this led to many scandals. Such preachers should be confined for life was the pertinent opinion of St. James of the March.

The General, with Robert and 24 other preachers, pleaded before the Papal Curia that the Observants sinned if they did not place themselves under the obedience of the ministers. They said that the Bull of Eugene IV was obtained only by underhand methods and that most of the provinces, first and foremost the Observants, were in favor of its annulment.

When Pope Nicholas heard this, he called for the Vicar General, Mark of Bologna, in order to receive from him the confirmation of these assertions. Mark was so sure of his position that he asked the Pope to summon the individual vicars provincial and to question them personally. The Pope followed this advice and was thereby convinced that all without exception favored retaining their present mode of government and that they had been unjustly calumniated.

Then, in order to settle the question of the validity of the *Bulla Eugeniana*, the Pope requested the opinions of 35 doctors and empowered a commission of cardinals and bishops to examine it. They declared unanimously for its validity and legality, that is, that it in no way opposed the mode of life commanded by St. Francis.

Summoning the representatives of both parties in 1453, Nicholas confirmed this judgment. The Conventuals were not allowed to say anything more against the Bull of Eugene, while the Observants could in future accept no more houses of the Conventuals. Transfer between the parties was made free to all. This was a concession to the Conventuals, to which the Pope was possibly led by the attitude taken by some of the Observants. They threatened to appeal to the Council of Constance, namely to the whole Church, if Nicholas would annul the decrees of the Council. This foolishness on the part of these Observants must have angered the Pope for in general he showed himself not unfavorably disposed towards the Observants. But that small concession, which after all really was of advantage to the Observants, gave credibility to the rumor that was being spread, that the Pope sided with the Conventuals. Many discontented friars accordingly left the Observance and were received with open arms by the Conventuals and were given privileges and places of honor. There was reason to fear for the continuance of the Observance.

The General Chapter at Perugia in 1453 decreed, despite the papal decision, to strive to obtain the annulment of the *Bulla Eugeniana*. When the General died soon after, his successor, James Bussolini of Mozzanica, took charge of the affair.

The Observants rallied to the defence. Above all they sought the return of Capistran. This was impossible, so Capistran had to content himself with writing to the Pope, to the emperor, and to different princes seeking help for his family. A great number of letters from high ecclesiastical and civil dignitaries were now sent to Rome. All of them pleaded for the continued freedom of the Observants. Especially impressive was the letter of Aeneas Sylvius, the later Pope Pius II, to the Cardinal Protector. He refers to the great influence of Capistran, who could cause a great storm by the mere motion of the hand, to the great number of the Observants, who already numbered more than 20,000 and especially to the obvious differences which existed in activity and manner of life between the Observants and the Conventuals, to the great shame of the latter.

Unfortunately, Nicholas died soon after the receipt of this letter. Under Callixtus III, the Conventuals renewed their efforts and again wished to contest the *Bulla Eugeniana*, this time under the pretext that it was composed without consulting the cardinals and released against the intention of the Pope. Furthermore the Observants should no longer bear the name of *Fratres Minores* but should be called *Fratres de Bulla* or *Fratres Privilegiati*. Such ridiculous demands hardly spring from love of unity and of the Rule of St. Francis, but rather apparently from a blind love for domination which, with malice aforethought overlooked the fact that a spirit was alive in the Observance

according to the mind of St. Francis, and that only the name had been changed by the Holy See, so that there might not be two provincials ruling in the same province. In a further Brief, the Pope admonished the Ultramontane friars of both parties to live at peace and that neither party should confiscate any house of the other. For reasons already mentioned, the effect of these Briefs was small, even after Paul II in 1467 had once more insisted upon these precepts by a new *Bulla Concordiae*. By this Bull, the Pope permitted the Observants as also the Conventuals to accept any new houses offered to them provided only that they had not been hitherto in the possession of the other branch of the Order. The privilege was very advantageous for the spread of the Observants because they could henceforth also settle in those places where the Conventuals had residences: a concession which the Conventuals had always sought to hinder. The Conventuals to be sure received the same right, but it was meaningless for them because people seldom offered them new houses.

After the General had been created cardinal in 1468, he continued to rule the Order for another year until the election of his successor, John (Zanettus) Dacre of Udine. The change was not to the benefit of the Order. Rovere had not only been friendly to the Observance but had also taken steps to reform the Conventuals themselves. For this purpose, he had made his own statutes, which he confirmed when he became Pope Sixtus IV. These *Statuta Sixtina* never went into force principally because, after his elevation to the Pontificate, Sixtus did not make any more attempts to raise the discipline of the Order among the Conventuals. He was also very liberal in granting privileges. In the very first year of his pontificate, at the wish of the General, he declared the friars capable of receiving inheritances. This privilege was contained in the Bull *Dum fructus uberes* of February 28, 1472. The procurators can, in the name of the Holy See, receive and collect for the monastery the goods of those wishing to enter the Order as well as goods accruing to them later on. When the Observants opposed this, he declared in 1481 that they could not use this privilege, since it militated against the poverty so highly prized by them. In 1480, Sixtus declared that all precepts outside the Rule did not oblige under mortal sin, and that all punishments including papal censures, were *ferendae sententiae* and in case of necessity could be changed into other punishments by the superiors of the Order.

These decrees were to the advantage of the friars. The same could not be said of the two great collections of privileges, the *Mare magnum* of 1474 (*Regimini universalis ecclesiae*) and the *Bulla aurea* of 1479 (*Sacri Praedicatorum et Minorum Fratrum Ordines*), which were more harmful than useful for the Order. On this account the Observants freely renounced some of the privileges in order to be less offensive to the clergy.

In the beginning, Sixtus was neutral in the conflict within the Order. But the Conventuals did not wish to let the favorable opportunity, which was offered to them by the elevation of one of their men to the Apostolic See, go by unused. In this they found a powerful advocate in the nephew of the Pope, Pietro de Riario. Pietro had himself been a Conventual and, despite his youth and his unbridled life, became a Cardinal Protector of the Order after the death of Bessarion in 1472.

Sixtus, not wishing to take the odium upon himself, handed the affair over to a commission of cardinals in 1472. Pietro de Riario was on this commission. They decided that the Bull of Eugene was to be abrogated and that the Observants must return to the obedience of the Conventuals. Nothing else could be expected. But before the

which was much nearer that of St. Francis than was the spirit of Conventualism. Consequently, the Conventuals clung to the letter of the Rule, which prescribes obedience to the ministers and not to the vicars, and with unheard-of boldness denied the name of Franciscan to those who wished to observe the Rule under the obedience of the Pope and of superiors approved by the General.

Callixtus III resolved to bring about peace. He called the General with his provincials and the Vicar General with the vicar provincials to a convention at Assisi on All Saints' Day 1455. Both parties should end the conflict amicably under the leadership of the youthful abbot, Blase of Milan.

After the parties had separately taken counsel, they handed in their proposals, *articuli*, to the praeses.

The articles of the Conventuals demanded the abrogation of Vicars. Instead of these, a Custody of the Observants should be erected in each province, but the power of the General should remain assured in all things, and that of the provincials at least in essential points. Another series of resolutions apparently aimed at hindering the spread of the Observants. They shall no longer accept any houses without the consent of the Apostolic See and of the superiors of the Conventuals. They shall not preach in the places where the Conventuals have residences. They shall not have their own procurators at the Curia.

The articles of the Observants are not drawn up as clearly as those of their opponents and show an even smaller spirit of compromise. They simply hold fast to the existing legal status, and concede a few more rights only to the General himself.

Both parties departed from the convention with the promise to obey the Pope in all things which the Pope would decide regarding the union. Calixtus now handed over the task of working out a compromise to St. James of the March who, because of his conciliatory spirit and his mildness stood high in the esteem even of the Conventuals. The task was difficult, especially for a follower of the Observance. The saint acquitted himself of the task in such a manner that, according to his own assertion, he believed himself able to answer for it on judgment day.

Most important of all the problems which St. James had to settle was the self-government of the Observants. The saint decided that it was justified and therefore should be continued. His articles however, assure all rights to the General. The General can command the Observants as well as the Conventuals; but both parties shall live separately in their own convents, and may not transfer from one party to the other without the permission of their superiors. The vicars of the Observants remain in office. These must come to the General Chapter and take part in the election, but only with an active voice. On the occasion of the General Chapter, the two Vicars General are elected under the presidency of the General.

In the interest of union, St. James had considerably diminished the rights of the Observants. In return he had given them only a small compensation – the right to take an active part in the election of the General. Consequently, neither the Conventuals nor the Observants were satisfied with the compromise. After repeated consultations with the Cardinal Protector, Capranica, who hitherto had been excluded from the discussions, the Pope issued the *Bulla Concordiae*, February 2, 1456.

According to this Bull, the vicar provincials must propose three friars to the General at the time of the General Chapters. The General appoints one of these as

vicarius custodum seu vicariorum. The Observants also have the right of an active voice in the election of the General. The *custodes seu vicarii provincialium* are elected under the presidency of the provincial and are confirmed by him. The officials elected at the Observants' Congress shall be published on the tabulae of the province just as the others. Any Conventual who wishes to join the Observants must inform his superiors of his wish. Their consent is not required. Transfer to the Conventuals on the contrary is made dependent on the consent of the vicars.

With good will on both sides, the two parties could now have lived in peace and quietly left the ultimate victory to the intrinsic power of the parties. But in reality both sides were dissatisfied with the Bull, especially because of the election of the General. The Conventuals did not wish the Observants to take part in the election, while the Observants were upset because only a Conventual could be elected General. The complete reform of the Order seemed impossible with this provision. The Cismontane vicar general indeed exhorted his subjects to a strict adherence to the Bull of peace. St. James of the March also worked for its observance. But the Ultramontane Observants were dismayed at the annulment of the *Bulla Eugeniana*. Even Capistran took up the pen shortly before his death to intercede with the Pope by letter for his family. A large number of ecclesiastical leaders and civil princes in Germany did the same. Their letters contain some severe criticisms of the life of the Conventuals in their country. The Observants in France appealed to a Pope who would be better instructed, and to the next Council. But they were appeased by the Cismontane vicar general and took part in the next General Chapter which was held at Milan in 1457.

At this Chapter, contrary to the provisions of the *Bulla Concordiae*, the Observants were excluded from the election as also at the following Chapter held in Rome in 1458 where, according to the will of the Pope, James of Sarzuela was elected General to succeed the General who had died. Since Calixtus himself had excluded the Observants from the election on this occasion in order more surely to insure success for his candidate, he granted them as compensation the free election of a vicar general. This completely satisfied the Observants. For the rest, however, the *Bulla Concordiae* was to remain in force.

The new General, trusting to the papal favor, urged the abrogation of the Bull. Calixtus, after long hesitation, declared that he had already sweat blood in drawing it up and that he would not change it anymore. But the situation was becoming more and more unfavorable for the Observants. They had to bear the disadvantages of the Bull but were excluded from the advantages. Then the death of the Pope brought a sudden change.

Paragraph 25
From the re-introduction of the Bulla Eugeniana
to the death of Sixtus IV: 1458-1484

Pius II, by his personal observation of the life and activity of the two parties in different lands, had even as a Cardinal been moved to speak out energetically for the Observance. As Pope he gave decisive expression to his convictions. Soon after he ascended the papal throne, he named the famous Cardinal Besarion Protector of the Order and delegated him and some other prelates, among them Nicholas of Cusa, to examine

the *Bulla Eugeniana* and the *Bulla Concordiae*. The result of this examination could not be in doubt. The two great cardinals, even as the Pope, had traveled widely. From their own experience, they had recognized the necessity of a reform in the Order, which they judged could come only from the Observance. Accordingly the Pope published the Bull *Pro nostra ad beatum Franciscum devotione*, dated October 11, 1458, by which he annulled the *Bulla Concordiae* and permitted the Observants once more to live in accordance with the privileges of Eugene IV.

The Vicar Generals should not trouble themselves about those Observants who had remained under the Ministers.

Permission of the superiors was demanded for the transfer of the Observants to the Conventuals. For the change of the Conventuals to the Observants, however, only the asking of permission was demanded, not the actual granting of it.

Any confiscation of houses was forbidden under excommunication. It was happening ever more frequently that the Conventuals were driven out by the civil authorities because of their disorderly conduct and their convents were then handed over to the Observants. The Conventuals were justified in protesting against this procedure but they were not justified in blaming the Observants. In some cases, the Observants may indeed have instigated the affair, for which there can be no defense. Final judgment concerning this phase of the conflict will be possible only when the history of all the houses in question is written individually. The result of that study will hardly be unfavorable to the Observants of that time. It deserves mention at this point that, despite the existing laws, papal Briefs were frequently given to the vicar general, even by Sixtus IV, in which the vicar was obliged to reform houses of the Conventuals, that is, to people them with Observants. The vicar general occasionally had trouble getting a dispensation from such commands.

After the death of Pius II quiet, comparatively speaking, reigned in the Order. The Cismontane Observants utilized this period of creative calm to clarify the status of their general legislation. The Chapter at Osimo in 1461 resolved to publish a synopsis of the Constitutions then in force based upon the Martinian statutes in a brief compendium because "modern friars are delighted with brevity." Thus arose the *Constitutiones Martinianae sub compendio redactae*, which are important only as a school manual to remove ignorance of law. Moreover, the compiler was not equal to his task, since he included decrees which at that time had lost all meaning for the Observants.

At the following Chapter of the Order held at Perugia in 1464, the General resigned because of old age. At the advice of St. James of the March, the Conventuals elected the excellent and learned Francesco della Rovere of Savona as General. The Chapter decreed to further energetically the erection of a monastery at the Church of the Twelve Apostles, which the Pope had entrusted to the Conventuals the preceding year because, since the loss of Aracoeli, they had only one small residence and no convent in Rome.

The new General, in contrast to his predecessor, was well disposed towards the Observants. No measures were taken against them during his generalate at least not by the Conventual officials. In some countries to be sure, the conflict still continued. In France, the Conventuals had not ceased considering the Observants as transgressors of the Rule, because they did not obey the provincials but the vicars. Pius II therefore wrote to the king and to the friars there that the vicars were for the Observants real provincials

final decision was given, the Pope summoned the Vicar General of the Cismontane Observants, Mark of Bologna, to the consistory to defend his cause. When Mark saw that his arguments were making no impression upon his audience, he drew the Rule of St. Francis out of his sleeve, threw it in the middle of the hall, and cried out: "Holy Father Francis, defend the observance of your Rule yourself! I cannot do it anymore." Thereupon he left and remained in concealment for a long time, because he feared the anger of the Pope. Pope and cardinals were speechless at this boldness and they delayed the decision until another consistory. In the meantime the Observants bestirred themselves everywhere, seeking to obtain letters of protection and commendation from the princes which should change the mind of the Pope. Such letters began to pour into Rome, some of them very caustic. The king of England threatened to drive all Conventuals summarily from his country if anything was done to harm the Observants. In the face of such opposition, Sixtus abandoned his plan, assigning as his reason: "I thought that I would have to deal only with beggar friars; now however I have all the princes on my neck!"

The Pope never again troubled the Observants. But for the protection of the Conventuals, he published in 1474 the Bull *Dum singulos*, in which he strictly forbade all lay people to drive the Conventuals from their monasteries and give these monasteries to the Observants. Since the Observants were accustomed to give away the lands and endowments connected with the convent, some lay people permitted their own self-interest to drive them to actual injustice in replacing Conventuals with Observants. But whether all the accusations of the Conventuals in this matter are justified can only be verified by research in the individual cases. The Bull was not observed in a number of instances and on this account it had to be insisted upon again in 1480.

Adter Dacre had been made a bishop, the Chapter at Urbino in 1475 chose as his successor Francis Nanni, whose surname, Samson, Sixtus had bestowed upon him after a victorious academic defence of the Immaculate Conception. Francis ruled the Order for 24 consecutive years, longer than any of his predecessors. He was loved by all, also by the Observants, because of his virtue and mildness.

Francis took no steps against the Observants during his entire administration. Their rapid growth did indeed arouse the envy of many, but the General firmly rejected all demands which would hinder their success. He disagreed only with the radical reform activity of Ximenes in Spain.

Sixtus IV died August 13, 1484. His character as well as his activities in the chair of Peter have been variously judged. As far as the Order is concerned, he can at most be criticized for his prodigality in granting privileges and for his support of all activities pertaining to separation among the Observants. For the rest, his nepotism, his questionable politics, and his negligence in carrying out a needed reform in the Church, are faults which cannot be denied. Outstanding, on the other hand, was his activity against the menace of the Turks, as also were his efforts for the material welfare of the papal states and of Rome, and for the advancement of the arts and sciences. The Sistine Chapel and the Vatican Library are memorials which assure him honorable mention for all time.

Paragraph 26
A review of the Reform branches during the 15th Century

By far the most important reform branch was the *Regularis Observantia* of which we have treated hitherto almost exclusively. Its aim was the reform of the decadent discipline of the Order in general and then the maintenance of the ideal of the Order, particularly with regard to poverty as it had been observed in the Community during the 13th century and as it had been legally prescribed up till 1430. The fact that this reform branch was able to achieve its purpose for the most part and that it was able to establish everywhere sturdy groups of zealous friars was due chiefly to its relative independence and government by friars from within its own family.

The powerful reform necessarily reacted upon the better elements of the Conventuals, and among these it led to the erection of reform convents, whose members called themselves *Reformati* or *Observants sub Ministris* (*Observantes de Communitate, Martiniani*; cf. par. 23). The sources of the 15th century do not afford us a closer scrutiny into their life and activity. In the main, they differed from the family of the Observants only in this that they had no independent superiors but were subject to the provincials, and that in many cases they retained annuities. Particulars concerning the total number of these reform convents are completely lacking. It is doubtful whether they were in Italy at all. They were most strongly represented in France and in the lower German provinces of Cologne and Saxony. In these regions they were also known as the Coletani. They expressly rejected this name towards the end of the century. With what right this name could be given to them is not yet satisfactorily explained. There was no question of any legal powers granted to St. Colette for reform of convents. It was more the moral influence of her character which led a number of friars, especially in Burgundy, to accept the reform. But the Coletani never formed a special congregation. Following the counsels of Colette, they usually refused incorporation into the Observants in order to avoid a schism in the Order. But under the supervision of the ministers, they managed to acquire a sort of exemption in order not to be completely reabsorbed into the Conventuals. This quasi-exemption placed the Coletani in a position very similar to that of the Observants. Hence their strong antagonism to the Observants as manifested about 1500 by their leader, Boniface of Ceva, was not justified. In strictness of life, they rivaled the family of the Observants and they were highly esteemed in France. With the union of 1517, the name of Coletani disappeared completely.

Besides these two most important reform parties, the *Observantes de Familia* and the *Observantes de Communitate*, various smaller groups had been formed in the course of the 15th century which, living under their own superiors and their own laws, wished to be enumerated neither among the Observants nor among the Conventuals. These small parties lived principally in Italy and Spain.

In Italy a number of hermitages, especially in Umbria and in the March of Ancona asked the Pope in 1473 to be admitted into the Franciscan Order. They were the remnants of the followers of Angelus Clarenus. They had separated from the Fraticelli and were leading an eremitical life under the obedience of the bishops. From their peculiar habit (*becca*) they were known as the *Congregatio della Becca*. The Pope called them *Pauperes eremitae societatis quondam fratris Angeli Chiarini*, permitted them to

take the Franciscan habit, and to elect their own vicar general, who however was subject to the General of the Order. Their leader, Petrus Hispanus, became the first vicar general of the new Franciscan congregation. But the old party spirit was not yet dead. Some members retained their former habit and adhered to their previous mode of life and inveighed against those who had gone over to the Order, calling them *Exclareni* or *Aclareni*. The same spirit came to the fore under Julius II, when the congregation was ordered to join the Observants. They did not obey him or his successor, Leo X, who gave the same command. Only the iron will of Pius V succeeded in forcing them to enter the Observants and to give up their name. At least this was true of the majority; a minority preferred to go over to the Conventuals.

The history of the Amadeans ended in exactly the same manner. They were founded by Amadeus (Peter John Menesius), a noble of Portugal. Amadeus reformed some convents in upper Italy about the year 1457, and was permitted to unite them into their own custody. The Amadeans distinguished themselves by extraordinary severities especially in fasting. Sixtus IV, in whom Amadeus found a powerful protector, gave the congregation the monastery of St. Peter in Montorio in Rome, where the founder lived for a very long time practicing great mortifications. At his death in 1482, the congregation counted 28 houses; the churches connected with these houses usually bore the name Santa Maria de Pace. They resisted the attempt of Julius II to deprive them of their independence as well as the command of Leo X that they join the Observance. Under Clement VII, they received a new confirmation of their province which had taken the name of St. Peter in Montorio; Pius V put an end to their congregation.

The so-called Neutrals, organized in Italy about 1463, were a peculiar party. They did not object to being called Observants, but they did not bother about the laws of the Observance. They lived partly under their own superiors, partly under the General. Their conscience, they said, commanded them to obey neither the provincials nor the vicar provincials (*Neutri parebant*). The leaders, Peter of Trani, Valentine of Treviso, Philip of Messano, and Louis of Padula even received papal Briefs for the erection of new residences. But when the Pope had been informed of the abuses existing in the congregation, he commanded them to affiliate either with the Observants or the Conventuals.

Just as short-lived was the congregation of the *Caperolani* (*Capriolani*), founded by Peter Caperolus, a famous preacher. With other discontented Observants of the Milan province, he accepted some houses in the region of Brescia. He formed these houses into an independent vicariate with the permission of Sixtus IV. The new congregation was subject to the Conventuals. Caperolus died about 1480, and his followers returned to the Observants.

Anthony of Castelgiovanni and Matthias of Tivoli reverted to the ideas of the Spirituals. Both wished to observe the Rule literally and condemned all explanations of the Rule. Anthony began to work out his plan about 1475. He was imprisoned, dropped his ideas, and after his liberation worked very successfully as an Observant until his death in 1482. Punishments did not exercise the same influence upon Matthias. In 1495, he believed himself called by supposed visions to reform the Order. He gathered a great number of companions around him. These he organized hierarchically and held together for a long time by their belief in his power to work miracles. But when they were

convinced of the deception, they returned, most of them to the Observants, some, among whom was Matthias, to the Conventuals.

Even in Germany, where the spirit of the Spirituals had found little support, a movement appeared about 1485 which reminds us of the activity of the two men mentioned above. Caspar Waler of the upper-German province was the leader. A speedy end was put to his labors by imprisonment in a monastery outside of the province.

In Spain the reform branches were numerous. The oldest reform is associated whether justly or unjustly, with the name of Peter of Villacreces (par. 19) who died in 1422. It is possible that Peter, towards the end of his life, had given regulations for the hermitages of Aguilera and Abrojo, regulations departing from the ordinary Observance. But to all appearances, his disciple, Lopez de Salazar y Salinas, who became the real leader of the *Reformatio Villacretiana*, was the first to do this. This reform did not meet with the approval of another disciple of Villacreces, Peter de Santoyo, who defended the principles of the Italian Observance, and reformed many houses in the province of Castile according to that Observance. The history of the followers of Lopez is, to this day, still as obscure as the history of the entire Spanish Observance. The hermitages, about twelve in number, which he governed, formed the Custody of *Sancta Maria Minorum* and were subject directly to the general. Only after the death of the founder in 1459 did the custody join the Observance. Lopez had prepared peculiar constitutions for his hermitages which were supposed to resemble the instructions given by St. Francis for the Portiuncula. They prescribed long meditations, constant abstinence from meat and wine, rigorous fasts and scourgings. Lopez's character showed itself still more strongly in his testament, wherein he forbade all studies. Opinion as to his personality differed widely even during his lifetime.

Of lesser moment was the Congregation *della Capucciola*, which Philip Berbegal, an Observant of Aragon, founded about the year 1430. He protested against the *Constitutiones Martinianae*, which sought to bring unity into the Order, and, with some followers, he separated from the Observants and started a new society. They received their name from the ridiculous habit with the long pointed capuches which Philip prescribed for his followers as the mark of the true sons of Francis. When St. John Capistran criticized them severely, Eugene IV suppressed the whole sect in 1434.

Important for the future of the Order in Spain was the reform of John de la Puebla, a friar of the noble family of Sotomayor. First a Hieronymite in Spain, he received the Franciscan habit from Sixtus IV in 1480. He lived for a time in Le Carceri near Assisi, where he became acquainted with the life of the Italian Observants. In 1487, he was sent back to Spain by Innocent VIII. On the Sierra Morena, he established a little monastery which he called *Santa Maria Angelorum* in memory of St. Francis' favorite dwelling. Other hermitages were soon added. In 1489 these were united to form the Custody of the Holy Angels which was placed under the vicar general of the Observants. Among the noteworthy men who came from this Custody, the general Quiñones deserves special mention. John de la Puebla gave his followers their own constitutions, in which meditation, poverty and strict fasting, going barefoot, and renunciation of Mass stipends are especially emphasized. In comparison with other statutes, those of John are outstanding because of their brevity: "for precepts should be like medicines which are effective only in moderate doses."

After the death of John in 1495, his disciple, John of Guadalupe was no longer satisfied with the former “strict observance” but wished to introduce a “very strict observance,” which should distinguish itself from the rest of the Observance also in dress. Since the Observants resisted his efforts to cause a schism, he placed himself under the Conventuals who, ever since the rise of the Observants, took all reformers, even the most questionable, under their protection merely to provide a counterbalance against the Observants. In 1496, John actually received a papal Brief which permitted him to observe the Rule literally without any papal declarations and with no privileges, and which made him the head of his followers and exempted them from all the superiors in the provinces. The *Guadalupenses* began with a reform of the habit. The capuche was shaped like a pyramid, the mantle was shortened, vari-colored pieces were sewn to the habit, and sandals were discarded entirely. The people accordingly called them *Discalceati* or *Capuciat* (*Fratres de Capucio*), and also *Fratres de Sancto Evangelio* – this latter either because they wished to live in strict conformity to the Gospel, or because they were very active in preaching.

The Discalced Friars later on sprang from these *Guadalupenses*, and this later group rendered noteworthy service in the spread of the Gospel. That however should not hinder us from viewing impartially the beginnings of the family, and these beginnings are not exactly edifying.

It is here as with many other instances in the history of the Order. A person succumbs to the temptation to judge of the character of the founders of such parties in the light of their later development and to consider as saints, men who were not saints and who often enough were only pursuing egoistic aims.

Paragraph 27

The General Giles Delfini, 1500-1506. Constitutiones Alexandrinae

The reform of the Conventuals had made but little progress under the General Samson. On the contrary, many provinces, for example in France, had obtained far-reaching dispensations regarding money from Alexander VI. One of the Coletani, the Parisian doctor John Perrinus, wrote a tract in which he not only inveighs with biting sarcasm against the sad state of affairs among the Conventuals in France, but also seeks to show that all these harmful dispensations are invalid. Giles Delfini, the successor of Samson, wished to remedy matters. He had been elected by the Conventuals at the Chapter of Terni in 1500. Numerous complaints concerning the lack of discipline among the Conventuals had been sent to the Pope from all over the world so that the procurator of the Order was induced to address the following words to the Chapter: “It is hard to continue insisting, since from all places arrive complaints to our Most Holy Lord and to us regarding you and your proud conventualism. At this point we are aware that Our hope to see you reforming yourselves has been in vain, and we are therefore full of delusion, so that you gathered here in Chapter should know that all the world by now is aware of the abuses, corruption and insanity in the way of life of the Conventuals, that are creating such a din. You have remained adamant and want to continue living in such a way that we are ashamed to continue protecting you in this way of life.”

The new General had the most sincere intentions of reforming the Order. He began immediately with the introduction of new, extensive statutes which were considered at the Chapter and then approved by the Pope in 1501, wherefore they are called *Constitutiones Alexandrinae*. They are important on account of their decrees concerning fundamental laws of the Order, but they held only for the Conventuals. These Constitutions were to lead the Conventuals to discipline, not however to a renunciation of their dispensations. The superiors believed that they must have consideration for the weakness of the Conventuals as far as possible. They considered it impossible to change the old customs suddenly and severe laws would only cause the subjects to despair. Reform could be expected only by cautious and slow measures.

Even though these principles had been proven false by the experience of the preceding centuries, nevertheless the explanations of the precepts of the Rule in themselves mark the lowest level of Franciscan legislation. The Chapter desired a declaration of the Pope to permit the superiors of the Order to dispense from all the precepts of the Rule excepting only the three vows. In order to check the decadence of the Order, each guardian must bring at least some worthy friars to the Community, otherwise he is considered incapable. The formula of profession is changed so that the novice promises to observe the Rule according to the declarations of the Popes, especially Martin IV and V, Clement V, Eugene IV, Sixtus IV and Alexander VI; in other words, the standpoint of the Conventuals shall be firmly upheld. The conception of the prohibition of money is absolutely repulsive. Instead of saying: we cannot or we do not wish to observe this point any more and therefore let us be dispensed from it, an interpretation is chosen which sounds like a travesty of the precept. The lack of property in common is retained in theory, but landed estates, and annuities also remain permissible and, under certain conditions, even private possessions are not excluded. *Fratres procuratores* are likewise expressly conceded.

The directions of the concluding chapter of the Constitutions are of special interest for they point out how the suggested reform is to be carried out. At the provincial chapters the friars shall be asked whether any present wish to live according the “regular observance”. If such are found, any convent which they desire must be handed over to them where they can live together under the protection of the superiors. Superiors for the other monasteries shall then be taken from among these friars of the “regular observance” because usually the superiors are at fault for the lack of discipline among their subjects. To ensure the success of the reform, the General shall also seek the protection of the princes and the people – a course which had long ago been taken by the Observants but for which they had always been criticized. It is incomprehensible what is here meant by “regular observance”. Did it mean only the observance of the new statutes, which were all supposed to obey? Or were the Conventual leaders thinking of surrendering their dispensations and thereby of drawing nearer to the family of the Observants? Just as obscure is the position of the Observants in the new state of things. On the one hand, they were freed from the observance of the new statutes, but on the other hand, subjection to the ordinary provincials was demanded together with the annulment of the decrees of the Council of Constance and of the later Popes. And this, though it was admitted that a reform of the Order could not succeed under non-reformed superiors!

With such a code of laws in his hands, Delfini now sought to begin the work of reform. His aim was the union of the entire Order. The means which he used for this

were the best that could be thought of. He lived as the strictest Observant, went barefoot on his visitations, and in all places gave the most edifying example. Where he came across laxity of discipline, he interposed energetically, expelled the friars and replace them with Observants. He even threatened to take the Sacro Convento in Assisi away from the Conventuals. He appointed reform guardians for the monasteries and sought to place Observants at the head of the provinces. For this he had obtained the necessary faculties from the Pope. Indeed, had a Delfini become General several generations earlier, he would have rendered imperishable service to the Order and a schism would certainly have been avoided. But he had the misfortune to rule at a time when the obstacles were insurmountable. He would not believe this and that is his only fault, which is however more to his credit than to his shame. His contemporaries as well as the later historians have but seldom done justice to him. The Conventuals were embittered against him to the extreme because, although elected from among their number, he had taken away many of their convents and given them to the Observants; among these was even the great house of studies at Paris. The Observants on the other hand were diffident and feared harm would be done to the discipline of the Order and to the strictness of the Rule by a too sudden fusion with the Conventuals. History has confirmed this fear. Many Conventuals now entered the Observance, partly to please the General, partly to spite him because they deliberately placed themselves under the vicar provincials instead of the provincials as Delfini wished for the sake of union. The Conventuals suffered most harm but the Observance was also very much weakened internally by this purely external adherence of many friars. This sad fact came to light shortly after the separation in 1517.

Delfini began his activity in Italy but could accomplish little here because the Observants opposed the projected union and the Conventuals gave no thought to reform. He then went to France where, with the help of the king, he reformed many monasteries. At that time the princes on the whole did much for the reform of monasteries, especially the emperor Maximilian in Germany and Belgium. At times they proceeded too violently, as they demanded of the Conventuals reform and subjection to the vicar provincials, otherwise they would be banished. Innumerable complaints of this secular interference came to Rome. Wherever the Pope commissioned the Bishops of those places to investigate, the result was usually very favorable to the Observants because the princes of the Church were as ill-disposed towards the Conventuals as were the secular princes. The constantly repeated commands not to accept any houses of the opposite party were entirely useless in face of actual conditions. Still this kind of reform only meant a weakening of the internal strength of the Observance.

From France the General went to Spain where the archbishop Ximenes, with the help of Queen Isabella, had already taken the reform vigorously in hand. He strove either by kindness or by force to make the Conventuals of the four Mendicant Orders true Observants and to expel those who refused. In this he encountered many obstacles, partly from the laity who feared that their Mass foundations would not be taken care of, partly from the friars themselves who protected themselves against his reform by papal Briefs. But Ximenes never let himself be deterred by such tactics from what he recognized to be necessary. Under Alexander VI, Briefs could be obtained for everything – so much so that in 1497 the Vicars General of the Observants were forced to obtain a Brief by virtue of which they could declare all the Briefs of their subjects to be null and void if they were prejudicial to the discipline of the Order. Ximenes did the same thing and finally he

succeeded in reforming the four Mendicant Orders almost completely; in this reformation, sad to say, the Franciscan Conventuals played the most sorry role. Many of them who did not wish to adapt the reform were put on a ship by order of the king and sent to the Pope. Others wandered to Africa and embraced Islam. The Orders owed much to the reform activity of the incomparable Ximenes. The Franciscan Order in Spain especially would never have attained its later importance if her great son had not restored the discipline of the Order there. His method of acting did not, it must be confessed, please the General of the Order. Delfini even lent ear to the calumniators of the archbishop and sought to prejudice the queen against him. The General in his instance was the victim of his credulity, and seems to have seen into this himself quite soon. Otherwise the queen, who thought the world and all of Ximenes, would hardly have been so kindly disposed towards the General as to do him the favor of requesting the Pope to convoke a *Capitulum Generalissimum*. At this Chapter the long desired union was to be effected with an Observant as the new General.

Having returned to France from Spain, Delfini held a General Chapter at Troyes in 1503. The Observants of both obediences were invited. The reformed friars even constituted the majority. The General asked, first of all the union of the various reformed groups; that is, the family of the Observants, like the other reformed friars, should place itself under the General even though the latter friars in many cases did not renounce their claim to yearly incomes, but merely had them administered by Syndics. To persuade the Observants to unite, the General gave them all possible guarantees: the Observants shall again be permitted to return to their Vicars if their new superiors should not fulfill their duty; the Conventuals who transfer to the Observants could be advanced to offices only after seven years, lest ambition prompt the transfer. The Observants present asked for time to consider because they could not definitely decide without consulting their confreres and without the vicar generals.

Delfini continued his efforts in France. The great house of studies at Paris was reformed, and the Province of Francia received as its provincial the Coletan, Boniface of Ceva, who distinguished himself both by his zeal for reform and by his very bitter opposition to the Observants of the family.

When Alexander VI died, the General won the new Pope, Julius II, who himself had lived among the Conventuals for a time, over to his plan to effect the union of all the branches in the Order. This was to take place at a general chapter to be held in Rome in 1506. At the Chapter, however, Delfini saw to his sorrow that both parties opposed the union which he desired. This needs no further explanation after what has already been said.

Many of the Conventuals who would not hear of the reform, circulated false accusations against Delfini at this Chapter. Because of these accusations, the General resigned and withdrew to the convent of the Observants in Naples where he died soon after. It was now left up to the Observants to decide whether or not they should take part in the new election with an active and passive voice. They declined because they did not have a majority and they considered the union harmful. Thereupon Raynald Graziani of Cotignola was elected by the Conventuals and the reformed friars subject to them. He was a pronounced opponent of the family of the Observants and considered their exemption worse than all the dispensations of the Conventuals.

Paragraph 28
From the Capitulum Generalissimum of 1506
to the Capitulum Generalissimum of 1517

After the close of the Chapter, the Pope issued two Briefs to put an end to the perpetual strife in the Ultramontane provinces over the seizing of opponents' convents.

The friars in Aragon, who for some years had been subject to the General with the understanding that the union would certainly be effected at the next General Chapter with a reformed friar as General, were now given permission to return to the vicars. This was a severe loss for the Conventuals which was in no way counterbalanced by some gains which the General Raynald succeeded in making in various places.

More important was another command of the Pope. He ordered the smaller congregations of the Clareni, Amadeans, Coletani and Guadalupenses to incorporate either with the Conventuals, or with the Observants within a year. The majority in each house should decide. Should they go to the Conventuals they must still observe their reformed life and receive reformed friars as superiors. This command however made as little impression upon those concerned as its repetition in 1510. All these congregations continued to exist until 1517.

In the meantime, the General with some provincials of the German and French provinces who were favorable to the union – Boniface of Ceva was the most zealous among them – had prepared new statutes. These statutes had been discussed at the General Chapter of 1506. They were then modified by a commission armed with papal authority, and were finally published by the General with the approbation of the Cardinal Protector in 1508. *Statuta generalia et papalia*, or *Statuta Julii II* are a masterpiece of legislation. With great historical and legal skill, they collect in twelve chapters the chief contents of former papal and private explanations of the Rule; they omit many merely disturbing censures, and they create complete clarity by abrogating all earlier statutes. They are primarily intended for the *Conventuales Reformati* as opposed to the *Conventuales Deformati*, that is, those who did not wish to renounce the dispensations of the Rule given since Martin IV. The Observants of the family must surrender their exemption completely and unite with the *Conventuales Reformati* to form the foundation of the Order. The non-reformed Conventuals are condemned to gradual extinction, since the novitiates and the study houses must be given over exclusively to the reformed friars.

As far as the contents themselves of the new *Statuta* are concerned, they coincide in the main points with the demands of the Observants; the formula of profession is again the old one with renunciation of the dispensations of the past century. Landed estates and annuities, as well as the right of accepting inheritances granted by Sixtus IV are abolished and only permitted in rare, exceptional cases, for example, for study houses. Foundations are, in general, treated just as the Observants were wont to treat them. The Chapter namely is to restore these to the owners or to the heirs and if this is not possible, to hand them over to other societies which are to satisfy with all the obligations. Only laymen may act as procurators and never the friars themselves, as had often been the case before. The statutes also approached the ideals of the Observance by a strong accentuation of the ascetical life, since they emphasized meditation as an obligation, and recommended the discipline as a praiseworthy custom. In order to remove all doubts concerning the sincerity of the reform, it was further decreed that two reformed vicars be associated with

the General as visitors, that the procurator General and the provincials must be deposed if they resist the reform, and that no one who is not himself a reformed friar may have a voice in the election of the General. A valuable appendix is added to the statutes containing liturgical ordinances and business formulae.

These Constitutions were ideally suitable to lay the foundation of a real reform and union. Obscure however, as so much in this period of the Order's history is the circumstance that they were published not in Italy but first of all in the Ultramontane provinces. There they seem to have exercised good influence and to have induced many convents to join the reformed ministers. In the countries beyond the Alps the Observants together with the reformed Conventuals constituted by far the majority and thus they could force the reform of the unwilling Conventuals, or in an extreme case could condemn them to extinction. In all probability they would actually have done this had not Italy, with its entirely different circumstances, intervened.

In that country, Observants and reformed Conventuals were sharply opposed to each other, without common general ground on which to meet. The Clareni and the Amadeans were so insignificant and differed so greatly from the two main branches that they could not act as intermediaries. When news of the happenings in the Ultramontane provinces was brought into Italy, fear was felt there for the existence of the Observance, because the Italian Observants believed that their vicars were essential. This may have been the case in Italy; but the friars there were not sufficiently informed of the state of affairs in the Ultramontane provinces which had a distinct vicar general and whose development had been different from the Italian Observant provinces. This was true especially in the external acts of piety and mortifications which were not demanded by the Rule, but still were so highly prized by many Italian Observants that they would not sacrifice them even for the sake of unity. So the Cismontane Vicar General, Francis Zeno, who had opposed the union also in 1506, now went to the Pope and obtained the Brief *Etsi nostrae* of November 22, 1510, which again restored the exemption of the Observants. The reason given for this exemption was that the contrary ordinances contained in the *Statuta Julii II* were not obtained in an entirely legal manner, *potius extortae quam impetratae*.

And thus the last and best attempt at union was frustrated. The mistake lay in this, that circumstances in Italy were attributed without further investigation to the other countries. The union was, to be sure, impossible in Italy so long as neither party wanted it. But outside of Italy it would have been accomplished with a complete victory for the demands of the Observants. The consequence now was that the movement for unity came to a stop in the Ultramontane provinces also and a bitter conflict broke out between the reformed Conventuals under the leadership of Boniface and the Observants of the family. A large number of writings, part of them exceedingly uncharitable, were circulated in which Boniface opposed in the most strenuous manner the exemption of the Observants as contrary to the Rule, and asserted that many Observants did not wish it, and were held under the vicars solely by force.

The Observants retorted that the reform under the provincials was able to progress or even exist only because of the fact that the Observant family existed to which anyone could transfer. Only to avert this did the provincials leave their reformed friars in peace. Had there been no Observants of the family, the reform of the Conventuals would not

have lasted three years. Consequently, they stand firm in their belief that “the Bull of Eugene is the soul of the Rule.”

The former terms of derision again came into use. The Observants were called *Bullistae*, *Eugeniani*, or *Constancienses*. The Coletani were now named the *Nicolaitae*.

In France the fight was even brought by Boniface before the Parliament which wished to enforce the union between the branches of the Observants. But since this did not succeed, Boniface made the suggestion to submit the affair to the Council of the Lateran, to which Council both parties should send their opinions. Boniface did this in an impassioned brochure entitled *Defensorium*. In this work, he complained of the confiscation of convents on the part of the *Vicariani*, whereby their numerical superiority was easily explained. Despite this confiscation, he wrote, the number of reform convents under the provincials in France alone amount to almost one hundred. Let the Council bring about union, but only under the ministers. The contrary is impossible because it is against the Rule of St. Francis.

This pamphlet of Boniface, which was originally intended for the Lateran Council, was published and caused a great stir in all places, even in Germany where hitherto comparative quiet had reigned among the reformed friars. Kaspar Schatzgeyer, the vicar of the upper German province, wrote an apology which in objectivity and calmness provides a very favorable contrast to the immoderate language of his opponent. Boniface cries loudly for the union, says Schatzgeyer, and not without justice but he hinders it by his lack of charity and his entire method of procedure. If the Observants lead a non-reformed house back to order, they do a good work, because a convent without discipline has no right to exist. Moreover they always go about this work with full papal authority and so the charges of unjust deprivation of convents are out of place. The authentic reports of the transfer of such convents do not agree at all with the complaints of the Conventuals. Regarding the question of vicars, Schatzgeyer remarks: St. Francis was no grammarian, but he wished to have good superiors who are sanctioned by the Apostolic See. It is indeed remarkable that the Observants should ever be reproached for their unessential dispensation in accordance with which they call their superiors vicars and not ministers, while the Conventuals consider their great dispensations, which are contrary to the Rule, as nothing at all. How would it be, he asks, if the Pope would call the minister of the Conventuals, *Magister*, and the vicar of the Observants, *Minister*? A union of the entire Order would indeed be the ideal, but is practically impossible. But a union between the reformed parties must indeed be aimed at, and this in the sense that all reformed friars join the family of the Observants, whether Boniface considers that a disgrace or not. We shall see that the suggestion of Schatzgeyer was the foundation of the union.

Boniface answered Schatzgeyer in a *Responsio* and sought to strengthen his position with the help of the French Parliament, but without success. His premature death in the Spring of 1517 spared him the sorrow of seeing that his years of fighting had been in vain.

While the union, at least between the reformed parties was thus being sought in France and Germany, the friars in Italy labored with all their might for a complete separation between the Conventuals and the Observants, since the differences could no longer be settled. The General Raynald, who was in favor of union, had to yield to Philip

Forcacci in 1510. Forcacci died after ruling one year. Bernardine Prati then followed in 1513, the last General of the entire Order to be chosen from among the Conventuals.

The conflicts between the parties had gradually become so scandalous that the emperor Maximilian, the princes of France, Spain, Portugal, England, Denmark, Sweden and Norway, Poland, besides many bishops and communities appealed to the Pope with the request that he finally provide a permanent remedy. The contents of their letters are not yet known, but if the former opinions of the writers are a true guide, they would have advocated union of the reformed friars and their complete independence from the Conventuals. This was also the decision of the commission of Cardinals to whom Leo X referred these letters and the documents of the disputing friars, as is unmistakably seen from the papal letter, *Romanum Pontificem*, of July 11, 1516. In this letter a *capitulum generalissimum* is summoned to meet in Rome at Pentecost 1517. All Conventuals and Observants qualified to vote must appear. Also all those who lead a reformed life under the non-reformed provincials, as for example the Amadeans, Clareni, and the Friars of the Capuche, must in each province elect two reformed friars from among their number, and these then have a seat and a voice in the Chapter. From this ordinance it can already be seen how the Pope planned to bring about the separation.

Paragraph 29 **The Separation in 1517**

The Cismontane and Ultramontane Observants, assembled in the convent of Aracoeli, requested the Pope not to force them to unite with the Conventuals because the difference in the conception of the Rule was too great. They would unite willingly however if all Conventuals would accept the reformed life and if a reformed friar were appointed General. The Pope laid this proposal before the Conventuals who, after long reflection, declined such a union since, as they said, they could live according to the papal privileges with a good conscience. Thereupon Leo X excluded non-reformed members from the election of the General, that is, the *Conventuales Deformati* according to the statutes of 1508. He separated the others – the *Conventuales Reformati*, together with the smaller congregations of Amadeans, Clareni, the Friars of the Capuche – from the dispensed Conventuals, and united them with the Observants into the *Ordo Fratrum Minorum*, with or without the addition of *de Regularis Observantiae*. It is to be regretted that the Order retained that title “of the Regular Observance” up till 1897, instead of simply accepting the designation which St. Francis had given and the Pope had expressly confirmed.

Leo now called all the reformed friars capable of voting to Aracoeli. Here, under the presidency of the Cardinal Protector, Grimani, and two other cardinals, all further business took place. First of all the vicars of the Observants were declared true provincials and the discreet true custodes. Then the right to vote of the rest of the reformed friars was examined. The reading of the Bull, *Ite et vos in vineam meam*, dated May 29, 1517, was next in order. This is usually called the Bull of Union, since it united all the reformed Friars Minor. It could with just as much right be called the Bull of Separation, insofar as it finally separated the non-reformed Conventuals from the main body of the Order.

The chief points may be summed up thus:

- All reformed Friars Minor must in future give up all special names and privileges and subject themselves entirely to the General.

- The General is to be elected by the provincials and custodes of the reformed Conventuals, by the vicars and discreets of the Observants (who from now on are likewise provincials and custodes), and by the vicars of the Amadeans, Clareni, and Friars of the Capuche. These small congregations are also permitted to send two additional electors for each province in which they have houses.

- In order that those reformed convents whose provincial has not embraced the reform may also take part in the election of the General, these convents may, according to the Brief *Romanum Pontificem* (cfr. par. 28) elect two friars to act as delegates of their province at the election of the General. In all 142 voters convened.

- As the electors, so naturally also the General to be elected must belong to the reform.

- To ensure the unity of the Order for the future, all formation of parties was prohibited under severe penalty and the drafting of common Constitutions was promised.

- The Bull also contains important ordinances concerning the Constitutions. The office of the General lasts only six years, that of the provincial only three.

- The Order is divided into two families, *Familia Cismontana*, and *Familia Ultramontana*, from which the General is to be elected alternately.

- A Commissary General is to be elected every three years to represent the family from which the General was not chosen. He remains subject to the General, however, and has only as much power as the General Chapter grants him.

After these preliminary steps, the election took place on June 1. The Cismontane Vicar General, Christopher Numai of Forlì was chosen General. Even before this the Pope had deposed the former General, Bernardine, and commanded him to hand the seal of the Order over to his successor.

The *Conventuales Deformati*, who now constituted the minority in the Order since the secession of their reformed confreres, were enraged at the transfer of the office of General to the reform parties, and circulated the false report that the Pope had let himself be bribed for a large sum. They then elected a General for themselves in the Convent of the Dodici Apostoli, according him the title “Minister General” and not “Master General” as the Pope had commanded. Leo therefore annulled the election, but later confirmed the elected friar as Master General and forbade him to take any other title.

Then with even greater minuteness, he repeated his ordinances on June 14, 1517, in the Bull *Omnipotens Deus*, which was also called *Bulla Concordiae*. Here he says:

- The Conventuals may elect only a Master General who must be confirmed by the *Minister Generalis totius Ordinis*, just as was formerly the case with the Vicar Generals of the Observants. For the first election, however, the Pope himself gives the confirmation.

- Similarly the individual provinces of the Conventuals have to elect a *Magister Provincialis*, who must ask for confirmation from the *Minister Provincialis* of the Observants.

- In the government itself however, the *Magistri* are just as independent as were the former Vicars of the Observants. The Minister General has the right to visit the

Conventuals *paterne*, and must be honorably received by them “as the superior of the entire Order.”

- The prohibition concerning the confiscation of houses is renewed.
- If the Conventuals wish to lead a reformed life, retaining however their privileges, their immediate superiors alone have to accomplish this reform. But if they wish to renounce their privileges, and to place themselves entirely under the obedience of the ministers, they can do so in all the larger houses with the consent of two thirds of the friars in the convent.
- Individual Conventuals may transfer to the Observants provided they have first informed their superiors of their intention.
- The Bull also stated that in processions and in all public acts the Conventuals must give precedence to the Observants.

In order to preserve peace, the two branches of the Order had an *Instrumentum Transactionis et Concordiae* legally drawn up in the presence of the Cardinal Protector. This document repeats the main points of the papal Bulls mentioned above. The Master General therein solemnly declared that neither in person nor through others would he strive for an alteration of the decrees of Leo X nor would he permit any appeal relating to these decrees.

In spite of this, however, the Pope, already on December 6 of the same year, had to remind the Conventuals of the precepts referring to precedence, and to declare expressly that the Observants and reformed friars were true Friars Minor and justly called themselves sons of St. Francis. It seems incredible that the non-reformed Conventuals of that time should have esteemed themselves as the only true sons of St. Francis, but the words of the Pope admit of no other meaning.

This exhortation did not bear fruit and so, on April 15, 1518 he published an encyclical to the spiritual and civil princes in which he first of all treats of the history of the separation and then threatens to place all the Conventuals resisting his commands under the obedience of the General and the Minister Provincials who will be obliged to bring about their reform by force with the help of the civil authorities. In the light of this encyclical, the report is no longer improbable that Leo X at that time thought of completely suppressing the Conventual Order, that is, of allowing the non-reformed convents to die out, as had already been planned in the Statutes of Julius II. Much strength, which was later spent in useless and foolish conflicts would in that case have found a better outlet, and the unity of the Order would have remained intact. This could no longer be effected by any other means than by the suppression of one party. The two parties, the reformed and the non-reformed, were so different in manner of life and in their attitude towards the Rule that it was impossible for them to find peace in a united society. If both parties were to be permitted to continue, complete separation was the only solution. Every sincere friend of the Order will deplore this fact, no matter to which family of the whole Order he belongs today.

It would be unjust to identify the Conventuals of today with their regulated discipline with the non-reformed Conventuals of the 15th century, just as the Friars Minor of today have no cause to defend the mistakes made by the Observants of those times.

This however all will be forced to say: the reform, the main support of which was the Observance, supplied new power and new spirit to the Order, and retained for the foundation of St. Francis its distinctive character.

MINISTERS GENERAL (1226-1517)

1. St. Francis	†1226
Vicar General: Peter Catanio	1220-1221
Vicar General: Elias of Cortona	1221-1227
2. John Parenti	1227-1232
3. Elias of Cortona	1232-1239
4. Albert of Pisa	1239-1240
5. Haymo of Faversham	1240-1244
6. Crescentius of Iesi	1244-1247
7. John Buralli of Parma	1247-1257
8. St. Bonaventure of Bagnoregio	1257-1274
9. Jerome Masci of Ascoli	1274-1279
10. Bonagratia Tielci of San Giovanni in Persiceto	1279-1283
Vicar General: Peter de Falgario	1283-1285
11. Arlotto of Prato	1285-1286
Vicar General: Peter de Falgario	1286-1287
12. Matthew of Aquasparta	1287-1289
13. Raymond Godefroy	1289-1295
14. John Mincio of Murrovalle	1296-1304
15. Gonsalvus of Valboa	1304-1313
16. Alexander of Alessandria	1313-1314
17. Michael Fuschi of Cesena	1316-1328
Vicar General: Cardinal Bertrand de la Tour	1328-1329
18. Gerard Eudes	1329-1342
Vicar General: Fortanerius Vassalli	1342-1343
19. Fortanerius Vassalli	1343-1348
20. Guillaume Farinier	1348-1357
21. John Bouchier	1357-1358
Vicar General: Cardinal Guillaume Farinier	1358-1359
22. Mark of Viterbo	1359-1366
Cardinal Protector: Nicholas of Besse	1366-1367
23. Thomas Frignano	1367-1372
Vicar General: Cardinal Bertrandus	1372-1373
24. Leonard Rossi of Giffone	1373-1378
Vicar General: Ludovicus Donato	1378-1379
25. Ludovicus Donato	1379-1383
General in Avignon: Angelo of Spoleto	1379-1391
26. Peter of Conzano	1383-1384
27. Martin Sangiorgio	1384-1387
Vicar General: Henry Alfieri	1387
28. Henry Alfieri	1387-1402
General in Avignon: John of Chevegneyo	1391-1402
General in Avignon: John Bardolini	1403-1417
29. Anthony Angelo Vinitti of Pireto	1405-1408
Vicar General: Angelo Salvetti of Siena	1408

30. William Gianettini of Suvereto	1408-1409
31. Anthony of Cascia	1410-1415
32. Angelo Salvetti of Siena	1421-1423
Vicar General: Anthony of Massa	1423-1424
33. Anthony of Massa Marittima	1424-1430
34. William of Casale	1430-1442
Vicar General: Albert of Sarteano	1442-1443
35. Anthony Rusconi of Como	1443-1449
(Anti-General: Matthias Doering	1443-1449)
Vicar General: Angelo Serpetri	1449-1450
36. Angelo Serpetri of Perugia	1450-1453
Vicar General: James Bussolini	1453-1454
37. James Bussolini of Mozzanica	1454-1457
Vicar General: James of Sarzuela	1457-1458
38. James of Sarzuela	1458-1464
39. Francesco della Rovere of Savona	1464-1469
40. John Zanetto Dacre of Udine	1469-1475
41. Francesco Nanni (Samson)	1475-1499
Vicar General: Aegidius Delfini	1499-1500
42. Aegidius Delfini of Amelia	1500-1506
43. Raynaldus Graziani of Cotignola	1506-1510
44. Philip Porcacci of Bagnacavallo	1510-1511
Vicar General: Gometius Lusitanus	1511-1513
45. Bernardine Prati of Chieri	1513-1517
46. Christopher Numai of Forlì	1517-1518

GENERAL CHAPTERS (1212-1517)

Assisi	1212-1221 every year (?)	Perpignan	1331
Assisi	1222	Assisi	1334
Assisi	1223	Cahors	1337
Assisi	1224	Assisi	1339 (1340?)
Assisi	1227	Marseilles II	1343
Assisi	1230	Venetia I	1346
Rieti I	1232	Verona	1348
Roma I	1239	Lyon V	1351
Anagni I	1240	Assisi	1354
(Montpellier	1241)	Barcelona II	1357
Bologna I	1242	Genoa III	1359
Genoa	1244	Strasbourg II	1362
Lyon I	1247	Firenze I	1365
Metz	1249	Assisi	1367
Genoa II	1254	Napoli II	1370
Roma II	1257	Toulouse II	1373
Narbonne	1260	Aquila I	1376
Pisa I	1263	Gran	1379
Paris I	1266	(Napoli	1379)
Assisi	1269	(Paris	1382)
Pisa II	1272	Ferrara I	1383
Lyon II	1274	Padua III	1385
Padua I	1276	(Geneva	1385)
Assisi	1279	Firenze II	1378
Strasbourg I	1282	(Perpignan	1388)
Milano I	1285	Mantua I	1390
Montpellier I	1287	(Montpellier	1391?)
Rieti II	1289	Köln	1393 (1392?)
Paris II	1292	Rimini	1396
Assisi	1295	Assisi	1399
Anagni II	1296	Assisi	1402
Lyon III	1299	(Avignon	1403?)
Genoa III	1302	München	1405
Assisi	1304	(Narbonne?	1406)
Toulouse I	1307	Aquila	1408
Padua II	1310	(?	1409; 1411)
Barcelona I	1313	Roma III (Pisa Obed)	1411
Napoli I	1316	Gaeta (Gregory XII)	1414
Marseille I	1319	Lausanne (Pisa Obed)	1414
Perugia I	1322	(Pamplona	1415)
Lyon IV	1325	Mantua II	1418
Bologna II	1328	Forlì	1421
Paris III	1329	Ferrara II	1424

Casale I	1427	Venetia II	1469
Assisi	1430	Ferrara III	1472
Bologna III	1433	Urbino	1475
Toulouse III	1437	Roma VI	1479
Genoa IV	1440	Brescia	1482
Padua IV	1443	Casale	1485
(Berne	1443)	Cremona	1488
Montpellier II	1446	Assisi	1491
Firenze III	1449	Bologna V	1495
Roma IV	1450	Milano III	1498
Perugia II	1453	Terni	1500
Bologna IV	1454	Troyes	1503
Milano II	1457	Roma VII	1506
Roma V	1458	Roma VIII	1510
Dijon	1461	Assisi	1513
Perugia III	1464	Chieri	1516
Firenze IV	1467	Roma IX	1517

VICARS GENERAL AND GENERAL CHAPTERS OF THE OBSERVANTS UNTIL 1517

CISMONTANE FAMILY

<i>Vicars General</i>	<i>Year</i>	<i>General Chapters</i>
	1431	Bologna
St. Bernardine of Siena, Commissary General	1438	
Albert of Sarteano, Commissary General	1442	
St. John of Capestrano, Vicar General	1443	
James of Primadizzi	1446	Roma
St. John of Capestrano	1449	Firenze
Mark of Bologna	1452	Aquila
Baptista Tagliacarne	1455	Bologna
Anthony of Montefalco	1457	Milano
Baptista Tagliacarne	1458	Roma
Ludovico of Vicenza	1461	Osimo
Mark of Bologna	1464	Assisi
Baptista Tagliacarne	1467	Mantua
James of Corneto	1468	
Mark of Bologna	1469	Bolsena
Angelo of Chiavasso	1472	Aquila
Peter of Naples	1475	Napoli
Angelo of Chiavasso	1478	Pavia
Peter of Naples	1481	Ferrara
Angelo of Chiavasso	1490	Urbino
Evangelista of Perugia	1493	Firenze
Jerome Tornielli	1495	Aquila
Ludovico Torre of Verona	1498	Milano
Jerome Tornielli	1501	Urbino
Francis Zeno	1504	Mantua
Jerome Tornielli	1507	Assisi
Francis Zeno	1509	Ferrara
Timotheus of Lucca	1512	Napoli
Bernard Tolomeo (Commissary)	1513	
Christopher Numai	1514	Assisi

ULTRAMONTANE FAMILY

Nicholas Rodolphe (for French Observants)	1415	
	1416	Bressuire
Thomas de la Cour (for French Observants)	1419	Cholet

<i>Vicars General</i>	<i>Year</i>	<i>General Chapters</i>
John Perioche Maubert	1443	
	1444	St. Omer
	1447	St. Omer
	1448	Argenton
Theodoricus Voiturier (Auriga)	1451	Barcelona
John Quiesdeber	1454	Basle
Theodoricus Voiturier	1457	Milano
John Mongin	1458	Roma
Zergerus Duclair	1461	Salamanca
John Maigrefort	1464	Mecheln
John Philippi	1467	Montluçon
Francis Blonde	1470	Palencia
John Croyn	1472	Basle
John Philippi	1475	St. Omer
William Berthold	1478	Châteauroux
John Philippi	1481	Montluçon
John Croyn	1484	Brügge
Oliverius Maillard	1487	Toulouse
John Croyn	1490	La Rochelle
Oliverius Maillard	1493	Florenzac
Francis Sagarra	1496	Toulouse
Oliverius Maillard	1499	Mecheln
Martialis Boulier	1502	Albi
John Sauvage	1505	Laval
Martialis Boulier	1508	Barcelona
Ghilbert Nicolai (Gabriel Maria)	1511	Rabasteins
Martialis Boulier	1514	Antwerp
Peter de Occa	1515	
Ghilbert Nicolai	1516	Rouen

CARDINAL PROTECTORS

Hugolino Segni	1220-1227
Raynaldus Segni (Alexander IV)	1227-1261
Caietanus Orsini	1263-1279
Matthew Rossi (Orsini)	1279-1306
John Mincio of Murrovalle	1307-1312
Arnold of Pelagrua	1313-1334
James Caietanus Stefanelli	1334-1343
Talairandus Périgord	1343-1364
Nicholas Bellefaye of Besse	1366-1369
Philip Cabassole	1369-1372
William de la Jugie (Iudicis)	1373-1374
Gregory XI (James Orsini?)	1377-1378
Francis Carbonari	1390-1405
Jordanus Orsini	1405-1438
Julian Cesarini	1439-1444
Dominic Capranica of Fermo	1445-1458
Bessarion	1458-1472
Peter Riario	1472-1474
Julian de la Rovere	1474-1503
Dominic Grimani	1503-1523

POPES (1198-1521)

Innocent III	1198-1216
Honorius III	1216-1227
Gregory IX	1227-1241
Celestine IV	1241
Innocent IV	1243-1254
Alexander IV	1254-1261
Urban IV	1261-1264
Clement IV	1265-1268
Gregory X	1271-1276
Innocent V	1276
Hadrian V	1276
John XXI	1276-1277
Nicholas III	1277-1280
Martin IV	1281-1285
Honorius IV	1285-1287
Nicholas IV	1288-1292
Celestine V	1294
Boniface VIII	1294-1303
Benedict XI	1303-1304
Clement V (Avignon)	1304-1314
John XXII (Avignon)	1316-1334
(Nicholas V [Rome])	1328-1333)
Benedict XII (Avignon)	1334-1342
Clement VI (Avignon)	1342-1352
Innocent VI (Avignon)	1352-1362
Urban V (Avignon)	1362-1370
Gregory XI (Avignon)	1370-1378
<i>The Western Schism</i>	
Urban VI (Rome)	1378-1389
Clement VII (Avignon)	1378-1394
Boniface IX (Rome)	1389-1404
Benedict XIII (Avignon)	1394-1417
Innocent VII (Rome)	1404-1406
Gregory XII (Rome)	1406-1415
Alexander V (Pisa)	1409-1410
John XXIII (Pisa)	1410-1415
Martin V	1417-1431
Eugene IV	1431-1447
(Felix V)	1439-1449)
Nicholas V	1447-1455

Calixtus III	1455-1458
Pius II	1458-1464
Paul II	1464-1471
Sixtus IV	1471-1484
Innocent VIII	1484-1492
Alexander VI	1492-1503
Pius III	1503
Julius II	1503-1513
Leo X	1513-1521

Chapter 2

THE PROVINCES OF THE ORDER STATISTICS

Paragraph 30

Distribution of provinces in the 13th and 14th centuries

In the beginning, St. Francis sent his friars only on temporary mission journeys. In 1217, however, he systematically divided the Christian world into provinces and sent his friars to all regions with a “minister” at their head. The mission district assigned to the individual detachments of friars early received the name *Administratio* or *Provincia*, by which name however we must not understand the strict legal term as it is used today. It merely signified a region wherein mission activity was to be undertaken under the supervision of the minister provincial. These provinces did not have strict geographical limits. Neither were they divided into districts or custodies from the beginning. Only by degrees did such custodies arise when the friars, having arrived in their province, thus divided it, or when the numerous residences which they established made a union of neighbouring monasteries desirable for reasons of administration. Since the provinces embraced a wide territory in the beginning, the rapid increase in residences must soon have made the division into custodies necessary in all places. The fact that the custodes had to care for a number of definitely designated residences and that the support of these naturally devolved upon them, led gradually to a strict defining of the limits of the custodies as well as of the provinces of which they were the parts.

This process could still be in the course of development in one country while elsewhere it had long been settled.

To date we have not succeeded in definitely establishing the names or the time of foundation of the first provinces. The chronicles attached no importance to these items, because the provinces of that day were not the fixed administrative units of today.

It is not correct without more proof to regard the addressees of many letters, designated as “ministers”, to be provincials, since the custodes also and the guardians were at times called by this name.

Similarly from the appointment of a provincial for a mission district, we may not conclude to the erection of a permanent province. The holy Founder nominated, for example, a minister in Germany in 1217, and yet the first friars did not come into German territory before 1221. Such cases were of quite frequent occurrence. On the other hand, friars could have labored under a minister for a long time in a region, and only many years later do we hear that a province has been erected there. The friars were either later withdrawn or remained so poorly represented that they were assigned to a neighbouring province.

All this satisfactorily explains the obscurity and complexity in the reports of the chroniclers, abstracting from the patriotic feelings which at times guided their pens.

It is difficult to ascertain how many provinces the Order had when Elias began to rule in 1232. It is certain however that Elias greatly increased their number; he wished to have 72 provincials in the Order, corresponding to the traditional number of the Lord's disciples. The weakening of the internal strength of the provinces caused by this external multiplication, was good for Elias but bad for the Order. For small provinces as a rule have difficulty in obtaining sufficient friars to staff their convents. They find it difficult efficiently to perform the larger provincial duties, as for example, the competent education of the student friars. They can do little for the great undertakings of the Order, in particular for the missions. That is shown only too clearly in the course of the Order's history. The acceptance of many fixed residences and the continual division into new provinces meant a lack of development of the productive energies of the Order and a gradual waste of those powers in tasks of minor importance – to the great harm of the entire Order. The General was the head of all the friars but practically he could dispose only of the few who were unnecessary in the provinces, and these were not always the best. As long as the universalism of the Middle Ages continued, it acted as a counterforce and did not permit the disadvantages of the system to become too evident. But already at that time one felt the hazard which lay in the excessive multiplication of provinces and consequently after the overthrow of Elias in 1239, the superiors immediately proceeded to reduce the number of provinces again and to reapportion them. Their number was fixed at 32, of which 16 belonged to the ultramontane countries. At that time Austria-Hungary was counted among these, for only in the 15th century was it included in the cismontane family because of the Italian Observants. The division into two families was apparently not official in the 13th and 14th centuries. In any case it had no significance with respect to the constitution of the Order.

Soon after 1239, the Pope gave some friars permission to establish more provinces and appoint ministers outside of Italy, but at the protestation of the Order, he annulled the privilege of 1247. Nicholas IV renewed this prohibition in 1288. He demanded the apostolic beneplacitum for the foundation of every new province. By this decree we learn that the number of provinces had risen to 34, probably during the generalate of St. Bonaventure.

The division of provinces into custodies apparently remained reserved to the superiors of the Order, but examples are also found in which the intervention of the Holy See is sought. Boniface VIII in 1298 made the acceptance or the abdication of a convent of the mendicants dependent upon an express papal beneplacitum. Hermitages however were not included in this precept. As for the rest, the Order in 1274 had ordained that no house may be established without special permission of the General. With this ordinance a salutary check was placed upon unbridled freedom in the erection of convents and provinces.

As for the succession of the provinces or their precedence which later on was the cause of much contention, the first Franciscans with their usual good sense attached not the slightest importance to it. There is the most delightful confusion throughout the oldest lists on this point and it is impossible to discover in them any logical reason for their order. The oldest authentic list of the provinces as yet known is found in a letter of Gregory X written in 1274. This table is arranged geographically. The probable status of the provinces at the death of St. Francis is given in the left column.

Provinces in the year 1226

1. Tuscia
2. Marches
3. Lombardy

4. Terra di Lavoro
5. Puglie
6. Calabria
7. Outremere

8. Spain

9. France

10. Provence
11. Germany

12. England

Provinces in the year 1274

1. St. Francis (Umbria)
2. Roman
3. Marches of Ancona (Picena)
4. Tuscany
5. Bologna
6. Genoa
7. Milan
8. Marca Trevisana (Venice, St. Anthony)
9. Penne (Abruzzo: 1457, St. Bernardine)
10. Terra di Lavoro (Naples)
11. S. Angelo (St. Michael Monte Gargano)
12. Puglie
13. Calabria
14. Sicily
15. Syria (Holy Land, Antioch)
16. Slavonia (1393: Dalmatia)
17. Romania (Greece)
18. Portugal (St. James, Compostella)
19. Castile
20. Aragon
21. France
22. Touraine
23. Burgundy
24. Provence (Narbonne, Arles)
25. Aquitaine
26. Cologne (Lower Germany) ¹
27. Alemania (Upper Germany, 14th cent. Argentina)
28. Saxony
29. Dacia (Denmark, Sweden, Norway)
30. Austria
31. Hungary
32. Bohemia
33. England
34. Ireland

¹ In 1230 the Province of Germany was divided into the Rhineland (Cologne and Alemania) and Saxony (Saxony, Dacia, Bohemia, and maybe Austria and Hungary).

Two of these provinces – which two we do not know – were erected after 1239. The other 32 date from 1239. Many of them existed even earlier in name and perhaps also with a specified district. Still nothing is as yet definitely known about the latter point.

This argument of the provinces was, in accordance with the papal decrees, firmly adhered to until well into the 15th century. If new administrative bodies had to be formed the friars erected, not provinces but vicariates, which, by order of the General were ruled by a vicar. Some of these were permanent and later elevated to the rank of a province. Others disappeared or underwent continual changes, so that it is difficult to designate the territory and rank of many of them. Some of these vicariates were founded already in the 13th century.

A few of the better-known vicariates were:

The Vicaria Scotiae. This was made a province for a while under Elias. It was then repeatedly united with the English province and just as repeatedly became independent again.

The Vicariates of Corsica and Sardinia in Italy. They apparently separated from the province of Tuscia.

The extensive Vicaria Bosnae (Wallachiae). It embraced the northern part of the Balkan peninsula; in number of friars and houses this vicariate surpassed many provinces. Its mother province, Romaniae, took in only Greece together with Crete and some islands in the Adriatic and Aegean Seas.

Vicaria Orientis (Tartariae orientalis). Macedonia and Constantinople formed this Vicariate. It extended along the southern coast of the Black Sea to Turkestan and India. Its limits overlapped with those of the:

Vicaria Tartariae (Cathay-China) which embraced the extreme East.

The Vicaria Aquilonaris (Tartaria septentrionalis), which had its residences in what is today southern Russia. To the west of this vicariate:

Vicaria Russiae was formed; the southern and eastern parts of present day Galicia also belonged to this vicariate;

The Vicaria Livoniae (Lithuania) came next to this, extending north to Wilma.

Vicaria Tunisii (Morocco). Probably this vicariate developed from the province of Barbary (Barbariae) which had been erected by Elias.

Paragraph 31 Statistics for the 13th and 14th centuries

We possess but little information about the number of houses and custodies in the 13th century. No trace has been found of the old reports concerning the status of the provinces which, even before the time of St. Bonaventure, had to be sent in to the General Chapters. Still from some lists which have come down to us, we can arrive at an approximate picture of the status of the Order in the 14th and partially in the 13th century. In the table below, the Roman numerals signify the number of custodies, the Arabic numbers show the number of residences which were in part convents, in part hermitages. In this table, the contents of which are certainly defective in places, the marked variations for many provinces between 1282 and 1316 cause special surprise. Likewise the general increase of residences after the great plague around the middle of the 14th century. We are not able to give the reasons for these.

Statistical Table for the 13th and 14th centuries

Provinces	1282	1316		ca1340		ca1384		ca1390	
1 St. Francis	55	VII	66	IX	70	IX	76	IX	77
2 Romana	53	VII	49	VII	48	VII	41	VII	51
3 Marches of Ancona	85	VII	88	VII	87	VII	100	VII	90
4 Tusciae	48	VIII	50	VII	46	VII	51	VII	51
5 Bologna	38	V	42	V	41	V	43	V	44
6 Genoa	30	VI	33	VI	34	VI	34	VI	34
7 Milan	54	V	23	V	23	V	27	V	26
8 Marca Trevigiana	33	IV	30	IV	30	IV	37	IV	35
9 Penne	49	VI	48	VI	41	VI	43	VI	42
10 Terra di Lavoro	41	V	48	V	49	V	56	V	55
11 Sant' Angelo	54	IV	22	IV	29	IV	30	IV	29
12 Puglie	59	IV	23	V	26	IV	28	V	26
13 Calabria	15	III	40	IV	18	III	20	IV	17
14 Sicily	55	V	25	V	25	V	30	V	27
15 Syria	8	-	-	-	6	III	12	II	8
16 Slavonia	18	IV	22	IV	23	IV	30	IV	25
17 Romania	9	III	9	III	12	III	15	III	13
18 Portugal (S James)	39	VII	40	VII	36	IX	43	VIII	44
19 Castile	49	VIII	40	VIII	41	VIII	43	VIII	44
20 Aragon	36	V	36	VI	37	VI	39	VII	37
21 France	58	IX	58	IX	59	IX	60	IX	57
22 Touraine	33	V	33	V	35	V	36	V	35
23 Burgundy	55	VI	36	VI	35	VI	36	VI	38
24 Provence	50	VIII	58	VIII	52	VIII	52	VII	52
25 Aquitaine	79	X	62	X	63	XI	63	X	61
26 Cologne	80	VI	48	VII	48	VII	48	VII	48
27 Upper Germany	55	VI	54	VI	49	VI	53	VI	51
28 Saxony	75	XII	100	XII	87	XII	100	XII	85
29 Dacia	57	-	-	VIII	34	VIII	37	VIII	33
30 Austria	18	VI	20	VI	20	VI	30	VI	25
31 Hungary	54	VIII	43	VIII	45	X	50	VIII	45
32 Bohemia	31	VII	40	VII	43	VII	49	VII	43
33 England	58	VII	58	VII	52	VII	57	VII	60
34 Ireland	57	IV	30	V	32	IV	35	V	31

Vicariates	1282	1316	ca1340	ca1384	ca1390
1 Scotland	-	-	-	6	III 9
2 Corsica	-	-	-	-	III 11
3 Sardinia	-	-	-	5	III 10
4 Bosnia	-	-	-	-	VII 35
5 Russia	-	-	-	-	IV 15
6 Livonia	-	-	-	-	II 5
7 Orient	-	In Armenia,	-	14	IV 18
8 Aquilonaris	-	Syria and	-	17	IV 18
9 China	-	Tartary 33	-	4	III 9
10 Tunisia	-	-	-	-	II 5

As for the number of friars, reliable accounts on this point are entirely lacking. Bartholomew of Pisa simply remarks: From the great number of convents the great number of friars follows, a number which was surpassed by no other Order. Nevertheless, one must guard against an exaggerated evaluation and should not give the number of Friars Minor as 200,000 as has already happened. To be sure, a satisfying conclusion cannot be reached by merely considering the number of houses and then immediately judging the total number of friars from present-day circumstances because the number of friars in the residences in earlier times differed much more widely than today. There were cloisters which counted as many hundred friars as the hermitages counted individuals. But if we take as the basis of our reckoning the number of friars in each house at the end of the 15th century, when the circumstances among the Observants were approximately the same as in the Order as a whole at the end of the 13th century, then we will not err greatly if we compute about 20 friars on an average in each residence and between 30,000 and 40,000 as the total number of Franciscans at the end of the 13th century. This number might have been reached again about 1400 after temporary fluctuations.

This picture of the Order, even as regards the division of the provinces, was completely changed with the emergence of the Observants in the 15th century.

Paragraph 32
Development of the provinces of the Observants up to 1517

In the beginning the Observants did not think of erecting new provinces, but strove to advance only within the existing provinces, partly by establishing new residences, and partly by gaining houses hitherto belonging to the Conventuals. But when they obtained a relatively independent administration, their houses were grouped into a vicariate, designated as *Provincia* by the Observants. However as long as the number of the Observants in a province was very small, they were not governed by a vicar but by a commissary. This was also true of the smaller vicariates in the primitive sense, such as Corsica and Sardinia; so that in this latter case two vicars did not function in the same region. Since the Observance was firmly established in all provinces of the

Order at the time of separation in 1517, the number of their vicariates or provinces should also have been 34. As a matter of fact, it was higher because in the course of the 15th century various reasons had necessitated not inconsiderable changes in organization.

A Vicaria Brixienensis was established in Italy in 1475; this embraced the regions of Brescia, Bergamo, and Crema, which formerly had belonged partly to the province of Milan, partly to the province of Venice. The new vicariate was soon increased by the residences of the Caperolani (cfr. par. 26).

In lower Italy some Observants of the Basilicata strove successfully for their independence from the provincial. A vicar was assigned to them in 1484. The houses subject to him were separated from the provinces of Terrae Laboris and Apulia; the latter of these since 1514 bore the name: Provincia S. Nicolai.

Towards the end of the 15th century, Corsica had acquired the rights of an independent province of the Observants. The friars in Sardinia thereupon strove for the same goal. Since however their request was not granted by the cismontane vicar general, they temporarily went over to the Conventuals but soon returned to the Observants. In 1511, through the mediation of the Spanish king, the friars of Sardinia were incorporated into the ultramontane family as an independent province.

The friars of the Balkan peninsula caused much more trouble than the Sardinians. Their heroism in fighting the Turks atones in some measure for their conduct. Since the Vicaria Bosnae extended from the Adriatic to the Black Sea, a division was necessary for administrative reasons. The Vicaria Hungariae therefore was established in 1447 from the houses situated in Southern Hungary and in Transylvania; this vicariate developed to such an extent, due to the many houses reformed by St. John Capistran, that the Hungarian province of the Observants was by far the strongest province of all about the year 1517. In 1487, it withdrew from the vicar general but in a short time sought re-admittance into the Observance; this re-admittance had been obtained by the year 1489.

The residences of the Dalmatians and Ragusians were supposed to be united with the vicariate of Bosnia in 1464; but one part never did unite, and the other part separated again soon after it had united with the vicariate. After various vicissitudes all the participants finally attained their goal: in 1478 the independent *Vicaria Dalmatiae* was erected and in 1486, the *Vicaria Ragusii*. The Bosnians had been electing their own vicar since 1469. Since however they did not obtain from their vicar general all they were striving for, and since they differed greatly from the Italian Observants in their mode of life, they wished to place themselves directly under the General. Their frequent variations in this question explain the fact that later on there is repeated mention of the approbation of their vicars by the Observants. In 1514, the province was again divided; the Southern and Eastern parts received the name, *Bosnae Argentinae*, from the main convent, Argentina; the Northwestern part in Croatia was called *Bosnae Croatiae*.

Though Hungary and Bosnia suffered greatly under Islam, still the Provincia Romaniae and the vicariates still further East suffered even more. The Observants of these regions were united with the *Provincia Terrae Sanctae* in 1461. Towards the end of the century, however, the island of Crete became the independent *Provincia Candiae*, while the other friars living in the Orient and belonging to no specified province were simply registered as living *sub Turco*.

The Observance was introduced into Austria by St. John Capistran, who established many houses and received many novices, especially learned men. In 1452, all

the convents of the Observants in Austria and Bohemia were united into a *Vicaria Austriae*, to which the convents of Observants in Poland were added. The old national rivalries however as well as the dissatisfaction with the Italian superiors hitherto ruling them, led to a division in 1467 and to the formation of independent provinces under superiors of their own nationality. The new vicariates of Austria and Bohemia remained within the limits of their former provinces, but the *Vicaria Poloniae* incorporated most of the convents in the kingdom of Poland, some of which had formerly formed part of the vicariates of Russia and Livonia.

Even in the ultramontane family, the development of the Observance occasioned considerable changes in the division of provinces. In the Germanic countries these changes were insignificant. In 1516, three convents in the Southern part were separated from the *Provincia Daciae* to form the Custody of *Kyrolensis* (Kiel) or *Holsatiae*; but from 1517 on, the confirmation of the *custos* was reserved to the provincial of the mother-province.

On the British Isles, Ireland and Scotland embraced the Observance earlier than England. This explains the independence of the *Vicaria Scotiae* from the English province. The Observance first found entrance into this province in 1484. In the same year, the monasteries situated in Brittany were separated from the *Provincia Turoniae* as the *Vicaria Britanniae*. For the rest, the status of the provinces in France did not change up to 1517.

The changes in Spain were greater. At the time of the Schism some Portuguese houses had broken away from the province of St. James; these houses, so it seems, formed the nucleus of the new province extending throughout Portugal. We meet it in the second half of the 15th century as an independent unit with the name, *Provincia Portugalliae*, a name hitherto applied to the entire province of St. James. The province of St. James suffered a further loss through the efforts of John of Guadalupe (cfr. par. 26) who, with the help of the General, and in the face of constant opposition from the Observants, established two custodies for his followers. These custodies were united with the reformed part of the Order only in 1517 and then only by force. But even at that, these friars succeeded, due to the protection of the civil authorities, in preserving a relative independence. For their *Custodia S. Mariae de Pietate*, which extended throughout Portugal, was to be governed by a *custos* taken from among their number. This *custos* needed only the confirmation of the minister of the province of St. James; for the rest, he ruled independently.

The second custody of the followers of Guadalupe received still more rights. This was the *Custodia S. Evangelii*, called *S. Gabrielis* since 1517. It had its houses in Estremadura, although that territory was within the limits of the province of St. James. Its *custos* was placed directly under the General. The residences established by John of Puebla in the Sierra Morena in the region between Toledo and Cordoba likewise became independent of Castile and were joined to the *Provincia Ss. Angelorum*. By 1477 the *Provincia de Santoyo* had been formed from the houses of the Observants established by Peter of Santoyo: these lay principally around Palencia and Segovia.

The extensive province of Castile suffered still further losses by the separation of the custodies of Burgos and Seville. From the former the *Provincia Burgensis* was formed in 1514; the latter together with the recently conquered kingdom of Granada was elevated in 1499 into the *Provincia Baeticae (Hispalensis, Granatensis)*.

The province of Aragon on the contrary remained unchanged, at least on the mainland. But the Observants of the Balearic Islands, who had been separated from the mother province since 1459, had their independence reaffirmed in 1517 and formed the *Provincia Maioricarum*.

The more distant Canary Islands could with still more right strive for independence. However the permission conceded to them in 1485 of erecting their own province was taken away from them again in 1487 and the houses there were forced to unite with the custody of Seville.

Finally the newly discovered regions of America were joined to the Spanish nation politically. Consequently the Spanish friars only represented the Order in those lands. The territories of the New Spanish world remained almost completely closed to the Conventuals. In 1505 there arose the *Provincia S. Crucis (Insularum Indiarum)* which took in the residences erected in the West Indian Islands.

Paragraph 33 **List of the Observant Provinces in 1517 – Statistics**

The table in the next page gives the list of the Observant provinces up to the close of the General Chapter in 1517. The column to the left repeats the division of the Order around 1400. In the column to the right are the provinces in 1517, part of which had separated from the administrative bodies in the left column, and another part of which had formed new administrative units within the old provinces. For the sake of clearness the series here as in future is arranged geographically. An arrangement according to age did not exist at that time; and when it was attempted later, it was drawn up so arbitrarily that it can be set aside as completely worthless and leading only to disgusting conflicts.

How many houses and friaries these numerous provinces numbered is a question which cannot be settled with certainty. On this point we have not a single reliable list for the entire Order. This much however we do know: in 1455, the family of the Observants already numbered 20,000 friars and around 1493 they counted more than 22,400 in more than 1200 houses. If we add to these figures the subsequent acquisitions in Spain under Ximenes, plus the number of all the other reformed friars who were incorporated into the family of Observants in 1517, then the total number of *Fratres de Observantia* after the completion of the union must be close to 30,000 friars with about 1500 residences. With regard to the residences, it was always more customary in the Romance lands to prefer the patron saint of the convent to the name of the place, a custom which was also adopted in designating the provinces. Only in more recent times do they again prefer the clearer geographical names.

As for the Conventuals at the time of the separation, as in general for the entire 15th century, we have even less certain statistical data. Shortly before 1517 they are supposed to have numbered 30,000 friars, but the reformed friars subject to the General were included in that number. After the separation they were, as Leo X himself says, by far less numerous than the Observants, and may be numbered somewhere between 20,000 and 25,000. Others give much smaller figures. Definite statements cannot be made concerning the number of convents which they still occupied at that time. Their

provinces number 34 as of old. But most of these were very weak, and many were almost entirely extinct.

Provinces about the year 1400

1. St. Francis
2. Romana
3. Marches of Ancona
4. Tuscia
5. Bologna
6. Genoa
7. Milan
8. Veneta (Marca Trevigiana)

9. Penne (St. Bernardine)
10. Terra di Lavoro
11. Puglie

12. Sant' Angelo
13. Calabria
14. Sicily
Vicariate of Corsica
15. Syria
16. Dalmatia (Slavonia)

17. Romania
Vicariate of Bosnia

18. Hungary
19. Austria
20. Bohemia
Vicariate of Russia
Vicariate of Livonia
Vicariate of the Orient
Vicariate Aquilonaris
Vicariate of China

1. St. James (Portugal)

2. Castile

Observant Provinces (after 1517 chapter)

A. Cismontane Family

1. St. Francis
2. Romana
3. Marches of Ancona
4. Tuscia
5. Bologna
6. Genoa
7. Milan
8. Veneta (Marca Trevigiana)
9. Brescia
10. St. Bernardine
11. Terra di Lavoro
12. Puglie (St. Nicholas)
13. Basilicata
14. Sant' Angelo
15. Calabria
16. Sicily
17. Corsica
18. Terrae Sanctae (Holy Land)
19. Dalmatia
20. Ragusa
21. Candia (Crete)
22. Bosnae Argentinae
23. Bosnae Croatiae
24. Hungary
25. Austria
26. Bohemia

27. Poland

Sub Turco viventes

B. Ultramontane Family

1. St. James
2. Portugal
3. Custody of S. Mariae de Pietate
4. Custody of St. Gabriel (S. Evangelii)
5. Castile
6. Santoyo
7. Burgos
8. Baetica (Granada)
9. Holy Angels

Provinces about the year 1400

3. Aragon
4. France
5. Touraine
6. Burgundy
7. Provence
8. Aquitaine
9. Cologne
10. Alemania (Argentina)
11. Saxony
12. Dacia
13. England
14. Ireland
Vicariate of Scotland
[Vicariate of Sardinia]

Observant Provinces (after 1517 chapter)

10. Aragon
11. Majorca (?)
12. Holy Cross (Hispaniola/West Indies)
13. France
14. Touraine
15. Bretagne
16. Burgundy (St. Bonaventure)
17. Provence (St. Louis)
18. Aquitaine
19. Cologne
20. Argentina (northern Germany)
21. Saxony
22. Dacia
Custody of Holsatia (Kylolensis)
23. England
24. Ireland
25. Scotland
26. Sardinia

Chapter 3

CONSTITUTION OF THE ORDER

Paragraph 34

Basic elements in the organization of the Order before and after 1239. The Cardinal Protector

St. Francis, as is characteristic of spirits striving only after the highest ideals, did not wish to concern himself with questions of organization. He esteemed men too highly to believe that strict, minute precepts were necessary for a well-ordered community life of a religious society. Much however as this idealism honours the holy founder, it was not advantageous for the foundation itself. In this attitude too we find the source of the displeasure, which St. Francis occasionally manifested in his declining years towards the efforts made to give the Order a more efficient organization. As long as he himself governed the fraternity, his will was decisive in all things, and a constitution was not necessary. When he retired from the superior's position in 1221, he appointed a *Minister (servus) totius fraternitatis*, whose power was limited only by the consciences of the friars and by the precepts of the Rule; otherwise it was absolute. In the Rule of 1223, the head of the Order with the title of minister general is merely strictly distinguished from the minister provincials; his absolutism however remains uncurtailed. Still the provincials and custodes assembled at the Chapter at Pentecost can depose him, if they consider him unfit, and can elect another in his place. If one abstracts from the General and Provincial Chapters, to which for the rest no further legal powers were given, the essentials of the entire internal organization have been given above, which the Order possessed at the death of the founder.

The general, John Parenti, also governed the Order guided merely by these essential laws; and we hear nothing of inconveniences entailed by the lack of more determined constitutional decrees. But then began the government of Elias. He abused the absolutism conceded to him to the point of actual tyranny. The Order rose up against his methods and the result was a complete revision of the former constitution, at the General Chapter of 1239 with the consent of the Pope. First of all the absolutism of the general was abolished in so far that the General Chapter was placed over the general, whereas formerly it had only served him as counsel. Some were indeed opposed to this measure, because it contained a change of the Rule, which demands obedience to the general and not to the General Chapter. But it was brought forward that the holding of the General Chapter is also demanded by the Rule, and that it is the duty of this General Chapter to watch over the welfare of the Order. A law deemed necessary by the General Chapter for the welfare of the Order obliges even the general and he may not change it. The argumentation is easily understood considering the circumstance of the times: in order to avoid a repetition of the tyranny of an Elias the friars saw no other way out but to curtail the former rights of the general. But the method of proof adopted by the Four Masters, who defended this change of the constitution is none the less false. For by virtue of the Rule, the General Chapter has no other authority but to elect a general and to depose him; the latter power they have, according to the strict tenor of the words, only if

the *universitas ministrorum et custodum* consider the general unfit. A sort of co-rule through the promulgation of laws by both the general and the General Chapter is not provided for in the rule of the Order.

Another question is whether the decrees of 1239 even though recommended by the general himself, were useful or at all necessary for the Order. In the latter case they would be justified in themselves even though the letter of the rule was against them. If we view the question from the angle of the stability of the legislation of the Order, then we must say that the decree of 1239 was both useful and necessary for without doubt the stability of legislation was greatly endangered, if every general could without any consultation, promulgate permanent laws. A diminution of his power in this regard was to the interest of the Order and consequently was justified.

But the friars went still farther in that year of revolution. For they took from the general the right to appoint provincials; similarly they deprived the provincials and custodes of the right of naming the guardians and they gave this power to the subjects themselves! And still more, the subjects demanded the right of holding their own General and Provincial Chapters to the exclusion of the general and the provincial. Very probably the Dominican Order served as a model for this demand, for among the Dominicans the subjects chose their definitors at the Provincial Chapters; these constituted the General Chapter during two successive years, while in the third year the superiors themselves held their congressus. The favourable vote of three such General Chapters was necessary in order that a resolution might become a law. In the Minorite Order such a Definitor-Chapter was held only once – at Montpellier in 1241. The arrogance with which the assembled definitors demanded that the general and the provincials who were present in the city should leave, soon led to a reaction which ended in the abrogation of the Definitor-Chapters. Instead of these, the subjects were now permitted to take part in the Chapters of the superiors. One discrete from each convent, elected by the friars of the house, was permitted to come to the Provincial Chapter; and a *Discretus Provinciae* elected by the *discreti conventuum* at the Provincial Chapter might attend the General Chapter. That was a gain which was maintained beyond this period now being treated.

In the same way the principle of the election of the provincial by the subjects was preserved, although there is no foundation for it in the rule. Was it useful to the Order? If one thinks of the great activity of the Order especially among the lower classes, it might be believed that a democratic constitution was most appropriate for it. But the entire history of the Order shows the contrary and confirms the wisdom of the holy founder on this question. The charges never ceased that bad superiors, who had been elected through the bad choice of the electors, are guilty of the decline of discipline in the single provinces. If the discipline became lax in a province then a provincial was also elected who suited the lax electors. A reform was very often possible only when the general obtained extraordinary powers of appointing and deposing the superiors. The attempt was even made in the 17th century, but made in vain, to restore the primitive constitution. The subjects were to be permitted to elect no superior except the general; all other officials were to be elected by the superiors alone. Then the general was to remain in office for twelve years, the provincial four, the local superiors three years. But an extension of office was to be permitted for the provincials and local local superiors.

With this we touch upon another question which has often reoccurred in the constitution of the Order, the question namely concerning the length of office of the superiors. The Order has in this point run through practically all phases of possible development, from life-long rule of the prelates to arbitrary deposition on some set day. Should the historian attempt to pronounce a decision on the worth of the various systems in the light of history the same thing will happen to him as happened to St. Bonaventure, who in one place defends the frequent change of superiors but in another says that this is a cause of the Order's decline. It may be good in so far as this means unqualified superiors can easily be removed; but it also works harm, since the good superiors, convinced of the speedy end of their term of office, do not act with sufficient resolution or are unable to accomplish anything permanent because of the shortness of the time.

Besides these two changes in the constitution, a third remains to be mentioned; the complete exclusion of lay brothers from the government of provinces, custodies, and convents which was decreed about 1240. The occasion, here as elsewhere, was the bad management of Elias, who preferred the lay brothers everywhere, so that many complaints were voiced about their arrogance. For the rest, this change was not contrary to the rule at all, and was bound to come in time, especially after the priests became ever more numerous, and the superiors themselves had to exercise the care of souls over their subjects. But later on we very often find cases where lay brothers were advanced to the offices of the Order if they possessed the necessary qualities. Above all it should not be forgotten that the *fratres laici* of the first centuries cannot be absolutely compared with the brothers of today who care for the affairs of the house. Today clerics and laics are distinguished not only by their ordination, but also by their level of education, which was by no means always the case in earlier times. Learned men, lawyers, doctors, etc. then entered the Order. Since these men did not always desire to receive ordination, they remained lay brothers, although in education and ability to rule they might be superior to the clerics. An example of this kind was Elias himself.

The position of Cardinal Protector remained untouched by this important revision of the constitution. St. Francis was the first to introduce the office of protectors for the Orders. In doing so he had a double purpose, to hold his friars in close communion with the Church and to ensure them a powerful protector at the Apostolic See against all enemies. He should be the "protector, corrector, and governor of the whole fraternity." The Second and Third Orders were also included in the term "fraternity", wherefore the designation: "Protector of the three Orders of St. Francis" is sometimes found. Since the rise of the Observants the title *totius Ordinis Minorum* was adopted for the same reason which led the general to adopt that title.

At the conclusion of the rule, the obligation of asking for a protector is imposed on the ministers. By this term the minister general alone was in time and appropriately understood, although it also happened that the provincials at the General Chapter had a decisive voice in this matter and on one occasion were even forced to use it by order of the Pope. Abstracting from the first years of the great schism the general always succeeded in obtaining from the Pope a cardinal who exercised the office entrusted to him with love and zeal. Of the twenty protectors which the Order had up to the year 1517, four became Popes, namely Gregory IX, Alexander IV, Nicholas III, and Julius II; of these Alexander IV and Nicholas III retained the protectorate over the Order at least during the first part of their pontificate. Of the others, besides quite a few Orsinis, their

stand forth the names of Cesarini, Capranica, and Bessarion. These were undoubtedly some of the best men who adorned the Sacred College during the 15th century. If the protector himself was hindered by absence or by other affairs, another cardinal was occasionally entrusted with his office, and this one then took the name of vice-protector. Such a vice-protector is met for the first time towards the end of the 15th century during the pontificate of Alexander VI. Due to the general terms, with which the rule describes the powers of the protector, not all cardinal protectors looked upon their power in the same way. Many of them felt empowered to interfere in the internal government of the Order, and this caused troubles and insubordination. Thus Gregory XI in 1373, was forced to forbid the protector to suspend the statutes of the Order or to dispense from them, to change the acts of the Chapters, to appoint and to depose superiors arbitrarily, to appoint lectors, to save friars from correction who had become liable to punishment, and to bestow any privileges whatsoever upon any individual friars. Since these orders were forgotten in time, Sixtus IV and Julius II saw themselves forced to insist upon them again.

Paragraph 35
The General – His substitute and his helpers

Since 1239, the authority of the general is no longer limited solely by the ordinance made by St. Francis that he command nothing against the rule and the consciences of the friars, but it is also curtailed by the General Constitutions. Since these could be made only by the General Chapter, it was possible for the Order to deprive the general of ever more rights. Thus in point of fact, by a decree of the Chapter, he lost his important right of appointing superiors and only the confirmation of the provincial election remained reserved to him. He could depose superiors only with the consent of the General or Provincial Chapter, provided he did not receive extraordinary powers from the Apostolic See in cases of necessity. This special authority was indeed given very often.

Thus there remained to the general, apart from the power of convening the General Chapter, merely the right of inspection which, within the limits of the General Constitutions, he could exercise over the Order, including the Clares and the Tertiaries. Included in this right of inspection was the authority to hold visitation in the Order and to see to the observance of the existing laws. From now on the focal point of his activity consisted in this visitation, so that the ability of a general was often estimated by the chroniclers according to the zeal with which he visited the Order. That is easily understood since, owing to the very difficult communication by letter in earlier times, the general remained in vital contact with the individual provinces only by personal visitation. Still we find quite early that the general sent representatives to the provinces who would hold the visitation in his name. Parenti already did this, and Elias did it much more; his visitors became the terror of the provinces. Occasionally the general's visitors were refused admittance by a province on the plea that it had already been visited by the General Chapter according to the constitution of which we know nothing. This practice seemed to indicate that the General Chapter about 1230 must have taken over the appointment of the visitors, a procedure which remained in force for centuries. The

Constitutions of Narbonne recognize no visitor sent by the general, but only one which the General Chapter appoints for such province once in three years who must adhere strictly to the orders given to him. Benedict XII conceded more rights to the general. He demanded indeed that the general should personally visit the whole Order within ten years with the exception of the *Provinciae Hibernaie, Romaniae, et Terrae Sanctae*; in case of necessity however he might delegate other friars to hold the visitation. Still in the *Constitutiones Farinerianae*, the visitor appears again as an appointee of the General Chapter rather than of the general. The individual provinces alternately visit one another in a manner more specifically designated by the General Chapter and the visitors are obliged to give an account to the General Chapter. Only the convent of Paris, according to an old custom, shall be visited annually by a friar appointed by the general.

The Order seems to have retained this method of holding the visitation during the 14th and 15th centuries. The provisions contained in the Statutes of 1508 associating two permanent visitors with the general, never went into effect. As a substitute for his unwelcome visitors, the general quite often sent vicars or commissaries to a province for the discharge of some strictly specified task. Even in this the general was opposed by the General Chapter in 1411 when it declared that such commissaries could be sent only in exceptional cases for reasons described in the law and that their power ceased after six months. Consequently during the 15th century we hear just as little of general commissaries as of general visitors. The appointment of vicars or commissaries not belonging to the Order was forbidden in 1373 as mentioned above (par. 16).

As some had thought it necessary to limit the power of the general, so others felt called upon to limit his term of office. According to the rule, this was supposed to depend solely on the fitness of the minister with the decision in the matter dependent upon the General Chapter. An undesired and, for the Order, a harmful abbreviation of the generalate occurred whenever the Pope promoted the general to the episcopate or cardinalate; this unfortunately happened not infrequently. At the Chapter of 1506, a papal brief was read which fixed the term of office for the general at three years, after which he could be re-elected for another three years. Leo X was not quite so radical when he fixed the general's term of office at six years, but with the condition that in accordance with the rule, he could be deposed by the General Chapter even before this time.

The election of the general was the exclusive right of the provincials and custodes, assembled at the General Chapter (par. 36). The newly elected friar entered upon his office with the publication of the vote, and needed no confirmation at all, as Alexander IV had declared in 1255. Special requisites for the validity of the election were not required of the candidates, except that he must be a cleric and be a legitimate child, as in the case for all prelates of the Order. As a special designation he received, from about the 15th century, the title: *Reverendissimus*, but only for his term of office. This title was granted by law only since 1508. After the expiration of his office, the general returned to the ranks of the ordinary friars without any privileges whatsoever.

In earlier times the general did not have a permanent counsel to aid in the discharge of business. He chose his helpers according to his own liking. From the beginning of the 14th century, the tendency to limit his freedom in deciding matters makes itself noticeable also in this point. The statutes of 1337 assign two experienced *socii* to him, one cismontane and one ultramontane, whom he was obliged to appoint after

consultation with the Chapter. The *Constitutiones Martinianae* allow him in addition a *scriptor*, and they decree that the *socius cismontanus* should bear the seal of the Order whenever the general is an ultramontane friar, and vice versa. The general may also not change his *socii* according to his own good pleasure. The latter prohibition was relaxed in 1500 so that at least when holding visitations he might choose a new *socius*, who knew the language of the country.

If the generalate were vacated by death or by the promotion of the general, a vicar general was to assume the government of the Order. The Order knew no vicar general at all before 1285. In the two cases where the Pope promoted the general to the cardinalate, the one promoted was obliged to continue ruling until the next general Chapter. In the case of the general's death, there was simply an *interregnum*. The Constitutions of 1260 prescribe: If the general died before the feast of St. Michael, the provincial of the place where he died must immediately convoke a General Chapter for the following year. But if he died after this feast, the provincial must indeed inform the Order of the death, but the General Chapter takes place only a year later, unless it would ordinarily have been held in the following year. For the Order thought that it could live during the intervening time without any supreme head, since thus far the case had never occurred. But when Bonagratia died October 3, 1283, and the General Chapter according to this ruling first convened in May 1285, the defect in the constitution was very manifest. At this General Chapter, therefore, a remedy was sought by the appointment of a vicar general, and was to be elected by the provincial of the place where the general died and the two neighbouring provincials. Obedience is to be shown to the vicar general by the whole Order; he does not however carry the seal of the Order, but a vicariate seal, and he can not exercise the full powers of a general. The new arrangement was put to the test in the very next year. But since the vicar general who was elected proved himself unfit, the Pope in 1288 annulled the decision of the Chapter and reserved the appointment of a vicar general to the Apostolic See or to the cardinal protector. The succeeding vicar generals consequently were all appointed by the Pope; the Pontiff likewise quite specifically defined their powers. They did not have the full authority of the general. The chief task of the vicar generals was to convene the General Chapter and to preside over it until the new election. A vicar general appointed by the Order itself does not come to our notice before 1517, although the Statutes of 1508 attempted to return the right of nomination to the Order.

The procurator general soon became the general's most important assistant. All affairs which required the intervention of the Papal Curia went through his hands. The beginnings of this office are obscure, but it was found to be a necessity quite early both by the Minorites as well as by other Orders. Consequently we find the procurator already in the 13th century though at the time as temporary officials to be sure, whose office ended with the completion of their occasional work. They travelled with the Papal Curia from city to city and on this account were usually known as *Procuratores in Curia Romana*. After the return from Avignon they dwelt first at Aracoeli and then, after this monastery had been handed over to the Observants in 1445, at San Salvatore in Onda. The general in 1500 tried in vain to compel the procurator to remain at the principal convent of the Conventuals, XII Apostoli.

The *Constitutiones Benedictinae* contain the first definite ordinances concerning the procurator of the Order, whose office had in the course of time become a permanent

one. Here again it is the General Chapter which appoints the procurator. Only if, in the interim between Chapters, the procurator dies or shows himself incapable, can the general together with some worthy friars appoint a substitute until the next General Chapter. If the procurator is chosen from the ultramontane family, a cismontane *socius* is to be given to him, and vice versa. He receives lodging and clothing from the convent in the place where the Roman Curia is staying; the provincials must meet the other expenditures, and the procurator has to render an account to them at the General Chapter. The *Constitutiones Farineriae* make no essential changes in these arrangements; they merely demand that he take an oath of fidelity to the Order and the general and that at the General Chapter he explain the cases pending at the Curia. The procurator also had to resign his office at the General Chapter immediately after the provincials.

From 1379 on for unknown reasons the General Chapter surrendered its former right to appoint the procurator and for the future left his appointment to the general alone. This seems to have remained the practice for quite a long time, if we except the specific cases, where the Pope himself appointed a procurator.

At the beginning of the 15th century, the *socius* became equal to the procurator so that the Order now had a cismontane and an ultramontane procurator. They looked after the affairs of their respective families independently of one another. The Statutes of 1500 repeat the former decrees and seek to return the choice of the procurator to the General Chapter. Between the Chapters, however, they give the general full power. He shall confirm the procurator in office each year, unless he finds his removal to be desirable. These Statutes provide for the appointment of one procurator together with a *socius*, but the general can also appoint two independent procurators. The obligation of preserving official documents in an archive is emphasized. The superiors are also bound to proceed strenuously against the friars who obtain for themselves privileges opposed to the Statutes of the Order. Such papal concessions are to be considered as *subreptitiae* because it cannot be imagined that the Pope, if he were correctly informed, would wish to grant any concession which is against the welfare of the Order.

Paragraph 36 **The General Chapter**

During the first years of the Order, the friars assembled twice a year at Portiuncula in order to see one another again, to encourage one another to fidelity in their calling, and to tell of their experiences on the missions. At Pentecost all the friars came together, including the novices; on the feast of St. Michael however, only a selected number convened – how they were selected is not specified. There in truly patriarchal fashion they held council concerning the weal and woe of the society. We should not think of legal formalities in connection with these gatherings. The spirit of the saint ruled all and decided all. At the close of the Chapter, each friar, with the blessing of the beloved father, went his way along the road pointed out to him.

With the spread of the Order throughout all Europe this method could no longer be observed. The Rule of 1221 consequently commanded the Fall Chapter in the single provinces. Each minister was to summon his friars to a certain place, there to treat *de his, quae ad Deum pertinent*. The Chapter of Pentecost is now exclusively a gathering of the

ministers, and takes place annually at Portiuncula if the general does not decide otherwise. The provincials outside of Italy however are obliged to appear at this chapter only once in three years. In the final Rule of 1223, the fixing of the place of meeting was left entirely to the discretion of the general. Pentecost however is still insisted on as the time when the provincials and custodes are obliged to assemble, and this every three years, in case the general does not assign another time. Now for the first time, legal authority is granted to this General Chapter to the extent that it may decide as to the fitness of the general, and may, in case of necessity, appoint another in his place. At the close of the Chapter at Pentecost, the provincials and custodes can likewise summon their subjects to a Chapter in the same year, but they are not obliged to do so.

According to the rule the right of convening together with the designation of the place and time for the Chapter belongs exclusively to the general. These rights he also retained at least in essence up to 1517. As to the place, John of Parma had wisely decreed that the General Chapter should be held alternately on the two sides of the Alps. By this arrangement, the difficulties attendant on travelling should be equally divided, and the practical knowledge of the provincials concerning conditions in other provinces would be increased by personal observation. This ordinance was made a law of the Order by the Narbonne Constitutions and was repeated in 1500. But in point of fact, the law was observed only during the 13th and 14th centuries and even then not without exceptions. The Constitutions of 1260 also fix the time by statute, since they prescribe a three year interval, unless the general with the consent of the Chapter believes that the period should be lengthened. As the time, so also the place of the following Chapter is to be announced at the Chapter immediately preceding.

In this way a simple method of assembling the Chapter was developed. But it happened frequently that the agreements reached had to be changed for some reason or other, and then the general had the duty of convoking the Chapter again. In especially critical times, the Pope or the cardinal protector by order of the Pope, stepped in and called the General Chapter without consulting the general. We meet such cases from the time of Innocent IV to Leo X. Unique in the history of the Order is the chapter of 1239, when the friars came together against the will of the general Elias, since he had not held a General Chapter for seven years, and they could no longer endure his misrule.

Connected with the right of convoking the Chapter is the right of presiding over it. Consequently this right was ordinarily exercised by the general. For some special occasion, the Pope delegated the cardinal protector or another cardinal, and it was considered as a special distinction if the Pope personally attended the Chapter and presided over it. In case the general for some reason could not be present at the Chapter, the Constitutions of Narbonne had entrusted the discharge of the business of the Chapter to the provincial of the place where the Chapter was held assisted by two colleagues chosen by him. If it was necessary to elect a general, then the provincial alone presided until the election, and only if the choice fell upon an absent friar did he continue to direct the business of the Chapter with the help of two other provincials. If the Order had a vicar general, the position of praeses naturally fell to him; but should he then be elected general, an express papal dispensation was necessary, which in fact was equivalent to papal approval of the vicar's role.

All these decrees can be considered as a complement, a further development of the precepts of the rule. But the same cannot be said of those constitutions which since

the year 1239, treat of the membership and power of the General Chapter. According to the letter of the last rule, only the provincials and custodes were authorized members of the General Chapter; but participation was not forbidden to the other friars. And indeed such friars often appeared in great numbers; even novices were among them. Quite often the attempt was made to keep these *fratres supernumerarii* from the place of the Chapter; but the general was allowed to invite all the friars he wished in order to increase the solemnity. Thus we find an immense number of friars at most of the Chapters, frequently even from 3000 to 5000. A part of these was commissioned to hold scientific disputations, which St. Bonaventure already had begun in connection with the General Chapters.

But all such friars were excluded from the work proper to the Chapter. This work remained reserved to the provincials and custodes with whom were associated, after the abolition of the Definitors' Chapters, the *discreti discretorum* or the *discreti capituli generalis* who were elected at the Provincial Chapters. Thus three friars from each province were allowed to take part in the General Chapter, - the provincial, the custos (par. 38), and the discreets. Nowhere is there mention of a representation of the vicars at the Chapter. If the qualified friars for any reason at all did not appear at the Chapter, the general, either alone or by the counsel of the other Chapter members, could substitute other friars. With the exception of this one case, all influence upon the formation of the General Chapter was taken away from the general since all the participants were elected by the subjects themselves. Instead of the former absolutism, the Order had now evolved a constitutional government, and, even more exactly, a purely parliamentary government, of which the general was the executive officer.

The members of the General Chapter did not all enjoy the same rights. The Order remained faithful to the precept of the rule in so far that only the provincials and custodes were permitted to correct and to elect the general. All other affairs however were taken care of by the *definitores (diffinitores) capituli generalis*. All provincials and the discretes elected by the provinces were considered as such. At the close of the Chapter the discrete's authority ceased and the discrete could not exercise this authority at two successive Chapters. The subjects of a province had to elect a different representative for each Chapter. The name, *discretus*, is moreover occasionally used in the laws of the Order during the first centuries in the sense of Definitor, and oftener it signifies in general a prudent, experienced friar, but without any legal position. The general and provincial are often exhorted to avail themselves of the advice of such friars in difficult cases; consequently Benedict XII also calls them *consilarii*. In these counsellors more than in the so-called Chapter definitors one must see the forerunners of the present day definitors. But at that time the general and the provincial chose their *consilarii* themselves and indeed only for individual cases.

The Constitutions of Narbonne already had contained specific decrees concerning the order of business at the General Chapter. These decrees were indeed amplified in the course of time up to 1517, but there were no essential changes. According to these constitutions, first of all took place the *syndicatio ministri generalis* on the Saturday before Pentecost. The general accuses himself of his mistakes made while in office, and he then leaves the provincials and custodes. These are then locked in conclave by the guardian of the house and there they must remain without food until the correction, or respectively a new election, is completed. If only minor charges are brought against the

general he is called in to defend himself whereupon he must again retire from the room. Then the capitulars vote whether the general should be corrected or deposed. In the first case, he is again summoned to the conclave, there to receive his correction from the Chapter. But if the majority vote for his deposition, a deputation of the electors (*Disquisitores*) first advise him to resign; only in case he does not acquiesce in this is he considered deposed. Immediately thereafter begins the election of a new general, so that the Order again has a general by the beginning of Pentecost although he may not be present at the Chapter. The procedure in the election was minutely prescribed by the same statutes and was the same for all Chapters of the Order. The elector votes orally before the *Disquisitores* who are off to one side; and these must count up the votes. The result is then announced and he who has the absolute majority is considered to be elected. If after repeated votations, a majority is not attained, the election is then undertaken by from three to five "compromise-friars" chosen from among the Chapter members. The absolute majority of votes was sufficient for all voting at the Chapter; except in questions of the increase of provinces or the division of provinces was a two-third majority required. An appeal against a decree passed by the majority of the Chapter was illicit in all cases. To assure greater conscientiousness it was decreed since the time of Benedict XII that the electors must swear to cast their vote only for a worthy friar. Similarly, the ones elected were obliged to swear that they would discharge their office faithfully.

After the election, the business of the Chapter was suspended on Pentecost Sunday. On Monday a public session was held to which all the friars attending the Chapter were admitted. Sermons were preached, the number of those who had died was announced, and prayers were said for them. On Tuesday the business of the Chapter was continued, and now began the activity of the *Definitores capituli*. They had to pass on the reports sent in by the provinces, give hearings to the friars sent up for punishment, appoint teachers, preachers and missionaries, - in short everything could be brought before the forum of the General Chapter since it was considered a supreme court and the legislative body for the whole Order. Quite frequently also, liturgical decrees were promulgated, which however like the other statutes of the Order, required the consent of the majority of the Chapter. In the course of the 15th century, the Chapter seems to have given up the common discharge of the business and instead to have introduced a wise division of labor; at least the *Constitutiones Alexandrinae* speak of this. Instead of the numerous *Definitores*, smaller committees were now formed for the different kinds of business; the members of these committees are called *Auditores* or *Ordinatores*. At the close of the Chapter the general had to see to it that all the provinces received the decrees which were passed.

Most of the old General Chapters were brilliant assemblages enjoying the active participation of the people. Princes and cities exerted themselves to add their share to the solemnity, and not infrequently they shouldered the expenses; and the Pope, early in the history of the Order at times and later on regularly, granted indulgences; - once, in 1457, he even granted the Portiuncula indulgence. Frequently also, letters of good will (*litterae affiliationis*) were issued at the Chapters, which letters conceded to the persons designated in them a share in all the good works of the Order. These could moreover be issued by the general and the provincial alone. John of Parma gave out the oldest Letter of Good Will known to us.

Paragraph 37
Minister Provincial and Provincial Chapter

As the general, so also the provincials according to the words of the rule, should be *servi et ministry* of the friars committed to their care. Even the title of *Minister Generalis*, proper to the head of the Order, was often applied to the provincials in the 13th century. During the first years, the provincials were the leaders of the mission in those regions to which Francis had sent them. Upon their return to Portiuncula, they were usually freed from their office and were employed elsewhere. Even in 1221, their position is not thought of as permanent (*Nullus minister ... appropriet sibi ministerium*), but depends entirely upon the will of the general. But still they appear as a kind of intermediary official between the general and the fraternity and have definite powers: they decide upon the place of residence for their friars, appoint the preachers, accept new members, have the right and the obligation to hold visitation, and annually hold a Chapter with their subjects on the feast of St. Michael. The rule of 1223 changes nothing in this status; it merely deprives them of the right to approve preachers, a right which Gregory IX restored to them in 1240.

Elias therefore acted legally when he frequently transferred or deposed provincials. But his system must necessarily have been injurious to the development of the provinces, and as a result the General Chapter of 1239 deprived the general of the right to appoint and depose the provincials and decreed that in future the provincials, custodes, and guardians were to be elected. The same General Chapter also prescribed that the provincials in each province were to hold one Chapter and their subjects two every triennium. These Definitor Chapters for the provinces seem however to have had just as short an existence as those for the entire Order. It was very soon found preferable to unite these Chapters with the Provincial Chapter and to have this meet every year. This practice remained in force until 1517. When, by exception, the convention of a Provincial Chapter was not possible, a *convocatio custodum* frequently took its place. As compensation for the displaced Definitor Chapter, the subjects were given the privilege of electing *Discreti* from each convent, who were admitted to the Provincial Chapter as fully authorized members. The Provincial Chapter had now attained the same significance for the province as the General Chapter for the entire Order. The *Praeses* was naturally the provincial or his representative, and in case of necessity, the custos of the place where the Chapter was held. The order of business was, in general, the same as at the General Chapter. The year before the convening of the General Chapter, the election of the *Discretus capituli generalis* and the *Syndacatio ministri generalis* always had to take place at the Provincial Chapter as extraordinary business. The results had to be presented in writing to the General Chapter together with any complaints against the provincial himself.

As regards the members of the Provincial Chapter, the Constitutions of 1260 prescribe that besides the custodes, those friars must come who are commanded to appear by the provincial authorities; till there should not be too many present. By virtue of their office as representatives of the convents, the discreti were obliged to appear; frequently also the guardians were summoned, and the preachers, and especially the masters of theology; these last are also allowed to vote. It will be difficult to determine whether, as

a general rule, the other participants, especially the guardians and preachers, were fully authorized members of the Chapter even when they were summoned. In 1467, it was asserted that the guardians in themselves had no right to appear at the Provincial Chapter but that it was customary in many provinces to permit them to attend and to enjoy both an active and passive voice. This right of voting was especially important in the election of the *Definitores capituli provincialis*, by which we understand a committee which, together with the provincial, took charge of the main affairs of the Chapter. Towards the end of the period, in imitation of the General Chapter, *Auditores causarum* were appointed for the individual matters. The *Definitores*, four in number, managed the *Syndacatio* of the provincial, and decided all things pertaining to the Chapter; only in the drawing up of provincial statutes did they require the majority of the Chapter. Whoever was a definator at one Chapter could not act in the same capacity at the next one; this however did not hold for the so-called *Corrector*, who was elected likewise by the Chapter and exercised his office only in case a deciding vote was necessary at the *Syndacatio* of the provincial.

It is noteworthy that the power at the Provincial Chapter lay essentially in the hands of the subjects. The *Discreti* elected by them constituted by far the majority and through their *Definitores* could manage everything according to their own will. It was more of a Definitors' Chapter in the earlier sense of the word than a Provincial Chapter in which the minister could have the decisive word. The dependence of the provincial upon the *definitores* ceased however with the close of the Chapter since then their office ceased. In the interim he was bound only by the General and Provincial Statutes; in important affairs he was supposed to avail himself of the advice of some *Consiliarii* whom he chose according to his own liking (par. 36). It is easily understood that the esteem in which the *definitores* were held, because of the power given to them, was not inconsiderable. Thus it came about that gradually certain requirements for eligibility were set up, such as were demanded of a prelate in the Order, although at that time they did not have such a dignity. The General Chapter of 1354 already demanded that they be of legitimate birth and the Statutes of 1500 express the desire that they be chosen *ex solemnioribus patribus provinciae*.

The most important right of the Provincial Chapter was the election of the provincial. This goes back to 1239 and was sanctioned by the oldest edition of the General Constitutions. The provincial was not obliged to belong to the province, but could be elected from any part of the whole Order. The confirmation of the election pertained to the General. Opposition however, so it seems, made itself felt in the Order against the new system, whereupon Clement V in the constitution: *Exivi* (1312) again prescribed it as a law. The general retained the right of appointing the provincials only for the provinces of Ireland, Romania, and of the Holy Land. He could exercise such a right for the remaining provinces only when no election had been held on the appointed day, not however if the election was invalid for any reason. Not only the election of the provincial was the right of the Provincial Chapter but also his deposal, since the Provincial Chapter claimed rights analogous to those of the General Chapter. If the *definitores* found the provincial incorrigible, they could suspend him, and if the majority of the Chapter sanctioned their sentence, it obtained the force of law. They must however immediately inform the general of their action and await his answer. In the meantime, a vicar, elected by the Chapter, ruled the province. If however a visitor

general were present, the deposal could be juridically proclaimed, and a new election could be held immediately. Deposal outside the Chapter was permissible only in cases of urgent necessity, and always required the intervention of the general to whom it also pertained to accept any voluntary resignation of any provincial.

Not only the Provincial Chapter could depose the provincial; the General Chapter also had this right. It was an old custom namely that each provincial had to resign, either orally or in writing, at the General Chapter and if the resignation, by reason of the documents sent in by the province, were accepted, he was considered to be deposed and could not be re-elected by the province. But the election of a new provincial was the business of the Provincial Chapter, not of the General Chapter, which did indeed frequently usurp the right, and thereby called forth the protests of the parties concerned.

Any judgment concerning the benefits accruing to the Order from the introduction of the free election of the Provincial must be tempered by the fact that precisely in the periods of the Order's stress and need of reform, no other expedient was found but to suspend the free election and to return to the appointment of the provincial to the general. Direct appointment of the provincial by the general occurred very frequently even in the first period. Less frequent was the direct appointment of the provincial by the Apostolic See and even when this did occur it did not always attain the desired result.

Such extraordinary interference is more easily understood if we remember that the term of office of the provincials during the first centuries was not limited. By virtue of one election, he remained in office forever if he were not deposed, - and deposition required a legal process. Ambitious friars held these responsible positions longer than was good for the province, and at times even had recourse to civil princes in order to remain in office. Therefore Innocent VII decreed in 1405 that all provincials, who have been in office for ten years, are to be considered as deposed, and that in future no one may be provincial more than six years without express papal permission. Since this decree however was not observed in all places, Gregory XII repeated the command in 1411, and Eugene IV reaffirmed it in 1443. In 1446 the term of office in the province of St. James was even limited to three years; Nicholas V however abolished this regulation in 1453 since many conflicts and scandals arose in the province because of the triennial election. The whole Order probably made use of the grant of Nicholas V which permitted that the minister in the province of St. James might be re-elected for an indefinite time; especially since the general himself had been the cause of the Pope's intervention. The Statutes of 1500 again set up the three year term as the general norm, provided the general or the province do not decide otherwise for important reasons. The General Chapter of Troyes in 1503 extended this regulation to all superiors in the Order, but as it seems, without success. The same holds true for the Reform statutes of Julius II, which provide for an annual deposal and new election of the provincial. Despite all these varied decrees, the life long term of office of the ministers was observed by the Conventuals till 1517, at least in many provinces.

As permanent helpers of the provincial there are mentioned in this period a *socius discretus* and a *scriptor*, who is the forerunner of the later secretary of the province.

It happened quite frequently that the provincials, especially if they were sick or suffering from the infirmities of old age, delegated their power to a *vicarius* or *commissarius*. The General Chapter of 1411 therefore decreed that the appointment of such an official, if at all necessary, has to be made by the province or by the general. The

objection was well founded since such a provincial was obliged to resign or be deposed according to the statutes as unfit for office. It was also decreed that in future the appointment of a provincial vicar was permissible only if the provincial had to journey to the General Chapter, if he were deposed, or if he died. In the last case however, a provincial vicar was not immediately elected since there were no legally authorized electors present, but the custos of the place where the provincial had died summoned a Provincial Chapter as soon as possible and until this Chapter convened, there was no provincial superior. When the Chapter was finally assembled, the capitulars elected first of all a vicar who conducted affairs until the election of the provincial. Likewise if the Provincial Chapter could not decide on a minister on the day of election, it must at least appoint a provincial vicar who ruled until the general appointed a provincial. The provincial himself could appoint a vicar only for the time of his absence while journeying to the General Chapter.

The rights of the vicar were not definitely fixed in the beginning. In general, he could ordain what was necessary; his chief duty was to provide as soon as possible for the election of a provincial. It is only later that it was established that his power with some exceptions is to be same as that of the provincial.

Paragraph 38 ***Custos and Chapter of the Custody***

The name Custos is first mentioned in the Rule of 1223, but the office itself is older than its name. Due to the wide expanse of the first provinces, it was necessary to appoint special superiors for the more limited districts within the provinces, who governed their regions subservient to the provincial. Later on the name custos was given exclusively to these superiors of much smaller districts within the provinces; but during the first years the title was used also for the generals and provincials. And vice versa, during the 13th century, the custodes were at times designated by the title *ministri*. As to the duties of the custodes, St. Francis prescribed that together with the ministers they take care of the clothing of the friars and appear at the Chapter of Pentecost with the same rights as the provincials.

But this most important right was greatly limited by the decree of Gregory IX in 1230, according to which the various custodes of each province were permitted to send only one of their number to the General Chapter; this one as the *Custos custodum* takes part in the election of the general along with the provincials. Just as the provincial so also this custos appointed a vicar in his place for the time of his absence. By his decree, the Pope sought to limit the number of participants at the Chapter and to enhance the prestige of the provincials. The custodes had been so much more numerous than the provincials that they were able to wield the decisive voice and all the provincials taken together were not able to do much about it. Added to this was the consideration that according to the old ordinance the ultramontane provinces necessarily had the preponderance, since their provinces were larger and consequently divided into more custodies than the cismontane province. Naturally the custodes were not contented with the change and tried to regain the position given them by the rule. In this they were aided

by the Spirituals who imagined they saw a transgression of the rule in the ordinance. At the Chapter of Montpellier in 1287 voices were loud in their demand that all custodes should again appear at the Chapter or at least that the *Custos custodum* should have as many votes as the number of colleagues which he represented. Then it was that Nicholas IV reaffirmed the decree of his predecessor, Gregory IX. From that time, the custodes made no more attempts to increase their influence, and at times they even attached so little importance to their representation at the General Chapter that they frequently entrusted it to a friar who was not even a custos. This abuse was forbidden in 1421.

In the beginning the custodes had a sort of compensation for the lessening of their rights at the General Chapter in the great power which they had over their subjects. They could appoint and depose guardians without the intervention of the provincial, but this right, too, was stripped from them in 1239. Soon after the demand was even made to abrogate the office of custos completely as being without purpose. This did not indeed come about before 1517, but the authority and importance of the custos seems to have decreased continuously, notwithstanding the fact that they were declared to be prelates of the Order. Already in 1260 it was necessary to emphasize upon the guardians that they must obey the custodes, and that it was urged upon the latter that they content themselves with an annual visitation and that on this occasion they explain the laws of the Order in the vernacular. They shall refrain entirely from a secret visitation, and if they should hold one with the permission of the provincial, they must give an account of it to him.

The appointment of custodes underwent considerable changes. Under the old regime of absolute rule, this was the right of the provincial or general; from 1239 on they were elected by the subjects, but after a few years free election was discarded and the right of appointment was granted to the provincial in connection with the Provincial Chapter at which the custodes were always obliged to resign. Only in case the office is vacant already before the Chapter by death of deposal, can the provincial with the advice of some worthy friars appoint a new custos for the custody. This method was completely abrogated by Benedict XII. He ordained that the custos be elected at the Provincial Chapter by the discreets of the convents in the custody concerned and at this election, the guardians had no vote, if they had not been sent to the Chapter as discreets. The right of election also pertained to the same discreets in case the custos died some time before the Chapter; only the confirmation of the election is reserved to the provincial. But since this constant election resulted in many dissensions, Clement IV at the request of the general, annulled the decrees of his predecessor in 1343 and restored the old right to the Provincial Chapter. The *Constitutiones Alexandrinae* also adhere to this practice as long as other approved customs do not exist in the province. They demand, however, that ordinarily the custos shall remain in office only two successive years. Hitherto nothing had been prescribed on this point. New also was the decree, that the custos must be a Doctor or a *Baccalaureus* in theology, or a worthy preacher, or at least an upright man thirty years old. The same also holds for the guardians and much more so for the provincials. The Statutes of 1508 determine the regular term of office for the custos to be three years, but permit an extension.

We know very little about the Custody chapter, which, according to the rule, the custos was allowed to hold. The members of this Chapter were the discreets elected by the convents, and they were probably identical with the discreets of the Provincial Chapter. For a time the Custody chapters elected their own discreets for the Provincial

Chapter; for the rest they could only take counsel together concerning the welfare of the custody, since all legal authority lay in the hands of the Provincial Chapter. Consequently they never attained to any particular importance; what is more, toward the end of the 14th century, it was even doubted whether they had a right to exist. In many provinces they seem to have disappeared completely, in others however, they were retained until 1517. In case the provincial took part in the Chapters, they could, by way of exception, transact the business of the Provincial Chapter for their own custody.

Paragraph 39 **Guardian and Convent**

According to the will of St. Francis, the superiors of a residence were not to have a title such as Prior, but should simply be called overseer, Guardian. As can be seen from the biographies of the saint, such superiors existed from the beginning. They were necessary since a number of friars frequently lived together for a time in a hermitage or went on mission journeys without a minister. On a journey the director of the company was the guardian. His office consequently, must not have been connected with any definite territory, still less did he have a permanent legal position, but merely the right to command the friars entrusted to him. It is striking that the name does not even occur in the final rule, which shows how few residences the Order had in 1223. In the Testament, Francis does indeed strongly insist upon obedience to the guardian appointed by the minister but since this manifestation of his will had no binding force, it could still be doubted some decades later, whether the friars were obliged by the rule to obey the guardians. Others proposed giving up the name and wished it to be replaced by *custos domus* or *minister domus*.

In the beginning, no special qualities were demanded of a friar who was to be appointed guardian. We even find novices as guardians. But their dignity grew constantly as larger houses were accepted. Since 1239 laics were excluded from the position of guardians, and in 1260 the guardians received the dignity of prelates with the right of care of souls over their subjects. During the 14th and 15th centuries, the more the promotions to the magistracy in theology increased, the higher also were the demands placed upon the learning of the guardians. The Chapter of 1421 decreed that the larger convents at least had to have learned guardians, and about the year 1500 the same qualities were demanded of a guardian as of a *custos* (par. 38).

In general the position of the guardian was so much the more important the larger the house over which he presided. The most important convents of the Order were even partly exempted from the jurisdiction of the provincial and placed directly under the general. This was the case with the Sacro Convento in Assis, with the great study house at Paris at least toward the end of this period, and with the convent *in loco Curiae Romanae*. Apart from these *Conventus Generales*, the friars early distinguished between *loca conventualia* or *conventus* in the stricter sense, in which at least 12 or 13 friars could live continuously, and *loca non conventualia* where a smaller number, at least from 4 to 5 friars, lived for the greater part of the year. The hermitages were also counted among these in earlier times, but towards the end of the 15th century, the friars distinguished more strictly and called only those small residences hermitages, which had no guardian,

but only a friar who was called *praeses* or vicar. Formerly they knew only of *guardiani conventuales* and *guardiani non conventuales*; the latter were also called *guardiani loci*. Whether the small houses depended on the large convents nearby, and in what this dependence consisted, are matters not yet known. In any case the two did not enjoy equal rights, which was clearly demonstrated especially in the appointment of the guardian.

In the beginning, the guardian was simply appointed by the provincial; the change of constitution in 1239 however gave the choice of their superiors to the convents themselves. But this right was revoked already in 1242, and the Provincial Chapter now assumed the appointment, at least for the real convents. The *guardiani non conventuales* could be appointed by the *custos* after consulting with some friars, but he could not be deposed without the consent of the provincial. This arrangement was completely changed by the *Constitutiones Benedictinae*. Everything now had to conform entirely to the usages of the monastic Orders. In the *loca conventualia*, the guardian was canonically elected by the friars belonging to the house who had major orders and were at least 25 years old. The provincial or general retained merely the right of confirmation. The General Chapter did indeed have this method of election revoked in 1343, since it aroused great dissatisfaction in the convents; but in point of fact it was still observed in many places of the Order, even though the *Constitutiones Farinerianae* also opposed it. The *Statuta Martiniana* are completely silent on the matter, and the *Alexandrinae* wish indeed to give the right of appointment back to the Provincial Chapter but allow other praiseworthy customs of the province to remain in force. Still in order to make the reform of the Order possible, they, at the same time, give the general full authority to depose unfit guardians and to replace them with others, with the expressive argument: *Quia mala arbor non potest bonos fructos facere*. This sentence affords the best criticism of the electoral right of the convents. Since houses needing reform rarely receive good superiors through the votes of the subjects, who were to be reformed, the abrogation of the electoral right was indispensable in the part of the Order which was lax in discipline.

The electoral right of the convents which many provinces adopted during the 14th and 15th centuries in imitation of the monastic Orders had meaning only in case the friars adopted along with it also the principle of stability according to monastic practice. A sort of stability had actually been developed in the Order although this was contrary to its centralised organization. Even during the conflicts with the Spirituals, loud accusations were heard that many friars wished to settle permanently in their convents especially in their native land – *appropriatores conventuum*, they were called. At that time, this tendency was considered an abuse, and even in the 14th century we find no legal authorization for it. But as a result of the decrees of Benedict XII, the system must have developed more and more during this century, since the General Chapter of 1421 speaks of a *conventus natus* as of something universally known. The *Constitutiones Alexandrinae* understand by the *conventus natus*, the convent in which a friar is accepted into the Order as a member of that house. It is an essential point that the *conventus natus* was the one to which a friar was assigned upon his entry into the Order even though the reception had taken place elsewhere. This was a fixed custom among the Conventuals about the year 1500, so that the friars were distinguished precisely according to their membership in a definite convent. This membership could be dissolved by the *excorporatio* together with the *incorporatio* into another convent which was also called *adaptatio*. The right to the articles of which the friar had the use belonged to the convent

into which he had been incorporated, even though he had died in some other place. Within what limits the provincial could bring about an *excorporatio* without the consent of the friar is not clearly stated. It was permissible at any rate, because the same statutes admonish the ministers to proceed against the *appropriatio conventuum* as an abuse. Still there is also mention of *patres conventuum* who enjoyed a privilege over the others, by reason of dignity and age, and this probably made the *expropriatio* more difficult.

The length of office of the guardians was not limited in the first years. They were indeed obliged to resign at the Provincial Chapter, but if their resignation was not accepted, they could remain in office. It was first ordained in 1500 that no one may be guardian for more than two successive years. But it is very questionable whether this decree was observed.

The *Vicarius conventus* was early mentioned as the representative of the guardian; the guardian appointed him in the event of his absence. But as early as 1274 it is emphasized that the guardian should have foresight in this matter, and not act without the knowledge of the minister or the custos. The designation of a vicar for a case of necessity seems thus to have taken place already at the Chapter since otherwise the precept would have had little meaning. In the Constitutions of Cahors the vicar appears as such a previously designated representative of the guardian. In the 15th century the appointment was certainly made at the Provincial Chapter; whether or not the guardian could propose some friar is not certain. At times there is also mention made of a vice-guardian who probably is none other than the vicar. The *fratres discreti*, on whose advice the guardian must act in important affairs are, in this period, freely chosen friars just as the *consilarii* of the provincial or the general.

Like the higher superiors, the guardian also had the right to hold a Chapter, the so-called *capitulum conventuale*, which is not to be mistaken for the *capitulum culparum*. In the latter, which was already introduced in the Order in the 13th century, the guardian criticizes the faults of the subjects; at the convent chapter however the actions of the superiors were the subject of comment. Reports had to be sent in to the Provincial Chapter and by the help of these the *syndacatio* of the provincial and the other superiors took place. The guardian was obliged to hold a Chapter before submitting these reports. In this Chapter charges concerning the mistakes or the unfitness of the provincial and custos were brought forward and written down. When it was time to consider the failings of the guardian, he had to leave the Chapter and the vicar, later on the custos, then presided. Thus each friar could freely give his opinion of the guardian and have it communicated to the Provincial Chapter. Commendation of the guardian or a request to be allowed to keep him was however not permissible. Besides the *syndacatio* and the possible new election of the guardian, another important right of the convent chapter was the election of the *discretus capituli provincialis vel custodialis*, who more rarely was called *syndicus*. In the beginning all the friars belonging to the convent had the right to vote in this election, even if they dwelt in the neighbouring convents of the Clares. Even the lectors who were teaching outside of their province had an active voice which naturally, they could only make use of in writing. The *Constitutiones Farinerianae* were the first to exclude from these elections the youthful friars under twenty years of age, who likewise were not allowed to take part in the *syndicatio* of the superiors. That was the most rational decree published concerning the convent chapters which were, on the whole, very dangerous.

Paragraph 40
Constitution of the Observants up to 1517

When the Observance arose, it naturally was obliged to adhere to the legislation then in force in the Order, and it could depart from it only in so far as was permitted by the superiors of the Community. A relative independence was indeed granted to the French Observants by the Council of Constance, which permitted them to make their own laws; but this was not the case with the Italian Observants. Everything these did before 1443, they did with the express authorization of the general or provincial. They also could hold Congresses or Chapters and at these could appoint guardians, but everything was subject to the beneplacitum of the provincial. Even when in 1446, the cismontane Observance became as independent as the ultramontane, the two families did not agree upon a uniform set of laws. Each had its own vicar general, its own general Chapters and its own very often widely differing constitutional decrees. All this makes the exposition of history of the Observants extremely difficult. Also the communication of privileges between the two families granted in 1498 seems to have extended only to papal privileges, not to the decrees of the General Chapters concerning questions of law. The difference continued until 1517 and even after that time. Only occasionally did the two families of the Observants come together at the same Chapter, namely when, together with the Conventuals, they were obliged to hold a so-called *Capitulum generalissimum*; thus in 1430, 1443, 1457, 1458, 1506 and 1517.

Here only those points of the constitution shall be mentioned which differed from the general decrees of the Order in force up to 1517. First of all must be mentioned the ordinance given in 1444 by St. Capistran for the cismontane Observants, according to which the lay brothers are again supposed to have an active and a passive voice, and can even be elected as vicar provincials. Later on we hear no more of these singular decrees, on which account it is to be presumed that they soon fell into disuse. Just as unusual was the custom among the cismontane Observants of publishing the names of the voters. This was frequently contested and was finally given up in 1478 at least for the General Chapters. But public elections remained the practice at many Italian Provincial Chapters up to the Council of Trent. This council absolutely forbade it.

The essential points concerning the vicar generals have already been explained in the internal history. Their term of office lasted three years. A two-thirds majority was demanded for election. Abstracting from exceptional cases, the electors were the vicar provincials, the custodes, if any such were present, and the discretos. In the beginning, the newly elected vicar general and also the vicar provincial could exercise their office only after the confirmation of the general and provincial respectively had been given. In the meantime the vicar going out of office ruled as apostolic commissary. Since experience, however, proved that this method was not advisable, the cismontane family in 1475 and the ultramontane in 1493 made the newly elected vicar also the commissary until the requisite approval had been obtained. After 1514, the newly elected vicar provincial assumed his office immediately and was obliged merely to ask for the confirmation of the provincial within the first six months.

The wider the chasm between the Conventuals and the Observants, the more manifest became the necessity for the latter to provide their own procurators at the

Roman Curia. They were introduced by St. Capistran after the convent of Aracoeli had been handed over to the Observants; this convent was now directly subject to the vicar general as a *conventus generalis*. At first some worthy friars from the principal nations were supposed to conduct the business affairs of their respective countries as national commissaries; this number was eventually reduced to one representative for each of the two families. Leo X in 1515 gave them the important right, if necessary, of declaring all the exemptions of individual friars to be invalid. By this concession, a powerful weapon was given to the Order, in the struggle against subversive elements.

For a long time, the two families also showed a great divergence in the government of the provinces, even if we completely abstract from exceptional cases brought about by papal ordinances. The Statutes of St. Capistran demand that the vicar provincial resign each year at the Provincial Chapter, but he could be reinstated up to three years. The Provincial Chapters of the Observants, also called *Congregationes* or *Capitula vicarialia*, had to take place some days before the Chapter of the Conventuals, since all superiors were recorded on the one common tabula of the province. At the Provincial Chapters of the cismontane family, the guardians and discretos of the individual houses were entitled to vote.

In the ultramontane family, the vicar provincial was likewise elected at the Provincial Chapter which took place annually. But the ordinance demanding the annual resignation of the vicar provincial was dropped about the year 1470. The customs of each province were to be the norm in this matter. A new election must however be held after three years. From 1472 on, it was required that a Provincial Chapter be held merely twice in three years. In the beginning only the discretos of the convents were entitled to vote at the Chapter. Gradually however the appearance of the guardians was approved in the smaller provinces; but it was only in 1514 that they were generally recognized as voting members of the Chapter who, because of their office, had to appear together with the discretos. Before that time however it was not at all unusual for the guardians to be elected discretos and thus to take part in the Chapter. This is the reason for the frequent designation in the chronicles: *Guardianus et discretus conventus N.*

The usual order of procedure was observed at the Chapter. If new statutes were made, they were published either on the tabula of the Chapter, along with the other decrees (*inter tabulam*) or apart from the tabula (*extra tabulam*) if they were only exhortations of transitory significance.

As representatives or helpers of the vicar provincial we find, at least in the ultramontane family, a *commissarius* who was appointed for the time of the vicar's absence at the General Chapter, and a *socius vicarii*, who was accorded precedence after the convent preacher.

With regard to the custodes, the divergence between the two families was still greater. The Italian Observants apparently had no custos at all; only in Bosnia did the friars seek to retain them, but not without opposition. In the extensive ultramontane provinces, on the contrary, they existed from the beginning. In Spain about 1424, we even find a *custos gubernii*, who was not subject to any vicar provincial. The Statutes of Barcelona permit that the custos should be appointed in accordance with the prevailing custom of the province. According to these customs, the custos at one time was elected by the subjects, at another was appointed at the Chapters. If there were only one custos in the province he, together with the *discretus discretorum* was permitted to take part in

the General Chapter; if there were more than one, they chose a *custos custodum* from among their number. In 1472, effort was made to abolish the custodes completely, and where this was not possible, at least to reduce their term of office to three years. But the attempt in general met with so little approval, that even after the separation of 1517, the friars erected new custodies; whose leaders were elected by the subjects at the Provincial or Custodial Chapters. The power of the *custos*, however, had become very limited, and completely dependent on the will of the provincial.

Concerning the legal position of the convents, the cismontane family from Capistran's time, had clearly expressed their opinion that the rights conceded to the convents in the course of time, were to be limited. The guardian was appointed at the Provincial Chapter without any intervention of the convent. The convent however still retained the right of electing discretos for the Provincial Chapter. Thus it remained in Italy during the entire period and when other cismontane provinces wished to elect their own guardian, they were forced in 1507 to accommodate themselves to the Italian custom.

It was entirely different in the ultramontane family. Even before the introduction of vicar provincials, some convents in Spain received the right to elect their own guardians and also their vicars. The Statutes of Barcelona give to the convents in general the authority to elect the guardian; still later on we also find examples in many provinces where the guardians were partly appointed by the Chapter, partly elected by the convents. The Chapters quite often had to be admonished to observe the constitutions, and not to appoint guardians without the consent of the convent. The term of office of these guardians was usually three years, but this could be extended by the Chapter. We even meet one guardian who remained in office for 25 consecutive years.

The Chapter of Faults, which had to be held three times each week, attained greater significance in the Observance than among the Conventuals. Moreover the Convent Chapter, which elected the discrete and called the guardian to account, was also retained. In some provinces of France and Spain, however, the *syndicatio* of the guardian had to be modified, so that it was no longer held in common, but took place before delegates, who asked each friar his opinion and then handed the report to the Provincial Chapter. This method could be imitated by all the provinces. As a consequence of the rights granted to the convents, their demands in many places became so bold that the Order was compelled to take measures against those houses which considered the guardian as a friar subject to the authority of the convent and regarded the vicar, not as the substitute of the guardian, but as an appointee of the convent, whom they could depose at will. This audacity was foolish, but it is a logical sequence of the *syndicatio* of the guardian by the convent.

Besides the vicar, a *Tertianus* is sometimes mentioned on the tabula of the province, but no information is given of his powers.

Chapter 4

INFLUENCE AND ACTIVITY

A. INTERNAL MISSION

Paragraph 41

Influence and Activity of the Order in general

He who studies merely the internal history of Orders is easily led, from the blemishes appearing there, to draw conclusions which are too wide and quite unfavorable. This is a natural proceeding and holds analogously for all societies, yes, for all individuals. Is not the inner history even of the best, most zealous spirits an almost unbroken series of conflicts, victories and defeats with an ever present lag between Be and Ought-to-Be? And this, despite the fact that the same persons have perchance performed great deeds for which they have received the thanks and admiration of posterity. It is the same with the history of the Church and the Papacy. How unjust it would be, always to concentrate only on the internal conflicts and weaknesses, the perpetual striving after the ideal and all too frequent falls from it, and to overlook the immeasurable services, which the Church and Papacy have rendered to the world!

Now the same thing is true with regard to the history of the Franciscan Order and all its branches. In the internal history we have sincerely exposed the failings, the manifold defections from the ideal, and the continuous conflicts for its realization with all its human sidelights – conflicts which have indeed done much harm to the Order and especially to the individual combatants, but which, taken as a whole, do not dishonor the Order. They were fought not for money and goods and pleasure, but for a religious ideal, imaginary or true. And not last of all it must be said of these conflicts, that the Order as a whole never completely stagnated, but that it has remained vital and strong to the present day. The best proof of this is the history of the activity of the Order in all the centuries, a history which is by no means sufficiently investigated. There is still another circumstance, which makes it difficult to do full justice to the external activity of the Order. As with the secular clergy, the ordinary, quiet, incessant labor is not usually recorded, so is it also with the Order. The Chroniclers take care to note only the more ostentatious and extraordinary occurrences. The Historian then must base his judgments chiefly upon such happenings; but he should not conclude from a lack of such events to inactivity. Where circumstances of time and place do not furnish extraordinary events, or where the Order has not extraordinary men at her disposal, the ordinary activity by word and example always remains, and though nowhere described, still the value of this everyday activity can hardly be overestimated.

To obtain a general view of the activity and the influence of the Order in its early years, it is sufficient to recall the words of Jacques de Vitry already quoted (par. 4). In the second half of the 14th century Pope Gregory XI paints the activity of the friars in general in the following manner: *Alii a mundanis abstracti et gravibus poenitentiis dediti coelestibus inhiant et ad illas per contemplationis pennas suavius et altius elevantur ut*

aquilae et cum Maria parte optima perfruuntur, alii vero sanctam sollicitudinem Marthae sectantes celebrationi divinorum vacant solertius, alii discunt et docent Dei scientiam et alii plebem instituunt in eadem aliique ferventioris spiritus ardere succensi – non timentes sed amantes barbaras nationes – ad illarum conversionem pergunt intrepidi, ut valeant ad Dominicam arrham multos afferre manipulos et de talentis eis creditis Domino bonam reddere rationem. Hi profecto sunt fratres ordinis Minorum in Dei ecclesia multiplicibus splendoribus radiantes, quorum sonus, per praedicationis et sanctitatis opera prae ceteris religionum professoribus usque ad extremum terrae noscitur exivisse (Bullarium Franciscanum VI, 505).

The influence of the Order during the first centuries is similarly described by most of the recent, even non-Catholic historians. Let us hear only one such testimony: “By twos or threes they came marching along, barefoot, and in poor garments, but with hearts filled with the deepest love of God and men. The unusual sight aroused ridicule and persecution, but their angelic patience disarmed the opponents, and quietly changed their sentiments to wonderment, love, and honor. The people gave willingly to the simple, pious men. Immediately they began to build chapels, churches, and monasteries, relying solely upon liberal donations. These monks seemed to be beings of a higher nature. Tremendous power lay hidden in the idea of absolute poverty. The mendicant monk, who could expect nothing and lose nothing on earth, who consequently hoped for nothing and feared nothing, who had arisen from the lowest classes of society, was acquainted with their spirit and their needs; he was the friend of the poor and the downtrodden; their consoler, their defender, their avenger.

“The people flocked to the Churches of the new monks, and it was not only the numerous and important indulgences connected with these churches that effected this. The divine service of the Minorites was truly a genuinely popular one ... they did not limit themselves to the confines of the cloister, nor to the city, where they had their residences; they went everywhere. From city to city, from village to village they wandered; they read Mass, they preached, and heard confessions in a hut, in a barn, even in the open field. Principally however they turned their attention to the lower classes of people in the cities. The servants of the Church had hitherto paid little heed to these people. There the mendicant friars went among the townspeople and the proletariat who by a lack of divine service and schools had been almost completely abandoned; and the number of such people, particularly in commercial cities, was exceptionally large. In narrow, totally unsanitary alleys, a great population had already come together, which corporally was continually beset with suffering, hunger, and pestilence, and to whom depravity and vice had become a common affair. The Franciscan insisted upon the removal of filth, and prepared the way for cleanliness of air and soil, he made lazy men understand that even humble labor could protect one against hunger; as a friar serving in the Lazarettos he showed no fear of infection from leprosy or the black death ... Soon he was considered a benefactor by the masses of hitherto neglected men; they owed to his care the preservation of the body, to his teaching and his encouraging words, peace of soul. Thus the mendicant friar was the friend of the men in all problems, which life brought; and he was the friend of women in the care of house and children.” (Koch, *Die frühesten Niederlassungen der Minoriten im Rheingebeite*, Leipzig 1881, 72).

So it is easy to understand the unusual popularity which the Order enjoyed among the great and among the lowly, especially during the first centuries. Bartholomew of Pisa

dares to write: "I do not believe that there is any Order, to which the faithful are so much attached, as to this one." As proof he points to the generosity of the people towards the Order, the great number of candidates, the request of the faithful for a burial place in the churches of the friars, and especially the desire of many dignitaries, always to have the Minorites in their immediate neighborhood: "Look at France, gaze upon Germany, turn towards England, inspect Gascony, Aragon, Spain, Bohemia, Hungary, Austria, Lombardy, Sicily and all Italy and you will find that kings, the sons and daughters and wives of kings, knights, dukes, princes, barons, and those who are resplendent with the dignity of the world – all have Friars Minor in their dwellings as confessors and instructors." Certainly the Chronicler does not conceal the dangers to the interior recollection of the friars which arise from this activity; but he consoles himself with the benefit to mankind, with the furtherance of good and the attainment of an everlasting reward.

Be that as it may, it is certain that many emperors and kings, princes and bishops made use of the Minorites not only as confessors, but also as mediators to secure peace, and as ambassadors of every kind. That the Order well knew the dangers of such an activity, is shown by the fact, that it quite often secured a "privilege", by virtue of which the superiors could recall such friars at any time and could limit their activity. But the spiritual and civil leaders not only demanded the services of the friars, but they joined the friars in great numbers, in that they made profession in one of the three Orders. Bernard of Besse, the secretary of St. Bonaventure, remarks: "Bishops entered, and abbots, archdeacons, and learned masters in theology, princes also and nobles, and countless others conspicuous for dignity, nobility, and knowledge, the flower in a world of nobility and science." And indeed, the Chroniclers give us hundreds of names, among them many of imperial and royal rank, who entered the Order, or asked to be buried in the Churches of the Order, often clad in the habit of the friars.

Paragraph 42 ***The Minorites in the immediate service of the Holy See***

In contrast to the Albigenses, Waldenses, and similar sects who used their great influence against the Church, St. Francis from the very beginning had closely joined his society to the Church and to her head. The Order also on the whole always remained faithful to this aim of the founder and fought for the unity of the Church and for the recognition of the papal authority with a boldness which only those men can have who hope for nothing in the world and fear nothing from the world. The Popes gratefully recognized this and early drew the friars into their immediate circle, since they trusted in their fidelity and selflessness. Their expectations were not in vain: the Franciscans alone remained loyal at the death of Popes Innocent III, Honorius III, Gregory IX, and Alexander IV, while all the other intimates deserted their masters in an instant, when they had nothing more to hope from them.

The Minorites walked more or less near to the person of the Pope as papal *Capellani*, *Sacristae*, *Praedicatores*, *Poenitentiarum*. Among the latter three classes can be distinguished: such as were the actual confessors of the Pope, then the *Poenitentiarum Apostolicae Curiae* who were counted among the intimates of the Pope and were often

sent out as legates, and finally the apostolic *poenitentarii* in certain churches of Rome or in the papal basilicas of other places. The third class came into existence only after the close of the first period in the history of the Order, when Pius V established groups of *poenitentarii* in some churches, the members of which groups belonged to a certain Order. The ancient venerable church of the Lateran was entrusted to the Order of Observants, while the Conventuals were installed as the *poenitentarii* at St. Peter's after the suppression of the Jesuits by Clement XIV. The difficulty of the post at the Lateran as well as the uncertainty of material existence made assistance on the part of the Order and the papal curia necessary until well into the 18th century. Among the outstanding papal *poenitentarii*, the so-called Great *Poenitentarii*, the learned Cardinal Bentivenga († 1290) deserves special mention.

Of much greater importance than most of the above mentioned offices were the positions which the Franciscans accepted as Cardinals and Bishops, and this at all times and in every country. In the first century of its existence the Order already had 162 such dignitaries and up to the present time the number of cardinals of the whole Order amounts to 90, and that of bishops, archbishops and patriarchs exceeds 2500. Among these there were also some who, totally contrary to the spirit of St. Francis, sought dignities of this kind, but there were many more who persistently refused them, and could be forced to accept them only by the most strict command. Also it should not be passed over in silence that the raising of worthy friars to dignities outside the Order did indeed betoken an honoring of the Order, but it was also a severe handicap to its interests, especially when the General was thus appointed.

Meanwhile the Minorites were called not only to the ordinary ecclesiastical positions but just as frequently to the performance of extraordinary tasks. The call of Eugene IV to the Observants: *Segregate mihi viros in obsequium Sedis Apostolicae ab omni ordinis officio liberos* came very frequently in the course of the centuries from the Pope to the Order, most frequently indeed during the 13th century. In the conflict against heresy numerous friars were employed as *Inquisitores*, although conversion by word and example was more suited to the mild disposition of the Order's founder than was the reign of the Inquisition. Quite frequently too the friars appointed for this responsible position gave occasion for charges of insubordination towards the superiors of the Order or for other defects in their mode of life.

Just as little Franciscan was the part which many Minorites played in the conflict against the Hohenstaufen imperial house. Not as though they were opposed to this imperial dynasty as such, but as faithful servants of the Pope they considered it their most sacred obligation to defend his rights against all his enemies. As against heresy and Islam, so now they appeared as preachers of the Crusade against the Hohenstaufens, and for this they earned the hate and bloody persecution of the imperial partisans. And that not without reason. The Minorites and the tertiaries joined with them were a mighty power which did the king great harm. Convinced of the justice of their cause they fought with a heroism worthy of admiration, and they bore outrages and imprisonment and the most terrible martyrdom. Even a man such as the tyrant Ezzelin, who otherwise was not easily seized with fear, because of this heroism feared nothing in this world more than a friar belonging to the Order of St. Francis. Nor should it be overlooked that in this same conflict between Papacy and Empire, the Minorites also acted as ambassadors of peace, as often as there was any prospect of reconciliation. In 1228 Gregory IX sent two

Franciscans to Frederick II to negotiate for peace, ten years later the General Elias worked for the same cause, and in 1236 the emperor recommended himself to the prayers of the Minorites, and praised their pious mode of life.

While this great conflict was wreaking havoc in the kingdom, the Minorites sought to defend the empire against the Tartars, who seriously threatened it about the year 1241. By order of the Pope, they preached the Crusade against them. At the same time, other Minorites labored diligently to bring about a union with the Greeks. In 1232, five friars, who were active in the Orient, induced the Patriarch of Constantinople to commence negotiations with the Roman See. The Pope immediately sent two Dominicans and two Franciscans as *Apocrisarii*; but despite their undeniable ability they were not successful. In 1247, Innocent IV again sent a Minorite as legate to Constantinople, and then at the wish of the Greek emperor he sent the General, John of Parma, himself. This friar remained two years in the East and everywhere was treated with the greatest veneration as the “Angel of Peace.” Upon the insistence of the emperor Michael Palaeologus, Urban IV in 1263 again sent four Franciscans and these together with some later delegations so far furthered matters that the Greek emperor had his willingness for union communicated to the Pope by the renowned John of Monte Corvino in 1271. Among the four Minorites now sent was Jerome of Ascoli, the later Pope Nicholas IV, and he managed affairs with such ability that at the Council of Lyons in 1274 the union was actually accomplished. St. Bonaventure also deserves great praise in this matter.

But since the union was again disrupted after a few years, negotiations began anew during the 14th century and here again many Minorites were sent as representatives of the Holy See. All these efforts were crowned with success only at the Council of Florence in 1439, at which the General of the Order, William of Casale, St. Bernardine of Siena and Albert of Sarteano especially merited praise. Franciscans, especially the Vicar General of the Observants, James of Primadizzi, had also cooperated in bringing about the union with the Armenians which took place at the same time. Also about this time Eugene IV sent some of the friars, under the leadership of Albert of Sarteano, to the Orient to prepare the way for union with the Copts and Jacobites, which was, however, only partially successful. The Minorites also labored successfully during the 15th and 16th centuries among the Maronites, who had united with the Roman Church in 1182, but manifold abuses threatened the permanence of the union. The Belgian, Grifo, lived among them for 25 years, and built up a worthy native clergy.

The Popes also frequently used the friars for the accomplishment of other tasks. The chroniclers tell of about 300 friars, who were sent as legates or *Nuntii* to almost all the countries in the world. Similarly they were very frequently appointed as executors of the papal will in affairs of all kinds: here they were to act as judges in the election of bishops and abbots, reform cloisters, give marriage dispensations, dispense from ecclesiastical punishments; there they had to examine the Talmud and investigate local conflicts; in other places they were commissioned to warn bishops against squandering Church property and to admonish princes to right the injustices they had committed; and occasionally the Pope even entrusted to them the visitation of hospitals, the building of an aqueduct and the extermination of robber-bands.

Paragraph 43
Preaching in the 13th and 14th Centuries

Francis did not wish to found an Order in the old sense of the word, but his friars were to labor for the salvation of souls as well as for their own sanctification according to the example of Christ and the Apostles. Therefore in each of his rules he had a special chapter, “On Preachers” and he demands that all should have a special interest in the office of preaching. Those who are not able to announce the word of God by word of mouth, shall at least preach by their conduct. St. Bonaventure therefore justly remarks: “It is apparent that the friars by their profession have the duty of preaching; for in their rule, among all the rules, there is a special tract on the office of preaching. Hence it is most certain that to preach pertains to no other religious by reason of their state ore than to those who profess this rule” (*Opera omnia* VIII, 431).

The Founder and his first companions did so well what he prescribed for others, that Jacques of Vitry even speaks of an “Order of preachers, whom we call Friars Minor.” Without going into the disputed question whether the purely dogmatic sermon was preached along with the simple exhortatory sermon already in the first years of the Order, we may say “that the artless method of preaching used by the friars made the deepest impression upon the people. The example of abnegation and contempt of the world and the sermons on penance coming forth from the depths of religious conviction and personal experience, captivated the people and assured permanent results from the sermon.” Gregory IX could in consequence write those beautiful words: “Christ is born in the Order of Friars Minor and accomplishes the salvation of an innumerable multitude by example, doctrine, and miracles.”

The greater became the number of friars from all classes, the more dangerous it must have appeared to allow all to announce the word of God. Consequently in the rule of 1221 preaching was made dependent upon the permission of the Minister, both as to appointment and as to revocation. The rule of 1223 limited the freedom of preaching still more, since it demands at least the tacit consent of the bishop and the express permission of the General who must be convinced beforehand of the friar’s ability. On account of the difficulties connected with this, Gregory IX gave the provincials also the right to approve preachers at the Chapter (par. 6), and this decree has remained in force in the Order up to the present. Although the permission to preach could be recalled at any time, still it was natural that those who were found to be fit were ordinarily retained in their office. And thus a division of the friars into two classes arose – accordingly as they were considered qualified for the office of preaching or not. The preachers, especially the *magni praedicatores* enjoyed esteem in the Order and were regularly summoned as participants to the Chapters.

With the formation of a class of preachers, from which the lay brothers were soon completely excluded, is joined also the transformation of the early exhortation to penance into the sermon with scholastic form. The true Minorite sermon did indeed for a long time retain the character of the particular penitential and mission sermon, but still it was strongly influenced by the methods of the time. It was just at that time of the development of Scholasticism that the former homiletic method of preaching had to concede the field to the Scholastic form. In the same measure in which the new mendicant Orders perfected themselves in Scholastic knowledge, in so far their preaching

also adopted the Scholastic method. The great masters of eloquence in the 13th century indeed knew how to observe a proper moderation in this so that the strength and the success of their sermon did not suffer harm. But there were also those who brought the subtleties of the schools into the pulpit, forgetting the interior spirit, and thus they prepared the way for a decline in preaching. Roger Bacon already fought against this evil, and towards the end of the 14th century it seems to have been practically universal.

The first Franciscan who understood how to join the old and new method successfully was St. Anthony of Padua. At the same time St. Anthony shows us the ideal of a Minorite preacher. Equipped with the necessary knowledge and piety, the preacher, a model in word and work, must go wherever he is sent. His sermon should be taken from the word of God, and not be disfigured by fables. Free from all seeking after fame, he shall not speak about the excellency of his Order, nor of the multitude of friars and of their virtues. He should be intent solely upon the salvation of souls. Consequently he must be zealous in hearing confessions. Then if the sermon bears fruits, they will be garnered in the confessional. St. Bonaventure was of the same opinion; and he assures us that it was by preaching and hearing confessions that the friars were of the greatest use to the faithful.

It is universally conceded that the Order produced a multitude of preachers in the 13th century who came close to the ideal just painted. "Preaching," thus writes a Protestant scholar, "was the peculiar calling of the Franciscan ... Through Francis of Assisi, the Church became conscious of what was necessary for her and for the people. Such preaching demonstrated anew, as once in apostolic times, that the Gospel from the very beginning was destined for the poor, and that it ever brings inexhaustible blessings to mankind if its contents are only announced simply and sincerely ... Every Christian moral sermon is a sermon of love. And if sincere sermons on love were ever delivered, they were delivered by the Franciscans. The people wanted to have their own preachers, who spoke their language, who shared their sorrows and joys; they wanted strict and still mild correctors of morals – the Franciscans were all that the people longed for. Hence their unparalleled influence."

Italy probably had the greatest number of eminent preachers in the 13th century. Next to St. Francis, St. Anthony of Padua here made the greatest impression. We cannot understand this from the Latin sermons ascribed to him which have come down to us. It is certain however that, though a native of Portugal, he knew Italian as well as his own mother tongue so that his sermons attracted tremendous audiences – some reports say 30,000 – who afterwards hurried into the churches, where the confessionals and the priests were not sufficient, to satisfy their necessities. A result of these stirring penitential sermons was also the formation of processions of Flagellants, which became ever more frequent in the later Middle Ages, when as often happens, they degenerated more and more. Besides St. Anthony of Padua, the friar Leo of Pérego, later archbishop of Milan, Benvenutus of Modena, and Rainald of Arezzo, were all especially renowned as great preachers.

In France, Hugh of Digne († ca.1256) preached with such success that John of Parma called him a second Paul. Guibert of Tournai was very famous for his eloquence, and by order of Alexander IV, had to collect the sermons delivered before the clergy of Paris. Odon Rigaud, later archbishop of Rouen (†1275) also enjoyed great renown.

The Minorite preachers attained still greater importance in Germany. Together with the Dominicans they exercised a decisive influence upon the development of the German sermon. Without doubt they spurred the secular clergy on to imitation, since by their great preachers they gave the clergy models and by their homiletic works they gave them the means for more effective preaching. The foremost among these friar-preachers was undoubtedly Berthold of Regensburg, the most famous popular preacher of the Middle Ages and perhaps the most successful preacher the Order has ever had. From the middle of the century until his death in 1272, Berthold “the beloved of God and men” travelled through upper Germany, Switzerland, Austria, Silesia, Moravia, and Bohemia, everywhere preaching with such success that Roger Bacon is of the opinion that Berthold alone accomplished more than all the other preachers of the two great mendicant Orders taken together. Close to 40,000 hearers are supposed to have gathered frequently around his pulpit which was placed in the open. What gave his sermons such a compelling force, was the brilliant use of the Holy Scriptures, the very great clearness and freshness of composition, warm interest in nature and her beauties, the delightful abundance of illustrations and comparisons, the overpowering strength of the language combined with the tenderness of a childlike heart, and not least the reputation for sanctity which he enjoyed everywhere, and which assured him a grateful veneration after his death – a veneration which he received until the secularization in the beginning of the 19th century.

Like the sermons of Berthold, the collection known as “Preacher of the Black Forest” is a pearl of old German homiletic literature. Its compiler is probably a Minorite; at any rate he takes the contents from the sermons of the friar, Conrad of Sachsen who, together with a pupil of Berthold, the friar Louis, is numbered among the most famous preachers of the 13th century. In comparison with these the collection, with the title, *Greculus* (Piper, *Flores apostolorum*) and compiled by a friar at the beginning of the 14th century, is a step backward. This collection, like that of Conrad of Sachsen, was a welcome aid to preachers for a long time.

England also was rich in noted preachers and confessors. Haymo of Faversham, later general, and Radulph de Rosa in the first half of the 13th century, are mentioned as the most important.

Paragraph 44 ***Preaching in the 15th Century***

After a temporary decline in the 14th century, the preaching activity of the Minorites took an unexpected turn for the better in the 15th century, due undeniably to the new spiritual powers awakened by the Observance. “All Italy,” a contemporary chronicler remarks of the Observants, “was moved by (their) eloquence, doctrine, and sanctity and was aroused to the greatest devotion. Finally other regions sensed the odor of sanctity of these Christians and in such a way that all Christianity seems in some manner already reformed.”

This judgment is confirmed by the best authorities on the period of the Renaissance. “There had been at that time no stronger prejudice than that against the mendicant friars; but these preachers of penance overcame that. Humanism in its pride had been accustomed to criticize and to ridicule. But when these preachers began to

speak, people thought of Humanism no more. The history of these men, whose inner conviction was so deep and stirring, is all too little investigated as yet. This history is one of the most gratifying manifestations of a time, which had its full share of blemishes. It is precisely in these men that there is revealed the new fresh spirit which began to rule in ecclesiastical life ... The powerful impression, which these benefactors and saviors of the people made upon their contemporaries, was due chiefly to the arousing of their conscience ... The totally extraordinary concourse of people as well as the success of most of these preachers shows how much the fancy of the people was captivated by their method of preaching. When they appeared, the whole town and its surroundings were stirred. For the most part all business were suspended. Since the churches were not large enough, the preachers very often chose open places. Packed together by the thousands they listened to the sermons, which often lasted for hours. The effects, not infrequently increased by the use of very lively imagery and representations, were almost everywhere the release of imprisoned debtors, the burning of 'vanities', i.e., cards, dice, bad pictures, etc., restitution of ill gotten goods, the laying aside of enmities ... few epochs have furnished such moving pictures of the conversion of entire cities and regions as the period of the Renaissance."

To be sure, not all the preachers of this time deserve this praise. The better ones were even forced to advance charges against the faults and excesses of their companions in the preaching of the Word of God. These consisted partly in subtleties and in empty rhetoric, partly in the relation of false prophecies, apparitions, and superstitious narratives, partly in disrespectful, vehement denunciation of the sins of the prelates. Justice however also demands that the blame for such failings should not be laid at the door of the Orders to which the preachers belonged. The Chapters of the Orders repeatedly took measures against these abuses. The Observants specifically declared at the Chapter of Mechlin (Malines): "We consider such apparitions frivolous, deceptive, and fantastic." On the other hand, the superiors of the Order were often powerless if the Popes, as for example Calixtus III, entrusted the preaching of the Crusade to all religious, even without the permission of the superiors. That necessarily led to great abuses. Many preachers of indulgences were not much better. They had to collect money and only too easily did they laid the chief stress on the obtaining of such money rather than on the winning of souls. The great Ximenes some years before the outbreak of the Reformation opposed this method of preaching the Indulgence, but the General, Quiñones was the first to succeed in freeing the friars from this activity which was so harmful to the Order.

While on the subject of the faults of preachers, we must not forget those preachers who specialized in presenting disputed theological topics. Such sermons brought no spiritual gain to the people and only too often led to conflicts. A favorite was the dispute concerning the blood of Christ. More specifically, the question was whether the blood of Christ shed during the passion and separated from the body is still united with the Godhead and accordingly worthy of adoration. After this question had been thoroughly debated from the pulpit in the 14th century, it was revived again in the 15th century until Pius II commanded perpetual silence. By far the greatest number of outstanding preachers are without doubt from Italy. And here with few exceptions it was the Observants who, among all Orders, had the most famous popular preachers. And leading them all are the four pillars of the Observance. St. Bernardine had marvelous success everywhere. It was said of him that he had studied eloquence according to the model of

the ancients; this is certainly true of his pupil Albert (Berdini) of Sarteano (†1450), the “king of preachers” as the people called him. St. James of the March preached to very great crowds not only in Italy but also in Dalmatia, Bosnia, and Hungary; in particular does he deserve special honor for his services against the Turkish menace and against the Fraticelli. St. John Capistran surpassed them all in eloquence and in external results. The fame, which his activity in Italy had won for him, induced the emperor Frederick in 1451 to petition the Pope to send the great preacher to Germany. Wherever he came, priests and people went to meet him, accepted him as the legate of the Pope, the announcer of the truth, as a great prophet and a messenger from heaven. Even from the mountains the inhabitants poured down upon him and passionately desired to touch the mere hem of his garment. From 20,000 to 30,000 people came daily to his sermons and listened with greater attention to him, whom they did not understand, than to his interpreter. Thus, preaching penance everywhere, he traversed a great part of Germany, Moravia, Bohemia, Poland, and Hungary. The effects were absolutely extraordinary. After a sermon on death delivered at Leipzig, 120 youths entered various Orders. Together with these popular missions, he also worked against the Hussites and with still greater success against the Turkish menace. The Crusaders whom he assembled, and who were almost the sole aid of the heroic Hunyady, bore banners which displayed the cross on one side and on the other the picture of one of the saints of the Order. The outcome is known: Belgrade was liberated on July 14, 1456 and eight days later occurred the decisive victory over the Turks. “Thus Hungary and in a certain respect Christianity and the civilization of Europe was saved; they owed this salvation in good part to the fiery zeal of the tireless Capistrano who, together with Hunyady, had been the soul of the difficult fight, and had contributed most to its successful result.”

But these four men were not only the great preachers produced by Italy during the 15th century. More than twenty others can be cited who enjoyed unusual reputation and success, of whom however all too little is known. The most important names are: Robert of Lecce (†1483), whose *Opus Quadragesimale* had more than eighty editions, Anthony of Rimini (†1450), Sylvester of Siena (†1451) celebrated as a preacher on the Passion; further Michael de Carcona of Milan (†1485), Pacificus of Ceredano (†1482), Cherubin of Spoleto (†1484), Bernardine of Feltre (†1494), Dominic of Gonessa (Leonessa) (†1497), Bernardine of Bustis (†1500).

About the close of the century, Thomas Illyricus (†1529) developed an activity in Southern France which was extraordinarily blessed, while Olivier Maillard (†1502) denounced the evils of the times with unheard of audacity in the rest of the kingdom and also in Germany. Other celebrated preachers in France were Stephen Brulefer (†1500), John of Bourges and his companion John Tisserand (†1494) who labored especially for the conversion of fallen women. Not to be passed over is that preacher, Richard by name, who preached with great success in Paris at the beginning of the 15th century, who aroused the national consciousness of the French against the English invasion, and possibly helped to arouse the heroism of the Maid of Orleans.

Among the preachers in Spain, Benedict of Valencia (†1490) is mentioned as preeminent. We are better informed concerning the Minorite preachers in Germany. History especially praises the Westphalian Franciscans as the most famous German pulpit orators of the late Middle Ages. Some are very important for the general history of Homiletics because of the extraordinary popularity of their sermons among fellow

preachers, others were important because of the powerful influence they exerted upon their hearers in Lower Germany. Here belong from the first half of the 15th century John of Minden (†1413), Henry of Werl and especially John of Werden who published a much used sermon source book called *Dormi secure*. The Observants, John Brugmann (†1478) and Dietrich Coelde (†1515) of Münster won still great fame. The former, equally zealous as a reformer of the Order and an intermediary for peace as he was as a mission preacher, developed such an activity in Holland and lower Germany, that he was even compared to Bethold of Regensburg. His eloquence was proverbial. For centuries the expression was used among the people: O that you could speak like Brugmann! His work was continued by Coelde, of whom a contemporary declares: “His eloquence stirs the spirit and changes the life of a man as does a miracle.” Among the important preachers of lower Germany are enumerated also John Kannemann, who was famous especially as a preacher on the Passion, and John Kannengieszer, called the “trumpet of truth”, who was the Cathedral preacher at Hildesheim at the beginning of the 16th century.

Upper Germany also could point to renowned preachers of this time. At the beginning of the century John Gritsch shone in Basle (Basel); his sermons were distinguished for elegance of language. He found universal approval at the time of the Council. His successor, John Maeder did not indeed attain the heights of his master but he deserves to be mentioned as a preacher of the Passion and as the editor of much read sermons. John Pauli, a leading character in Homiletics at the end of the 15th century, had still more success in this regard; his work *Schimpf und Ernst* remained a favourite among the German people for a century. Among the Observants of the upper German province, especially famous as preachers were Peter Christmann (Christiani, †1483), John Alphart (†1492), Henry Kastner, and Stephen Fridelin (†1498) who was even considered the equal of Tauler. And universal grief reigned in Vienna in 1520 over the death of the favorite preacher, Theobald of Geislingen, who was known by the people as the “Apostle of Austria”.

Outstanding as preachers in the other countries were Pelbart of Temesvar, whose reputation extended far beyond the boundaries of Hungary. In Poland we have Blessed Simon of Lipniesz (†1482) and Blessed John of Dukla (†1484) who continued his work even after he became blind, and who labored strenuously for the union of the schismatic Ruthenians; finally Blessed Ladislaus of Gielniow (†1505) the “Sun of the Polish people”.

Paragraph 45 ***Influence upon Ecclesiastical Liturgy and Religious Devotions***

The religious Orders, just as individual dioceses, had extensive powers in the 13th century of making their own liturgical ordinances. The Minorites exercised this authority at the Chapters, especially at the General Chapters, which from the very beginning regularly published *Ordinationes circa divinum officium*. The two families of the Observance at first issued their own differing liturgical decrees, and it was only in the second half of the 16th century that liturgical uniformity was demanded of the two families.

Considering the great influence which the Order exerted upon all Christendom it is natural that many customs and practices of the Order found acceptance also among the Christian people and were finally approved by the Church itself. It has on this account been charged against the Franciscans, as well as the other Orders that they favored the externals to the harm of true internal piety. There is nothing more certain however than that the more important preachers of the Order strove with great success to deepen the religious life and to better morals. The Order in general also always emphasized the same aims and always exerted itself in encouraging the reception of holy sacraments. The people undoubtedly went to confession more frequently after the 13th century than before it. But on the other hand it cannot be denied that with the decline of learning in the Order, many friars laid too much stress on the external observances of piety, and for their advancement made use of means which border on superstition. How much of this must be blamed on the individuals, how much on the spirit of the times – for this tendency appears everywhere, among the secular as well as among the regular clergy – can not be discussed.

Moreover, it cannot be denied that the Order in general favorably influenced the development of divine worship of the ecclesiastical feasts and devotions. The most profound feast of our faith, after which a great part of the ecclesiastical year was named, the feast of the most holy Trinity, had indeed been celebrated in some individual places before the 13th century. But it was only after the Minorites had introduced it for their Order in 1260, and John Peckam had prepared a new office that it became more widely spread, until John XXII prescribed it for the whole Church in 1334.

Completely in accord with the spirit of their founder, the Franciscans devoted themselves chiefly to the veneration of the Person of the Redeemer; more particularly, they sought to bring the human side in Christ home to the people, placing the easily grasped and more appealing features in the foreground. “Crib, Cross, Sacrament” – the most evident proofs of the divine love, were preferably placed before the people for their veneration by the Minorites. The Christmas crib was indeed already known before, but since the beautiful crib celebration, which St. Francis had at Greccio, the Order zealously took upon itself the spread of this devotion and up to the present day brings before the people the mystery of the Incarnation and the Childhood of Jesus in the most diverse representations of the crib. Of greater practical importance was the fostering of the devotion of the Passion of Jesus, which likewise passed over from the founder of the Order to his children. St. Bonaventure composed a special office on the passion of the Lord, and the preachers and confessors were charged to lead the people more and more to the knowledge and imitation of the suffering Savior. The representation of the holy stations in Jerusalem was especially suited for this purpose, and in the West this was advocated particularly by the Minorites. The “Jerusalem transportata” which Bernardine Caimo erected on Mt. Verello near Milan towards the end of the 15th century seems to have been most noteworthy of these reproductions. From these representations, the Way of the Cross as we have it today gradually developed; the Franciscans, especially St. Leonard of Port Maurice, undeniably did the most for the spread of this devotion.

Not less fervent than this devotion to the Passion of the Lord was the veneration which St. Francis cherished towards the Holy Eucharist. In most of his letters and finally in his testament, he continually returns to this mystery and beseeches the priests and the faithful to have the greatest love and reverence for it. The friars from the very beginning

sought to comply with the wish of their holy father and to urge the faithful *ut Eucharistiam praecipue veneraretur*. The first successor of St. Francis prescribed that the friars should no longer hang the body of the Lord above the altar because of the possible dangers and disrespect, but that they should preserve it in a well closed tabernacle. A similar decree passed by the Lateran Council of 1215 had evidently not been successful. At the urging of the Franciscans, special fraternities arose whose primary purpose was the veneration of the Holy Eucharist. Thus, among others, Cherubin of Spoleto founded a society, whose members were to provide for a suitable escort of the Most Holy Sacrament, when it was carried to the sick. Among the saints of the Order Paschal Baylon distinguished himself by his extraordinary devotion to the mystery of divine love and on this account Leo XIII in 1897 chose him as the patron of all Eucharistic societies.

The veneration of the Name of Jesus, likewise, goes back to St. Francis, who, in general, wished to have all holy names treated with reverence. During the thirteenth and fourteenth centuries, the Minorites had advocated this devotion in a small way, until St. Bernardine of Siena and his disciple, John Capistran, gave it unusual prominence in their sermons. Thereby, they aroused violent opposition, but they bore this joyfully, since they were found worthy to suffer insults for the Name of Jesus. Clement VIII in 1530 approved a proper feast for the Order, which under Innocent XIII was extended to the entire Church.

Next to the person of the God-Man, St. Francis and his first followers were most devoted to the Blessed Mother. It is impossible to mention all the manifestations of that devotion here. Best known is the determination with which the Order championed the cause of the Immaculate Conception. The feast of the Visitation was also first introduced by the Order. During the fifteenth century, this feast was extended to the universal Church. Similarly, the feast of the Espousals of the Blessed Virgin Mary, as it seems, was celebrated first in the Franciscan Order, where the foster father of Jesus had been an object of special veneration almost from its beginning. The office of St. Joseph was introduced by a Chapter decree in 1399. In the fifteenth century, St. Bernardine of Siena and Bernardine of Bustis especially labored to spread his cultus. Only in 1621 did the feast of St. Joseph become a holy day of obligation. Just as the Order had honored the husband of Mary, so also it venerated her parents, Joachim and Anna, much earlier than the universal Church.

It is also noteworthy that the conclusion of the Hail Mary: “pray for us, sinners, now and at the hour of our death”, was also first used by the Franciscans and only during the sixteenth century did it become the common possession of the Catholic people. Much earlier, the Order had a special rosary of the seven joys of Mary, which had been introduced in 1422, and was spread especially by St. John Capistran. The practice, which has become universal, of ringing the Angelus bell, likewise originated in the Franciscan Order, which began to introduce it about the middle of the thirteenth century. Finally, may be mentioned the prayer, known as the *Benedicta*, which was frequently recited in the Order, since the thirteenth century. This prayer is essentially identical with the first nocturn of the *Officium Parvum Beatae Mariae Virginis*.

The influence of the Order upon the development of the Roman Breviary was of perhaps greater importance, although too little known and recognized today. St. Francis, who wished to pursue entirely different aims than those of the older contemplative

monastic orders, desired to free his followers from their time-consuming choir service. Consequently, he did not prescribe for his followers the detailed and lengthy office commonly demanded for choir service, but he prescribed the much shorter office, used in the *Capella papalis*. By order of Gregory IX, the General Haymo undertook to make further changes and abbreviations. He likewise issued a new edition of the rubrics for the Missal. This Franciscan Breviary was prescribed for churches of Rome by Nicholas III, and also for the churches in Avignon, after the transfer of the papal curia to that place. In the course of the fourteenth century, this breviary won more and more adherents, so that towards the end of that century, it was universally recognized as the official breviary of the Latin Church.

A second, still more radical reform of the breviary, was also made by a Franciscan, the Cardinal and former General of the Order, Quiñones. By order of the Pope, he was supposed to do away with the abuses and errors, which had crept in gradually especially in the lessons of the second nocturn. He was also to remove those parts which were more suitable for the choral, rather than for the private recitation of the breviary. He distributed the psalter over the week, in such a way, that each hour of every day had different psalms, almost the entire Holy Scripture was to be read once a year, and all versicles, responsories, and antiphons were eliminated. In this way, he obtained a somewhat equal office for each day, which was moreover much shorter than the former office and thus brought welcome relief, especially on Sundays, to priests engaged in the care of souls. This fundamental reform was, to be sure, not without fault and naturally, it aroused a considerable number of opponents. Because Quiñones had taken into consideration the completely changed circumstances of the times and the new tasks, which they put on the priests, he was charged with the grave crime of departing from tradition. But, by far the greater number of priests, especially of the diocesan clergy, gratefully and enthusiastically welcomed this departure from tradition. This is sufficiently proved by the fact, that the new breviary, after the appearance of the first edition in 1535, had to be reprinted seven times within seventeen months. During the forty years of its existence, about 100 reprints were made, despite that fact that special permission was required to use it. Pius V did away with this breviary by the new breviary which he issued.

The influence of the Order upon the Roman Missal was not so great. We have already mentioned the change in the rubrics of the missal, made by Haymo. Besides this, John of Parma prescribed that a pall, separated from the corporal, must be used. The Chapter of 1354, demanded that all priests of the Order make a commemoration of the Pope in the Canon. It is not known in how far these decrees, which soon came into universal practice, signify real innovations. In conclusion, mention must be made of the efforts, which Ximenes made, as archbishop of Toldeo, for the reintroduction and the preservation of the Mozarabic liturgy in Spain.

Paragraph 46 ***Social activity***

“The social activity of the Franciscan Order extends from the foundation of that Order to the present day. The foundation of the Order itself was a social undertaking, the

establishment of the Third Order was a social work of the greatest importance. The activity of the Franciscans embraced the entire life of the people, transforming everything, shaping all things anew. The Franciscan Order was essentially a social Order, which put the stamp of its origin upon all created things. As the earlier cloisters had selected a solitary location ... so the Mendicants sought the cities Here the Franciscans developed a comprehensive social activity, unique in the history of the world.” In these words, a modern scholar depicts the effect of the Franciscan Order upon the social field in general.

If one asks, however, on what theory this activity was based, or what was its goal, an opponent of the Franciscan movement supplies us with the answer: Francis wished to make man once more the master of economic activity, since he strove to govern this activity by the power of ethical ideals. To be sure, we may only expect this to be understood by those who, led by the teachings of Christianity, see more in man than a mere machine, and consequently place emphasis upon the accumulation of wealth, in so far as these are to be acquired at the cost of man’s dignity and happiness. It is true that the doors through which happiness comes to us, must first be opened in our interior. And the first care of the Franciscans in the development of their social activity was to open these doors. By the example of their extreme moderation, joined with the imperturbable joy, which was mirrored on their countenance, they proved that man could be happy without riches. They were a living sermon against avarice. Then they extolled the poverty of the Lord and of the Apostles as a genuine blessing, so that ever wider circles began to lose their former contempt for poverty and many of the poor became contented with their lot. And he who understands how to bring contentment and peace to social outcasts, for such there must ever be, has done far more for the solution of the social question than he, who, at the expense of others, produces vast economic wealth.

To this is added the insistence upon labor by St. Francis for his friars, but always with the stipulation that thereby they should not lose the spirit of devotion. This spirit of prayer and labor was transmitted by the Franciscan to the people. They should labor, indeed, but in such a way that they did not become mere machines and that their higher interior life did not suffer harm. In order to foster and protect this spirit, the Franciscans favored the organization of the workers in the cities into guilds, which, while protecting their social interests, also furthered the religious life of their members. No religious order was so closely connected with these medieval guilds as were the Minorites. These associations of workers held their meetings in the same Franciscan churches, wherein many distinguished persons wished to and had been buried. Thus the friars constituted the bond which knit together the various classes of the people. This was true even more of the Order itself, for in its ranks persons of the highest classes as well as of the lowest, dwelt together without distinction. In that Order, the friars who sprang from the poorest classes could easily become the superiors of the former rich and noble.

Precisely because of the harmonious blending of the representatives of many classes within its ranks, the Franciscan Order was equipped, as few others, to put an end to the hostilities between the princes and their people and to calm the factions in the cities. They were the best and the most successful arbiters in numberless feuds. To bring peace was to be one of the special occupations of the sons of St. Francis, for he had commanded them to announce peace to all, with the words *Dominus det tibi pacem*, or *Pax huic domui*. Whithersoever the friars came, narrates an old legend, they immediately

announced peace. Nevertheless, despite numerous well known single instances, a complete exposition of this part of the social activities of the friars is still lacking.

But the Minorites were not content with merely theoretically explaining the principles which could bring to the poor peace with themselves and with the rich. They also worked energetically for the betterment of the conditions of the poorly situated lower classes. Of the pious gifts which have passed through the hands of the friars for the poor and which are still passing through their hands to those in need, we shall not speak; very few have any inkling of the extent of such gifts. The friars also stepped forth as protectors of the oppressed against their lords, were those lords kings or imperial representatives, as was Ezzelino. Berthold of Ratisbon frequently championed the cause of the domestic servants and demanded worthy treatment for them. He refused to preach in one city because of the oppressive taxes imposed upon the people there. Other friars established foundling homes, hospitals, cared for the captives and those condemned to death. They even tried to bring all possible help to the unhappy Enzo, the son of Frederick II, who had persecuted them. Albertin of Verona wished for the love of God to bring food to Enzo, who had been condemned to die of starvation. When the guards refused, he made a bargain with them: I will play dice with you. If I win, I shall have permission to give him something to eat. Albertin actually won, and brought to the unhappy man the longed for nourishment and loving consolation. Such real Franciscan scenes were not unusual occurrences.

We are more accurately informed concerning the activity of the friars on behalf of the lepers. In this work, they merely imitated the example of their holy founder. They cared for the bodily wants of the sick, and administered to the dying the last rites of Mother Church – perhaps the only activity in which the Franciscans never were the objects of envy. Frequently, the leper house was their first residence, when they came into a new city, and often enough they themselves became victims of the disease. It is related of one Franciscan in Germany, who was stricken with leprosy, that even in that sad plight, he did not lose the true Franciscan joy, but composed very excellent songs and poems, which were sung and whistled everywhere. One of his confreres, John of Diest, when bishop of Luebeck, established a religious society of leprouous women, who were to encourage the other sufferers to patience as well as to care for other lepers. The Franciscans also showed their heroic spirit during the frequent plagues which broke out during the Middle Ages. For centuries the people recalled lovingly what a great popular missionary, Dietrich Coelde, had done in one such case in Brussels. In order not to infect his brethren, he had erected a tent on the market place and there he kept the Most Blessed Sacrament. Hither the plague stricken, who were able to move, dragged themselves, the others he sought out in their own dwellings. He allowed himself no rest by day or night, until the pestilence had ceased. Then he quickly vanished from the city.

The establishment of the *Montes Pietatis*, the forerunners of the modern pawn shops and loan banks, also shows how the Franciscans were not interested merely in their own sanctification, but also in aiding the people. It is a proof of the close connection of the Order with the people, of its full understanding and sympathetic attention to whatever concerned their weal and woe. It was precisely Franciscans, with their contempt of capital, who were obliged to show the way to the middle classes, who stood in need of money. From free-will offerings, contributed by wealthy persons, these middle class people, in exchange for security and a moderate interest to cover expenses, were able to

receive a loan, sufficient for their present necessities. Whoever understands the sad lot of the people, who had suffered much at the hands of the usurers, easily perceives what a social benefit was hereby bestowed upon them. To be sure, the Franciscans here, as so often in the course of their history, came into conflict with firmly rooted prejudices, which had all the dignity of an irrevocable law. In this case it was the prohibition to receive interest, which at that time was strongly insisted upon, although economic conditions made the observance of the prohibition impossible. The Franciscans, however, all therosits to the contrary notwithstanding, fought faithfully and well on the side of the people for decades, until finally the Lateran Council adopted their view. Among the numerous friars, mostly Observants, who defended the *Montes Pietatis*, Barnabas of Terni, the founder of the first Italian *mons* at Perugia in 1462, and Blessed Bernardine of Feltre, who did most for the extension of the movement in Italy, are deserving of special mention.

The relation between the Franciscan movement and the advance of civil liberty, a relation hitherto only too unsatisfactorily investigated, should not remain unmentioned. It is accepted as proven that the beginnings of democracy in Italy go back to St. Francis. In England, the principles, which later led to the formation of the constitutional state, are supposed to have been first formulated within the ranks of the Minorites. In any case, the Franciscans were the particular friends of Count Simon de Montfort and of Bishop Grosseteste, both of whom were among the most active champions of the liberties of the people. Whether similar relations cannot be discovered in Germany remains the task of future investigations.

Paragraph 47 ***Relations with the Parochial Clergy***

Nothing was further from the mind of St. Francis than to infringe upon the rights of bishops or pastors by the apostolic activity of his followers. "We are sent to be of assistance to them," was his opinion, "to supplement, what they cannot accomplish." The friars can more easily accomplish their object, namely to work for the salvation of souls, if they are in harmony with the clergy than if the clergy is opposed to them. The first friars also acted accordingly, and we do not hear of any disagreement with either bishop or pastor, although many were hostile to them. But the more the activity of the Order showed itself efficacious in all spheres, the more the people attended the sermons of the friars, confessed to them, and left the parish churches empty, the more also did there develop, in many places, an opposition between the parochial clergy and the mendicants, although never was it universal.

To evaluate the situation properly as it revealed itself in the thirteenth century and also here and there later on, we must abstract from the faults and excesses of individuals on both sides. If the mendicants at times openly inveighed in their sermons against the known sins of the pastors, or if the friars did not respect the actual rights of the parochial clergy, this is in no wise to be condoned. On the other hand, there is no justification for the demands of the pastors that the friars should not assist at holy Mss in their own convent churches on Sundays, or that they should receive the sacraments in the parish church, or that many pastors even wished to appoint the superiors of the convent and be

present at the chapters of the friars. Neither can the whole blame be placed at the door of that ancient source of evil in the Church, ambition and jealousy, even though those vices did play an important role. Nor can the real cause of the trouble be shrugged off with the remark, that some pastors were fearing for their source of income, although that too was often justified. The ultimate reason for the opposition between the parochial clergy and the mendicants lay rather in the widespread idea, that the parochial clergy alone were qualified for and called to the care of souls, and that any care of souls, exercised by the friars, constituted an intrusion. In principle and also historically, this view is indeed false; for the most important labor in the care of souls, the evangelization of a nation or country, usually is not accomplished by the parochial clergy. But, practically, with the formation of the parochial organization, the clergy had become so thoroughly imbued with this notion, that they considered a departure from this system to be a violation of their rights. The clergy overlooked the fact that the mendicants had received the mission of caring for souls from the supreme head of the Church, just as they had received it from their bishop. Therefore, we must inquire: was the action of the Pope in granting the *cura animarum* to the friars, necessary, or even only useful to the Church? How far could the Holy Father go in favoring the friars, without harming the just interests of the bishops and the pastors? The historical development of the conflict, which we can trace only in its main points, will answer both questions.

After the centralized organization of the Order had been perfected, the exemption of the Order from Episcopal jurisdiction in all matters, which concerned the relations of the friars among themselves, was a necessity. Besides, the Pope granted quite early that the superiors should have this care of souls of their subjects, together with the right of imposing censures. Likewise the Supreme Pontiff also granted to the friars independence in the celebration of divine services in their own churches. All these privileges were no innovations; the older Orders had possessed them for a long time. But, the Pope could not stop with these grants, if he did not wish to deprive the Church of the efficacious services of the mendicants. Consequently, he granted them also the right to preach with the permission of the bishop, and to administer the sacrament of penance. That the Pope had the power to make these concessions, no one will deny. That he was forced to act thus, will be clear to any one, who knows ecclesiastical conditions of the thirteenth century. All historians are unanimous, that it was preeminently the mendicants, who lead the masses of the people in that century back to the church or kept them there. Not only the Holy See was aware of this fact, but also many bishops, especially those, who were zealous in their Episcopal duties. Such bishops welcomed the mendicants, as valuable aids. A synod of Trier in 1227, admonishes the priests of their duty to instruct the people, but at the same time, it forbids the *illiterati et inexperti* to exercise the office. Instead, they shall permit the Dominicans and the Franciscans preach. Similar decrees were issued likewise in other dioceses. Many bishops accepted the office of *Conservator Apostolicus*, whose duty it was to protect the mendicants against attacks on their rights. Such *Conservatores* are met also in the seventeenth century.

There were, however, men who opposed the mendicants for any reason whatsoever. Instances of such unreasoning opposition are met even during the very lifetime of St. Francis. Hence, the Pope in 1219, wrote to the bishops and the rectors of churches: *Cum dilecti filii, frater Franciscus et socii ejus, de vita et religione Minorum fratrum abjectis vanitatibus hujus mundi elegerint vitae viam a Romana Ecclesia merito*

approbatam ac serendo semina Verbi Dei apostolorum exemplo diversas circumeant mansions, Universitatem Vestram rogamus ... quatenus ... ipsos recipiatis sicut catholicos et fideles (Since our beloved sons, brother Francis and his companions of the life and Order of friars Minor have despised the vanities of this world and have chosen to live according to a way of life duly approved by the Roman Church, and they sow the Word of God according to the apostolic way and undertake many tasks, we kindly pray all of you to accept them as Catholic and faithful). In the years which followed, the friars received the right of using a portable altar, of holding divine service behind closed doors in their churches during an interdict, and of having their own burial places for the friars. At the same time, the Popes were obliged to forbid the prelates to excommunicate the friars or their guests, or to hinder them in the use of the privileges conceded to them, especially in the exercise of the office of preaching. All parochial rights and parochial incomes, however, were to remain intact. Nevertheless, the opposition of many pastors increased greatly and they brought forward claims, which far exceeded the field of their own lawful interests. Gregory IX lashed out sharply against these men in several encyclicals in 1231, all of which begin with the words: *Nimis iniqua vicissitudine largitori omnium respondetur, dum ii qui de Christi patrimonio impinguati luxuriant damnabiliter, in eodem Christum in famulis suis patenter persequi non verentur.*

The following years brought repeated renewals of the papal insistence upon the rights of the friars. In particular, bishops and pastors shall concede to the friars the right to preach and to hear confessions, since by their state of life they are also called to these duties. The mendicants, on their part, shall not deter the faithful from the payment of tithes to their pastors, and, what is more, in their sermons they should admonish the people to pay. In 1250, the Pope expressly granted that the friars may bury the faithful in their churches, if these so wish. Although the right of the faithful to choose their own places of burial, cannot be contested, still there was in this privilege a certain diminution of the revenues of the pastors. Hence their opposition, in this point, seems intelligible and excusable. The Franciscans, on their part, did not insist on this privilege. On the contrary, they decided to refuse all petitioners for burial in their churches, whenever it was possible without giving offence. They also procured from the Pope permission that no one might be buried in their churches without their consent.

The friars, however, defended their other grants and privileges, especially those concerning preaching and hearing confessions. St. Bonaventure, when General, proved himself an able and zealous champion of these rights against all attacks. In his work, *Quare fratres Minores praedicent et confessiones audiant*, he proves that the friars have a full legal right to perform these offices, since they have received apostolic authorization, just as every pastor. The Pope granted these faculties to the friars on account of the need of the times, for *rari sunt pastores in ecclesiis, sed per leves vicarios animarum cura venalis exponitur*. Help must be extended to the many, who would not confess their sins to the pastor at any cost. Souls should not be allowed to perish merely because of some legal technicality, since all ecclesiastical power is granted for the salvation of the people, not for their ruin. It was always a consolation to all zealous priests, he says in another passage, to see that the salvation of souls is being promoted no matter by whom.

But the voice of reason whispers unheeded, where material interests or passions contend. Innocent IV annulled the privileges of the mendicants in 1254. The conflict and excitement was renewed, when the privileges were restored a few weeks later. The

opposition to the friars was intensified by the friendly attitude of Alexander IV and of his successors towards the friars, especially by the bull of Martin IV, *Ad fructus uberes*, of 1281, even though this bull did not grant the mendicants any important new rights. What is more, this bull reiterated the decree of the last Council, which prescribed that all the faithful were obliged to confess to their pastors, at least once a year. That point having been settled, another question, a hardy survivor of long debate, was revived with renewed vehemence, whether in the confession to be made to the pastor, only the sins committed since the immediately preceding confession must be told, or whether all the sins of the past year must be confessed, even though they had been already told to a mendicant confessor. Many pastors held the latter view, a point which aids us not a little in obtaining and forming an objective judgment of the conflict and its motives. The two great mendicant Orders admonished their members to make only moderate use of their privileges, especially in absolving from Episcopal reservations. Still the conflict reached ever greater proportions, especially in France, where the quarrel at the university of Paris had deeply stirred the emotions. Bishop William of Amiens, now came forth as the advocate of the parochial clergy. At his request Nicholas III sent in 1290 several cardinals to France to investigate; among the cardinals were Caetani, the later Boniface VIII. They held a synod in Paris within the same year. After a violent speech of accusation by William of Amiens, a young bishop arose and protested against the preceding speaker: *Esto quod privilegio papali fratres non gaudeant adhuc etiam, si eos prohiberem et eis vices nostras non committerem; judicarem me mortalissime peccare, quia hoc eorum vita declarat et doctrina sana. Et quia omnes parum reputamus salutem animarum, dignum est, ut pressuram sustineamus ecclesiarum.* So much at least can be seen from this that there were some decided friends of the mendicants even among the French bishops. Finally, Cardinal Caetani spoke, defending the attitude of the Holy See: *Quia nobis commissus est mundus, cogitare debemus, non quid expediat vobis clericis pro vestro libitu, sed qui expediat universo orbi ... non enim vocati sumus propter scire vel gloriose apparere, sed propter nostras salvare animas.* Thus, at least, two prelates of the secular clergy were in complete agreement with the Holy See, on the main point of the controversy.

After Caetani had become Pope, he had the authority to end the conflict, and he did this in 1300, by the bull *Super cathedram*. This bull stated that the mendicants may freely preach in their own churches and in the public squares, but not at the time, when the pastor of the place is preaching. Only with the permission of the pastor may they preach in parochial churches. Furthermore, the superiors of the Order must present a number of worthy friars to the bishops and the bishops must grant them the faculties. The friar confessors may absolve from cases reserved to the bishop, only if the bishops delegate them. Liberty in the election of a burial place remains, as formerly, the right of all the faithful; but, in order that the parochial clergy may not suffer a too great material loss, the mendicants must give them the *quarta funerum* in all cases, when any one wishes to be buried by the friars. In this way, the Pope satisfied the lawful demands of the bishops and pastors, without hampering the activity of the friars.

Benedict XI abrogated the provisions of this bull of his predecessor, but events soon showed that this abrogation was not conducive to peace. Hence, the bull was restored by Clement V in 1312. Thereafter, with brief interruptions, this bull of Boniface was the norm for a century and a half. In spite of its wise regulations, conflicts did occur

quite frequently, because one or the other party did not observe the prescribed decrees. The conflicts of greater importance center about the names of John of Polliaco, master of theology, about 1321; Richard of Armagh, about 1350; Humbert, bishop of Basle, about 1406; Master John Wichet in England about 1409; Master Philip Norveys, likewise of England, about 1440. These and similar quarrels were all judged according to the Bull, since that was able to satisfy the demands of both parties. Sixtus IV, consequently, rendered a poor service to the mendicants, when he granted more liberal privileges to the mendicants, for that furnished legitimate grounds for complaints by the secular clergy. The Lateran Council in 1516 sought to effect an acceptable compromise and urged both parties to mutual friendly feelings. In 1517, Leo X modified this work of the Council, to the prejudice of the secular clergy. A permanent settlement was reached only at the Council of Trent. It specified accurately the rights of pastors and gave to the bishops the unlimited care of souls in their dioceses. Religious can exercise the care of souls only by delegation of the bishop.

Even though the religious Orders lost many of their former rights through the decrees of the Council of Trent, still they were assured of an opportunity to exercise the care of souls peacefully, in accordance with their station. From that time, the conflicts of principle ceased. The diocesan and the religious clergy can now work in harmony to the evident advantage of both and to the great gain of the people, as long as human passions on one, or the other side, do not disturb the equilibrium.

B. FOREIGN MISSIONS

Paragraph 48 In General

“I now begin a noble subject, for I now begin to write of the glorious and exceedingly great labors of the Friars Minor throughout the entire world, of sufferings and death, endured for the sake of Christ and of His Church, and for the defense and propagation of the Catholic Faith.” Thus Gubernatis begins his history of the missions of the Order, a work, which the author was never able to complete. Indeed, this chapter on the foreign missions will be one of the most glorious in the entire history of the Franciscan Order, if the necessary preliminary studies are ever made to enable the historian to write a treatise, corresponding to the importance of the subject. Until that time, some notes, often very unsatisfactory and disconnected, must suffice.

The call to mission work was, so to speak, inborn in the Order, breathed into it by the founder, who wished his followers to imitate the apostolic life, in word and deed. Here, as everywhere, St. Francis himself led by example. Frequently did he set out for distant lands, although he succeeded only once in realising his ambition and preaching before the Sultan. Even though St. Francis’ efforts did not have the hoped for success, still his example gave the impulse, which aroused a new missionary renaissance, whose influence was to extend to the far ends of the earth. In his rule, St. Francis inserted a special chapter: “On those who wish to go among the Saracens and other infidels,” in which he demands that any one who feels himself called to the missions must have leave from his provincial minister. The granting of the request is left to the judgment of the provincial, who may on no account give permission, unless he is convinced of the fitness of the petitioner. The need of that injunction was only too evident. Even during the thirteenth century, it had to be insisted upon repeatedly, because many provincials permitted not the most worthy, but at times precisely the unfit friars to go to the missions. Thus they harmed the missions grievously, instead of aiding them in every way, as their position demanded.

Abstracting from such blunders of individuals, the Franciscans labored in the missions with the greatest self sacrifice. They went forth as sheep among wolves, without diplomatic protection, without political designs, animated only by a desire of winning souls for Christ. Their renunciation of all selfish ambitions and their poverty were for many, a more efficacious sermon than were their words. In the course of the thirteenth century, missionaries of the Order are found in particularly all parts of the then known world, as can be seen from the papal letter: *In terries Saracenorum, Paganorum, Graecorum, Bulgarorum, Cumanorum, Yberorum, Alanorum, Gazarorum, Gothorum, Sichorum, Rutenorum, Jacobinorum, Nubianorum, Nestorianorum, Georgianorum, Armenorum, Indorum, Meclitorum, aliarumque non credentium nationum Orientis et Aquilonis*. In the fifteenth century, the Order had missions from Lapland to the Congo, and from the Azores to China.

The original zeal for the missions was reawakened by the Observants. Pastor writes of them: “They showed a courage and an endurance, which had completely vanished from the secular clergy, and even from the other Orders. In Bosnia, Dalmatia,

Croatia, in Moldavia and in Wallachia, in all the regions, which had already been forfeited or were inexorably being forfeited to the Crescent, - in all these places the Observants defended the Christian faith step by step, often with sword in hand. They had their homes in Jerusalem near the grave of the Lord, in Bethlehem and elsewhere in the Holy Land, on the islands of Rhodes and Crete. They dwelt on Minorca and Iviza, whence they followed the voyages of discovery to the Canary Islands and to Guinea.” One can easily understand the missionary zeal of the Observants, if he reads the persuasive words, which St. John Capistran addressed to his subjects to inspire them with zeal for the missions and for martyrdom. The true missionary, he writes, must, from the very start, be determined to suffer every outrage, even death itself, for Christ. Many Franciscans have actually shown such determination. We are lacking complete statistics of the missionary martyrs of the Order, but we do know that their number amounts to many thousands.

The Dominicans also worked in almost all the places, where the Franciscans labored and at about the same time; their activity is omitted in the following account, because that lies outside the scope of our work. A special mission society was formed by the members of the two Orders, with the statutes confirmed by Innocent IV in 1252. The society was called *Societas peregrinantium propter Christum*. Its activity was centered in Eastern Europe, where it laid the foundations for a whole series of new bishoprics. The members of the society were under their own bishops and archbishops, to whom wide powers had been granted. As a consequence, there were occasional conflicts with the bishops of Russia and Hungary. The society began to die out gradually in the course of the fourteenth century. Although Boniface IX tried to revive it in 1399, his efforts did not have any permanent beneficial effect. The onward march of the Turks made its work ever more and more difficult, and, after the fall of Constantinople, the activity of the society stopped completely.

Here, as in so many other instances in mission history, the sacrifices of these brave men were brought to naught by unfavorable circumstances. Because their efforts had no permanent results, since the countries evangelized were later lost to the Church, their labors are at times unjustly belittled. If that is to be the norm of judging the success or failure of missionary enterprises, then we must also condemn the activity of the apostles, for example of St. Paul, since the churches which he established have almost all without exception fallen a prey to Islam or at least passed over into schism. Consequently, the historian is justified in praising the heroic labors of these pioneer missionaries of the Order, even though later influences may have obliterated most of the results of their sacrifices.

Paragraph 49 ***Europe***

In Europe the Order had its most important missions on the Balkan peninsula. If the results here were not proportionate to the great sacrifices or to the many martyrs, the reason lies in the political and religious circumstances of the country, which have precluded success up to the present.

The Friars seem to have labored first in Albania and Montenegro. They were there by 1240. Many bishops from the Order are mentioned in Antivari during the 13th and 14th centuries and about the middle of the 15th century. Eugene Somma is praised by Nicholas V for his untiring labors. Then came the Turks, devastating the land after the heroic defense of Skanderbeg; they destroyed all the documents which could have given us more accurate information. The friars, who were able to save themselves, withdrew to the mountains and from there took care of the few Catholics.

We possess much more information concerning the missions in Bosnia. The Friars came into the country for the first time under Nicholas IV. They came from the province of Dalmatia at the request of King Stephen for missionaries who knew the language. The king himself was baptized but his fervor did not last long. Bosnia became once more the center of Manichean sects. The Franciscans continued to work under the leadership of Brother Fabian until they were finally expelled and their churches destroyed. In 1340 however, the General Gerard, with some friars, again entered the country under the protection of the king of Hungary. By his preaching he won a great part of the nobility to the faith. He also established some convents and sent more friars. Among these friars was John of Aragon who distinguished himself by his readiness to dispute with the Manicheans, and Peregrin of Saxony, who became the first provincial vicar and then bishop of Bosnia. Despite the unfavorable economic situation of the friars, Gregory XI in 1372 insisted that the Order send new missionaries. In order to obtain his end more certainly, the Pope even permitted the friars to go to Bosnia without the permission of their superiors, and expressly dispensed them from the opposing precept of the rule. The efforts of the friars were crowned with greater success towards the end of the century. At least the Pope wrote in 1402 that they had converted more than 50,000 unbelievers. The number of residences had steadily increased and this gave a firm basis for the missionary activity which was carried on by the Observants in the 15th century. Eugene IV praised their constancy when he wrote that they “made themselves a wall for the house of the Lord and for the spread of the orthodox faith.” Particularly successful there against the Manicheans were St. James of the March, St. John Capistran, and Fabian of Bachia. When the Bishop of Bosnia asked for more friars in 1451, he offered as the reason: “It is to be well noted that in places occupied by heretics, the heretics disappear before the friars as wax before a flame.” Then in 1463 the Turks conquered the land and fearfully devastated it. Many friars were killed. Only after the heroic Franciscan Angelus Zojedzovic had obtained an edict of toleration for the Catholics from Mohammed II in 1464 could the friars (the only priests still residing there) carry on the necessary care of souls. This they did indeed only amidst great struggles and continuous persecution. “They live continually in martyrdom,” a chronicler writes.

The mission history of Serbia has many points in common with that of Bosnia. The southern part of Serbia was formerly called Roscia. Induced by the Queen Mother, Helena, who was a Catholic, Nicholas IV in 1288 sent some Franciscan missionaries. More friars were sent in 1307 at the request of the king. The labors of these missionaries were brought to naught by the vacillating conduct of the king and by the opposition of the Greek schismatics. In 1354, the Pope sent a new band of friars under the leadership of Bartholomew, the Franciscan bishop of Trau (Tragori) in Dalmatia. But when Bajazet I routed the Serbians in 1389, the missions had a hard time. It was only after Tamerlane’s victory over the Turks in 1402, that the Franciscans could again build monasteries and

churches and continue their missionary efforts. At the Council of Florence, the union of the Serbians with the Roman Church was accomplished successfully. But events soon showed that it was merely an external union, entered into through fear of the Turks. While these continued to make great inroads into the country, the opposition at home from the schismatic clergy also increased. The Franciscans were grievously persecuted and thought of leaving the country. When the Vicar General, Mark of Bologna, heard of this proposal, he wrote to the friars: "What is it that induces you to value so little the palm of martyrdom? Is that the spirit of true Christians?" Continuing his exhortation, Mark wrote that the entire Order would be disgraced, if they should abandon the field of labor, entrusted to them, because of fear of death. The friars remained in the country. Conditions improved a little after the defeat of the Turks in 1456. But the Turks soon wiped out that disgrace and completely conquered Serbia in 1502. A long period of suffering now began for the missionaries.

The Pope had wished to unite Bulgaria, which had united with the Greek Emperor against the Latins, with the Roman Church at the Council of Lyons. Innocent IV sent Franciscans as his legates to the princes, "because We believe, that they will be more acceptable and useful to you, imitating as they do the lowliness of the Savior." The result of this mission is not known. Later attempts, undertaken by Nicholas IV, likewise were not successful. The Bulgarians remained hostile to the Roman Church, and in 1314, even killed the Franciscan, Angelus of Spoleto, when he advocated union with the Pope. Conditions improved only after the king of Hungary had subjugated the country in 1366. Numerous Franciscans now arrived, especially from Bosnia, who were able to announce the glad tidings of the Catholic faith without opposition. These missionaries are supposed to have baptized 200,000 unbelievers within a few months. The laborers, however, were too few. In a letter to the General, the king asked for 2000 more missionaries immediately. The General favored the request and sent a very large group of friars to Bulgaria, who labored with such success that within a comparatively short time, they were able to erect formal parish life. The missionaries then requested the Pope to send secular priests to continue the ordinary care of souls, so that they might be free to labor in other places for the conversion of the unbelievers. Some decades later this prosperous mission was destroyed, when Bajazet I conquered Bulgaria in 1393. Five Franciscans suffered martyrdom at that time, more through the malice of the schismatics than of the Turks.

The position of the missionaries was not much better in the North: Wallachia, Moldavia, Podolia, and the territory along the northern shore of the Black Sea, inhabited by the Cumani. The "Rutheni seu Russi" had been invited to unite with the Roman Church by John of Piano Carpini. His invitation was accepted only in the region around Kiev, where some princes and bishops consented to the union in 1247. In 1359, we meet a Franciscan bishop in Black Russia, Thomas Nimperquy. About 1370, Nicholas Mlesat of Crosna labored in the same territory with about twenty five friars for the extirpation of pagan abuses and for the conversion of the still numerous unbelievers. These friars were permitted to call thirty other friars to assist them in their work, without asking the permission of the higher superiors of the Order. But some secular priests, among them the bishop of Lemberg and a priest, John, continually aroused difficulties for the friars and thereby harmed the union with Rome.

In Moldavia, Duke Laczko had received baptism in 1371, together with his people. Several years later, the missionaries in Wallachia received their own bishop, the Franciscan Anthony of Spalato, who also labored zealously for the conversion of the pagans. The work was difficult and was carried out at the cost of many sacrifices. Greater advances seem to have been made in the fifteenth century due to the activity of St. James of the March and Fabian of Bachia. This advance was wiped out to a great extent after these regions fell under Turkish domination in 1460. In 1476 alone, 40,000 Christians were dragged away into captivity and slavery by the Mohammedans.

Lithuania was pagan until well into the fourteenth century, although the Franciscans had preached the Cross there in the middle of the thirteenth century. Their work, however, had been hindered by the Teutonic Knights who, for political reasons, had continued to harass also the converted Lithuanians. The friars' position in the country was precarious for other reasons also; for, about 1325, thirty-six Franciscans were murdered by the idolaters in the neighborhood of Vilnius. Conditions improved permanently after the prince Jagello was baptized, taking the name of Wladislaw. He furthered the conversion of his people in every way. The Franciscan, Andreas Vazilo, became the first bishop of the country. In the beginning of the fifteenth century, the Polish Franciscan, John, called the Small, labored there with great success. Towards the end of that century, Blessed Ladislaus of Gielniow is mentioned with honor as a missionary in Massovia.

In Prussia, Livonia, and Courland, also, the Franciscans, by order of Pope Alexander IV announced the Gospel. Residences were established in those lands, although the persecutions at the hands of the pagan population continued for a long time and caused the martyrdom of several friars. In 1261, we meet a Franciscan, Albert, as bishop of Marienwerder and founder of the city of Riesenburg. The Teutonic Knights inexplicably caused difficulties for the friars also in these regions, even destroying churches and convents, so that the Pope was forced repeatedly to interfere. The archbishop of Riga, who was himself a Franciscan, was obliged to bring charges of this nature against the Knights as late as 1318. After the beginning of the fifteenth century, conditions became more settled, and the friars were able to form a separate custody of four convents. These were destroyed by the Reformation 100 years later.

The mission in Lapland, which was staffed by friars from Norway and Sweden, towards the end of the fifteenth century, suffered the same fate at the hands of the Reformers.

The other countries of Europe had been won for the Catholic Church long before the thirteenth century, with the exception of Southern Spain, which was under the sway of the Crescent, and in part also Corsica, where half pagan sects found refuge and savage customs darkened the Christian life. After the ex-General, Parenti, had begun a mission there, other friars arrived in the course of the fourteenth century, to continue the work, under the leadership of Mundinus of Bologna. The Observants, especially Blessed Anthony of Stronconio, also labored in that country in the fifteenth century.

The kingdom of Valencia, which was under Moorish domination until 1238, was the scene of the missionary labors of John of Perugia and later of Sassoferrato, begun in 1231, but they were soon martyred at Teruel.

Berard had already preached, together with his companions in the country around Granada and there in 1392, the open profession of the Christian won the martyr's crown

for the friars John of Cetina and Peter of Dueñas. Only after Granada had been conquered in 1492 could there be any thought of a fruitful mission activity there. Ximenes certainly did very much for the conversion of this kingdom, but his methods cannot be entirely sanctioned. Many converted only externally and gave the Inquisition trouble for a long time.

Paragraph 50
Africa

During the thirteenth century, Franciscan missionaries are found along the entire northern coast of Africa, from Morocco to Egypt. St. Francis himself had wished to go to Morocco, but he sent instead friar Vitalis with five companions. When sickness forced Vitalis to remain at home, Berard led the group to the longed for martyrdom, which befell them on January 16, 1220. They were the first martyrs of the Order. The famous friar Electus with his companions soon followed them and on October 10, 1227 Daniel and his six companions were martyred after they had announced the Christian faith in Ceuta. The friars were able to erect some convents in the territory of Morocco in the following years and the bishop was usually chosen from among their number. Despite the royal protection, which they enjoyed, deeds of violence always recurred from time to time. Much blood was shed in that country for the faith and an admirable spirit of sacrifice was requisite to hold out there throughout the centuries and thus bring the comforts of their religion to the Christians.

St. Francis had sent friars also to Tunis under the guidance of a certain friar Giles, but these were able to work there for only a brief time. Other friars, however, arrived to carry on the work and from 1270 on the friars were allowed to announce the Gospel openly. There were not many converts among the indifferent Mohammedans of that country. About the beginning of the fourteenth century, the Tertiary, Blessed Raymond Lull, also preached in Tunis, as well as in Algiers, until he was stoned in 1315 and succumbed soon after from the wounds. Some decades earlier, Blessed Raymond had founded a Franciscan college on the island of Mallorca, where the friars could learn Arabic. He had demanded that chairs for Oriental languages be erected in all the larger cities of Europe, so that as many worthy missionaries as possible might be trained for the missions among the Mohammedans.

After Oran had been conquered by Ximenes in the beginning of the sixteenth century, Franciscans immediately established residences there to bring spiritual help to the Christians, many of whom were there enslaved.

Blessed Conrad Miliani of Ascoli (†1289) preached with extraordinary success in Libya during the last decades of the thirteenth century. More than 6,000 conversions are ascribed to him.

The missionary activity of the Franciscans in Egypt was more continuous. Saracens, as well as schismatics, made the work here always difficult; but the friars in the Holy Land never wished to cease their labors in that country, since Egypt was too important as a line of communication with the West. Through the centuries, the Order has had numerous martyrs in Egypt, many of whom died amid terrible torments. The principal martyrs are: Francis of Spoleto, 1288, Livinus of France, 1345; Nicholas of

Monte Corvino and Francis of Naples, 1358; Bartholomew Martinozzi of Monte Politiano, 1370; John Ethaeus of Spain, 1373. The chief activity of the friars always consisted in the pastoral care of the Christians, especially of the slaves, many of whom had embraced Islamism and had to be won back again. The friars also worked for the union of the schismatics with Rome; in this they were partially successful, especially during the fifteenth century. Anthony of Garay, bishop of Tama on the Nile, around the beginning of the sixteenth century, preached for twenty years among the Copts and Mohammedans.

In Ethiopia (Abyssinia), in consequence of its isolation, a peculiar form of Christianity had developed in the course of centuries, replete with Jewish and Mohammedan elements. But the people of that country had always nourished a longing for something better. When John of Monte Corvino was travelling through India on his way to China, legates from Ethiopia came to him to ask for good preachers, because, since the time of Christian antiquity, they had never received further instruction in the Faith. John wrote to the Pope from Peking in 1307 that he should send missionaries to Abyssinia. Whether anything came of this letter is not known. John XXII did attempt to induce the country to unite with the Roman Church. Eugene IV was even more zealous in his efforts. Albert of Sarteano was supposed to go to Ethiopia, but he was unable to do so personally and sent instead some of his confreres, among them Blessed Thomas of Florence. The Egyptians made his journey as difficult as possible. Still he seems to have at least brought the Pope's message through to Ethiopia. As a consequence, friendly correspondence and relations were introduced between the Pope and the king. Sixtus IV appointed the Observant, Jerome Tornelli, prefect of the mission in Ethiopia. But, before Jerome could reach his destination, an Ethiopian prince, returning from a journey to Jerusalem, brought back with him some friars from that city as missionaries. In the meantime, a change of dynasty had altered the internal situation, and a small band of friars were able to accomplish very little. The friars, sent from Jerusalem in 1484, as reinforcements for the Ethiopian mission, were murdered on the way.

Just as the friars established mission stations in those African lands, known to antiquity, so they were also eager to occupy the regions, discovered in the late Middle Ages. When two Genoese ships attempted in 1291 to reach the East Indies by sailing around Africa, two Franciscans accompanied them. Whether the attempt was successful cannot be ascertained. The last message, sent to their native land, was dispatched from the western coast of Africa, about the ninth degree of north latitude. No one had hitherto had ever advanced so far, and it was more than 100 years, before the adventurous Portuguese seafarers repeated the attempt. These later explorers and discoverers were also usually accompanied by groups of friars, who wished to be on hand to set up missions immediately in any newly penetrated lands.

The Canary Islands were discovered in 1344, and soon after five Franciscans are supposed to have met a gruesome death there; others place this martyrdom in the fifteenth century. It is certain that the Franciscans came again in 1402, when the archipelago was conquered upon orders from the Spanish king. The friars this time converted the people within a short time and established very many convents. Among the missionaries on the Canaries, St. Didacus deserves special mention. He was sent to the island of Fuerteventura, as guardian of the convent, in 1441.

When the Madeira and the Azores Islands were discovered in 1420 and 1444, respectively, the Observants quickly travelled out to these uninhabited spots in order to lead an untroubled life in contemplation and pious exercises. Naturally there was no missionary activity, but the friars found ample opportunity for work among the immigrants to the islands.

In 1446 the friars arrived together with the first Portuguese ships at the Cape Verde Islands. Friar Roger, a Frenchman, immediately began to evangelize the natives. From this spot on, the Franciscans accompanied the courageous Portuguese explorers all the way around Africa to the East Indies.

Alphonse of Bolano labored after 1459 for the conversion of the natives along the coast of Guinea. In 1472, he was appointed Prefect Apostolic of this strip of land. With the aid of new recruits, whom he had obtained, his efforts proved very successful, despite the scandalous conduct of the Christian merchants, who not infrequently sold the newly converted natives into slavery.

From Guinea, Christianity was spread to the regions of the Congo. Here Franciscans labored exclusively in the beginning. Their success was unusual. Even one king was baptized together with his people. Only later did missionaries from other Orders arrive. All the missionaries, however, were Portuguese, since the king of Portugal had the right of selecting the missionaries, and he chose only his own subjects. This royal right was the cause of much harm to the missions. The missionaries went preferably to the larger Portuguese colonies in Brazil and in the East Indies, where opportunities were greater, and the priests from the mother country, appointed for the African colonies, limited themselves to the ordinary care of souls of the colonists and ignored the welfare of the natives.

After the Cape of Good Hope had been rounded, eight Franciscans landed in 1500 on Mozambique under Henry Alvarus of Coimbra. Nothing further is known of their mission. Just as little is known of four confreres, who landed the following year in the region of Melinda, just north of Mozambique. When the Portuguese, five years later, had conquered the island of Sokotra in the Gulf of Aden, some Franciscans remained and converted a large part of the population. But the fruits of their labors were destroyed about 1510, when the Arabians regained possession of the island.

Paragraph 51 ***China***

At the beginning of the thirteenth century, the Mongolians around the Amur River rose and conquered part of China, as well as entire western Asia up to the Crimea. This immense empire was under the control of the Great Khan with residence at Cambalu (Peking). The most important provinces (khanates) were the province of Dschagatai, in present Turkestan, with the cities of Bokhara, Samarkand, and Armalech, southeast of the Balkasch sea; and the province of Kiptschak, extending from the west of Dschagatai over southern Russia with its principal city at Sarai, in the vicinity of present day Astrakhan. A new khanate was formed in Persia after 1258 with Tauris (Tabriz) as its principal city. In the west this tremendous Mongolian empire was known by the collective name of Tartary.

For a long time, Europe had no knowledge and hence took little notice of this empire. It began to take notice only when the danger was at its very gates and the wild Mongol hordes threatened to engulf western Europe after defeating a Christian army at Liegnitz in 1241. Gregory IX commissioned the Dominicans and the Franciscans to preach a Crusade against this new menace. Mere preaching, however, did not satisfy these men. They sought out the Tartars themselves to attempt to dissuade them from invading the Christian lands, and when possible, to convert them to Christianity. This bold move was begun partly on their own initiative, partly upon the advice of the Pope.

The first to undertake such a mission was John de Plano Carpinis (Pian di Carpine), who was born in Umbria, but had been active chiefly in the German province and who died in 1250 as archbishop of Antivari. In 1245, the Pope sent John with one confrere to the Khan of Kiptschak, who referred him in turn to the Great Khan at Cambalu. Thus John was obliged to travel along the coast of the Caspian Sea and the Sea of Aral, through Mongolia until he reached the imperial court at Karakorum, southeast of Lake Baikal. The Great Khan did indeed send an unfriendly message to the Pope; but John's trip was nevertheless of great importance, since it brought to Europe its first knowledge of the country and people of interior Asia.

Still more important in this regard was the account of the Flemish Franciscan, William of Rubruck, "the greatest geographical masterpiece of the Middle Ages." By order of St. Louis of France, he travelled first to Armenia, then to Sarai and from that city to Karakorum. Everywhere he made use of every opportunity of announcing the Gospel to the Tartars.

Frequent missionary expeditions to almost every country of Asia followed in the wake of these pioneers. They aimed not only at the conversion of the heathen Tartars, but also at an alliance between them and the West against the Mohammedans. The Tartars themselves were desirous of such an alliance and for this reason repeatedly sent legates to the Pope and asked for missionaries. During the reign of John XXI, Mongolian representatives came from Persia to Rome with the by no means trustworthy news that the Great Khan Kubilai had embraced Christianity. In 1278 Nicholas III sent five Franciscans, whom others joined by order of the General, to the Khan of Persia and to the Great Khan in China and commanded them to preach the Gospel in both countries. Apparently, these envoys did not go beyond Persia. In 1289, some of them with John of Monte Corvino at their head, returned to Rome and gave an account of their activities in Persia and the neighbouring countries. They reported among the other things that King Leo III of Armenia and the Patriarch of the Jacobites were inclined towards union with Rome.

Nicholas IV soon sent these missionaries back again with letters to these persons as well as to the princes of Persia and China. After John had delivered his messages in Armenia and Persia he immediately set out for China to visit the Great Khan. He crossed India to Meliapur, where he preached for more than a year to the Nestorians and baptized 100 persons. Here he lost his only clerical companion, the Dominican Nicholas of Pistoia, who died in his arms. He continued his journey by sea to southern China and then to Peking to the Great Khan Temur, the successor of Kubilai. Here from 1294 until his death, John worked with such success and foresight that he must be ranked among the greatest missionaries in the history of the Church. The natural obstacles to his work were increased by the malice of the Nestorians who used every means to hinder his labors.

John, however, succeeded in persuading the Nestorian prince of Tendek, twenty days journey south of Peking, to unite with the Roman Church. A large number of his people followed the example of their prince. After the death of this prince, the union was broken by force. The Nestorians also caused John to be suspected by the Great Khan as a spy and an impostor, but his innocence was finally proven. After his acquittal on these charges, John was treated with distinction by the court and was free to labor in peace at his task of winning souls for Christ. In 1299, he completed a church in Peking for the 6,000 believers, whom he, all alone, had converted up to that time. John received his first help from abroad in 1303 in the person of his confere, Arnold of Cologne. A convent was now erected opposite the imperial palace, as well as a second church. John instructed 150 baptised boys in Latin and Greek and in ecclesiastical chant. Their singing and chanting delighted the Great Khan. In order to win souls also by means of the written word, John translated the New Testament and the Psalms into Chinese.

All this time the great need was for more missionaries to care for the vast field of labor. When word of the success of John reached the ear of the Pope, he erected in 1307, the ecclesiastical province of Cambalu with six suffragan bishops for the Mongolian empire. The Pope consecrated six Franciscans as suffragan bishops, who in turn were to consecrate John and to bring him the archiepiscopal *pallium*. Only three succeeded in reaching Peking in 1308, the others having succumbed on the way. Of the suffragan bishoprics, which John established only the location of one can be ascertained with certainty, namely the sea port town of Zaiton on the Straits of Formosa (Tschang-tschou-fu). Here likewise were erected three churches and a convent. Peking had even earlier received a third church and two more convents. It was a great triumph for John, when in 1310, he succeeded in inducing the successor of Temur, the Great Khan Haichan (Out-Sung) to embrace Christianity. Unfortunately, this Khan died the following year and his successor would not permit himself to be baptized, although otherwise he was favorably disposed towards the Christians. John was permitted to continue his labors, undisturbed, until his death in 1328. He was mourned by Christians and pagans and was honored as a saint by the Tartars and Alani. His grave was a popular place of pilgrimage, until the persecutions towards the end of the century caused his name to fade from the memory of the people for whom he had spent his life.

John of Monte Corvino was still living when Blessed Odoric of Pordenone in Friuli came to Peking. Odoric had gone to Constantinople in 1318, thence by ship to Trebizond, then by land through Persia to Ormuz, from this city by sea along the coast of East India to Ceylon, Sumatra, Java, Borneo, to Cochin-China and finally to Canton. Preaching as he journeyed, he visited the most important cities in China, until in 1325 he arrived in Peking, where he remained for three years. He made the return journey by land through Tibet and was the first European to give to the outside world a report on Lhasa. Arriving in Italy in 1330, Odoric died soon afterwards in consequence of the hardships he had borne during his many and arduous travels.

When the news of the death of the first Chinese archbishop came to Avignon, John XXII in 1333 sent the Franciscan, Nicholas, to China as his successor. He was accompanied by twenty-six confreres. Nicholas, however, died on the way in Dschagatai. At the request of the Great Khan, the Pope sent another delegation of four Franciscans, of whom John Marignola of Florence was the leader. They travelled through Kiptschak, where the Franciscan, Elias of Hungary, was the tutor of the Khan's

son, through Samarkand and Armalech and entered Peking in 1342. Since none of the bishops were still living, the Great Khan demanded that Marignola or some other friars be vested with Episcopal powers. The Khan stipulated that only a Franciscan could be the bishop, because the people in China knew no other priests. Marignola arrived back in Avignon in 1353, whereupon the Pope wrote to the General Chapter of Assisi, held in 1354, requesting that missionaries be assigned to China, who should be consecrated bishops. We are poorly informed of events from this time on. We know merely that the new archbishop of Peking was the Franciscan, Cosmas, formerly bishop of Sarai. He, however, soon returned to his former bishopric. Then William of Prato was appointed archbishop of Peking in 1370 and he started off with twenty companion friars. But he encountered unexpected difficulties due to the fall of the dynasty, friendly to the Christians. The new dynasty of Ming, which had triumphed in 1368, proceeded against the foreign missions with great severity, and in a short time destroyed everything, which the heroism of the heralds of the Gospel had built up with so much labor. Whether the archbishops of Peking, still appointed during the fifteenth century, ever reached China is very improbable.

Paragraph 52

The other countries of Asia, with the exception of Palestine

The friars on their way to China had frequently preached in the countries of the Near East and of central Asia; but the mission history of these countries is still very obscure. The Order had single missions at least for a time in Trezibond, in Caffa on the Black Sea, in Taus on the Sea of Azov, in Sarai and in Armalech. In all these places Franciscans are found as bishops, alternating with the Dominicans. There were also numerous convents in these regions. Even in Dschagatai (cfr. par. 30), where Islamism had been dominant since 1270, the Khan Ghasan, ordered the missions of the Franciscans to be protected just as before. He even permitted his son to be baptized by the friar, Francis of Alessandria, whom he had chosen as one of his advisers. But when Ghasan had been poisoned by the Mohammedans, his successor, Ali Soldan, commanded that all the friars should apostatize or be put to death. Since the friars naturally refused to obey, they were abandoned to the fury of the rabble, who tortured them to death in 1340. Among these martyrs of Armalech were the bishop, Richard of Burgundy, Paschal of Victoria in Spain, Francis of Alessandria with his two fellow countrymen, Lawrence and Raymond, and Martellus from the Provence. Soon after Ali himself was murdered and peace was restored so that Marignola, on his way through to China, was able to rebuild the church and monastery in Armalech.

We have somewhat more detailed information concerning the missionary activity of the Franciscans in Armenia and the neighboring countries. At the beginning of the thirteenth century, Greater Armenia, the region lying at the source of the Tigris and Euphrates had again lost its independence, and only Lesser Armenia, the former Cilicia, still had its own king. Here the Franciscans found a fruitful field of labor and in the convents of that country they possessed firm vantage points for missions in the more advanced parts of Greater Armenia and Georgia. In 1233, James of Russano with some confreres was favorably received in Georgia. In 1247, Innocent IV sent the friar Andrew

of Perugia as his legate to the king of Armenia and from this time, the Franciscans seem to have been permanently established in that country. The General, Bonagratia, sent a large number of friars under John of Monte Corvino, whose labors were so gratifying that the king appealed to Bonagratia's successor, Gaufredi, for more laborers. The Spirituals from the March now appeared in Armenia, but these did not remain long, because they had differences with the friars in Syria. Possibly the presence of the Spirituals may have been the cause of that decree of the Chapter of 1292, which placed the Armenian friars under the jurisdiction of the provincial of the Holy Land. At any rate, most of the Spirituals now returned to Italy, although Thomas of Tolentino seems to have separated from Angelus and Liberatus. He acted as the ambassador of the Armenian king at the European courts, and then returned, molested by no one, as a missionary to Asia.

Towards the end of the century, King Aito II of Lesser Armenia, entered the Franciscan Order, taking the name of John. He surrendered his throne to his nephew, Leo III. Leo, as well as his successor, Oschwin, maintained the union with Rome, partly indeed in the hope of receiving aid from the West against the Turks, who were a constant menace to the kingdom. The king and the missionaries had also to be continually on their guard against the machinations of the schismatics, who were adverse to the union, and to war against the doctrinal errors which had appeared in Armenia. The fourteenth century was completely occupied with such conflicts, nor was there any lull, even after Lesser Armenia had fallen to the Turks in 1375. It was only at the Council of Florence, that at least a part of the people accepted the Roman Catholic faith, due mostly to the efforts of James of Primadizzi.

Among the Franciscans, who gave their life for the faith in Armenia, the most famous are the martyrs of Erzerum (Arzenga), Monaldus of Ancona, Francis of Fermo, and Anthony of Milan, who were killed by the Mohammedans in 1314. North of this city in the territory of Georgia, near the Caspian Mountains, the friars Conrad of Saxony and Stephen of Hungary had fallen victims to the hatred of the schismatics in 1288. The latter of these, Stephen of Hungary, is not to be confused with another friar of the same name from the same country, who shed his blood for the faith in Sarai in 1334.

Persia was evangelized chiefly by the Dominicans; but Franciscans also labored there with success, as long as the country was under Tartar domination. The Khan, Achmet, during his brief reign of two years, 1282-1284, persecuted the Christians with such passionate hate that many met a bloody death, among them the Franciscans Anthony of Armenia and Aldobrandinus of Florence. After the storm had passed, John of Monte Corvino labored in the country, as also Blessed Odoric and Blessed Gentilis of Matelica. Gentilis was martyred in 1340 in Toringia after a long and fruitful activity. Other missionaries were sent in 1369, and again in 1392, but nothing is known of their fate.

The missions in Armenia and Persia were destroyed when the terrible Tamerlane conquered these countries around 1390. Islamism now became supreme, delegations to the Pope ceased entirely, and passage through the country was prohibited to missionaries on their way to the East. The Franciscans, indeed, did not desert their posts in this time of danger but their life was one continual martyrdom, until the last ones died about the year 1450. In the Caucasus region and in Kiptschak the friars held out some decades longer, but here also they suffered constant persecutions from the Mohammedans. All efforts to revive the once flourishing Christian communities were naturally fruitless as long as the Crescent was supreme. Consequently, a plan was formed at the beginning of

the fifteenth century, to proceed by force of arms against Tamerlane and his Moslem allies through a great armada, which was to be fitted out on the Caspian Sea. The Pope appointed a Franciscan, Antonius de Montibus Caspiis, who knew the country, as the leader. We do not know what were the effects of the plan. At any rate, the very idea was heroic.

The lay brother, Louis of Bologna, formed a similar plan about the middle of the fifteenth century. By papal commission he was appointed to work for a military alliance against the Turks and for this purpose he remained in the East a long time. It is not clear today, what is to be said of the activity of this man. He was very highly praised by some Popes, sharply criticized by others. In any case, his ambitions and efforts to become the patriarch of the Orientals must be condemned.

While all the missions in the once great Tartar empire were practically destroyed by the end of the fifteenth century, those in the Far East, then began to flourish anew. John of Monte Corvino had preached in India in the thirteenth century; and at the beginning of the fourteenth century, the friars Thomas of Tolentino, James of Padua, Peter of Siena and Demetrius of Taleficio in Georgia were laboring in India under the famous Dominican, Jordanis, until they were martyred by the Saracens in 1321 at Tana on the island of Salsette, near Bombay. Blessed Odoric brought their remains to Zaiton, where they were interred in the convent church.

Nothing is heard of Franciscan missions in India during the fifteenth century, but with the beginning of the sixteenth century, the friars returned to that country together with the Portuguese, after the long sought after sea route to that country had been discovered. In 1500, Henry of Coimbra with seven companions (cfr. par. 50) began to preach, thereby bringing great joy to the so-called Thomas Christians. Very soon the Mohammedans aroused a tumult among the people, which cost the lives of many Europeans, among them three friars. The activity of the friars was also hindered at first by the conflicts between the Portuguese and the natives. The friars did all in their power to settle these disputes before the parties had recourse to arms. Friar Louis is mentioned with special honor in this regard, as well as Anthony Loreiro, who had come to East India from Sokotra in 1510. Within that same year Goa was conquered and the mosque was converted into a Christian church. The Franciscans now built schools for the converts, cared for the sick in hospitals and preached everywhere with great success. Ferdinand Vaquier was chosen from among them in 1531, as the first bishop of the Portuguese possessions in East India. In 1537, Goa received its first archbishop in the person of the Franciscan, John Albuquerque (†1553). During his time, the great apostle of the heathens, Francis Xavier, arrived in India.

Paragraph 53 ***The Holy Land***

The mission in the Holy Land is, without doubt, the most honorable of all the missions of the Order. When St. Francis visited Palestine in 1219, friars were already there, and from that time till the present the Franciscans have never been absent from the Holy Land. During this long time, they have not it is true achieved any substantial success in the conversion of the schismatics and Mohammedans, nor, according to human

calculations, can any such success be expected in the near future. No one, acquainted with the circumstances, will be surprised at this fact. The Franciscans had to be satisfied, as far as the care of souls is concerned, if they were able to minister to the Christians living there, to maintain the necessary schools, and give shelter to the Christian pilgrims. More important for the universal Church was the success of the friars in gaining and maintaining for the West the holy places in Jerusalem, Bethlehem and elsewhere. That success was achieved at the cost of untold hardships through the centuries. During that long time, mistakes and sins of omission have, indeed, been committed, which merit our decisive disapproval. But, it is unreasonable and unjust to form a hasty judgment of the value of the work of the friars in the Holy Land, based merely upon the knowledge of the mistakes. The complete history of this mission must be examined for fairness' sake. That history is a record of tedious uniformity of martyrdoms and persecutions, bravely borne by the friars for the sake of Christ. In all there are about 2000 friars who lost their lives as martyrs of blood in the Holy Land, and about 6000 more succumbed to the various plagues as martyrs of charity.

The Order, favored by the Popes, had spread rapidly in the province of Syria, to which the Holy Land belonged. From 1222, or at any rate, since 1230, the friars had a convent in Jerusalem. In 1233, Gregory IX sent Franciscans to the Sultan of Damascus, asking that he convert. The same Pope asked the Order to send numerous friars to the Holy Land, at the same time, granting rich indulgences to all who volunteered. The mission was at that time a hazardous enterprise, which cost the lives of many friars. When the Egyptian Sultan in 1244 had re-conquered Jerusalem from the Westerners, who had taken it the preceding year, he slew 5000 Christians, among them the Franciscans, living in the Holy City. A part of the friars at Bethlehem and at Nazareth incurred the same fate in 1263, and three years later the friars James of Puy (de Podio) and Jeremias de Lecce fell as victims amid the general massacre at Safet in Galilee. At the surrender of the city the Christians had been assured of a free and unmolested departure, but they were treacherously taken captives and the victors tried to force them to deny the faith. Due to the encouraging words of the two friars, the captives showed admirable steadfastness and courage. Only eight out of about 3000 preferred a life of shame to a death of honor.

The years which followed brought new persecutions. In 1268, the cities of Jaffa and Antioch were conquered, the convents destroyed, and the friars were either murdered or sold into slavery. The next year saw the martyrdom of Conrad of Hallis with six companions, and in 1289, the Franciscans in Tripolis suffered the fate of their confreres of Antioch and Jaffa. Finally, in 1291, the last stronghold of the West, Acre, fell to the Mohammedans, part of its inhabitants were killed, part sold as slaves. At that time, fourteen Franciscans and all the Poor Clares lost their lives. Nor did the friars of Tyre and Sidon fare any better when their cities were captured that same year.

The loss of the Holy Land killed Nicholas IV, the first Pope from the Order. He had tried everything to summon the princes of Europe to a Crusade, but in vain. The efforts of the Franciscans in the Orient in this regard, were more successful. At their appeal, King Aito II of Armenia and Henry II of Cyprus – both took the habit of St. Francis – in alliance with the Khan of Persia, succeeded in re-conquering the Holy Land. Two Franciscans were dispatched to the West to appeal for support to hold the re-

conquered territory. But since all pleas for help were ignored by the West, Palestine was again subjugated by the Egyptian Sultan in 1301.

With the fall of Acre, the Latin clergy were driven out of the Holy Land. The Franciscan provincial of Syria also deemed it more advisable to have his headquarters on Cyprus. But the Franciscans remained in Palestine and sought, as much as possible, to retain or regain the holy places. In 1272, the Sultan Bibars had confirmed them in their residence on Mount Sion. In 1309, the friars received another firman, granting them exclusive rights to the holy places on Mount Sion, the Holy Sepulcher and in Bethlehem. During succeeding decades, they were able to acquire further property on Mount Sion, presumably to enlarge the friary.

The activity of the French Franciscan, Roger Guerin, was of great importance. In 1333, he obtained from the Sultan a general firman, which confirmed to the friars all their existing residences and which permitted them to establish new residences anywhere in the Holy Land. Guerin, apparently, had the backing of the French court. The Sicilian royal couple, Robert and Sancia, showed themselves not less zealous. At great expense, they obtained for the Franciscans the right of dwelling inside the church of the Holy Sepulcher. Besides, they erected a new monastery for twelve friars on Mount Sion, and provided for their support. Pope Clement VI confirmed all these gains and grants in 1342, at the same time, admonishing the General of the Order always to send the specified number of friars to the convent of Sion, who should be “capable and saintly friars from the whole Order.” Shortly afterwards a hospital for the sick and pilgrims arose next to the convent on Sion, administered by women tertiaries. Confirmed in 1355, the hospital was – as happened so frequently in the Holy Land – taken away by the unbelievers after a few years. In 1364, it was restored to the friars upon the appeal of the queen of Naples.

After an interval of quiet, the persecutions began anew. When Alexandria was conquered by the Christians in 1365, the Mohammedans revenged themselves upon the Franciscans in the Holy Land. Twenty eight friars were taken captive, half of whom died in prison, the other half were executed after three years of torment and pestilential imprisonment. Among the friars executed was Blessed Nicholas Tavelic of Sebenico. Their places were indeed soon taken by other Franciscans from the West, but in the meantime the Georgians had taken possession of Mt. Calvary, the Armenians of the Holy Sepulcher, and a Turkish dervish of the grave of the Blessed Mother. After severe struggles, during which four friars lost their lives, the Franciscans again obtained the Cenacle, the valley of Josaphat, the Holy Sepulcher, and Bethlehem, while the sacred places in Nazareth were regained only in 1468. The fifteenth century began, as usual, with the massacre of all the Franciscans in Cyprus. Similar wholesale murders were re-enacted in 1405, 1418, 1426, and 1571.

After the Egyptian Sultan had confirmed the friars in their possession of the holy places in 1420, some titular prelates, living at home in comfortable ease and security, had the effrontery to demand the holy places for themselves, because these places had formerly been in the possession of the princes of the Church, whose titles they now bore. A titular patriarch of Jerusalem demanded the Holy Sepulcher, a titular bishop of Bethlehem, the grotto of the Nativity, a titular prior of the Canons regular of St. Augustine, the Cenacle, and titular abbot demanded the valley of Josaphat with the grave of the Blessed Mother. A commission of bishops, appointed by Martin V to examine the

legal titles to the claims, decided in favor of the Franciscans and the Pope confirmed this decision in 1421. When soon after, at the instigation of the Jews, the Cenacle was taken away from the Order, the friars bought it back from the Sultan by the payment of an enormous sum of money. The same means had to be employed by the friars to obtain permission to enclose the convent at Bethlehem and the hospital on Mount Sion with a wall as a protection against the annoyances and persecutions which were daily increasing in violence. In the following year, a large number of friars were victims of these persecutions; some were killed, others were imprisoned. In 1489, the convent of St. Jeremias was destroyed by the Arabs, and all the religious were murdered. Toward the end of the century, the friars were forced to defend their position on Mt. Calvary against the encroachments of the Georgians, who had seized half of it after the massacre of 1365, but were forced to return it in 1481. After long hostilities, the Georgians were victorious in 1512, and once more took possession of half of Mt. Calvary.

The year 1517, of such great importance in the history of the Church and of the Order, was of decisive importance also for the Holy Land. In that year, Palestine passed from the control of the Sultan of Egypt to the Turks. All the Franciscans were thrown into prison; the survivors were released only after twenty-seven months. In 1537, the friars met a similar fate. In general, imprisonment or death constantly hovered over the friars in the Holy Land as a sword of Democles. Although the Sultans were very often favorably disposed and seemed also to have confirmed the friars in their possession upon the payment of huge sums of good hard cash, the subordinate officials frequently cared very little about that. Any whim of the Pasha was sufficient reason to kill a few friars or to place their possessions in jeopardy – without Europe hearing anything about it.

As for the internal government and organization of the Friars in the Holy Land, in the beginning they were the same as in any other province of the Order, except that the members were recruited from the entire Order. This international recruitment of its membership and the special interest, which the entire Order bore towards the mission at the holy places, early induced the General Chapter to formulate special constitutions for the friars of the Holy Land. The Chapter of Aquila in 1376, sent Bartholomew of Alverna as commissary, and he, in union with the most worthy friars of the Holy Land, drew up the first special statutes. Some of the items are very interesting. The jurisdiction of the provincial was severely limited by the statute, which appointed the guardian of Mt. Sion *ex officio* custodian of the sanctuaries. Ordinarily not more than twenty friars were to assist in serving at the Holy Places. The Chapter of Lausanne in 1414 formulated some supplementary decrees and again stressed the necessity of sending only the best friars to the Holy Land, since they are in such an exposed position and must be ever prepared to withstand the first assault on the Christian name.

These ordinances, as it seems, were not observed satisfactorily. On this account, Martin V sent the Observant, Nicholas of Osimo, as Visitor to the Holy Land, but he was obliged to return without having settled matters. Eugene IV now demanded that the General send an Observant as superior to Jerusalem. When the General did not comply with the command of the Pope, the Holy Father in 1434, sent the Observant James Delfini of Venice to Palestine as superior. However, the government of the Holy Land finally was handed over to the Observants only in the year 1439, after St. John Capistran had carried out the visitation with the energy, characteristic of the saint. The Conventuals continued to appoint titular provincials of the Holy Land for a long time, even after they

no longer had any of their friars there. The Observants, at their General Chapters of the Cismontane family, ordinarily appointed the guardian of Mount Sion as the superior of the Holy Land; only rarely is there mention of a provincial vicar or a commissary or praeses.

The Observants in the Holy Land strove to uphold their ideal of poverty as much as possible even under the difficult circumstances. Every effort to mitigate its observance was energetically opposed. They relied principally upon subsidies from the West, which came in more abundantly after the recommendations of Innocent VIII. The kings of Spain especially distinguished themselves by their generosity.

C. LEARNING AND ART

Paragraph 54

The attitude of the Order towards learning

Even today the question is still being asked: what was the attitude of St. Francis towards learning and the pursuit of knowledge of the Order? The answer must depend to a great extent upon the answer to another question: which sources give the true picture of St. Francis? Whoever gives unconditional credence to the literature of the Spirituals, must say that St. Francis was unalterably opposed to the search for knowledge on the part of his followers. Even if we concede for sake of argument that these sources give us the true picture of the Saint, we must admit that St. Francis, in time, changed his views regarding studies, and that in his later years he was more favorably inclined towards studies in the Order. This is shown, not only by his words in the Testament, by which he directs that his sons should honor all theologians as those who give to us spirit and life, but also by his short letter to St. Anthony, in which he appointed St. Anthony his first lector of theology, adding, to be sure, the admonition that in accordance with the Rule, he should not lose the spirit of prayer and meditation on account of his studies. From these two passages it follows conclusively that St. Francis desired his followers to possess only such knowledge which is truly useful for the soul of our neighbor, and that he frowned upon any pursuit of learning, which jeopardized the paramount spiritual interests of the students themselves. In this does Francis differ in any way from Christ and the Apostles, whom he aimed to imitate in every way? And from that fact that Christ chose only unlettered fishermen for the apostolate and that there were many passages in the New Testament, which condemn harmful knowledge, may one conclude that Christ did not favor studies in His Church? It is true that men without learning, but full of the divine Spirit have done much more good in the Church, than the merely educated. But since such extraordinary gifts of grace ever remain exceptions, all spiritual influence upon men would be rendered impossible, if the ordinary paths of toilsome intellectual and spiritual labor would be forbidden. Did St. Francis actually intend to hinder the usefulness of his followers?

Among his sons, there were at all times those who thought that St. Francis did intend that his sons should rely upon the Holy Spirit and should eschew studies. Consequently, they did not hesitate to criticize, not only the efforts to promote studies in the Order, but also the position of the saint towards those efforts. That such voices were heard ordinarily from the ranks of those who were striving for a real or would-be reform will not be wondered at. Nor will we be too ready to blame those men after we have learned, in its proper place in this work, that the more serious abuses showed themselves more frequently precisely among those teachers and scholars of the Order. It must also be mentioned here that the distinguished leaders of the reform parties usually took no part in these attacks upon studies and, what is more, that they themselves usually labored for the advancement of learning.

More important for the historian is the fact that many friars, even during the lifetime of the Founder and during the first decades after his death when the memory of his life was strongest, threw themselves with the greatest zeal into the pursuit of knowledge and, at the same time, enjoyed among the friars the reputation of being the

best Franciscans. That is true for example of the provinces of Bologna and of England in the thirteenth century. These friars certainly did not believe that they were working contrary to the wishes of St. Francis, with whom they stood in immediate connection by a living tradition. Here also must be quoted the beautiful words of St. Bonaventure: "I confess before God that this it is which made me most love the life of St. Francis, namely, that it is similar both to the beginning and the perfection of the Church, which began indeed with simple fishermen and later advanced to most learned and skillful doctors. The same you will see in the Order of the blessed Francis." Not all the friars, to be sure, thought thus. The Seraphic Doctor even at his time had to protect the Order against those who complained vehemently because Franciscans accepted the dignity of doctors and pursued studies, which served no practical purpose. Bonaventure held that it is absolutely necessary to have teachers from the Order, teachers who enjoy the same privileges and rights as the *magistri*; but he demands of them that they shun all ambition and ostentation, and that they practice what they teach. He also does not conceal his displeasure at the *philosophantes* and their *curiositates*, but still in regard to these he holds the opinion that *fortasse aliqui videntur curiosi, qui magis sunt studiosi*.

Similar admonitions are found in all centuries with the manifest purpose of promoting studies only in the spirit of the Founder and in accordance with the purpose of the Order. "The purpose of study for a Friar Minor," writes Bartholomew of Pisa, "is to study in the sacred page, that from it he may know how to defend the faith and to instruct the people." All other studies are permitted to the Franciscan only in so far as they are useful for this purpose. The same writer testifies that the learned men of the Order have always hitherto been true to that purpose and that the lands of the faithful were literally flooded with the instructive and encouraging religious writings of the Franciscans.

We hear a voice from the fifteenth century, which again says that study in the Order is conditioned by the Order's primary purpose, which is preaching. This view of the matter remains in force to the present day. It is based upon the spirit of the Order and upon its Rule, which clearly forbids educational activity to the unlettered lay brothers. Such intellectual pursuits, however, were necessary for the other members of the Order, if they wished to do their work. The first friars, in the very beginning of the Order, had hoped to win the masses by mingling with the people, by service in the hospitals, by charity and poverty. But they soon saw that they were able to do only half of their work, if they did not have, at the same time, an understanding of moral and intellectual difficulties. That, however, was impossible without study. They sought education and knowledge, therefore, not in order to dispute, but to find a solution for the problems of the times. Only when equipped with knowledge, could the preachers of the thirteenth century instruct the faithful in Christian doctrine and in the dangers of heresy. Without philosophical and theological training, the preacher was powerless against the heretics who then threatened the West.

However, when the Order decided to enter the field of studies, it could not narrowly limit itself to the constant and direct pursuit of its ultimate objective, Christian instruction and edification. Even apparently far removed subjects are often of service of philosophy and theology. Roger Bacon wrote this noteworthy sentence, "*Studium theologicæ desiderat omnem sapientiam humanam*." Consequently, we find Franciscans active in all branches of knowledge, even with those not immediately connected with the purpose of the Order, such as medicine and the natural sciences. A Protestant scholar

remarks on this point: “The care, which the Franciscans took of the sick and of the lepers of itself led them to a study of the natural sciences. The first systematic studies in medicine and in natural philosophy came from the friars. Experimental physics began with them.”

Add to this, the manifest approval of the Holy See of studies in the Order, and, it is easily understood, why the Franciscans together with the Dominicans, became the chief representatives of learning in the thirteenth century. To distinguish them from the older Orders, they were called *Ordines studentes*. They became the instructors of the secular clergy, as well as of their own clerics, in the theological sciences.

After the friars had once entered the field of studies, they drew all the necessary conclusions, and established libraries, for without these a well-ordered and fruitful pursuit of knowledge is impossible. As a result, quite early in their history, the friars had gained the reputation of being great book collectors; nor did they permit themselves to be deterred by the reproaches of the extreme Spirituals. Who wishes the end, must also desire the means! Thus we find very important libraries at Oxford, Paris, Cesena, Todi, Montepandone (cfr. par. 57), and especially at Assisi. This last named library was the largest in the world in the fourteenth century after that of the Sorbonne and the Papal Library at Avignon. It was rich in books on the history of the Order, and was outstanding for its excellent cataloguing. The *Constitutiones Benedictinae* contained strict decrees concerning the preservation of the acquired books and the acquisition of new ones. Among other prescriptions, they demand that the guardian should make an inventory of the books in his convent each year. Frequently also, papal protection was obtained for a library, so that any one who harmed a book incurred ecclesiastical penalties.

Paragraph 55 ***Educational Establishments***

In the Franciscan Order, as was the practice in the thirteenth century, there were three classes of schools: General Studies in organic connection with a university; General Studies, not affiliated with a university; and Particular Studies, also called Local or Provincial Studies. These last were established in many convents of each province and were under the direction of the provincials. They differed essentially from the present day schools of the Order, however, in this that they were very frequently open to the public and not only friars were the students. There were also closed schools or House Studies but only in those places, where no outsiders were expected to attend, or when the lector appointed seemed unfit to lecture for the public.

Useful as these Local Schools might have been, still they played a minor role in comparison with the General Studies, which must be considered the real institutions of higher learning in the Order, occupying the same position in the Order as the universities occupied in the educational field outside the Order. As the best qualified scholars of all nations flocked to the universities, so also the best qualified friars were sent to these General Studies; and, since in these General Studies, just as in the universities, only the most learned were appointed as the teachers, there must have been a constant mutual stimulus to profound intellectual activity.

The General Studies of the Order could not be incorporated into the local university, if the university did not possess a theological faculty. Even though the scholastic level in such unaffiliated General Studies might not have been inferior, still the General Studies, which were affiliated with a university, surpassed the other General Schools in dignity and importance. Some of these unaffiliated Schools, however, enjoyed great renown and popularity. The oldest of such Schools was the General Studies of Bologna, which had maintained the prominent position, gained while St. Anthony taught there towards the end of 1223. Because the local university lacked a theological faculty, this Order school was frequented even by the secular clergy and was furthered in every way by the Holy See. The influence, exerted by it upon the famous law school of the university, may be judged from the number of doctors and students, who entered the Order. Bologna also influenced greatly the development of studies in the Italian provinces of the Order. This influence naturally increased when, in 1360, the Pope formed the Mendicant General Studies of Bologna into the theological faculty of the University, with the right of promoting candidates to degrees.

Nevertheless, the school at Bologna never attained the importance for the Order, which Paris had up to the French Revolution or of Oxford up to the Reformation. In Paris, the friars had erected unusually large buildings by about 1245 to house the multitude of students who flocked thither from all provinces. Among the friars in the convent of Paris not a few are found at that time, who had been either teachers or students in the university before entering the Order. Thus both *Magister* Haymo of Faversham and *Magister* Alexander of Hales joined the Order, after having given lectures to the friars in their convent school. The school of the Order was incorporated into the university in 1231, while Alexander was still a novice, conducting public lectures in the convent. According to the custom of the time, the university character of a school depended solely upon the person of the Master teaching there. Once admitted to the theological faculty, the Master could deliver his public lectures wherever he pleased and he could prepare and present his pupils for the academic teaching office.

The first who, as a Franciscan, held an academic teaching office was John de la Rochelle (de Rupella). Under the guidance of Alexander of Hales he had become an independent *Magister* in 1238, and soon gained equal renown as teacher and preacher. Unfortunately he died in 1245, the same year as his teacher, Alexander. With these two *Magistri regents*, two university schools fell to the lot of the Order, which they held till about 1252, since both Alexander and John had Minorites as their successors. In that year the great conflict broke out at the University of Paris. The real motive was jealousy of the superiority of the Mendicant schools. To hinder the mendicants, their opponents employed calumny and any other weapon which came to their hand or imagination. The details of the affair were in brief: From about the death of Alexander of Hales, the majority of the *Magistri* belonging to the theological faculty wished no longer to accept the teachers in the schools of the Order, who had rightfully and legally obtained the Doctorate, into their company. This affected both Dominicans and Franciscans, and among others the two saints, Thomas of Aquinas and Bonaventure. In 1252 these same *Magistri*, in secret conclave, decreed that each Order must be satisfied with one university school and one *Magister regens*. The resolution would have been justified if the number of *Magistri regents* had been a fixed number and if as a consequence of the transfer of some teachers' chairs to the mendicants, the interests of the secular clergy had

been harmed. But this was by no means the case. The Dominicans, therefore, did not submit to this arbitrary decree, and insisted upon their right to occupy two chairs. The General of the Franciscans, John of Parma, however, gave in with the humble words: "You are our masters and teachers, we are your servants and pupils. If we possess any learning at all, we owe it to you." The Franciscans thereby surrendered their claim to a second chair. Encouraged, perhaps, by this concession, the *Magistri* now refused to recognize the occupant of the remaining Franciscan chair, even though Innocent IV had demanded his recognition in 1253, and Alexander IV, two years later had annulled the resolution of the university, refusing that recognition. The university now published a broadside, aimed at rallying to its side all the enemies of the new Orders. The professor, William of Saint-Amour, soon became the leader in the strife. The foolish work of Gerard of Borgo San Donnino (cfr. par. 6) offered a welcome opportunity to the enemies of the Mendicants. The book was justly condemned by the Pope; but so likewise was William's *Tractatus de periculis novissimorum temporum*. Against those immoderate charges, both Thomas and Bonaventure defended their Orders in a number of writings. After the principal disturber of the peace, William of Saint-Amour, had, by order of the Pope, been removed from the university, the others gave in. In 1257, the reinstated doctors, in particular Thomas and Bonaventure, were accepted into the faculty. The latter had, in the meantime, become the General of his Order.

After the quarrel had been settled, the General Studies at Paris could develop in peace. Numerous were the students, who attended the classes. Each province *ex debito* was permitted to send two students to Paris, for whom the province had to pay only the cost of the textbooks. On the other hand, there were many more students *de gratia*, for whose support many provisions were often given. Towards the end of this period, there were about 350 student friars in Paris. Since the Order sent only the best teachers and pupils to this General Studies, the school gained not only the highest esteem at the university, but it was also "the heart, in which and from which pulsed the intellectual life of the Minorite Order." Almost all of the schools of the Order tried to get teachers, who had been trained at Paris. This was true naturally, first of all, for France itself, but it was true also of Italy and of Germany. Since Germany during the thirteenth century did not possess any universities, it depended at that time completely upon Paris. To Paris it sent most of its students, from Paris, it received most of its teachers. Thus the first lector, Simon, who had resigned his office of provincial in 1229 to inaugurate the school at Magdeburg, had received his training in Paris. He is also called *Magister de proprietatibus*, on account of his book, *De proprietatibus rerum*, which was widely read even far into the sixteenth century. He was the first encyclopedist of the Middle Ages.

Next to Paris, Oxford possessed the most important General Studies of the Order. The first provincial of England, Agnellus of Pisa, had erected a large study house at Oxford, where the most noted teacher of the university, Robert Grosseteste, delivered his public lectures. Thereby the Franciscan school became the center of the school of theology, as long as Robert continued to lecture. The friars honored Grosseteste as a father, who understood how to spur his protégés on to diligent study, by demonstrating to them that the success of the Franciscan mission depended just as much on intellectual training as on a pious life. It was Robert, also, who gave to the Franciscan school of Oxford its special character. Oxford, in contrast to the theoretical strivings of Paris, laid great stress on the natural sciences, languages, Holy Scripture, and the practical

application of theology to preaching. When in 1235, Grosseteste exchanged the teacher's cathedra for the Episcopal throne of Lincoln, he took care that other members of the faculty hold their lectures in the Franciscan convent, until his pupil and friend, Adam of Marsh (de Marisco), began to long line of Franciscan *Magistri regents* in 1247. Adam was faithful in discharging the duties of his teaching office until his death in 1258, and always strove to advance the interests of the university as well as that of his own pupils. In fact, the university of Oxford as well as that of Paris gained mightily through the incorporation of the schools of the Mendicants. At Oxford, it was primarily the teachers from the Franciscan Order, who soundly established and increasingly maintained the fame of the university. It was they, who installed fresh vigor into the intellectual and spiritual life of the English people.

That Oxford also exerted a powerful influence within the Order is self-evident. In particular, Oxford decisively influenced the development of the English province itself, in which excellent schools flourished everywhere. The most important was the General Studies at Cambridge, which had been incorporated into the university at that place since about 1240, and had *Magistri regentes* from the Order until well into the sixteenth century. Still Cambridge was never able to command the respect which Oxford enjoyed, probably because the English province favored the latter in every way. This did not change despite the warning of the Pope to the provincial in 1377, to treat both colleges impartially.

The English Province owed its intellectual preeminence very especially to the extraordinary appreciation, which its provincials had of the value of studies, as well as of religious discipline. Many Generals pointed to the English Province as a model for the entire Order. John of Parma, who had but few equals in zeal for discipline, exclaimed: "O that this province might be placed in the middle of the Order, that it might serve as a model for all the churches." Note that John made this remark, at a time when the young province already had about thirty degreed teachers. Hence, it is easily understood that many Franciscans from all countries travelled to England and that many English teachers were called to the various schools of the Order, even to Paris. Without doubt it is true, that the English nation gave to the Franciscan Order a greater number of truly eminent scholars, in particular, a greater number of independent and original thinkers, than all the other nations taken together. Likewise, it cannot be denied that higher studies flourished among the Franciscans as long as communication with the English friars continued. With the frequent wars of the fourteenth and the budding international jealousies, this intercommunication of men and ideas ceased. Thereafter, learning declined in the Order, and with it, religious discipline.

Paris, Oxford and Cambridge for a long time were considered as the best schools in the Order for theologians. In comparison with them, all the other General Studies were of minor importance, even though they were affiliated with a university. Among such schools must be reckoned: Bologna, affiliated in 1360; Toulouse, affiliated in the first half of the thirteenth century; Angers, affiliated about the same time; and Salamanca, affiliated at least since the beginning of the fifteenth century. When the first German university was established at Prague in 1348, the king of Bohemia demanded Franciscans among others as professors of theology. The Pope ordered this royal wish to be complied with. Similarly, in 1320, John XXII had given two of the professorships of the new University of Dublin to the Franciscans. Besides these instances of chairs being entrusted

to the Order, we meet individual Franciscans in numerous universities as teachers. From this fact, however, we are not justified to conclude that the schools of the Franciscans in those places were incorporated into the respective university.

The *Lectores sacri palatii* or *curiae papalis* deserve mention here. These lectors were teachers at the papal university, which Innocent IV had established in his own palace in 1245. During the thirteenth century we find among them a series of noted Franciscans, such as John of Peckam and Matthew of Aquasparta.

At the present time, we have no accurate knowledge of the General Studies, which were not incorporated into any university, even though many of them were located in university cities. It is certain, however, that they were much more numerous than the General Studies, affiliated with universities. In this regard, it is a striking fact that provinces which had their own General Studies, often sent their students to foreign General Studies, even frequently to those at a great distance. This certainly did no harm to studies and also checked any tendency towards a narrow-minded local patriotism.

Paragraph 56 **Lectors**

The teachers at the convent schools, as at the universities, were called *Lectores* in the thirteenth century. That was their ordinary title by reason of their office, while the title of *Doctor* or *Magister*, betokened the highest academic degree conferred at a university, even though the possessor was not always a teacher. The appointment of lectors for the schools of the Order was made solely by the superiors; no other license of whatever kind was necessary. As a self-evident prerequisite, the candidate was required to possess the necessary knowledge and moral qualities.

The first lectors of the Order had completed their studies before they entered the novitiate; but, as the number of such men declined, the superiors soon had to plan a course of studies, which should train some young clerics to take over in time the office of lector.

First of all the future lectors had to pass through the ordinary course of studies, which varied during the various periods of the Order's history. Before the middle of the thirteenth century the Order demanded of the incoming novice that he be trained in grammar and logic. During the novitiate year, studies were continued, until St. Bonaventure, in the Constitutions of 1260, decreed that the novitiate must be devoted solely to ascetic exercises. In the beginning, the friars started the study of theology immediately after profession; but, in the second half of the thirteenth century, a more fundamental grounding in philosophy (*artes*) was demanded before the student would be permitted to transfer to theology. The theological course consisted essentially in the dialectical exposition of the Book of Sentences and of scriptural exegesis, together with practical applications (*moralitates*). The goal of the theological course was to train competent confessors and preachers. An adequate examination at the end of the course had to determine whether the goal had been attained.

It was only upon the completion of these professional studies, obligatory upon all the clerics of the Order, that the special schooling of the future lectors began. This was always a paramount concern of the superiors; for the future of the Order in great measure,

depended upon the careful choice and thorough training of the teachers of the youths of the Order. Consequently, from the very beginning, great stress was laid upon the selection of fit candidates. The Provincial Chapter by a special *scrutinium* selected the candidates who were to be sent to Paris, or to some other General Studies for further training. They had to remain in that school for at least four years, unless, due to extraordinary talent, some might be found capable of teaching before that time. Upon his return, the successful candidate received his appointment as a lector from the Provincial Chapter. This appointment seems to have been renewed each year, at the discretion of the Provincial.

Very frequently the province was not satisfied that its lectors should receive merely the minimum of preparation described above; but insisted that the lectors, even of the convent or close schools, should have their doctorate or at least licentiate from some university. It is expressly stated of the English Province, that by the middle of the thirteenth century, all their lectors had received higher training at some university. This also explains their superiority over the other Provinces of the Order. The candidates, who had been sent to a university, were naturally obliged to fulfill all the conditions prescribed for obtaining the degree of Doctor: usually, six years study of theology, then three to four years of teaching as a *Baccalaureus* under the direction of a *Magister*, lecturing during that time on the Bible, the Sentences and conducting disputations. At the conclusion of this training, the candidate received the licentiate from the Chancellor of the University, as the representative of the Pope. The title of *Magister* or *Doctor Solemnis* was next granted if the successful candidate, after receiving the licentiate, held a disputation or delivered an inaugural address before the faculty and student body and took the oath of the university (*principium, inceptio*). Thereupon the candidate received his own professor's chair, as a sign that he was now recognized as capable of conducting a university school (*Magister regens* or *cathedraticus*). Whoever did not wish to deliver lectures as a public teacher at a university, could content himself with the licentiate and then take up teaching at a school of the Order.

The great number of friar students, working for academic degrees forced the Chapter to intervene in the thirteenth century, to prevent disputes and quarrels. The Constitutions of Benedict XII gave very precise instruction in this matter. According to these Constitutions, the friars, as long as the Holy See does not decide otherwise, shall obtain the theological degrees only at Paris, Oxford and Cambridge, and only one friar annually at each of these universities. In each triennium, the province of Francia had the right to propose one for promotion at Paris, the English Province, on the other hand, within the same time, could propose two for each of their universities. The four remaining candidates shall be chosen at the General Chapter, with due consideration for the needs of the individual provinces. All the friars, thus selected, must be submitted to the General, who alone has the power to present them to the university. The General is bound to present the candidate selected, unless he has good reasons against the presentation. The General, as well as the provincials and the members of the Chapter are obliged under obedience, to send only the most worthy friars to these universities. When the ones sent have reached their goal, they shall be employed as lectors in the more important schools of the Order. It is the duty of the General, after consultation with the provincials and the *Magistri*, to appoint capable lectors and *Baccalaurei* for all the General Studies of the Order. The Chapter of 1421 increased the standards even more by

demanding that no one be permitted to teach the main branch in the General Studies, unless he has studied the *artes* for seven years and has lectured on the Sentences at least as a *Baccalaureus*.

How strong was the desire to study and teach at a university may be seen from the fact that even provincials in office went to the universities, to lecture on the Sentences. This abuse was forbidden in 1357. In that case, the provincial had to resign his office. The motive which prompted this anxiety to study at a university was not always a disinterested love for knowledge, but, very frequently, it was rather the desire to obtain in this way the right to enjoy the privileges of the lectors. For the exhortation of St. Francis to honor the teachers of theology had gradually come to be explained to mean that these teachers should be granted privileges of all kinds, even those not conducive to the more efficient fulfillment of their office. When the lectors received a *socius* as a secretary and a special room for undisturbed study and were dispensed from choir service, we can say that the circumstances of their duties justified these concessions. But circumstances did not justify the concession of a special table and, in general, of a more comfortable life for the lectors. It is significant, that even bishops of the Order, who had resigned their care and returned to the Order, asked the Pope for permission to use the *gratie magistrales*. Besides, the office of lector was the ordinary path to all dignities in the Order. The lectors were constant members of the Chapters of the Order, and the higher offices of the Order, consequently, were almost all filled by them, so that, for the most part, the government of the Order was in the hands of the lectors. In itself, that certainly is no evil, to place the most capable men in the highest positions, provided they were otherwise capable – the names of the best Generals conclusively prove this – but the matter had another, very evil aspect. Ambitious friars longed for the privileges of the lectors and for the accompanying positions of honor in the Order. Consequently, disregarding both the welfare and the positive decrees of the Order, these wicked men insinuated themselves into these positions and thus destroyed both learning and discipline in the Order.

The winning of a degree from Paris, Oxford, or Cambridge was in itself no easy task for the requirements of these universities were high. Moreover, the careful selection of the candidates for these degrees by the Order made it a comparatively easy matter to exclude all unfit and unworthy friars from the office of lector. Afterwards, however, when the Order received permission to promote its friars to degrees also at other universities, the number of candidates increased and the requirements for the degrees were no longer so forbidding, then an every increasing number of friars received degrees who were not of the same high caliber as the lectors in the beginning of the Order. The higher studies in the Order suffered immeasurably, and thereby also all the friars. Friars were permitted to receive degrees at Toulouse in 1365 by order of the Pope. The Chapter at Forli in 1421, designates eight universities and the Chapter of 1437, mentions sixteen General Studies in university cities, where the friars were able to obtain academic degrees.

These concessions, however, were not far-reaching enough to suit some of the friars. They wished to avoid the laborious courses of studies entirely or, at least, as much as possible. Therefore, they obtained a royal rescript or, more frequently, a papal brief, which under certain conditions, not too onerous, would guarantee to them the dignity of a Doctor. Such *doctores bullati (sub camino creati, wax doctors)* were entirely unknown

in the thirteenth century. But in the period between John XXII and Leo X, they are frequently found, as can be seen from the *Bullarium* of the Order.

Later on, the reason advanced to excuse such conduct was that thereby the not inconsiderable expenses, incurred during the long years of study, might be avoided. That may have been the reason in some instances; but, in most cases, the real reason was the desire to shorten a difficult course of studies. Poverty became merely a front for laziness, for the expense of procuring the royal or papal document in question was also not inconsiderable.

Moreover, the Pope at times granted the General power, on the occasion of a General Chapter, to confer the Doctorate upon some friars after an examination (*N.N. magistratus est in capitulo*). Boniface IX frequently complained, that in all these ways, unfit and even absolutely unworthy elements push themselves into the office of teaching; but, instead of abolishing the pernicious practices, Boniface continued to issue such briefs. Just as harmful, in another way, was the permission sometimes granted by the Pope to a friar to study for years at a university and at the same time live outside the enclosure. The pretext was that thus the friar could apply himself more zealously to studies than when under the obedience of his superiors. One request for such a permission is even praised as *laudabilis intentio*.

The Order attempted repeatedly to check these abuses. In 1385, the General Chapter forbade any friar to seek papal letters for the doctorate. The province of Aragon, to protect itself against the many but bad lecturers, renewed the decrees of Benedict XII, which declared every degree invalid, unless the candidate had been chosen by the Provincial Chapter and presented by the General. Shortly after, Martin V cut to the core of the problem by declaring that all those who had not finished the prescribed course of studies at the universities, should not be considered *Magistri*. The effect of this decree was nullified by the numerous exceptions, which were soon made. Learning, meanwhile, steadily declined in the Order.

In vain did the Constitutions of 1460 command the provincials to reform the studies in their provinces, because the pursuit of knowledge is the *corona Ordinis*. Two generations later, the statutes of Alexander VI attempted to revive the old decrees for promotion to academic honors. The very frequency of the attempts at reform gives us some inkling of how bad conditions had become. The reform statutes of Julius II speak still more plainly. This Pope blames the wicked students mostly for the decline of the Order; ambition drove them to the attainment of a degree, and then they became unworthy superiors. Consequently, only young clerics, tried in the discipline of the Order, shall be chosen for higher studies, and all study houses shall be handed over to the reformed friars. *Primum mores, postea studia!* Promotion to degrees shall in future be limited to the universities. Degrees shall be granted only to those who have been sent by their superiors to prepare themselves to become lecturers and not merely to gain a title. In all larger friaries, convent schools shall be established, where lectures on practical subjects must be given.

For a long time the Observants had been complaining of the abuses rampant in the educational system of the Order. These attempts at reform confirm indirectly, at the very least, those charges of the Observants. The Spirituals also had raised their voices against abuses, which had crept into the education of their day, but these abuses were not nearly as bad in the thirteenth century, as in the fourteenth and the fifteenth.

Paragraph 57
The Position of the Observants towards Education

An aversion for studies, or at least for the system of education as it had developed in the Order, did indeed prevail among wide circles of the Observants of all countries, in the beginning of this reform. This attitude is readily understood in the light of what has been related in the foregoing paragraph. The convent of the Spanish Observants at Oviedo seems to have been the first to express this displeasure officially. It decreed that no member of the convent might accept the degree of licentiate or doctorate. But, this convent was certainly not opposed to true learning, for at that very time many friars of the convent were *Baccalaurei* and taught at the University of Salamanca.

The French Observants reveal a similar attitude towards the higher academic degrees. They explained in their memorial to the Council of Constance, that they completely abstained from accepting academic honors, because of the abuses connected with them. Continuing, they explained to the Council that knowledge alone was sufficient for them; and promotions to degrees were more frequently obtained by money than by learning.

At the Council of Basle, the Observants defended themselves against the charges of the Conventuals, that they did not wish to study and that they had no Masters, by referring to actual conditions. The Conventuals possess all the study houses, answered the Observants, and they will not transfer any of them to the Observants, nor will they permit any Observant to be promoted to degrees. The Observants, on their part, wished indeed to study, but even with the best of will, they were not able to do so in the General Studies of the Order, because it was precisely in those convents that discipline was at the lowest level. This is true especially of Paris, where the conditions in the convent justify its comparison with hell. Finally, they ask the Council to see to it that the way to knowledge be not close to them; with childlike naïveté they add: We do not wish any academic degrees for our lectors, but we wish to pursue studies as they were pursued at the time of Alexander of Hales, Bonaventure and Scotus.

The *Hortamenta circa studiorum locu et studentium directamenta*, compiled about 1500, agree essentially with the views just expressed. The great teachers of the Order, among them also Occam, are proposed as models of the correct method of acquiring learning. The study of religious and edifying books shall be emphasized, and the pursuit of virtue is always to be performed to the gaining of knowledge. *Virtus vitium expellit, non autem scientia*. The lax discipline of the Order, together with a striving after worldly wisdom had ruined the Order. Good study houses must be made nurseries of worthy religious.

The attitude of the German Observants towards education coincided essentially with that of the French Observants, as we see from the apology of Schatzgeyer (cfr. par. 28). On the other hand, a large portion of the Italian Observants were far more prejudiced. Among them higher studies were almost entirely ignored during the fourteenth century, and even well into the fifteenth century, they had men, who considered it more advisable not to have higher studies in order to preserve more securely the spirit of seraphic simplicity. In his cutting manner, Boniface of Ceva said of such

men: *Non despicio fratrum simplicitatem, sed non laude fratrum asinitatem*. The most important leaders of the Italian Observance did not approve of this attitude of their confreres. St. Bernardine, as Commissary of the Italian Observants, strove to introduce studies in 1440; and he founded their first school of theology at Perugia. From 1443 on, St. John Capistran repeatedly demanded that houses of study be erected in all provinces. Nor did he admit the value of the objection, that thereby quiet of mind would be disturbed and that because of the necessity of books, poverty would be destroyed. When St. John met opposition in his attempts to foster learning, he could write very sharply concerning *ignorantia et insipiens simplicitas*. Finally, we know of St. James of the Marches that, by collecting books, he strove effectively to furnish the means of acquiring knowledge. The library, which he established at Montepandone was rated among the most valuable in the Order in the fifteenth century (cfr. par. 54).

The ultramontane friars did not lag behind the cismontane in the establishment of schools. In 1447, they decreed that study houses should be established in each province, and in the following years, they repeatedly emphasized the obligation of providing the young clerics with a good basic education, since they had been denounced at Rome *de ignorantia affectata*. Conditions soon changed rapidly after candidates began to enter the Observance, who had received training previously either with the Conventuals or at universities. University students joined the Observance especially in those German cities, where St. John Capistran had preached. His sermons occasioned the entrance of many students and even some teachers from the local universities. As a matter of record, in many provinces of the Observants, studies had reached a high development already by the year 1500.

With the constantly improving status of education, the earlier aversion of the Observants towards academic degrees gradually ceased. Abstracting from the English Province, where the Observants had always obtained degrees just as the Conventuals, we find rather early also in the other provinces a number of Masters of Theology, who had either possessed this degree before their entrance into the Observance, or who gained it only later. As proof, it is sufficient to refer merely to Nicholas de Orbellis († ca. 1465), the profound commentator on Scotus, Stephen Brulefer, the head of the Observant school at Mainz, Gilbert Nicolai, Vicar General of the ultramontane Observants, and Francis Lichetto, the founder of an important Scotistic school and later General of the Order. That the two latter friars were elected to leading positions in the Order shows moreover, that the Observants in general had learned to value intellectual attainments.

The efforts of the Observants to improve their educational facilities occur in the very midst of the Humanist movement. Because of the many pagan features, connected with this literary renaissance, the Orders, for the most part, were hostile to it. Still, men were not wanting, even among the Observants, who knew how to separate the wheat from the chaff and who did their share to encourage the good elements. Bartholomew of Giano, a companion of St. Bernardine, learned Greek in Constantinople and brought many books from Greece to Italy to be translated.

In upper Germany, the friars zealously took up the study of Hebrew, and Conrad Pellikan († 1556 as a Protestant) compiled, about 1504, the first Hebrew grammar in the German language. His teacher, Paul Scriptoris († 1505) was a noted lector at the General Studies at Tübingen. Here Paul had lectured not only on theology, but also on the mathematical sciences and, in this way, at some time or other, he had almost all the

university professors of that place as his pupils. In Italy, Peter Galatinus († ca. 1540) was a noted Orientalist. In the renowned quarrel concerning the Talmud, he wrote in favor of Rouchlin. The Conventual, Constantius of Tolentino († 1550) was also considered a distinguished Humanist.

Cardinal Ximenes should be reckoned as the most successful promoter of higher studies among the Observants. Not unjustly, has he been called the founder of the theological Renaissance in Spain. He published at great cost the famous *Polyglotta Complutensis* in order to make the original sources of the Holy Scripture readily accessible to students of theology. For a long time, this work was an invaluable aid for the study of the Bible for Catholic and Protestant scholars alike. Another great achievement of the Cardinal was the establishment of the University of Alcalá de Henares (Complutum), which has been the training school of many distinguished theologians.

Paragraph 58 **Some celebrated Scholars**

We cannot speak of a Franciscan school, in the sense that the lecturers of the Order were forced to follow one prescribed author. It is correct, however, to say that most of the Franciscan theologians of later days followed one or the other of the great Franciscan masters of the past. We distinguish, therefore, an older Franciscan school, of which Alexander of Hales and still more, St. Bonaventure are considered the masters, and a younger or more progressive school, which follows the lead of Scotus. The latter school since the fifteenth century was preferred more and more by the scholars of the Order, although followers of St. Bonaventure are also found in all centuries.

Alexander of Hales (*Doctor Irrefragabilis, Theologorum Patriarcha*, † 1245) during his life enjoyed a worldwide reputation as a university professor. Even after his death, he continued to exert a profound influence upon Scholasticism, by his *Summa Theologica*, which merits the highest praise, both by reason of the originality of plan and the broad scope of its contents. It is the first system of ecclesiastical dogma and morals, in which the entire Aristotelian philosophy was employed as an aid to theological speculation.

Although St. Bonaventure (*Doctor Seraphicus*) regards Alexander of Hales as the father and teacher of the Franciscan School, he does not hesitate to differ from the master in a fundamental point. St. Bonaventure emphasizes rather the mystical-ascetical aspects of theological truths and is not notably strong on pure philosophical speculation. Bonaventure, the “Plato of the Scholastics”, always indeed found enthusiastic admirers, yes a Gerson even preferred him to all other teachers, because he enlightens the mind and, at the same time, warms the heart. Nevertheless, even up to the present, he must be enumerated among those authors, who are more praised than read.

The same cannot be said of John Duns Scotus (*Doctor Subtilis*). Born probably in England, he studied at Oxford, gained the Doctor’s degree at Paris in 1304, and died, in the prime of life, at Cologne in 1308. Concerning the positive value of his theological views, the future only can tell after the ignorance regarding his works has been dispelled. His historical importance is already evident. By his profound criticism, he brought new

life into theological studies from the fourteenth century to the present day. At almost all universities there were chairs of Scotistic theology, nor were these occupied only by Franciscans. Learned men have written more than 2000 works to develop and defend his doctrine. All this would have been impossible, if the learned world had not seen in Scotus an extraordinary spirit, which forces recognition despite all obstacles. For, no roses were strewn in the path of Scotism.

The greatness of the spirit of Scotus is manifest also in the fact that he knew how to spur his pupils on to fruitful original work. His first disciples did not swear blindly by the words of the master, as was done later on alas only too frequently, but they had the courage to oppose the views of the master, if they thought he was mistaken. This is true especially of his most important disciple, William of Occam (*Doctor Invincibilis, Venerabilis Inceptor*), the outspoken champion of Nominalism. While many theologians date from him the beginning of the decline of Scholasticism, because he attacked it in its very foundations, not a few philosophers and naturalists assign to the same man a leading position in the development of their branches of knowledge. It is impossible to form a just opinion before a critical edition of the works of Occam has been published. The historian, however, must rank Occam among the princes of learning in the Order, on account of his wide influence.

The historian must pass the same verdict upon Roger Bacon (*Doctor Mirabilis*, † 1294), the disciple of the wise Adam of Marsh (*Doctor Illustris*). The special importance of Bacon lies not in his sarcastic criticism, in which at times he goes too far, but in the constructive suggestions to elevate the general standard of studies. Bacon advocated the rejection of the unworthy cult of authority in scientific questions, the study of the ancient languages to furnish a better approach for scriptural exegesis and thereby for entire theology, the study of experimental sciences together with Mathematics, so that philosophy does not beat the air in its speculations but learns to acquaint itself constantly with actuality. Who can deny, that science would have avoided many pitfalls, if the thirteenth century had adopted Bacon's proposals? At the same time, Bacon expressly states that knowledge should not be considered an end in itself; all scientific labors should converge into moral philosophy, which he calls the most beautiful of all the sciences, since it has as its purpose the well being of the soul. Although the exhortations of Bacon addressed to the theologians remained for a long time unheeded, his suggestions for the natural sciences found a readier and ever wider acceptance. Alexander of Humboldt says of him: "Roger Bacon is the most important person of the Middle Ages, regarding those things which have immediately effected the development of the natural sciences and their firm foundation in mathematics and experimentation ... To him belongs the glory that the influence which he exerted upon the form and method of nature study, was more beneficial and permanently useful than all the inventions, which have, more or less justly, been attributed to him ... Favored and protected by one Pope, Clement IV, accused of magic and imprisoned by two others, Nicholas III and Nicholas IV, he shared the varying fortunes of the greatest minds of every age."

Next to the stars of the first magnitude, the Order had a great number of learned men, who have assured themselves honorable mention in the history of intellectual progress. Space permits the mention of only a few here. Richard of Middletown (de Media Villa, *Doctor Profundus*, † ca. 1300), the instructor of St. Louis of Toulouse, enjoyed the greatest authority not only within the Order, but also at the Councils of

Constance and Basle. His fellow countryman, John Peckam († 1292) was distinguished both as scholar and as archbishop of Canterbury. The same is true of Eudes Rigaud (Odo Rigaldus), the friend of St. Louis the King, who died in 1275 as archbishop of Rouen.

The activity of Francis Mayron (Mayronis, † 1327) falls within the fourteenth century; he was an unusually successful writer. It was he who introduced the so-called *Actus Sorbonnicus*, that is, the disputations at the University of Paris, which lasted a full day. His contemporary, Peter Auriol (Aureolus, † 1322 as archbishop of Aix) has, by his conciliatory attitude between Thomism and Scotism, gained the enmity of both parties. Nevertheless, his writings held their ground for centuries, and of late even seem to be regarded more highly. Walter Burleigh (Burlaeus, † ca. 1340), disciple and opponent of Scotus, enjoyed such exceptional respect at Oxford, that he was chosen as the tutor of the future King Edward III. An ardent Scotist, on the other hand, was Peter of Aquila († 1361), also called Scotellus on account of his widely circulated commentary, in which he champions the teachings of the Master. Less important as a scholar was Alvarus Pelayo (Pelagius, † 1350). He was renowned as a candid critic of ecclesiastical abuses, and as the propounder of a system of extreme ecclesiastical power, which he explained and defended in his work: *De Planctu Ecclesiae*.

The number of eminent theologians in the fifteenth century is small. Besides Nicholas de Orbellis and Stephen Brulefer, already referred to, there remain the Frenchman William Vorillon (Vorilongus, † 1464) and the Spaniard, Alphonsus Lopez de Spina († 1491), a converted Jew. His book, *Fortalitium fidei*, written against the Israelites, enjoyed a great popularity.

Practically all the theologians of the Middle Ages devoted themselves to Scriptural exegesis. St. Anthony of Padua merits special praise for the first biblical concordance. John Marchesinus of Reggio († ca. 1300) also is worthy of special mention for his biblical dictionary, called *Mammotrectus*, which was used throughout the entire Middle Ages. Nicholas of Lyra (*Doctor Planus et Utilis*, † 1340), however, surpassed both of these friars. His great book of homilies on the Bible restored the literal sense of the sacred text to its proper place and checked the tendency towards the excessive and almost exclusive use of the allegorical sense. How highly esteemed this book of homilies was, may be seen from the fact that the work was printed innumerable amount of times during the fifteenth and sixteenth centuries and was used by Catholics and non-Catholics alike.

A group of German Franciscans occupy a place of honor, next to St. Bonaventure, as mystics: the noble David of Augsburg († ca. 1272), his contemporary Lamprecht of Regensburg; Otto of Passau and Marquard of Lindau in the fourteenth century; Stephen Fridelin, mentioned above as a preacher (cfr. par. 44) in the fifteenth century.

The *Summa confessorum* were practical aids for confessors, compiled during the Middle Ages almost exclusively by Dominicans or Franciscans. Of those published by Franciscans, the most important are: the *Summa Monaldina* of Monaldus of Dalmatia († 1322), the *Summa Astesana* compiled by Astesanus († 1330), the *Summa Pacifica* of Blessed Pacificus of Ceredano († 1482), the *Summa Rosella (Baptistiana)* of Baptista de Salis († ca. 1490), and the *Summa Angelica* of Blessed Angelus of Chiavasso. The *Summa Angelica* supplanted all the earlier ones and became so popular and important, that Luther publicly burned it together with the *Corpus juris canonici* in 1520.

While the *Summae* were intended primarily for priests, other friars wrote instructive and edifying books for the common people. Most successful in this work was Dietrich Coelde, who in 1470, published a book of instructions, called the Mirror for Christians. It was written in the manner of a catechism. This book enjoyed unusual popularity and went through more than thirty editions. This oldest German catechism is “so simple, intelligible and forceful, that it could be used today with the same good results as 400 years ago.” Another Observant of Lower Germany, William of Gonda, a contemporary of Coelde, published an explanation of the Mass for the people, which was reprinted at least sixteen times even before the year 1500.

Although the friars were particularly in the development of the theological sciences, some individual Franciscans achieved noteworthy success also in other fields of learning. About the middle of the thirteenth centuries, Alexander de Villa die (*de Villa Dei*) wrote the *Doctrinale puerorum*, a Latin grammar in verse. This book was published about 300 items and was used in almost all the schools of Europe until well into the sixteenth century. Although the same Alexander is credited with a profound knowledge of mathematics, he cannot compare in this regard with Roger Bacon, nor with the contemporary of Bacon, John Giles Zamora, the intimate friend of King Alphonse X of Spain. The predilection of this friar for the natural sciences, his knowledge of languages, as well as his treatises on the theological questions of his time, have indeed gained for Zamora the honorable title of a second Bacon. A kindred spirit in the thirteenth century was the Franciscan, Berthold Schwarz (Bertholdus Niger), of the province of Upper Germany. By his experiments he discovered a method of using gunpowder in cannon. Finally mention must be made of the Humanist, Luke Pacioli († ca. 1512), a very distinguished mathematician, who is supposed to be the first to apply algebra to geometry and to have begun the double entry system of book keeping.

In the honorable field of history, the services of the Franciscans in recording the chronicles of cities are universally recognized. Naturally also many friars wrote on the history of the Order. Since an evaluation of their work would necessarily far exceed the scope of this work, only the most important names will be mentioned here in a group. From the thirteenth century: Thomas of Celano, Julian of Speyer, Thomas of Eccleston, Jordan of Giano, St. Bonaventure and his secretary Bernard of Besse, Salimbene, and the Spirituals, Angelus Clarenus (cfr. par. 10), and Ubertin of Casale (cfr. par. 10). To the fourteenth century belong Nicholas Minorita (cfr. par. 13), Arnaldus of Sarnano, the probable author of the Chronicle of the twenty-four Generals, and Bartholomew of Pisa. In the fifteenth century, James Oddi of Perugia wrote his “Mirror of the Order”, also called *Franceschina*. A little later, John of Komorowo and Nicholas Glassberger compiled valuable chronicles, while Francis of Ledesma in his *Monumenta*, Gerard Zoethelme in his *Speculum*, and Boniface of Ceva in his *Firmamenta* published collections of important source materials.

Paragraph 59

Art

That the Franciscan movement did have a very beneficial influence upon art is evident from the churches of San Francesco and of Santa Croce in Florence (cfr. par. 3); but the Order as such did not aim directly at fostering the arts. Still we find some friars, who even in this sphere accomplished such noteworthy deeds, that they may not remain unmentioned. Thus we have Mino Turrita (James Torriti), who, by order of Nicholas IV, produced the magnificent and much desired mosaic in the church of the Lateran. Then there is Philip of Campello, who completed the construction of the church of San Francesco and erected the church of Santa Clara in Assisi. Painters who deserve praise are Anthony of Monza in the second half of the fifteenth century and especially Henry of Duderstadt, who painted a grand altarpiece in the convent of Goettingen in 1424. There were also some excellent book illuminators.

Works of much greater importance, however, were produced by the Franciscans in the field of poetry. In this they but imitated their founder, the composer of the Canticum of the Sun (cfr. par. 3), which is considered the first poem known with certainty to have been written originally in the language of the Italian people. Like St. Francis, his followers distinguished themselves by fostering the vernacular, especially in Italy, where the national literature begins with the Franciscans. Besides the founder of the Order, other poets worthy of mention are: Br. Pacificus, who was crowned *Rex versuum* by Frederick II, Giacomino of Verona, whose poems on hell and paradise bear numerous resemblances to Dante's later Divine Comedy, and Jacopone Benedetto of Todi († 1306), in whom Franciscan poetry as well as the Italian spiritual folk song, reach their climax. His life was a glowing, divine song of love, which found expression in the touching words, "I weep, because love is not loved." Unsurpassed in hatred of the world and self, he permitted himself to be carried too far by his passionate nature, and was, on this account, imprisoned by Boniface VIII. He was liberated by Boniface's successor. – We must not overlook the Fioretti (cfr. par. 2). They are a poetical version of the *Actus Beati Francisci* and were very influential in moulding Italian national literature. In Germany, Lamprecht of Regensburg (cfr. par. 58) and Henry of Burgeis in Tyrol († ca. 1300) were also famous poets.

Among the poets in the Latin language, Jacopone da Todi, with his *Stabat Mater dolorosa*, again takes a place of honor. Its companion composition, *Stabat Mater speciosa*, is also probably by the same author. Jacopone is equaled in Latin poetry by Thomas of Celano, the author of the sequence of St. Francis *Sanctitatis nova signa*, and the overpowering *Dies Irae*. A worthy associate of these two leaders is Julian of Speyer († 1250), who, by his metrical offices for the feasts of St. Francis and St. Anthony has become the most important liturgical poet of history. John Peckam imitated Julian in his metrical office *de SSma Trinitate*. Noteworthy likewise is the elegy, composed by Bernardine of Cingoli, on the fall of Constantinople.

St. Bonaventure was also a poet; his mystical writings reveal a rich poetic talent. The *Meditationes vitae Christi*, earlier ascribed to him, undoubtedly come from the same Franciscan author. They were used not only by Jacopone, but also by the authors of the

spiritual dramas of the fourteenth and fifteenth centuries, who drew from them material for their animated dramatic portrayals.

That Dante was well acquainted with Franciscan thought is beyond question. On the other hand, a direct dependence on popular Franciscan literature cannot be demonstrated. Neither can any dependence be proven on the *Anticerberus* of the friars, Bongiovanni of Covriana, a long poem, modeled on Virgil, written about the middle of the thirteenth century. This poem seeks to warn Christians of the dangers, which threaten them. Nevertheless, it is striking that, after the sons of the poet, the first commentator on the Divine Comedy was a Franciscan, Accursius de Bonfantini. It was also a bishop of the Order, Jean Bertholdi of Serravalle, who was commissioned by the Council of Constance, to make the first Latin translation of Dante's masterpiece.

To a great extent, the old Franciscan poets were at the same time singers and musicians. We know how much St. Francis loved singing and how he saw in it a means of inspiring the people with love for God. The friars Henry of Pisa and Vita of Lucca were especially noted during the thirteenth century. Vita was often called upon to sing before the Pope, the cardinals and bishops. Outstanding also in this regard was the leper friar of Germany (par. 46) who lived during the 14th century.

The precept of the rule which prescribed that the office should be said according to the custom of the Roman Church applied, in the opinion of the friars, also to liturgical chant. In all their notated breviaries therefore, we find only pure chant used. These manuscripts were always written with the square notes, which soon were used exclusively.

Still the Order did not show itself adverse to changing conditions. Thus it willingly espoused the popular liturgical rhythmic and rhyme offices and itself produced some masterpieces in this field. To this class belong the *Dies Irae*, *Stabat Mater* and the rhyme offices of Julian of Speyer.

With regard to the theory of music, besides the writings of Roger Bacon, the work *De quattuor principalibus in quibus totius musicae rudices existunt*, prepared by the Oxford Franciscans during the 14th century, is not without importance. Toward the end of the 15th century Bonaventure of Brescia, Peter Canuzzi of Potenza and the otherwise unknown Francis of Bruges labored successfully in the same field.

Some friars are also given very honorable mention as makers of musical instruments. The viols and lutes of Dardelli of Mantua were very much in demand about 1500. The two Observants, Conrad Rottenburger and Leonard Marcus, both in upper Germany, were renowned as organ builders. The larger of the two organs of the cathedral at Ulm is the work of Conrad. Equally as distinguished is Urban of Venice who, in the beginning of the 15th century, built magnificent organs for the cathedral of Treviso and for the church of St. Mark in Venice.

End of the first part.

Part 2

I

HISTORY OF THE FRANCISCAN ORDER FROM THE YEAR 1517 TO THE PRESENT TIME

Paragraph 60 *Survey*

The division of 1517 had become inevitable, as we can see from the facts already mentioned but it was not for the betterment of the Order. The Conventuals had received a staggering blow, for their best friars had joined the Observants. All efforts notwithstanding, this branch of the Order steadily fell behind the other, both in numbers and in influence. In the field of learning alone did the Conventual friars hold their ancient prestige but that only for a time.

The Observants, too, were now in a much more difficult position than formerly. The long battle with the Conventuals had taxed their strength sorely, and the victory left them weakened. For even though the object of the conflict, the reformation of the Order, was a worthy one, still disputes between religious Orders are seldom incentives to virtue among the members. Moreover, the reception of individual Conventuals, of entire communities, and even of whole provinces, also weakened the Observants. Indeed, there had been joy in the Observant camp on account of this rapid increase in their numbers, but that joy had been short lived. For these stricter followers of St. Francis soon saw, that the newcomers could not be as readily assimilated, as they had thought. Instead of the Observants reforming the Conventuals, the latter, on the contrary, rather caused a deterioration in the discipline of the Observants.

Added to this, was the unhappy circumstance that the Order in 1517 was divided into two Families, from which the General was to be elected alternately. Due to the increase in the nationalistic spirit, that practice became a real drawback to the Order. Spaniards, or subjects of the Spanish dynasties in Italy, occupied the General's office almost exclusively for hundreds of years. Naturally, the other Nations, who were on the outside of this charmed circle, bitterly resented this monopoly, and finally even became estranged from the head of the Order.

Lastly, the Reformation was a cause of serious harm both to the Conventuals and to the Observants. A number of the brethren threw in their lot with that of the reformers; many of the others were driven out of their convents. Some of these exiles lived in the world, others were received by neighboring friaries. Of course, such happenings tended to weaken religious discipline.

The newly founded religious institutes, both within and without the Order, were spared this source of weakness. Hence, it is easy for them to glory in their unspotted record, in contrast to that of the older Orders. An Order without a past comes off at such times of peril and crisis simply because it is not retarded by the weight of the dust of

earth, which clings to the garment of every institution, which has labored for centuries among men. Hence, its very age and maturity constituted a serious handicap for the Observance in the competition with the newer foundations of the Discalceati, the Capuchins, the Reformati and the Recollecti. Up to this time, the Observants had struggled with an opponent, when they had certainly surpassed in the fidelity to the Rule and in strictness of religious discipline. Now, however, their struggle was with factions, which in the beginning at least, were given to a greater external severity of life and laid claim and strove to possess even greater fidelity to the Rule. On this account, these new foundations soon acquired a following and aroused admiration, especially since a number of the Observant provinces had suffered severely in their discipline, due to the above mentioned causes.

But, did these newly founded branches wish to reform the Order and, in particular, the Observants? Did they strive to bring back the entire Order to a more faithful observance of the laws already in existence? The answer to these questions must decide, to a very great extent, the right to exist within the Order. In this connection, let us repeat again, that the aim of the Observants in their reform had been to lead back the entire Order to the way of discipline prescribed by their spiritual forefathers and to an ideal of poverty, compatible with human weakness. Only when experience proved that this objective could not be realized, did the Observants form their own branch. But among the new congregations of the sixteenth century, we find this same aim only to some extent among the Recollecti and the Reformati. The Discalceati and the Capuchins, on the contrary, never intended to influence directly the entire Order. They strove merely to push through their own ideas and regulations, in order to obtain for themselves a separate corporate existence. All of the new congregations were characterized by the prominence given to penitential practices, not prescribed by the Rule, and by an endeavor to distinguish themselves from the rests by a particular garb. Was that in accordance with the spirit of St. Francis? More in harmony with the ideals of the Saint was the zeal, shown by all the new branches, for a stricter observance of poverty. Many even, such as the Discalceati, returned to the ideals of the Spirituales, and tried to observe the Rule without the alleviations, granted in the papal declarations. But this attempt was soon stopped, and the new branches, for the most part, to that golden middle way, to which the better part of the Observants had ever been faithful. This return to ancient practice had begun in all reform groups by the eighteenth century, even though it may not have been started deliberately. From that time on, the difference between the various branches consisted chiefly in the make up of the habit and in the customs of the Provinces. This fact was a decided victory for the Observants: the judgment of time proved that their principles and their ideals were within the bounds of sustained human endeavor.

In the light of this later development, should one deplore the foundation of these new groups? That is a thorny historical question to answer. For, on the one side, the observer must indeed be blind, who does not see the stupendous activity, especially of the Discalceati and of the Capuchins. On the other hand, we are justified in inquiring, whether those mighty forces which were at work in these separated groups, would not have accomplished even greater good, if they had been joined to the resources of the Observants? For, it never has been demonstrated that this great activity was the result of some feature, proper to the new foundations, otherwise how can we explain the fact that the success of the Observance is unsurpassed by even the greatest of these new branches?

How can we explain the fact that the Observance was ever developing and sustaining such mission activity that none among the new foundations can compare with in this regard?

We freely admit that some of the good, accomplished by the new groups would never have been done, had they not arisen as separate bodies. Still, let us not forget, that is also likewise true that much evil would also never have been perpetrated, if they had never existed. Reforms will be necessary in all human institutions in the course of time. These reforms may consist either in a reawakening of the original spirit, or, in an evolution of the institute, to adapt it to changed conditions. As long as such reform efforts result in a rebirth of the respective society, men will recognize the reforms as a necessity and as meritorious enterprises. But, if that rebirth does not take place, indeed, if it is not even attempted, then such would-be reforms are in themselves failures. They can only be then the prolific mothers of ignoble factions, which fritter away their energies in shameful squabbles with another rather than increase their powers through a holy emulation with their rivals. The history of all religious orders teaches us the same lesson, but not least of all is that lesson burned into our consciousness by the history of the Order of St. Francis. Any unbiased student of the inner development of this Order from the sixteenth century to the eighteenth century, will be filled with annoyance at the sad results of these divisions, despite the great amount of good, which they have performed. It was this annoyance and shame which called forth already in the seventeenth century a cry for a union of all the branches of the Order.

It is not our intention to impute a greater or less amount of guilt to any group or branch: they are all equally guilty. Here, too, we wish to impress upon the mind of the reader this very important truth, that in all these many quarrels and divisions, the vast majority of the ordinary members of the Order had no part whatsoever. At the most, they were simply confirmed in their good faith by the words of some leader. In every division, almost without exception, we will find some restless and ambitious spirits at the head, who began, in each instance, by procuring more or less exemption from the obedience due their lawful superiors. In this endeavor, alas, they received only too often, the help of the Apostolic See, through some papal document, which an ecclesiastical or secular prince obtained for them, on the plea that their clients wished to follow a stricter mode of life. These leaders, then, gathered disciples whom, of course, they ruled, since they were the *venerabiles inceptors*. Next would follow the struggle with the General of the Order, who, in view of his office, could not quietly acquiesce in such separations. Often the General would win the case, but more often he would lose, due to the influence of powerful protectors. The fledgling's next move would be to spread as rapidly as possible and to accept houses everywhere, to make an equal showing with the others.

Not satisfied with the juridical proof of its right to exist, as afforded by the papal document, the new shoot also strove to prove it by an outward show of greater severity of life and of a more exact copy of the habit; not seldom, too, by a bitter denunciation of learning.

Thus, for many members of all branches the Franciscan ideal consisted merely in externals. The friars of the older branches, usually defended themselves with the same weapons with which they were attacked, since they were the most potent with the people. Hence the market was soon flooded with pamphlets on the questions: Who has the genuine habit of St. Francis? Which branch descends directly from him? Where are we

to search for his true sons? Which branch enjoys precedence before the others? Empty questions all – whose very asking is a shame to a Friar Minor, a lesser brother, even if they had been answered with less spite and more charity and discretion, that was really the case. The more these leaders became estranged from the true spirit of St. Francis, from the following of the Lord in poverty and sincere humility, in the most profound love of God and of neighbor, the more did they strive to create an impression on the public by their noise concerning greater external severities and by their insistent demands for all sorts of exterior devotions. The lack of a scholarly background, which assumed ever greater proportions, in a large part of the Order, gave an added impetus to this course.

Such were the fruits of the divisions, as they are revealed in a terrifying measure, especially in the history of the eighteenth century, just when the Order was at the peak of its external growth. The world was full of Franciscans; but the world was not full of respect for the Franciscans, despite the edifying example of some provinces and of some missions. Pamphlets, hostile to the Order, ever increased in number. Respect for truth forces us to confess that, to a certain extent, the charges were justified. The ruling spirit of Enlightenment only made matters worse, until, during the French Revolution and its aftermath, the Order was almost completely destroyed.

Still the foundation of St. Francis was not to succumb. With unspeakable pain and labor, the restoration was begun. Indeed, so well was the work accomplished, that at present, despite the numerous secularizations of the nineteenth century, the entire Franciscan Order is by far the strongest of all religious societies. But, in the meantime, the lesson of history has been taken to heart: the many branches are a curse. Up till the year 1897, the following separate branches still existed under the jurisdiction of one General: the Observants, the Reformati, the Stricter Observants, the Discalceati and the Recollects. In that year, these separate units were fused into the one *Ordo Fratrum Minorum*. God grant that the twentieth century will see the return of the Conventuals and the Capuchins, united indeed, not by force, but moved thereto by the calm and sincere conviction that such a move would be for the welfare of the Order and of the Church.

Chapter 1

INTERNAL HISTORY

Section 1

The period of the beginning of new Reforms within the Observance. From 1517 until the end of the Seventeenth Century

Paragraph 61

The first five Generals after the division of the Order (1517-1535)

The new General was Christopher Numai. Despite his opposition, he was created a cardinal only a month after his election. Nevertheless, he continued to govern the Order, until the next General Chapter, held at Lyons at 1518. His successor was the learned Francis Lichetto. The Chapter of Lyons undertook the reorganization of the provinces (cfr. chap. 2). The electoral fathers also decreed, that wherever there were two or more friaries in the same city, subject to one provincial, one of these convents, with the permission of the Holy See, should be given to another Order or to be abandoned entirely. Unfortunately this prescription was observed just as little as that other strict command, namely, that no friar could appeal from the verdict of the General Chapter. According to the wish of St. Francis, the General or the General Chapter should be the highest court for matters concerning the Order. Only too often, however, no heed was paid to this decree and that particularly by those who considered themselves to be the more perfect sons of their holy Founder.

Lastly this same General Chapter also published a new code of Constitutions as demanded by the Bull of Union. They were modeled very closely upon the *Constitutiones Barcinonenses*. On that account the new Constitutions were not accepted by the Cismontane Family.

The General strove to the utmost of his power to strengthen the Observance. He insisted that the Conventual friars and Provinces who wished to unite with the Observants would have to renounce their privileges. He cared less for external accretion than for internal assimilation. Hence, too, he forbade the foundation of new friaries without his express permission. He conciliated the members who were zealous for a reform by erecting Houses of Recollection (cfr. Section 2). On the other hand he rebuked those who wished to abandon the large convents received from the Conventuals. He was untiring in his visitations of the provinces of Italy, Germany and Austria. In one year, while on his tour of visitations, he had 72 Guardians deposed because they did not take proper care of the sick. This severity is all the more noteworthy since it seems to be contrary to his motto: "Longanimity and patience are more necessary for superiors than for subjects."

Paul of Soncio succeeded to the Generalate upon the premature death of this able man. However, two years later Paul also died. Since 1517, the office of General had been occupied by three Italians, although in all they ruled but six years. According to the Bull of Union the office of General should alternate between the two Families. But the Bull also states that the tenure of office should be six years. The majority of the Order stressed the latter phrase. But the Spaniards placed the emphasis upon the words which demanded the alternate election from the two families. Therefore, according to their view, a Spaniard should have been elected General already in 1518 instead of the Italian, Lichetto. Moreover, due to the war then raging between France and Spain, the General Commissary, then a French, Gilbert Nicolai, could not conduct the visitation in the Iberian peninsula. Hence the Spanish provinces in 1520 demanded that they be given a National Commissary. Such an official was granted them in 1521, although at that time, the Ultramontane General Commissary was also a Spaniard, namely Quiñones. Thus was the pernicious principle of Nationalism injected into the government of the Order. In 1526, it was to become the deciding factor (cfr. Chap. 2).

The General Chapter celebrated at Burgos in 1523 elected Francis (de Angelis) Quiñones the General. Being a true product of the school of John of Puebla, he was zealous above all for religious discipline and fostered the cause of the Missions and of the Houses of Recollection. He planned to promulgate new Constitutions. Whether by these we are to understand the Constitutions of 1518 or some entirely new laws, we do not know. At any rate, Quiñones did not expect much of laws. He was convinced that there was no defect in the laws, but in their enforcement; and that, therefore, the superiors alone were at fault. After completing the visitation of the Spanish Provinces, during which he persuaded many Conventuals to join the Observants, the General left for Italy. Here conditions as a result of the plague and the vicissitudes of the war (the Sack of Rome) were very deplorable. The General strove to introduce a true reform everywhere. As a result a vague tendency for a division began to declare itself. Quiñones wished to check such a movement and therefore in the Chapter of Assisi in 1526 he had a law passed stating that anyone who should by any means procure a Brief *Tangens statum Ordinis* without the permission of the General superiors should be severely punished and expelled from his Province.

Unfortunately Quiñones was not permitted to concentrate his energies exclusively upon the welfare of the Order, because the Pope saw fit to employ his services on important political missions. Under such conditions, the General considered it his duty to petition the Pope to relieve him of his office. The Holy Father at last granted his request and also gave Quiñones the power to name the Vicar General who should rule the Order till the next Chapter. However, such a procedure would constitute a dangerous precedent and was contrary to the Constitutions of the Order. Hence the Cismontane General Commissary protested until he obtained that the Vicar General who had already been appointed should also be elected.

In 1529 Paul Pisotti was chosen to succeed Quiñones, now a Cardinal. Pisotti was the exact opposite of Quiñones in almost all respects. To begin with, his private life was not becoming a Friar Minor. *Ita inter nos incessit, quasi ex nobis non esset* (In this way he came among us, as if he was not one of us), is the verdict of Luke Wadding. But he aroused still more opposition by his violent and partisan government. The members who were anxious for reform, the Ultramontane Family, and in particular the Spanish friars

suffered the most at his hands. Finally the dissatisfied friars became so indignant that in 1532 the Ultramontane representatives met at Toulouse contrary to the orders of the General and there independently drew up regulations to suit themselves. When the General arrived, he could do nothing. Still, we must admit that Pisotti labored faithfully that those French provinces which had been Conventual, should surrender their possessions and their privileges. The French friars stood in need of special care since there the disputes continued even long after the Union. Thus a complete fusion of interests and a harmonious striving for the Observant ideal of poverty was rendered impossible.

Pisotti's entire rule was an unfortunate one. Nor must we except from this condemnation his efforts to solve the question of a uniform code of laws for the entire Order. That question had demanded a solution ever since the Constitutions drafted in 1518 had been rejected. In the Chapter of Parma in 1529, the Cismontane Family issued its own laws. These were nothing more than an unsystematized collection of the *Constitutiones Martinianae* together with several chapters from the *Constitutiones Benedictinae* and *Farinariae* with the addition of the decree of St. John Capistran and the laws just promulgated at the Chapter. On their side, the Ultramontane friars were permitted to observe the Constitutions of Barcelona, which had been revised at Toulouse in 1532. And thus the ancient condition continued. Indeed it was rendered even worse. For in 1533 the Provincia Provinciae was granted permission to observe without molestation the *Constitutiones Martinianae* since no laws had been declared to bind the entire Order, and the Constitutions then in force in the Ultramontane Family would not be observed in that province.

How harmful this lack of uniformity in important legislation really was may be clearly and sadly proven from the case of the Apostolic Syndic which was unearthed again at this time. The Cismontane Provinces accepted the Syndic as granted in the Declarations of Nicholas III, Martin IV, and Martin V. However, there were many Ultramontane friars who would accept only the Syndic of Nicholas III, who did not have such broad powers. From the beginning of the 16th century on, this difference was that none of contention between the Observants and the Reformati. As a matter of fact this was the only matter both regarding poverty and the observance of the Rule which the Reformati interpreted more strictly than did the Observants. In theory indeed, the Syndic of Martin IV and Martin V did grant the friars greater freedom, but finally in practice there was no difference. For as soon as the opponents of the Syndic of the two Martins made use of the right of recourse to spiritual friends as accorded them in the Rule – and all of them did this very soon – then in practice the whole dispute resolved itself into the question who was a spiritual friend. The Reformati considered a spiritual friend and the Syndic as two distinct persons, while the Observants held that the Syndic was also a spiritual friend.

The point was the center of a spirited discussion, in the usual way. The Observants were despised as violators of the Rule, until Clement VII in 1530 expressly declared that the Martinian Syndic is entirely compatible with an exact observance of the Rule. This brought a truce, but only for a time. Paul IV had to renew the same declaration in 1555, and towards the end of the century Innocent X and XI had to do the same. By that time even some of the Reformati had adopted the Observant view, notably the learned Peter Marchant, but still the scholarly Gubernatis, by order of the Cardinal

Protector, was forced to break a lance in defence of the hopeless position of the Reformati.

Paragraph 62
***From the fall of Pisotti until the promulgation of
the Constitutions of Valladolid (1535-1593)***

The dissatisfaction with Pisotti's misrule had gradually reached such a degree that the Pope had him suspended and then appointed two Vicars General to rule the Order. Pisotti thereupon offered to abdicate but only in the hands of those friars who were entitled to elect the Vicar General. The Vicar chosen in this election was Leonard of Publicio who remained in office until the Chapter of Nice, when Vincent Lunello was chosen General. Vincent was a saintly man and favored the friars who were zealous for a reform. He also did much for the missions. Because of the services which Vincent had rendered to the Pope as a Legate, many high ecclesiastical offices were offered to him, but Vincent steadfastly refused to accept them. He died at Trent in 1550 while taking a leading part in the business of the Council. His successor in the Generalate, John Malltei of Calvi, had died at the same place three years previously. John had been elected at the famous Chapter of Mantua in 1541. At the request of the Pope he frequently had tried to bring about and preserve peace among the Princes. The remainder of his time he employed in the visitation of the Provinces. He did his level best to put an end to an abuse against which his predecessors had also fought but in vain. For many friars had obtained a Brief which freed them from obedience to their superiors and permitted them to roam freely about the world. John, however, succeeded in obtaining a Papal decree which put an end to such foolishness at least for a time.

The mantle of Calvi next fell upon the shoulders of Andrew Alvarez, called *Insulanus*, from the House of Recollection, *S. Maria de Insula*, in Portugal, to which he belonged. The Chapter of Assisi in 1547, which had elected Insulanus permitted the former diversity of Constitutions to continue, but it decreed that all of the Provinces of the same Family should have the same laws. The grey color of the habit should remain in force for all friars without exception. The wearing of the beard was forbidden.

The Chapter of Salamanca in 1553 under the guidance of the General Clement Dolera of Moneglia set to work with a will to solve the problem of the Constitutions of the Order. New Constitutions were published for the Cismontane Family. They are generally called the *Constitutiones Salmanticenses*, less frequently *Monelianenses*. They were promulgated by the General in 1554. The letter which the General issued at the same time points a very dark picture of the state of religious discipline in the Cismontane Family; at least, that is the case if the General intended his words to be taken strictly. Without a doubt the encyclical letters of St. Bonaventure were drawn on freely in the composition of this letter. No matter how well meant was the promulgation of the new Constitutions, they did not put an end to the lack of uniformity in the laws of the Order. For the Ultramontane Family was still permitted to retain their *Constitutiones Barcinonenses*, although it had been planned that the Ultramontane friars also should be bound by the *Salmanticenses*.

General Dolera could not bring the matter to a successful issue since he was created a Cardinal already in 1557 and his successor, Francis Zamora, was forced to attend to other matters. He had to defend the Order against the attempts of these hostile men who would force the outsider upon the Order as Visitor. Likewise, he had his hands full in the struggle to forestall the plan of some of the Fathers of the Council of Trent who wished to force all Orders to possess goods in common. The Council finally decided that the Observants and the Capuchins could continue to observe their Rule as they had done formerly.

The matter of the uniformity of the legislation was again raised at the Chapter of Valladolid in 1565, but it was not settled. Aloysius Pozzo (*Puteus*) was elected General at this Chapter. During his administration the Order increased in numbers since the Pope ordered the Amadeans and the Clareni and the Spanish Conventuals to join the Observants. Indeed the Conventuals and the Observants were almost on the point of uniting into one Order. During his Generalate too, the corner stone was laid of the Basilica which contains the Portiuncula Chapel. Pozzo, however, had to suffer much from the calumnies of his enemies within the Order. Their spiteful tales finally got to the ears of the Pope. The Pope, Pius V, send Commissaries into the single Provinces to determine the truth or the falsity of the stories. The General was declared innocent and in punishment all Cismontane Provinces were ordered to elect foreign friars as Provincials. Although many Provinces sorely stood in need of such a remedy, still this decree was not enforced for a very long time.

Christopher of Cheffontaines (*de Capite Fontium*), elected General at Rome in 1571, entered wholeheartedly into the plans of the Pope. The Provinces which needed a reform were visited and that thoroughly. Christopher also warded off the evil effects of the despotic and arbitrary procedure of many of the Cardinal Protectors. In order to have his decrees enforced, he obtained a Brief forbidding anyone to have recourse to secular persons with the intention of using their influence to counteract the decisions of the superiors.

Francis Gonzaga, the next General, was equally zealous for the welfare of the Order. He was elected at Paris in 1579 when but 33 years old. His first act was to issue an earnest Encyclical Letter to the entire Order. In it he laid the blame for the lamentable relaxation of discipline upon the superiors and exhorted them to favor the friars who were zealous for a reform, to nourish the common life, and to foster prayer and study. Poverty received his attention in a second Encyclical published in 1582 for the Italian Provinces. Herein he defended the approved position of the Observants regarding legacies, real estate and annual revenues. Therefore such friars who had been dispensed from poverty as observed in the Order, due to their offices or Curati or Beneficiati, should not be promoted to any offices of the Order and those convents which still retained the possessions of the former Conventuals should renounce them. This last item and many others as well caused the General much trouble with the Great Friary of Paris and with the French Provinces in general. They hindered the zeal of the General in every way they could. Even the protection of the *Parlement* was invoked against the decrees of the General since, alas! he wished to pattern the French friars upon the Italians and the Spanish! "No, but upon the Rule of St. Francis," was Gonzaga's answer, and with truly apostolic courage he upbraided the French religious for their unworthy conduct. His efforts bettered conditions at least for a time. The legislative chaos also played a part in

these abuses. This is shown by the memorable decree of the General meeting of Toledo in 1583. It states: the French and the Belgian Provinces have indeed accepted the Constitutions of Barcelona, but they may also continue to observe the accepted statutes of their own Provinces and the decrees of the General Chapters. Only in cases where these laws are silent must the Constitutions of Barcelona be enforced. Of course, this decree brought neither clearness nor uniformity out of the chaos.

Perhaps Gonzaga's zeal was the moving power behind the attempt made by Sixtus V to unite the Observants and the Capuchins and the other reformed branches of the Order. But the plan ended in failure. When his term was completed, Gonzaga withdrew into solitude, so that he might, as he said, once more be as a simple novice. He refused absolutely the high ecclesiastical offices offered to him, until at last he was obliged to permit himself to be consecrated Bishop of Mantua. He died in 1620, in the odor of sanctity.

Francis of Tolosa continued the good work of his predecessor and tried to render the fruit of his activity permanent, by issuing a new code of Constitutions for the Cismontane Family. These laws had been adopted in the General meeting at Naples in 1590. The new code contained numerous laws, systematically arranged in fifty chapters; but it was promulgated merely as an appendix and supplement of the former laws and no independent legal force was given it. Hence, it was impossible that they should remain long in force.

Paragraph 63
From the Constitutiones Vallisoletanae until the Constitutiones Segovienses
(1593-1621)

The Chapter of Valladolid in 1593 elected Bonaventure Secusi as General. The necessity of a reform in Italy and especially in France speedily impressed the new Minister. However, he did not consider the legislation of his predecessor sufficient to bring about the desired change. Therefore, at the above named Chapter, he had prepared a revision of all the Constitutions decreed in the Cismontane Family, since the Chapter of Salamanca in 1553. In 1594, this revision was promulgated as the *Statuta Vallisoletana*, or, as it is called less frequently, the *Collectio Calathieronensis*. All previous Constitutions were abrogated, and thus the Cismontane Family, at least gained uniformity in its general laws. The introduction calls these statutes *opus omnibus numeris absolutum*. As a matter of fact, they are well arranged; the laws follow the text of the Rule and the source of almost every ordinance is clearly indicated. In their scope, these Constitutions surpass by far all previous ones, even the *Constitutiones Alexandrinae*.

The Pope, however, often requisitioned the services of Secusi on behalf of the Holy See, and hence, it was not possible for the General to give as much attention to the affairs of the Order, as he would have designed. Still, he did all he could, under the circumstances, to encourage the Observants to greater fidelity to the Rule, and to persuade the Reformati to preserve concord with the other friars. The next Chapter should have been held in 1599. However, since the General was absent, the Pope postponed the sessions until the following year, even though the electors were already in Italy.

The Chapter convened at Rome in 1600, and chose Francis Sousa of Toledo as General. The mania for a separation, evinced by the *Discalceati*, caused some trouble during his term. Sousa, for reasons not known to us, obtained from the Pope the power for the superiors to dispense from those precepts of the Rule, which did not refer to the vows. In case, therefore, of transgression, the delinquent would be obliged to accept the punishment, but he would not have committed a sin. This declaration of the Pope did not really abolish the precepts of the Rule, but reduced them to equality with the precepts of the rules of other religious. Hence, the declaration of Pope Clement V, concerning the grievous binding force of the Rule of St. Francis, would no longer apply. However, Sousa never dared promulgate this dispensation for fear of abuses. The following General Chapter, on the contrary, commanded that the declarations of Nicholas III and of Clement V be observed strictly, and declared that a dispensation from the Rule would never be permitted.

The attitude of the Chapters of 1600 and of 1603 towards the Constitutions of the Order is beyond comprehension. We may find reasons for the permission granted to the Belgian and French provinces to retain their *Statuta Barcinonensia* instead of accepting the new Constitutions; but we cannot understand the meddling of these Chapters with the Constitutions of the Cismontane Family in general. The Cismontane Family had just received a new code of general laws in 1593, and now, in 1600, it was decreed that they should no longer observe the Constitutions of 1593 but the *Constitutiones Salmanticenses* of 1553, and especially in regard to precedence. This point was beginning to play an ever more important part in the legislation of the friars.

However to make confusion worse confounded, the Chapter of 1603 revoked the order of the Chapter of 1600 and commanded the same Cismontane friars to follow the Constitutions of Valladolid regarding precedence and the *Constitutiones Salmanticenses* in all other points, *peradditis illis, quae postea sunt ordinata* (including those things that had been ordered later). Here, if ever, was the complaint justified: *quotidiana legum multiplicatio aut corruptum aut mala administratam arguit rem publicam* (the daily multiplication of laws in government indicates either corruption or bad administration). No wonder that a province, in all earnestness, should hesitate to receive the latest Constitutions, even though they had been confirmed by the Pope.

The Chapter of 1606, with better judgment, reintroduced for the Cismontane Family the *Statuta Vallisoletana* and abrogated all the rest. At the same time, it was decided to prepare for the Ultramontane friars a revision of the *Constitutiones Barcinonenses* and to incorporate therein all other laws commonly observed. Archangelus Gualterio of Messina, elected General at the above named Chapter, issued an encyclical letter to the Italian provinces in 1608. In it, he describes the conditions, existing in the Italian friaries, as he knew them from experience. Still, in perusing this letter, we must remember that it is customary for such official documents to touch only upon the dark sides. Hence, such a source does not afford us a true picture, because it is not a complete one. This letter, however, does prove that there was much relaxation of discipline in the Italian friaries. Lack of obedience is the gravest complaint. Indeed, some friars even went so far as to institute a lawsuit and to summon their superiors before a canonical court, to answer for their commands, which were contrary to the wishes of their subjects. Worst of all, there were some ecclesiastical judges, who would hear such suits. The General strove to stop the abuse by a thorough visitation and by protecting

those friars, who were anxious for a reform. However, he also opposed the desire for a separation, manifested by these friars.

John Hierro continued the policies of his predecessor, but he died after he had ruled only sixteen months. This necessitated a long term Vicar General. Finally, in 1618, Benignus of Genoa was elected General. It is not true that he belonged to the branch of the Reformati. It is true, however, that he labored mightily for the reform of the Order. For this purpose, he appointed strict and conscientious visitors, and he saw to it that the novices were educated in houses, where discipline flourished. He also defended the Observants against the unjust attacks of the Reformati, and even procured the suppression of their Vicar General. Since, as we have seen, Benignus was not blind to the faults prevalent among the Observants, his praise of the Observants is the more to be trusted: *In memoriam revocate praeclara tam piae Matris Observantiae obsequia ... A solis ortu usque ad occasum, laudabile fecit nomen Domini ... Ut antiqua sileam, novissimis hisce temporibus vastas in illas utriusque Indiae regiones prima omnium Christi vexillum intulit et nomen Domini annuntiavit. Praeclarissimi viri et Sancti quamplurimi ex Observantia quotidie prodeunt et quorum plures sunt adhuc in carne viventes* (We should recall with special praise such holiness of the Mother Observance ... From the rising of the sun to its setting, it has rendered praiseworthy the name of the Lord ... I will be silent about the past, but I can mention the recent times when [the friars of this family] have carried the coat of arms of Christ to both sides of the Indies and have proclaimed the name of the Lord. Many most famous men and Saints, with whom the Observance abounds, continue every day in this marvellous endeavour and many of them are still alive).

Benignus presided at a General meeting at Segovia in Spain in 1621. Here revised Constitutions for the Ultramontane Family were promulgated together with a decree abrogating all others. For a time, the new Constitutions were called *Statuta Segoviensia*, but gradually the name was changed to the revised *Statuta Barcinonensia*, since the Ultramontane friars did not wish that this venerable name should perish. In external form, too, the new laws were patterned after the old, containing but nine chapters and these brief and to the point. At least, we should say that they are brief, if we compare them with the chapters of the *Statuta Vallisoletana*, for these are almost twice as long.

The new Constitutions formed the basis for uniform legislation in the Ultramontane family and insured harmony on the more important questions, especially regarding the internal organization of the Order. Unfortunately, these laws embodied many practices, which were well adapted to the life of the Spanish friars, but which did not fit very well into the life of the friars of other nations. Therefore, the non-Spanish friars were empowered, with the permission of the General, to reject those laws, which appeared to them to be ill adapted to their mode of life and to insert other laws in their place. Thus the French and the Germano-Belgian provinces retained a set of their own laws, which essentially agreed with the general laws of the whole family.

In France, unfavorable circumstances prevented the new code of laws from effecting the results expected of it; but in the Germano-Belgian provinces, the benefits were most manifest. These provinces also made their own laws and even staunchly defended their right to reject all new ordinances, until they had been approved by the national meeting. In itself, this right was a powerful influence for good; since the friars naturally would be more apt to observe the laws which they had made, or at least, which

they had approved, than to have them imposed from above by men, who often had no knowledge or understanding of the particular problems and customs of the various provinces of the nations. This right of approval by the national meeting of all new constitutions and general ordinances, so unflinchingly defended by the Germano-Belgian provinces, is one of the main reasons for the vigor of religious observance in those provinces. In passing, let it be noted that, at this time, these provinces were still members of the Observance.

In 1633, as also later, the General Chapter issued some new constitutions, supplementary to the older collection. In this way, there was a continual and quiet evolution of the basic legislation to cope with the ever changing conditions of the times and a sudden and almost catastrophic leap from one set of constitutions to another was avoided.

Paragraph 64
From the Constitutiones Segovienses until the Constitutiones Sambucanae
(1621-1663)

At the General Chapter held in Rome in 1625, Bernardine of Sena, in Portugal, was elected General. The Cismontane Family, in imitation of the Ultramontane friars, ordered that several learned friars should be delegated to prepare a revision of their constitutions. Little was to come of this work for a long time.

The new General obtained from the Apostolic See the power to appoint the superiors at the provincial chapters, whenever needful, since only too often, unfit friars were being elected, who merely hindered any reform. Likewise, he obtained the Bull *Sacrosanctum* of October 1, 1625, which again decreed that the Rule should be observed strictly according to the *Exiit* and the *Exivi*, and that all contrary declarations, especially that of Julius II, should be abrogated. These wide powers were rendered necessary especially by the French provinces, which, under the leadership of the Grand Couvent of Paris, offered an ever more stubborn resistance to the reform efforts of the Generals. Their behavior at the time of the visitation of the General, Benignus of Genoa, had been the scandal of Paris and the talk of the continent. Now the French friars made it clear to his successor, Bernardine, that the Statutes of Julius II had been decreed for their particular benefit, and that they were still in force. In order to be free from the molestations of the General, these provinces planned to return to the Conventuals. The General succeeded in winning the king to his side; but he did not achieve a whole-hearted acceptance of the fundamental principles of the Observance. The four Confederated French Provinces, later on known as the Colletine provinces, continued to defend their supposed right to possessions in common. At the same time they were embittered over a supposed slight, since no General had as yet been chosen from among their number.

Although Bernardine throughout most of his term had faithfully promoted the strict observance of the Rule and Constitutions, still towards the end, he began to give a bad example to his subjects. He wished to retain the government of the Order, until the next Chapter should convene, even though he had been appointed a bishop. The complaints and the protests of the friars, however, caused him to abdicate.

Due to the plague, the next Chapter was postponed till 1633. The electors met at Toledo, and chose John Baptist of Campanea, head of the Order. Many princes, as well as the Emperor and the Pope, had desired the election of Anthony of Galbiato, the famous promoter of reform in Bavaria and Austria; but their wishes were ignored, due to the opposition of the king of Spain, whose influence had only too frequently decided the elections in the Order. This Chapter issued rather detailed instructions *pro reformandis moribus et restituenda vitae disciplina* (to reform the customs and restore a disciplined form of life), as a kind of supplement to the constitutions already in force. These instructions of 1633 were considered of such importance that, towards the end of the century, they were promulgated for the entire Cismontane Family.

The French friars did not appear at the next Chapter held in Rome in 1639, due to the prohibition of their king. Moreover, the newly elected General, John Merinero of Madrid, was not the candidate of the king of Spain. Hence, the king declared his election null and void, forbade John to enter his territories and exiled all friars who had voted for John. The first task of the young thirty-nine old General was to placate his Majesty for being elected. After that, he was able to proceed with his plans for the much-needed reform of the Spanish friars. The Pope wholeheartedly seconded John's efforts for the betterment of discipline.

Pope Urban VIII in 1639 forbade, under pain of excommunication, all recourse to persons outside the Order to obtain either any privilege or any office. That had been one of the chief evils of the times. Innocent XI, in his efforts to cut out this cancerous growth, had even contemplated introducing a fourth vow, binding the novice never to have recourse to such means, but, upon the request of the Order, he had not put his plan into execution. Of great importance, also, is the Brief *Militantis*, which Urban VIII issued for the Cismontane Family in 1640. In it he roundly scourges a whole list of abuses and partially did away with the blameworthy misuse of particular privileges, which were winked at even by the papal curia. The abuses, scored by the Pope, were not found in all provinces of this family. Indeed, in some provinces the papal condemnation was not even published, lest the friars be scandalized by being informed of such abuses, which were entirely unknown to them.

Merinero also wished to finish that long hoped for revision of the constitutions of the Cismontane Family: a commission was appointed for this purpose in 1639. In 1642 the work of this commission was presented to the General Meeting and adopted. In order to put an end to the ceaseless formation of new constitutions, it was decided to petition the Pope to confirm this entire code, but especially this sentence: *nullae aliae deinceps constitutions fiant in hanc cismontana familia, sed illae semper observentur* (that from now onwards no new constitutions are made in the Cismontane Family, but that these should be always observed). The new constitutions were promulgated in 1642, accompanied by a papal Brief, which did indeed sanction the words quoted above, but with the added clause: *postquam revisa et approbata per dictam Sedem fuerint* (after having been revised and approved by the aforementioned [apostolic] See).

The General Chapter of Toledo in 1645, under the influence of the General, the Neapolitan Reformati, John Mazzara, harped on that final conditional phrase of the papal document, in order to overthrow the entire code. The real reasons for this step are a mystery to us today. The Constitutions of Valladolid, issued in 1593, were introduced instead of the seemingly permanent ones of 1642. But, since all the decrees, issued after

the promulgation of these former constitutions in 1593, had to be observed even though they were not incorporated in these constitutions, the entire general legislation was in a chaotic condition. To add to the confusion, the experienced and zealous General died in the spring of 1648. He had just held a General Meeting at Victoria, during which a few unimportant decrees had been passed. These were known for a time as the *Statuta Victoriensia*, a name also given to the decrees of several other meetings, held in the same city.

Mazzara's successor, Peter Manero, saw himself faced with the task of preparing new constitutions which would be practical and permanent. The Chapter of Rome in 1651, decreed, among other things, the preparation of such constitutions for the Cismontane Family. But, since Manero was nominated to bishopric in 1655, the execution of this decree waited upon the new General, the Reformati Michael Angelus Buongiorno of Sambuca. The task was again confided to him by the Chapter of Toledo in 1658. In 1662, the result of his labors was approved by the Holy See and promulgated the following year.

But the *Constitutiones Sambucanae* suffered the same fate as their predecessors. Many provinces, without any real legal reason, simply refused to receive the new constitutions. The objection, advanced by them to excuse their act, namely, that in the enumeration of the provinces these *Constitutiones Sambucanae* did not observe the proper order of precedence, is well taken, but then the enumeration of provinces in all preceding constitutions had been equally faulty. Besides, Sambuca had expressly declared that his order of the provinces in no way entailed any rights. Again, some complained that the General in his constitutions had changed many laws arbitrarily, but no proof was ever offered to back up this assertion. The actions of the Cismontane friars are puzzling to the observer throughout this episode, but more incomprehensible is the attitude of Sambuca himself. For, three months after the promulgation of his constitutions, he approved the publication of the second edition of the Commentary on the constitutions by Sanctorus of Melfi, although that author entirely ignored Sambuca's constitutions and confined his remarks solely to the *Constitutiones Vallisoletanae*. Unintentionally, in his work Sanctorus severely condemns the friars who were guilty of the nonsensical procedure just described: *Perniciosissimum est, si decreta non sunt stabilia ... Plerumque rudiores homines melius regunt sua respublicas quam astute* (It is a harmful thing when the decrees are not stable Indeed, among many uncultured men the laws of government are better observed than among the intelligent). Still, some Cismontane provinces held fast to the *Constitutiones Sambucanae* for a long time. We find that even in the eighteenth century a new edition was published with the needed corrections, especially in the enumeration of the provinces.

Paragraph 65

From the Constitutiones Sambucanae until the end of the seventeenth century (1663-1700)

Idelphonse Salizanes was chosen General by the Chapter of Rome in 1664. Immediately after his installation, he went to Spain and then appointed special commissaries to represent him in Italy, to the great chagrin of the Cismontane General

Commissary. In his encyclical to the Order, he prescribed annual spiritual exercises for the novices and for the newly professed friars, as the Chapter of Toledo in 1658 had done before him. Later on, this regulation was extended to all the friars. The conduct of this General towards the end of his term is surprising. In 1668, he obtained a papal Brief, which permitted him to retain the office of General, even in case he should be appointed a bishop before the expiration of his term. When he was actually appointed a bishop in 1669, he continued to rule until the next General Chapter despite the protests of the friars.

His successor, Francis Maria Rhini, was guilty of the same fault. After he had been nominated archbishop of Syracuse in 1674, he refused to surrender the seal of the Order, on the pretence that he was planning to resign his bishopric. Finally, he was forced to resign the generalship and to go to his See. The Chapter of Valladolid in 1670, which had elected Rhini, also reopened the question of the constitutions of the Order. The Cismontane Sambucan Constitutions were discussed and several paragraphs were explicitly repromulgated. At the same time a revision and correction of these constitutions was ordered. Thereupon the great problem of a thorough codification of all the laws of the Order was dropped. The Spaniards revised the *Statuta Segoviensia*, but only for themselves; while the French and the German provinces retained their national unaltered.

When Rhini was forced to abdicate, Francis Maria de Nicolis was named Vicar General, not by the vote of the electors, but by the Pope upon the demand of the Cardinal Protector Barberini, and against the wishes of the electors. The new Vicar was a subject of the States of the Church. However, since it was the custom that only a friar who was a subject of the Spanish crown could be elected General, therefore this Francis Maria obtained the privilege permitting himself to be called “de Cremona”, since that city belonged to the Duchy of Milan, a Spanish dependency. But, de Nicolis was not satisfied with that. He had become a Vicar General without an election, now he would be also a General without an election. Hence, after a few months he obtained another Brief from the Pope, granting him the title and the rights of a General elected by the Order: a procedure scrupulously followed by every succeeding Vicar General. The ambitious man then wished to enjoy his office as long as possible and so he strove to postpone the General Chapter beyond the time prescribed by law. The protests of the friars foiled that scheme. Thereupon de Nicolis again went to the Pope. This time he procured a Brief, confirming him in all the privileges of an ex-General, although he had not held that office for the prescribed two years. Finally, he had himself dispensed from the observance of the necessary intervals between offices, so that he could be elected at least General Commissary in the next Chapter. In that office, too, he caused no little trouble for the Order, which owes him no debt of gratitude.

A welcome antithesis was elected in the person of Joseph Jimenes Samaniego. To the amazement of all, he swore before the assembled Chapter at Rome in 1676, that, during his term of office, he would never strive for nor accept any dignities outside the Order. Considering the circumstances, we may say, that this deed alone was great enough to insure for Samaniego an honored place in the veneration of the Order, even though he had done nothing more. However, Samaniego did accomplish much more. He did not combat the abuses in the Order only with fine words, as had so many of his predecessors and also of his successors, but he attacked them with an energetic determination, which no force could break. Wherever he conducted the visitations, no

help could be expected from the patronage or intercession of outside or secular persons. Calmly he annulled the election of unfit superiors and appointed in their stead friars who were worthy of the office. He was most severe against his own fellow countrymen.

The French provinces were still a cause of great worry. In 1672, the convent of Lyons had tried to join the Conventuals, but the Pope would not sanction the union. At the Chapter of 1676, the French friars were nowhere in sight, because their king had forbidden their appearance. The king planned to push through a reform of his friars on his own responsibility and in a way and method which the General could not countenance. The Confederated provinces, in the meantime, went ahead with their plan of separating completely from the General and the Observants, because they wished to retain their real estate and because they feared the zeal for reform of Samaniego. Therefore, the General hastened to the king. At last, he obtained permission from the monarch to hold visitation in the Grand Couvent of Paris. He effected some good there, but only for a time.

The energetic rule of Samaniego regained for the Order the favor of Pope Innocent XI, lost through many unpleasant experiences. Indeed, upon the request of the General in 1679, the Pope issued the Brief *Sollicitudo*, which contained a sort of explanation of the Rule, or rather a re-inculcation of the obligations of the Rule as explained in the declaration of Clement V. Henceforth, only those friars were to be permitted to become superiors, who did not use any dispensations whatsoever, even though justified.

Samaniego's successor was Peter Marinus Sormano, elected at Toledo in 1682. The correction of the *Statuta Sambucana* was decreed once more in this Chapter, but with this prudent addition: In future, whenever a new constitution is to be decreed, let it first be passed *per modum decreti*; only after this decree has been tested for twelve years, can the ordinance be made a definitive constitution in the third subsequent Chapter, that is, after a trial period of eighteen years in all. The Ultramontane friars were still more cautious. With them, every proposed constitution must be discussed first of all by the General Discretorium. If the proposal received a favorable vote, it was laid before the General Definitorium. If this body likewise approved the proposed constitution, it should be incorporated in the Acts of the Chapter, not as a decree, but as a suggestion to the provinces, which were to test its usefulness and practicality during a stated trial period. The Definitorium of each province had to submit its opinion of the proposed constitution to the next General Chapter. Only after a majority of the provinces and electors at the General Chapter had voted in favor of the proposition, could it be made a law and constitution. Every constitution, which was not issued in accordance with this procedure, should not have the force of law. Nor need any one fear that such a deliberate procedure would harm the Order; for the rapid multiplication of laws surely would not reform the friars. If mere number of laws could have achieved that end, then those already in existence would have proved elegantly sufficient. In emergencies, a simple command would suffice and hence there would be no need of permanent laws.

All these regulations were good and the work of sound judgment. But, even such wise plans could not control the rate of issuance of new laws, if such laws should originate in the papal curia, or if the General Chapter itself should circumvent its own established mode of procedure by simply decreeing a multitude of constitutions and immediately asking for papal confirmation, without waiting for a trial period, as was

done already in 1688. At the same Chapter, the French friars, Observants as well as Recollects, demanded that either the General or the General Commissary, should be chosen from their nation. When no attention was paid to their demands, these friars withdrew from the session and refused obedience to the newly elected General. Their king, at that time in conflict with the Pope, abetted them in their revolt. The breach was healed only in 1692.

Sormano, whose zeal for thorough visitations and for the missions must be praised, was succeeded in 1688 by Mark of Zarzosa. Mark ruled but a short time. His place was taken by the Vicar, John Alvinus. Upon the demand of the Cardinal Protector, Cybo, John Alvinus was decorated with the title of General. Matthew of San Stefano received the title in the same way, after he had been chosen in 1697 to complete the term of Bonaventure Poerio. Bonaventure had resigned, when a well-founded rumor began to spread, that he would be nominated to a bishopric. Thus Bonaventure violated at least the spirit, if not the letter of the oath, which every General after 1676 had taken immediately after his election. A special constitution was passed to prevent such happenings in the future.

Section 2 Reforms within the Observance

Paragraph 66 The Discalceati until the death of St. Peter of Alcantara

John of Puebla (cfr. par. 26) is commonly called the father of the Discalceati. But John can only be said to have belonged to the Discalceati in the sense that he prescribed for his followers a stricter form of life than that of the Observants. He himself together with the majority of his followers and of the houses founded by him, wished ever to be Observants, both in their habit and in their obedience. Nor did his immediate disciples afterwards become Discalceati. The Province of the Holy Angels, which was formed from the convents begun by John of Puebla, is unjustly called the first Discalced province; it was and ever remained an Observant province.

As a matter of fact, John of Guadalupe (cfr. par. 26) is the founder of the Discalceati. He had indeed left the province of St. James and entered the custody of John of Puebla, but he had not remained very long. In 1496, he obtained a Brief from Alexander VI, permitting him together with six other friars of the Observance, to live in a new hermitage to be erected in the district of Granada. They were to be bound to the pure observance of the Gospel and of the Rule of St. Francis *sub forma habitus, quam ipse Sanctus gestabat* (by adopting the same form of habit that the Saint used to wear). Guadalupe enjoyed the rights of a superior over his followers. The General, at their request, was the only immediate superior, because they knew that he would never molest them. They were exempt from the Observants. John and several of his companions received permission to preach everywhere as *Praedicator Apostolicus*. These exemptions and privileges were but the foundation and the first signs of that spirit of faction and love of peculiarity, which characterizes the entire history of the Discalceati.

In 1499, John had the former privileges confirmed and received permission to receive Conventuals into his group. His followers were granted the right of electing a new superior after John's death for what was now the de facto Custody of the Holy Gospel. Thus was the existence of this separate community to be insured for all ages. However, the Observants, and in particular, the friars of the Province of St. James, which had suffered the most through the erection of this new custody, did not sit idly by with their hands in their laps. With the aid of the Spanish king, they had all of John's privileges revoked. By the command of the Pope, John and all his followers in 1502 were to return to the obedience of their former superiors. Their return was facilitated by a decree of the Vicar General, Martial Boulier, issued in the same year, commanding the erection of several houses of Recollection in each province of Spain. In these houses, any friar, who so wished, could live in the strictest poverty and, at the same time, under the obedience of his proper superiors. But the followers of Guadalupe had no intention of submitting to the command of the Pope. With the help of the General, who did not favor any increase in the Observants, these friars sought another Brief, which would restore their separate existence. The desired document was granted in 1503.

At the Union of 1505, the little band naturally placed itself under the banner of the Conventuals, who permitted them to continue to live under their own custos. New troubles soon arose in 1507, when the kings of Spain and Portugal, at the request of the Observants, obtained a Brief which commanded the disciples of Guadalupe, either to unite with the Observants or to leave the kingdoms of Spain and Portugal. Of course, they wished to do neither. Nor were they forced to make a choice; for a new Brief in 1508, permitted them to form the Province of the Holy Gospel, with Peter of Melgar as the first provincial. Soon thereafter, they made a truce with the Observants. According to this agreement, those convents which were in Portugal, should form the Custody of the Holy Gospel under the obedience of the Ultramontane Vicar General, while those disciples of Guadalupe, who lived in Spain, should be incorporated into the province of the Observants. Although this agreement was confirmed by the Pope, it did not remain long in force. For in 1515 we meet *Fratres de Caputio* living in Spain as *Conventuales Reformati*, who were permitted to form the Custody of Estremadura with the protection of the General. In the following year, their Portuguese brethren seem also to have placed themselves directly under the General, who allowed them to live as they pleased. In 1517, the Bull of Union forced these friars to unite with the Observants. The Portuguese convents were then formed into the independent *Custodia Pietatis*, which in 1518 became a province of the Observance, while the Custody of Estremadura, with the addition of several convents from the Province of St. James, was admitted to that same rank in 1520, with the name of the Province of St. Gabriel. Legally, the distinct existence of the Discalceati ceased in 1517, even though both provinces, as a matter of fact, continued to differ from the other Observant provinces in many ways. The relation of these friars to the Rule and to the pontifical declarations is not clear. Nor do their customs, as described in their official publications, nor the papal Brief sent to the Province of St. Gabriel *Ordinis Fratrum Minorum Regularis Observantiae* in 1526, help to throw much light on the subject. Probably, both provinces would have gradually returned entirely to the Observant mode of life, just as did the Province of the Holy Angels, begun by John of Puebla and surpassed by neither of these Discalceati provinces in strictness of life.

Now, however, a man arose, who was determined to obtain approval for his own ideas, at any cost, and to lure followers from other branches of the Order. John Pasqual, first an Observant, then a Discalced, in 1517 joined the Conventuals, from whose General he received permission to admit all Conventuals, who wished to live according to his ideas. He could even begin convents and found provinces. Armed with such broad powers, John returned to Spain and began an establishment in Galicia along the coast of the Atlantic. His friars, few in number, lived a life of penance similar to that of the hermits of Egypt. But, alas, the expected influx from the Conventuals did not materialize. John, therefore, went to the Pope and asked to be permitted to receive those Observants, who might wish to join. For reasons which we can well understand, John's petition, containing such an unjust insinuation, was rejected. Nothing daunted, John merely bided his time in Rome for seven years, until finally in 1541 his efforts were successful and he received the Brief, empowering him to admit members of the Observance and of all other milder Orders into his community of *Conventuales Reformati*. Unconsciously, the question arises in the mind of the student, how in the world could the General of the Conventuals protect such a man, who never intended to be a true subject and to use that man as a battering ram to destroy the harmony and unity of

other religious bodies? Well satisfied, Pasqual now returned to Spain and tried to attract some followers from other Orders. He gained seventeen disciples, chiefly from the province of St. Gabriel, but many of these soon left. With the remainder and a few new recruits, he occupied a meager three hermitages in Galicia. These formed the Custody of St. Simon (*SS. Simonis et Judae*) or also called the Custody of the Pasqualites. It was finally suppressed in 1583. A fourth convent meanwhile had been added to the custody by a friar of Pasqual's type. That friar was Alphonse of Manzaneta of the Province of St. Gabriel. He believed that he had a call from God to establish a new province. Since his superiors did not agree with him on that point, Alphonse placed himself under the Conventual Master General, who gave him permission to found houses anywhere in Spain. With better judgment, the Conventuals of the Province of St. James tried in 1553, after the death of Pasqual, to have his four convents incorporated into their province. But their efforts failed due to the intervention of their Commissary in Spain, who formed an independent Custody of St. Joseph from the convents of the Pasqualites.

This custody gained much through the admittance of St. Peter of Alcantara, the former provincial of the Province of St. Gabriel. In order to lead a life of strict penance, Peter had withdrawn into solitude. Since the superiors at Rome feared that Peter's efforts would bring about a division in the Order, they were not pleased with his endeavors. Peter then obtained the Pope's permission to place himself under the obedience of the Conventual Master General, who appointed him in 1557 the successor of Pasqual as Commissary General of the Reformed Conventual Friars of Spain. As such he erected the hermitage of Pedroso and, in 1559, had the Custody of St. Joseph raised to the rank of a province. The statutes which he prescribed for his subjects were unusually strict. Syndics were entirely forbidden. Every convent must be owned by some individual, and that person could not be the Pope. Each year the keys of the convent were to be surrendered to the owner, with the request that the friars be permitted to live there for another year. If the owner refused, they were to leave at once. The church, convent and cells were uncommonly small. His friars were obliged to go barefoot and not even to wear sandals; scourgings and other penitential exercises were commanded. Meat and lacticinia were permitted only for the sick. It was especially impressed upon the superiors that they were to permit their friars new or old patches of various colors. Libraries were not permitted, although the cells were allowed to contain a few books. These are the most noteworthy regulations, which his followers, the Alcantarines, were to observe forever. In severity they far surpassed the regulations of any other reform. But, was all that a revival of the Franciscan ideal? No one can deny that in the matter of penance Peter, "the prodigy of penance", prescribed things which exceeded the intention of St. Francis. But one must also concede that his reform approached closer than any other to the poverty of life of the first friars. But the revival of that part of the ideal was of short duration, just as the original in the thirteenth century. Soon we see Peter's disciples quarreling among themselves and with others for the possession of large convents!

St. Peter took care not only of his province of St. Joseph, but also, at least for a time, of the Custody of de la Rabida in the diocese of Lisbon. Here, several hermitages had obtained, with the aid of the Portuguese Infante, a papal Brief, permitting them to form a separate custody and to wear a long pointed capuche, similar to the one worn by the Italian Capuchins. Although formerly these friars had been subject to the

Conventuals, still in 1560, when their custody was raised to the rank of a province, *Provincia S. Mariae Arrabidorum*, they were placed under the jurisdiction of the General of the entire Order. Due to the shape of their habit, they were called *Fratres Minorum Ordinis de Observantia, nuncupati Capucini*.

Perhaps the return of the Province of de la Rabida to the Observants also influenced the Province of St. Joseph, whose members, up to this time, were known officially as *Fratres Minores Conventuales Reformati*. After lengthy negotiations, this province, as a body, joined the Observance in the spring of 1562. The Pope confirmed the transfer after the province had surrendered all its privileges and had submitted to the General of the Order in all things just as the other provinces – *absque ulla differentia*. St. Peter died in October of that same year in the bosom of the Observants, where he had also began his religious life.

Paragraph 67 ***The Discalceati after the death of St. Peter***

All the Provinces of Spain were therefore, since 1562, members of the Observance, although some still enjoyed peculiar customs regarding the form of the habit and the severity of discipline. The former Guadalupians, Pasqualites and Alcantarines excelled in the latter regard. But in many other points, especially in regard to harmony and peace, these Provinces left much to be desired, especially the Province of St. Joseph. Pius V in 1568 renewed the decree of Leo X that all reformed friars should unconditionally join the Observance and surrender their own titles, Constitutions, customs and habits. This command affected the remaining Amadeans, Clareneans and Discalceati. But the latter did not intend to submit to the Pope's order. Under the leadership of the Province of St. Joseph, which was the leader in the rebellion, these friars obtained several *oracular vivae vocis* which permitted them to retain their own habit and mode of life; within a short time too they received a distinctive name. For in 1572 we find in the Papal documents the names *Excalceati* and *Discalceati*, although these had never been used before in official documents. Indeed, in a rescript of 1578 they are even called *Fratres Capucini de Observantia*.

Still the Discalceati were not satisfied. In 1578 the Province of St. Joseph, despite the earnest endeavors of the Procurator of the Order, obtained a Brief from Pope Gregory XIII, which contained the seeds of a new division of the Order. The document commanded the General not to meddle with their mode of life, not to despise their poor manner of dressing (the Order had frequently complained of the monstrous deformity of their habits) and not to send any friar out of the Province, not even to the Missions of the Philippines, since that was strictly the business of the Province alone. Of course, this Brief permitted Observants to join the Discalceati. By this decree all the efforts of the Order to preserve its unity and uniformity were again brought to naught and that too by a Province whose domestic squabbles eight years before had made its suppression appear a necessity to the General Chapter. The jurisdiction of the General was retained indeed in words, but as a matter of fact, it was almost completely lost. The General could conduct the visitation there only in person. If he were unable to come then his delegate had to be one of the Discalced friars. Moreover although the General could not dare to send any

Discalced out of the Province on business which concerned the welfare of the entire Order, still he had to permit them to roam about Rome and Madrid at will in order to hatch and incubate their plots against him and the Order.

The evil example of the Province of St. Joseph was gradually imitated by the other Discalced provinces, and first of all by the daughter provinces of de la Rabida, Pietatis and St. Gabriel, all of which towards the end of the century allowed themselves to be led in bonds by this province. They did refuse to accept the Statutes which the Province of St. Joseph would have forced upon them and at last, each province was granted the right to form its own Statutes. But in general, the Province of St. Joseph was the acknowledged leader even though its rule at times grew irksome. Thus in 1604, the Discalceati, ignoring the wishes of the General, procured a papal Brief which conceded to them as well as to the Discalced Carmelites and Augustinians, the right to have their own Vicar General and their own General Chapter. But when the news got abroad, Rome was flooded with protests from the very Discalceati themselves. The Pope therefore ordered the Spanish Nuntius not to publish the Brief until the majority of the Discalceati, convened in General Chapter, should agree to such a change of government. In September, therefore, of 1604, the Discalced electors met at Valladolid and in Chapter the majority voted against the innovation. But at the same time, the electors demanded that the General confirm their rights to their form of the habit and to their mode of life; likewise that they be freed from the Constitutions of the Order which they had not voluntarily accepted and that they be granted their own Procurator General in Rome. A similar official, to be chosen from the friars of the Province of St. Joseph, was to be stationed at Madrid to care for the business of the Discalceati with the Spanish court.

In effect these demands were almost equal to giving to them their own Vicar General. For a long time the demands were left unanswered. But then Paul of Madrid, a lay brother of the Province of St. Joseph, came to Rome. In no time at all, he gained an unbelievable influence which he employed without scruple. The demands of the Discalceati were granted. In 1621 they received their own Procurator General who was to reside at the Hospice of St. Isidore. In the same year, the Pope granted them their own Vicar General together with their own General Definitorium and General Chapter. But when these changes became known, bitter opposition developed and treatises were printed against the change. John Nuñez, a member of one of the Houses of Recollection in the Province of St. James and therefore a member too of the stricter party, rejected all these innovations as *falsitates Religioni Seraphici Matri suae injuriosissimas* (falsities which inflict grave injuries to the Mother Seraphic Religion). John de Llagas, Provincial of the Province de la Rabida, published a defence of the Observants and their use of the Syndic, who had gradually been accepted more and more even by the Discalced. The king of Spain, too, at the request of the Observants, protested against the Brief and forbade its promulgation until the Pope should have been enlightened regarding the true state of affairs, and then should have once more rendered his decision. But Gregory XV was so fascinated by Brother Paul that he would not yield and in 1622 he himself appointed a Vicar General, since John of St. Maria, who had been entrusted with the execution of the decrees, did no longer appear to be fit for the task. Up to this time, John, a member of the Province of St. Joseph, had labored mightily for the concession of a Vicar General, but now he felt that he had been slighted, and so he changed his mind on

the matter and began to head the opposition. But such counter movements were in vain during the lifetime of Gregory XV.

Urban VIII in 1624 annulled the decrees of his predecessor which had caused such commotion. The Hospice of St. Isidore alone was retained by the Discalced. Here the Procurators of the individual provinces lived, because the Discalced as such did not have one General Procurator until the year 1703. Although Urban had prevented the separation of the Discalced from the Order, still he granted them many privileges. In 1642 he declared that their Provinces should form a unit set apart from the rest, with similar constitutions and uniform privileges. Thereafter these provinces did not have to observe the General Constitutions, each Province could send its own representative to Rome, and the General, not the Ultramontane General Commissary, was their immediate Superior. When the General was not in Spain, they were subject only to their own Provincial superiors. It seems that the Province of St. Joseph was also the instigator of this decree. At any rate, it did not meet with universal approbation, and already in the following year, the Province of St. Gabriel obtained a Brief permitting its friars to do the contrary. Common Statutes, such as the Reformati perhaps had, were never adopted by the Discalceati. When finally the General, Johannetius, one of the friars, had such Statutes prepared in 1761 and approved by the Pope, the Provinces did not accept them.

From the beginning of the 18th century there was no longer any essential change in the relations of the Discalced to the entire Order. They spread rapidly throughout Spain and Portugal and in their possessions both of the East and of the West. The beginning of their numerous Provinces accomplished mostly by circumventing the General and the General Chapter, will be treated later (chapter 2). We shall mention merely that the Discalced also tried to set foot in Italy. The Discalced John Baptist of Pesaro without any permissions, had indeed established some convents in Italy. But Sixtus V in 1589 handed them over to the Reformed Conventuals. However, the Discalced did maintain themselves in Naples where they erected two Provinces. For a time these Provinces even flourished, but soon the lax discipline of the Italian Discalceati destroyed their prestige. These friars also had a convent in Tuscany and another in London.

In order to give a complete picture of the Discalceati we must also mention the numerous squabbles concerning precedence which they had with other Orders, with other branches of the Order and among themselves. Thus, some of their lay brothers were called *Reverendus* and claimed precedence before the clerics not yet ordained to the higher Orders. Besides they would no longer serve at table.

The official history of the Discalceati, culled from their own Bullarium, is certainly not an inspiring one. Fortunately, however, this branch has also another history, but for that, alas, there is no Bullarium. It is the history of all those friars – and in fact they form the overwhelming majority – who actually lived according to their rules and regulations while those mentioned above merely defended them. Here, as in all similar cases, we must remember that the official history is made by a mere handful and for the most part it is not even known to the great mass of the members of the body themselves, who desired merely to live in peace and solitude and to advance their own salvation and the salvation of others. Their names to be sure are unknown, but they form the very heart and the pride of every religious society. The Discalced were signally blessed with such men, a fact which the remainder of their history confirms. Far up into the 18th century

many of their convents preserved an almost excessively strict religious discipline. Their friars were distinguished by their heroism both in their penances and in their apostolic activities. As shining stars have risen from their midst Saints Paschal Baylon, John Joseph of the Cross, and the Japanese Martyrs (chapter 4).

Paragraph 68 **Houses of Recollection**

Since the Minorites, according to the wish of their Founder are not hermits, but men especially devoted to the apostolate, therefore from the very beginning even the very best have felt the need of retiring from time to time into solitude, there to acquire new strength for future labors. Thus did St. Francis, and thus also did many of his friars in every century. Italy and Spain were and still are very well supplied with such convents. These solitudes offer, in contrast to the large houses in the great cities, a better chance of laying aside for a time all distracting occupations and of leading a more intensive spiritual life together with those works of penance which the zeal of each prompts him to perform. The friars dwelling in such friaries are in no way different from the others as regards the habit, name or dependence upon the Provincial and General Superiors.

The more discipline was relaxed in some Provinces, the more did the earnest feel the need of retiring into such hermitages, not merely for a time but for good. Such was the case with many Spirituals, with the first Observants in Italy, and in part also in Spain. In France and Germany, however, these brethren remained in the cities. In the beginning, indeed, these friars did not wish to introduce any new customs or added severities. Their sole intention was to band together in order that by their mutual example the observance of the existing regulations might be rendered the easier and that thus gradually the entire Order would be reformed. It took some time for the Italian Observants to grasp this view of the matter and then they would not abandon some of those severities which they had added to the Rule. But in general, such severities were not the end, but merely the means whereby the reform was to be spread more rapidly.

Conditions, however, changed during the 15th century. The smaller reforms began at that time by an Amadeus of Portugal, a John of Puebla, and especially by a John of Gudalupe strove to outdo themselves and each other in external observances of every kind, unknown to the Rule (cfr. par. 26). Hence, in a certain sense they founded new Institutes although they would never admit that and even procured Papal Briefs which stated that they had not. That was indeed correct in as far as their followers observed the external ordinances of the Rule more strictly than the Observants were wont to do. But in as far as their prescriptions often exceeded by far the wishes of the Holy Founder and indeed, were only too frequently contrary to his spirit – with the laudable exception of John of Puebla, - these reformers could not justly claim to be better followers of St. Francis than the other friars.

Yet many well meaning, though simple friars, permitted themselves to be deceived by external appearances and gladly threw in their lot with that of the Reformers and thus the vitality of the Order was being sapped continually. Therefore did the Observants strive to find some counter attraction in their Houses of Recollection. This movement began in Portugal where the first *domus austeritatis*, as it was called, was

erected in 1468. But these convents did not survive for any length of time. Later on the Vicar General Martial Boulrier in 1502 ordered the erection of Houses of Recollection in all Provinces of Spain (par. 66). Each Province had at least two such friaries, many had five or even eight in which the friars, separated from the noise and bustle of the world, could spend their time in prayer and penance. With fatherly solicitude, the General Quiñones in 1523 took these foundations under his special protection and gave them their own Statutes which inculcated in particularly the necessity of silence, prayer and bodily penances. The friars living in such hermitages were not allowed to receive Mass stipends, nor to have any procurator for many alms. Their habit consisted of a sack shaped garment (*saccus*) of the same color, however, as the habits of the other friars. They remained entirely subject to the jurisdiction of the Provincial and he appointed a superior from amongst their number. Under these circumstances all who longed merely for personal sanctification, could have been content.

Unfortunately, however, many inmates of these Houses of Recollection had other objects in view. They wanted to be independent: they wished to form separate Custodies or Provinces: indeed, some even tried to obtain their own General Superiors so that they would be free to live according to their wishes without molestation from anyone. Thus in France the Recollects developed from those Houses of Recollection and in Italy, the Reformati (par. 69). The main blame rests on the shoulders of a few ambitious or ill advised friars. However, several Generals of the Order indirectly helped along the cause by their undiplomatic methods. They were afraid, and not without good reason, that such movements would lead to a further division of the Order. However, they did not comprehend that such spiritual forces, then active in the Order, could not be simply suppressed by force. Instead of confining these energies and powers within the bounds prescribed by law and permitting them gradually to spend themselves, many Generals proceeded against the new movement directly. Such conduct of course merely checked, it did not destroy. The movement always revived and finally obtained recognition as a separate society, in which the original spirit indeed, was soon lost, but the empty forms continued to remain beside the parent Order.

This lack of foresight and consideration on the part of the Generals was dearly paid for especially in Italy where it occasioned the loss of the Reformati and the Capuchins. The General Lichetto had favored the Houses of Recollection which were begun in Italy about 1518 through the initiative of the Spaniard Stephen Molina and of Bernardine of Asti. This latter was to become a cornerstone of the Capuchins later on. But already in 1520 Lichetto's successor, Paul of Soncino, took action against such zealous friars. The zealots received this rebuke with increased bad grace since their brethren in Spain were conducting flourishing convents under the protection of Quiñones. When Quiñones came to Italy in 1525, he energetically championed the cause of the Houses of Recollection and in 1526 he extended the Statutes and privileges of the Spanish friaries to the Italian friaries. But it was too late. Matthew of Bascio had already started off on his own path upon which many were to follow. Pisotti, Quiñones' successor, immediately began to undo his good work. Thereby he forced all those who did not wish to be Capuchins and still who wished to lead a more penitential life, to found their own Institute – the Reformati. Clement VII gave them their own Constitutions in 1532.

Besides these Houses of Recollection from which sprang the Families of the Recollecti and the Reformati, there were also in many Provinces of the Observance still other Houses of Recollection in the original meaning of that term. At present it is practically impossible to narrate their history. It is even difficult to ascertain whether a certain convent is to be numbered among the Recollecti or the Reformati or whether it is a simple House of Recollection since the nomenclature is frequently defective. Thus the inmates of a true House of Recollection are often called Recollecti or Reformati although we know for certain that this convent had absolutely no connection either with the Italian Reformati or with the French Recollecti. Therefore the General Chapter of 1694 prescribed that a *Religiosus Provinciae Observantiae degens in conventu Recollectionis* (a religious of the Observant Province who lives in a House of Recollection) should be called simply an Observant.

The peaceful development of the convents of Recollection was seriously hampered by the tactics of the Discalceati, the Reformati, and the Recollecti, who tried to draw these convents over to their side. Thus in Portugal the Province of St. Anthony was formed from the House of Recollection in 1565 and then joined the Discalceati, though this was not definitely accomplished until the year 1639. The Provincia Tarraconensis arose in 1581 in a similar manner from the Houses of Recollection of the Provinces of Aragon, Valencia and Catalonia. Angelus de Paz was the instigator and of course he became the first Provincial. But this arrangement did not satisfy the subjects and so the union was dissolved after two years. The friars either returned to their former convents or went over to the Capuchins. Among the latter was the Blessed Nicholas Factor, but he soon came back to the Observants. The three Provinces in question then made an agreement with their Houses of Recollection and stipulated that one of the Provincial Definitors should always be chosen from among their friars, and that this Definitor should have the right to conduct the visitation. Each friar was also permitted to leave the Houses of Recollection and to go to any other convent of the Province.

Nor did the plan of the Discalceati succeed any better in 1622, when the Houses of Recollection of the Province of Catalonia were formed into a Province by the authority of Pope Gregory XV and then placed immediately under the jurisdiction of the Vicar General of the Discalceati. This change, however, was not to last, precisely because the Reformati, as these friars are called in the Papal Brief, would have just as little of such doings now as in 1581. Similar occurrences were also taking place elsewhere. So it is not astonishing that the Spanish Province of the Conception obtained a Brief from Clement VIII forbidding the foundation within that Province of all convents different from the rest. Thus, as a matter of fact, the Houses of Recollection were harming their own best interests by banding together to form one Province. In that condition, the labors and burdens which are inseparable from any Province had also to be borne by them, whereas formerly they were free of such anxieties due to the greater number of members.

Finally the General Chapter of 1676, profiting by the experience of many years, drew up statutes suitable to the Houses of Recollection, at least of the Cismontane Family. Thereafter such Province had to have at least three and not more than four such convents, which at the same time were to be the only novitiates of the Province, but they could not be the houses of studies. Thus the Gordian knot was severed. Henceforth the Province needed the Houses of Recollection, since they trained its novices and the Houses of Recollection needed the Province, since it educated the clerics. The smaller

number sufficed because a spirit of extraordinary piety is always a rare thing and is possessed only by a few. Besides, those who did not wish to remain were always free to return to the other Houses of the Province. These principles were directly contrary to those of the Reformed branches and which therefore had within themselves the cause of that relaxation which later on showed itself. Wherever these decrees of 1676 were put into practice the results were beneficial and further divisions were avoided. Unfortunately all Provinces did not adopt them. For in 1758 the General, Clement of Palermo, was forced to order the erection of at least one to two Houses of Recollection in each Province under threat of withdrawal of the right to receive novices.

Special mention must be made of the Houses of Recollection or Ritiri which arose in the Roman Observant Province towards the end of the 17th century. Their spread throughout Italy was due chiefly to the labors of Blessed Thomas of Cora and of Saint Theophilus of Corte. They asked no Papal Brief in their favor but depended entirely upon their Provincial Superiors. These friars also refused all exemptions and offices of honor. Hence, the foundation of such convents was always warmly welcomed since they were the cause of trouble to no one but only of joy, and that not least of all to the historian of the Order, who is able to point to but few such examples. At this place too, we must mention the House of Recollection, St. Anthony of Buratoxa, founded in Portugal in 1679 by the General for the popular missionaries of that country. Here these zealous men could retire to lead a life of strict recollection and of severe discipline in order to gain new strength for their apostolic labors. Two years later a similar convent was erected in Spain.

These Houses of Recollection have never been abandoned in the Order and they are still to be found today. Their organization is patterned upon the regulations of 1676, although they are no longer necessarily the novitiates.

Paragraph 69 ***The Reformati until the death of Gregory XV***

The blundering course of Pisotti against the Italian Houses of Recollection caused some of the more zealous friars with Francis of Jesi and Bernardine of Asti at their head to appeal to the Pope. He rewarded their confidence by issuing the Bull *In Suprema* of 1532. In each Province convents should be set aside as needed, where who wished might enter and there observe the Rule in its greatest possible purity, but according to the Declarations *Exivi* and *Exiit*. The habits of these friars were to be very poor and patched and they were ever to go about completely barefoot. But they could not change the form of the habit or of the capuche. A Custos was to rule these convents and he together with the Guardians was to have an active and a passive voice at the Provincial Chapter. This Custos could also nominate the superiors for his House of Recollection. The friars whom he considered unfit, he could send back to the Observant convents.

Despite these privileges, the Reformati did not make much headway; two years later both leaders joined the Capuchins. It is true that many Observants did not look with favor upon the doings of the Reformati, still if there had been any number of friars in a province, who wished to lead the life of the Reformati, they should have succeeded in having their way, because they had their own Custos. But only a few friars embraced a mode of life, which in the last analysis was merely an imitation of the life of the

followers of Guadalupe and not adapted to thrive on Italian soil. The first Reformati meditated daily for two hours, prayed the office of the dead, the office of the Blessed Mother, and the penitential psalms. They ate cooked food only on two days of the week, and on the others merely bread, fruits and vegetables. Moreover, they observed several Lents and imposed severe, even repulsive, penances. Naturally, many of these features disappeared with time, but still we can understand why the Italian friars could not become enthusiastic over a mode of life, so similar to that of the Egyptian hermits. Many, who had joined the Reformati, soon abandoned their ranks, so that many of their convents stood deserted. Hence, there was no thought of providing a Custos for the Reformati in many provinces, since none was needed. This new branch appears to have enjoyed its greatest success in the provinces of Milan and Venice, whence the reform was introduced into Germany and Austria, but in a milder form.

Had the Reformati lead a more reasonable life in their houses of recollection, many Observants would, no doubt, have joined them. But, under existing circumstances, these friars preferred to join the Capuchins. Due also to their mode of life, the decree of the Chapter of 1535 in favor of the houses of recollection had little effect. The transfer from one religious society to another continued without interruption until a papal decree in 1537 made such transfer dependent upon the written permission of the superiors. This decree helped the Reformati greatly to retain their members. New recruits also came in greater numbers, especially since they had gradually abandoned much of their excessive severity. Therefore, the number of their convents had grown considerably by about 1500 under the fostering hand of several capable superiors. But soon, the Reformati made the fatal error of procuring the Bull *Cum illis vicem* from Gregory XIII in 1579, which granted them almost complete autonomy. No Reformati were permitted to return to the Observance henceforth – a privilege of doubtful value indeed. The Custos, however, of the Reformati could not receive Observants, nor did he even need to inform the Observant superiors of the transfer. They were completely exempt from the jurisdiction of the Provincial Superiors. The General could only take part in the Custody Chapters in person. For the rest, he had nothing to say concerning their affairs, and could not even examine their elections or Constitutions or confirm them. Nor were these friars bound to the observance of the General Constitutions. Their Guardians, although they were exempt from the Provincial's jurisdiction, still retained their active and passive voice in the Provincial Chapters and could demand convents from the Provinces according to their needs and the Province may not dare to refuse the demand. The Observants could no longer dare to quest or to preach in the territory surrounding the convents of the Reformati. But the Reformati could go whenever they pleased, especially to Rome, where they had assumed charge of the convent of St. Francis a Ripa. Finally the one great wish of their hearts was granted them: they could wear habits with outlandish colors and they could sew onto them patches to their hearts' content. Since they had also shortened their mantles after the example of the Capuchins, there was little danger henceforth that externally they should be taken for anything but a friar reformed.

These Gregoriana now became storm centers just as the Eugenia had been in a previous period. Within the same year, the General Gonzaga obtained the suspension of the decree while he earnestly entreated the Reformati not to introduce a division into the Order and reminded the Observants that they should take good care of the Reformati. The Statutes of Quiñones were republished for the Reformati in 1582 and they were permitted

to retain their own Guardians and Custodes. In the following year their privileges were even increased. Clement VIII a few years later became the generous patron of the Reformati. For their benefit he sent several decrees to the Chapter of Valladolid in 1593. The decree stating that the novitiate convents must also be Houses of Recollection, is especially noteworthy. There had to be at least three Houses of Recollection in each Province. The newly elected General, Bonaventure of Caltagirone, entered into the plans of the Pope and charged the Visitors to favor the Houses of Recollection everywhere. In 1595 with the agreement of the Pope, he published new Constitutions for the Italian Reformati. The Reformati indeed remained with the Provinces, but they were assured of sufficient freedom for the proper conduct of their own affairs, since they were to have a Custos and two Custodial Decrees. These three officials were to nominate the superiors for the Houses of Recollection. The right of transfer between the Observants and the Reformati was also retained, but the change could take place only at the time of the Chapter. These indeed were wise ordinances, with which the Reformati could be well satisfied, especially since their life was sufficiently minutely prescribed by other laws. Regarding poverty it was ordered that they could collect only sufficient for their daily needs and they were not allowed to sell their excess goods to supply their other needs. Only in the matter of their habit was uniformity with the Observants commanded and the *varietatis monstruositas* was forbidden.

Despite these concessions, the Reformati, that is, a few ambitious leaders, were not satisfied *ob varias causas ab eorum Visitoribus proposita* (because of various reasons proposed by their Visitors). Finally due especially to the agitation of the Milanese Reformati, they moved Clement VIII in 1596 to renew the Bull of Gregory and that just a year after this same Pope had confirmed the new Constitutions which were to bring peace. But now the Procurator of the Order, Francis of Luniano plucked up sufficient courage to protest to the Holy See energetically that the government of any Order is impossible if any one by recourse to the Apostolic See can wreck the best and wisest ordinances of the General. Nor did the Procurator stop there. It is a pity that we know so little concerning the man. With sharp insight he recognized that the chief cause of these external attempts at a separation was the ignorance of the preceding history of the Order. He wanted to destroy that ignorance by a systematic compilation of all Papal documents relating to the Order and this collection should then receive official approbation. That plan would certainly have done much good and would have opened the eyes of many of the well-meaning friars among the zealots. Unfortunately, the plan was brought to naught by the Discalced John Baptist Moles, who was at that time the Ultramontane General Commissary at the Papal Curia. As it appears, he was afraid of the consequences which such a history might have and therefore he obtained a Brief on December 20, 1597 which in general confirmed all the privileges of the Observance with the added clause: *salvis decretis in favorem Reformatorum concessis* (except for those decrees conceded in favour of the Reformati). Such zeal for the confirmation of the privileges of the Observants was hitherto unknown on the part of any Discalced. At any rate, John achieved his purpose and the plan of the Procurator was abandoned.

The Order then placed the legal defects of the Gregoriana clearly before the Pope and begged for a remedy; their protest had little effect since it is not a pleasant thing to confess that a mistake has been made. Indeed Clement VIII even went further and granted the Reformati their own Procurator and independent Visitors. In vain did the

General propose that the novices should be trained only in the Houses of Recollection and that four independent Provinces should be erected from the existing Custodies of the Reformati, so that they could also be instructed in studies, which was formerly almost excluded. The Reformati refused to consider such proposals and they stuck by their Visitors, who were however no longer to be known as the Visitors of the General, but as *Visitatores apostolici*.

It is not surprising that such actions embittered the Observants and that this dislike found expression also in scurrilous pamphlets. But the General preserved a clam and correct view of the entire affair, which he presented to the General Chapter of 1600 in a letter addressed to the assembled electors, since he was prevented from attending the Chapter in person. The General wrote: The reform, necessary in many provinces, should come only from a stricter adherence to the existing laws and from a more faithful observance of the spirit of the Order. The conduct of both parties in the recent interchange must be blamed. The Reformati wish to introduce many severities, which go far beyond the Rule; they have no studies and no external activities. Therefore, few join them and less desire to remain. They should be satisfied with a perfect observance of the Rule and reserve the practice of their severities for themselves and not try to impose them upon the rest of the Order. The General also rebukes the Reformati for striving to advance their cause by means not at all pleasing to God. Their conduct has brought about a *depressio regularis Observantiae*. The Observants also came in for their share of blame, since they did not favor the Reformati, as they should have done, but opposed and hindered them more than was called for. Now at the Chapter, friars from both parties should prepare new constitutions in accordance with the Rule, and not beyond the Rule. For, in that case, new reforms will be begun to preserve the true Rule of St. Francis.

Deliberations were indeed held at the Chapter for the purpose of drawing the two parties closer together. The Reformati heartily approved the attempt, for they saw that they were cordially disliked everywhere due to their separatist propaganda. But, when all was said and done, things remained essentially just what they had been. Indeed, in order to counteract the ceasure of the General, the Reformati now persuaded the Pope, Clement VIII, to attest that they observed the Rule more perfectly than the Observants. Still, the constitutions, which the Reformati drew up at this time, show that they took to heart those words of the General, at least, which concerned their excessive severities.

Paul V mildly censured the Reformati, by reaffirming the power of the General and of the provincial over these friars. But, when Gregory XV ascended the papal throne, a new era of favors opened for the Reformati. In union with Paul of Madrid, whom we have already mentioned, two Reformati lay brothers, Paul of Livorno and Didacus of Bologna, gained the confidence of this Pope to such an extent, that they could obtain whatever they wished. Of course, they did not work for peace and harmony in the Order. In 1621, Gregory confirmed the decree of Paul V, but in return, he granted the Reformati their own Procurator, who was to be appointed by the Cardinal Protector. The Procurator, in turn, was to appoint the Visitors, who were responsible only to him and to the Cardinal Protector. Thus the General was in practice put upon a shelf for use only on state occasions. The bond between the convents of the Reformati and the entire province was also loosened. Henceforth, the Custos alone was to take part in the provincial chapter and that with an active voice only, because the Reformati could no longer accept any office among the Observants. In the past, those Reformati, who had accepted offices among the

Observants, and their number was not small, usually remained with the Observants after their term had expired. That avenue of escape was now closed.

Taking advantage of the absence of the General, the three lay brothers in 1621, obtained from the obliging Pope a separate Vicar General for the Reformati together with their own General Chapter and General Definitors. Henceforth, this branch was to take no part in the General Chapters of the entire Order, except through the person of their Vicar General, who was to have only an active voice therein. Soon, however, the Reformati were just as little pleased with their new Vicar General, Anthony Strozzi, as they had been with the General. So the Pope obligingly deposed Strozzi and appointed another. Neither this turn of events nor the protests of the General and of the Procurator, nor the vehement pamphlets, which now appeared, much to the scandal of the people, were sufficient to arouse the Pope to free himself from the influence of the three lay brothers.

Paragraph 70 ***The Reformati after the death of Gregory XV***

Urban VIII ascended the papal throne in 1623. In 1624 he abolished the Vicar General of the Reformati, and in the following year, also their Visitors. At the same time, he ordered that the novices should be instructed for the entire province in the convents of the Reformati, and that the provincials should be chosen from among them, in as far as possible; but, in that case, the Reformati were not to have their own Custos. Such decrees would have been beneficial, if the Reformati had really desired to reform the Observants. But, in fact, they had other ideas. They wished to thrust their own decrees and customs, which were in no way in accordance with the Rule or the spirit of St. Francis, down the throats of the Observants. The Observants, therefore, could not be satisfied with such an arrangement. Nor were the Reformati content, and from their complaint, it is clear that they were already well on their way to a return to a moderate Observance, while retaining merely a few external severities. Peace was restored, to some extent, in 1628 when the Observants regained their own novitiates. Lasting and complete peace resulted from the Bull of Urban VIII *Iniuncti nobis*, published in 1639, which raised all the Reformati Custodies to the rank of Provinces, with the titles indeed of the original province, but with the addition "Reformata". This was done only in Italy and Poland. The General Procurator of the Reformati in future was to be named by the Cardinal Protector. The General, if he acts in person, enjoys full rights over the Reformati, but his delegate must be chosen from the Reformati. In governing this branch, the General must be guided by its constitutions. The question of the transfer of friars from one branch to another was finally decided in 1668, after much dickerings, by decreeing that such transfer depended upon the consent of the respective provincials. Surprising is the command of the Pope, that the Observants should begin no new reforms. Leo X had already forbidden that; and it was certainly not the Observants, who had sinned against the prohibition. In 1641, the Pope issued several supplementary decrees concerning the life of the Reformati, especially concerning their studies, which were certainly defective. The Reformati themselves, in 1642, published a new code of constitutions in Italian. These suffered the same process of change and correction as the General Constitutions of the entire Order.

The history of the Reformati as simple members of the Order ends with the year 1639. Concerning their history as a separate branch, we can repeat what was said above, concerning the Discalceati (cfr. par. 67). One of their heroes of sanctity is St. Pacifico of Sanseverino. St. Benedict of Philadelphia can hardly be numbered among them. At first, he had joined the group of ascetics gathered by Jerome Lanza about the middle of the sixteenth century. The members were former Franciscan and Dominican friars, who wished to live as hermits, according to the pure Rule of St. Francis, without any papal declarations. When Paul V in 1562 dissolved their congregation, the members were ordered to join some approved Order. St. Benedict entered one of the Houses of Recollection, which was under the jurisdiction of the Observants.

With somewhat more right can the Reformati lay claim to St. Leonard of Port Maurice, although he too was not a Reformato, if we use that term in its usual meaning. He had joined the so-called Riformella, which was a reform introduced by Blessed Bonaventure of Barcelona, into the Roman Province of the Reformati. The relation of this reform to the Roman Reformati Province was practically the same as that of the Reformati to the Observant provinces before 1639. With the permission of the Pope, Bonaventure had founded several *Sacri Recessus* or *Ritiri*, where his followers could observe the Rule of St. Francis *sine glossa*, and lead a life of extraordinary penance. Their main convent was that of St. Bonaventure on the Palatine, whose Guardian ruled the Riformella, in dependence upon the provincial. St. Leonard, likewise with papal approbation, founded two *Ritiri* in Tuscany, one of which was situated at Incontro, near Florence. The saint also gave these *Ritiri* their own constitutions, modeled upon those of the Neapolitan Discalceati. The bond of union between these two convents and the main convent at Rome was gradually weakened. How far they had departed from their original spirit may be seen from a papal document of 1767, which severely rebukes the inmates of these friaries because of their hankering for places of honor.

A glance at the spread of the Reformati shows us that their main strength originally was and continued to be in Italy. Thence, they spread into the other Cismontane provinces, and even into Bavaria. The convents of Bavaria belonged to the upper German province, and hence to the Ultramontane Family. Since the discipline in the Bavarian convents had grown lax during the Reformation, the Dukes of Bavaria, in particular Maximilian I, desired a reform. After lengthy negotiations with the Holy See and with the General of the Order, the Milanese Reformati, Anthony Galbiato, arrived in 1620 with the powers of commissary. Anthony, however, did not intend merely to reform the convents according to their own laws, but he planned to tear them away from their mother provinces and then to impose upon them the life of the Italian Reformati. His attempt met with protests and opposition on all sides, despite the reassuring words of the General Commissary, who said: *Nec est quod quis trepidare debeat super hac strictiori observantia, quia supposita qualitate regionis talis invenietur modus et via, quod poterit quilibet suaviter et faciliter in hac strictiori observantia vivere et perseverare* (There is nothing that should make us fear this way of life of the stricter observance, since in it we can find the quality of the way of life in those regions in which [friars] can live and persevere gently and easily in this way of life of the stricter observance). Thus the Bavarian Observants in a diplomatic way, *suaviter in re, fortiter in modo*, became Reformati, without even moving a finger themselves towards that end. Indeed, they had the distinction of forming the first Reformati province, since their convents in 1625,

again through no move on their part, were united into an independent province. The separation of these convents not only from the German nation but also from the Ultramontane Family was not for the good of the province. But all the protests and all the attempts of the Germano-Belgian nation to rectify the mistake were without success.

The same Anthony of Galbiato introduced the reform also into the neighboring provinces, which very wisely joined the Reformati in a body, and thus were spared the evils of internal division. The Province of St. Leopold in the Tyrol adopted the reform in 1628, the Province of Austria in 1632, and the Province of Bohemia in 1660. The Provinces of Carniola did the same in 1688. In order to safeguard the union between these provinces and the Reformati provinces of Italy, Italian friars were generally sent to conduct the visitation. This practice caused so much opposition, that the Emperor Leopold in 1661 demanded native visitors for the provinces of his empire.

The Reformati were introduced with much more difficulty in Poland than in Austria. Clement VIII, that zealous patron of the Reformati, had declared that the Polish Observants were leading an exemplary life and did not need the Reformati. In order to ward off the threat of a Reformati invasion, these Observants had also erected ten Houses of Recollection in their province. Still the Italian Reformati tried repeatedly to gain entrance into the country. All their efforts were in vain, until, at the beginning of the seventeenth century, Didacus of Bologna, the favorite of Pope Gregory XV, obtained permission for the Reformati to erect several new convents in Poland. Then the invasion began. Two custodies were soon formed. Then in 1634, the Polish Observants and the Reformati decided to unite, a step favored by most of the Polish Reformati. The Italian Reformati, however, saw to it that this union was never consummated and in 1637 they obtained a papal decree, re-erecting the two custodies, with the express condition that they should never be raised to the rank of provinces. Nevertheless, two years later these custodies were made provinces with the same rights as the Italian.

Paragraph 71 ***The Recollects***

From Spain the Houses of Recollection had spread also to France. In that country, due to the disorders of the Reformation, this type of convent could not flourish, even though sorely needed, since the discipline of the French friars was deplorably lax. About 1570, when peace had appeared in the land for a short spell, a House of Recollection was erected at Cluys in the Provincia Turoniae Pictaviensis, but it did not exist very long. In the General Chapter of Paris in 1579, the General Gonzaga, energetically favored those convents and appointed Martin Boery Commissary to labor for their erection. The result was hardly perceptible. Nor did Robert Prevost and Francis Simonis accomplish any more in the *Provincia Aquitaniae antiquioris*, even though they had gone to Italy and Spain to study the Houses of Recollection existing in those countries. Upon their return, they had selected this province as the best suited for their project, since Francis Dozieck and several companions, who had returned with him to the province from the Capuchins, had already begun a reform there. The General supported the efforts of all these men and even gave them several convents, among others that of Rabasteins. Dozieck, in accordance with the decrees of Clement VII of 1532, was elected the first custos. But

these decrees were disobeyed in as far as some changes were introduced in the shape of the habit. In the beginning, these friars took much from the Discalceati, the Reformati and the Capuchins. Italian Reformati were even invited to occupy the convent of Nevers in north-western France, but they had to withdraw again in short order. The French people did not take kindly to the reformed friars in the beginning of the movement.

On the other hand, Clement VIII, the firm friend of the Reformati, tried to aid them in every way and even persuaded the General, Bonaventure of Caltagirone, to favor them. The General, grown wise through his experiences with the Italian Reformati, on his own initiative, published in 1595 constitutions *pro Belgicis et Germanicis Recollectis*. In 1621, these constitutions were extended to their brethren in Spain. He commanded these convents to retain the same statutes and habit as the rest of the province. At the same time, the General permitted them great freedom in the matter of austerities in discipline. The Houses of Recollection were also allowed to train their own novices. Finally, the General exhorted these more zealous friars to cultivate the spirit of humility and cooperation with the other friars, reminding them of the words of the Gospel: *Cum haec omnia feceritis, dicite: Servi inutiles sumus* (When you have done all these things, say: We are unworthy servants).

But the leaders were not satisfied. They wanted to enjoy all the privileges of the Italian Reformati, especially the distinctive habit and exemption from the ordinary superiors, on the plea that the reform could not prosper under provincials who were not themselves reformed: which was true in many instances. They finally forced their own ideas through and in 1601 obtained their own Apostolic Commissary. This official, endowed with the broadest faculties and aided by the favor of the Court, erected convents everywhere for the Reformati or the Recollects, as they were called in the language of the country. Their opponents, however, nicknamed them Clementines, since they owed their existence to the favor of Clement VII and of Clement VIII. By the name, Cordeliers, the people now sometimes meant the Observants, sometimes the Conventuals, since these distinctive and official names of Conventual and Observant were seldom used by the people.

In order to put an end to the contentions, which had arisen, in 1612 two Provinces, of St. Bernardine and of St. Denis and a *Custodia S. Antonii in Delphinatu*, were formed from the Houses of Recollection. They were dependent directly upon the General. However, a part of the reformed friars immediately refused to obey their new provincials. Hence the Cardinal Protector had to intervene and arrange a new division of the provinces (cfr. chapter 2). Now the Recollects, since they had their own superiors and their own statutes and were subject directly only to the General, should have been content. Nevertheless, in 1622 they approached Pope Gregory XV with the request, that they might receive back all the privileges of the Gregoriana, which they had enjoyed, before they had been raised to the dignity of provinces. In 1637, they received their own Vicar General, but only for a short time. A moral unity was preserved among themselves through their common general ordinances.

During the first decades of the seventeenth century, the distinction between the Cordeliers and the Recollects would have been very pronounced, even if the former had observed their statutes and costumes, which they did not do, at least not always. One of the first Recollect provincials sketches for us *specimen veri fratris minoris*. From this work we can see that the French Recollects borrowed heavily from the Discalceati and

from the Capuchins. Nowhere, however, in his description can we find any trace of the spirit of a true and genuine son of St. Francis. Gradually, however, these friars freed themselves from the excesses, which characterized their beginning. They continued to distinguish themselves by a wholesome love of poverty, by zeal for the missions, and by a penitential severity, which indeed exceeded the wishes of the founder of the Order, but which gained for them the love and respect of the clergy and of the people. This loving respect was to wane, only when their institute was destroyed by the Revolution. Even the favor of the Court ever continued to shine upon them. They were appointed the field chaplains of the French armies, and thus, these friars had occasion to share the hardships of war with the common French soldiers.

From France, or as would seem more probable, from Spain, the Recollects spread into Belgium, where at first they dwelt in the Houses of Recollection under the protection of the General. In 1603, these Belgian friars attempted to share in the privileges of their French brethren. Their attempt met with success for a short time; for, in 1605, due to the chaos of war, these privileges were suspended. Thereupon, some dissensions arose among the friars in Belgium, which were ended in 1629 by the erection of the Recollect Province of *Sancti Josephi in comitatu Flandriae*. That was the first and the last province of the Germano-Belgian, which imitated the accepted Italian and French style of joining a reform.

In order to spare themselves the repetition of the disturbances, witnessed in Belgium, the other provinces of this Germano-Belgian nation hit upon a very clever plan. These provinces had possessed Houses of Recollection, since the beginning of the sixteenth century, which were under the complete control of the provincial. Such convents were distinguished from the other convents of the province, only by the stricter discipline observed in them. In 1621, the Provincia Coloniensis reformed itself by adopting the stricter discipline of the Houses of Recollection for the entire province and for all the convents thereof, without giving up its name of Observant. The title of Observant was given up after 1646 in favor of Recollect, *ob plures rationabiles causas*. Gradually all the provinces of this nation followed the good example of the Provincia Coloniensis. The Provincia Germaniae inferioris adopted the title of Recollect at the General Chapter of 1670, but no essential change was thereby rendered necessary in its former mode of life, as is told us in the statutes of this province. Slight changes were made regarding meditation and recollection of spirit. By 1682, this transfer had been completed in all the provinces of this nation.

Due to this development, the Germano-Belgian Recollects have nothing in common with the Discalceati of Spain, the Reformati of Italy, the Recollects of France. For all these reformed groups had not reformed their own provinces, but had erected new convents and had begun new provinces within the confines of the old ones. The Germano-Belgian Recollects, on the other hand, founded no new reformed convents, but they reformed themselves as a unit and did not give way to excesses. They were simply provinces composed of Houses of Recollection, according to the mind of Quiñones. Why they ever exchanged the name of Observant for that of Recollect is not clear. Perhaps they wished thereby to forestall the intrusion of strange friars and stranger reforms into their territories, as they had seen done in Bavaria, Austria, Belgium and Poland, by giving themselves the name of some reformed branch. Thus they preserved, at least in their own land, unity and peace together with a stricter discipline, which was safeguarded not only

by the Visitors, but also by their own National Commissary. This internal harmony explains to us, why these provinces, which indeed had their defects and often even great ones, stood forth in the eyes of the General and of the entire Order as model provinces. Neither the Observants nor any of the reformed groups bore any ill feeling towards these provinces. They trod the golden middle way between both parties in the Order and held themselves aloof from all their quarrels. In case anyone should remark, that precisely these provinces form the only reformed group which as no canonized saints, it might be said that this fact is a result more of the character of the people and of the country than of any lack of real saints. In the sanctity of its members, it yields first place to no other reform group in the Franciscan Order.

The moderate temper of the Germano-Belgian Recollects deceived the Observants into hoping that they would not prove to be sticklers for their name and their own form of the habit with the pointed capuche. Thus we can explain the action of Pope Benedict XIII who in 1729 reconfirmed their national statutes, but, at the same time, ordered them to drop their own name and form of the habit, in the interests of uniformity within the Order. But the superiors were deceived and in 1731 the Germano-Belgian Recollects committed the unpardonable blunder of requesting Clement XII to revoke this decree of his predecessor. Their wish was indeed granted, but had these friars observed the decrees of Benedict XIII, it is probable that the unification of the Order would have taken place a hundred years earlier than it really did.

Section 3
From the Beginning of the Eighteenth Century until the Present

Paragraph 72
From the General Chapter of 1700 until the Chapter of 1723

Louis Torres was elected General in the Jubilee year of 1700. His Encyclical letter scored many abuses, especially the ceaselessly roaming life of many friars. That condition was caused partially by the fact that some superiors would simply send their friars of less worth forth upon the world to be received by good friends or by convents of the neighboring provinces. Moreover, at that period, the Minorites were afflicted by the scourge, common also to other Orders at the time, of numerous apostates. These apparently had a predilection for Madrid or Rome where their loose life was a scandal to the people. Only too often were the Generals and the Chapters forced to treat of these unfortunates. The Chapter of 1700 also issued many new Constitutions which, although they were published and promulgated, still for some unknown cause, they were not received by the Cismontane Family.

Upon the premature death of Torres in 1701, Idelphonse Biezma as Vicar General was to complete his term – that is until 1706. But due to the disturbances of the war, which rendered the convocation and the sessions of a truly General Chapter impossible, Idelphonse was continually confirmed in office, at first for a year and then finally until his death, which occurred in 1716. His successor Joseph Garcia, likewise a Spaniard, due to the same reasons, could not convoke a General Chapter until 1723. The chaotic conditions of the time of war were not the only reason for these postponements, nay they were not even the main reason. The real cause was to be found in the increasingly bitter opposition of nation to nation. Formerly the Spanish friars had been ranged on one side, and on the other the French and those Italians not subject to a Spanish dynasty, such as ruled the Kingdom of Naples and the Dukedom of Milan. But now, at the beginning of the 18th century, due to the War of the Spanish Succession, the friars of Spain and those of the Hapsburg lands were also on the outs. The Emperor forbade his subjects to attend a Chapter which would be held in Spain, while the Spanish king would not allow his subjects to travel to a Chapter outside of Spain. Avignon was selected as the most suitable site of the Chapter, but in vain. Finally it was decided to call the Chapter to Italy; but the General blocked that move by objecting that according to the law of alternate choice, it was now Spain's turn. That reason was false since the Bull of Union in decreeing alternate elections refers only to the office of General and not to the place of election. Of course under such circumstances the conduct of the General was interpreted to mean that the Spaniards wished to retain the Generalate among their own friars although their nation had already occupied the office for 23 years without interruption. Now all the hatred of the friars for the Spanish monopoly, pent up for so many years, broke forth with added vehemence. Soon after 1723, letters were sent to all Provinces by some unknown persons listing all complaints against the Spanish rule. They are full of bitterness and leave nothing to the imagination. We shall mention some of the grievances: for a hundred years all Generals chosen from the Ultramontane Family had been Spaniards. The same was true of the Generals elected from the Cismontane Family, since

only Milanese or Neapolitan friars had been elected, and never had one been chosen from the Papal States, Tuscany, Genoa or Venice. This was also true concerning the General Commissaries, the General Procurators and the Commissary General of the Curia for the Ultramontane Family. Besides, these Spanish Generals had but rarely visited the Order. Usually after their election, they returned to their fatherland, so that several Nations had not seen a General for a hundred years. The officials of these Generals at Rome were for the most part merely party officials. Spanish friars alone were received as guests in the convent of Aracoeli, while the other friars of the Ultramontane Family were relegated to the infirmary although there was plenty of room in the convent. Besides they had abstracted the most valuable documents from the Curia of the Order at Rome and smuggled them off to Spain. The Spaniards had even forced themselves into the Holy Land, which they belonged to the care of the Cismontane Family, and had made the Guardian of Jerusalem dependent upon them in temporal affairs. In order to assure their ascendancy, they had continually increased the number of their provinces. Even their smallest provinces had been divided for that same purpose and they had also granted to their Commissary of the Indies a voice in the General Chapter, although they had always denied such a privilege to the National Commissary of the Germano-Belgian nation. This conduct of the Spaniards had already caused many scandals. The French friars especially would no longer tolerate such partisan rule and they set themselves resolutely to resist the Spanish brethren.

One can well imagine that such *Libelli* did not soothe the aroused emotions of many provinces. Indeed, although much that was contained in these pamphlets was exaggerated and told in spirit of spite, yet the facts could be denied by no one. However, the chief blame for the insistence of such fate should not fall upon the Spanish friars, but upon their government, upon which they depended much more than was becoming. Due to the good done for the Order by the Spanish crown, especially in the matter of the Missions, these friars seemed to think that it was but just for them to give in to the government. But the other nations saw the affair from an entirely different angle, and hence they became ever more and more embittered. This explains too for the most part why the best-intentioned requests and decrees of the Spanish met with little response from the friars.

On top of this quarrel concerning nationality there came the dispute between the Observants and the Reformati of Italy. Since 1706 these friars had no longer had a common General Commissary but both parties had been given their own Vice-Commissaries. That division pleased no one and all desired to be united under one common head – that is, in this case, one real General Commissary. Thus far the parties agreed. But a violent and even scandalous quarrel was caused by the question from which party this official should be chosen. The Pope, therefore, decided that all should remain as it was and proceeded to appoint Vice-Commissaries whose office should last until the next General Chapter. In the meantime some more of these notorious *Libelli* were sent to the Reformati Provinces advocating that the Reformati should break entirely with the Order and that they should procure their own General, just as the Conventuals and the Capuchins had done. Should they not be able to achieve that, then at least they should see to it that a Reformati be elected General at the next Chapter of 1723. Many indeed, among the Reformati preferred an Observant as General, but these pamphlets said that was a mistake. Due to the *inaudita relaxatio* prevalent among them, the Observants

violated the Rule in many things, and therefore, a Reformati was always the worthier candidate.

However, the matter was not permitted to rest solely with the distribution of these pamphlets. For while in 1722 the Observants labored zealously at Rome for the union of the two branches, the Reformati Vice-Commissary, John of Petrafitta, begged the Emperor, then on a visit to the eternal city, to aid in the election of a Reformati General in the next Chapter. As a matter of record, we may add that the Emperor did give instructions to that effect to the Austrian provincials, who were almost all Reformati. The Elector of Bavaria also wrote to the Pope in the same strain, prompted thereto no doubt by the Bavarian Reformati, with whom Petrafitta had also corresponded. But it must be remarked that Sigismund Neudecker, the outstanding Bavarian Reformati of the time, would not hear of Petrafitta's plan. With a frankness, deserving recognition and applause, he wrote to Petrafitta that the Reformati had all reasons to sweep first before their own door: they had more than their share of abuses. If the prestige of the Order had suffered, the cause lay not only with the lack of strict regular discipline among the Reformati and Observants but to a greater extent, also with the eternal squabbles, arising from the *disunio*. Therefore not separation, but unification was the remedy to be applied. Let them ask for another Bull of Union similar to the one of 1517, granting, indeed, the same General Constitutions for all, but at the same time permitting the Provinces to retain their own customs. However, at an election of the General let them look neither to nation, nor family but solely to personal fitness and virtue. He who opposes this unification should be expelled from the Order.

Thus wrote Neudecker to his superiors. The advice was not to their liking. Hence his request to be permitted to come to the Chapter, where probably he wished to labor for the union, was refused. This courageous conduct of Neudecker not only causes us to esteem him the more highly, but it also shows us the true state of affairs. Although himself a Reformati, a renowned ascetic and a man full of zeal of the perfect observance of the Rule, still he did not favor the plan of the Reformati superiors, simply because he saw no objective need or reason for it. And he should have known whereof he spoke for he was an ex-Provincial and Visitor of the Reformati Provinces.

Paragraph 73
From the Generalate of Lawrence Cozza
until the last General Chapter before the Revolution
(1723-1768)

Finally upon the command of Innocent XIII, the General Chapter convened at Rome. The Pope presided at the sessions in person. Lawrence Cozza of the Roman Province was elected General. His learning and his services in the Orient had made him famous. Nevertheless the election of a Roman was a surprise. It may be partially explained by the result of the War of the Spanish Succession. For Belgium and Milan had fallen to the share of Austria, and therefore, the friar electors of these districts no longer favored the wishes of the Spanish Crown. The Pope also exercised a gentle pressure by declaring that he would appoint the General if the electors did not decisively elect one on the first ballot. After the election of the General, the delegates passed a number of

statutes, which were published with the Pope's approval. In 1740 these statutes were abrogated by the Chapter of Valladolid. The same fate befell the statutes famed by the following Chapter of 1729.

Nor did the Bull *Universalis* issued by Benedict XIII in 1724 receive more careful treatment. The purpose of the document was the reformation of the Order. All personal privileges were abolished, in particular the office of *Definitores perpetui* of the Order and of the Provinces. Although perhaps some of the regulations of the Bull went too far, still many were entirely justified and struck at flagrant abuses. This was clearly proven when the Bull was recalled by Clement XII in 1730. Benedict himself had mitigated some of the ordinances in 1727. The former nuisance of personal privileges immediately revived and that to a greater measure than ever before.

Cozza, the General, labored in accordance with the *Universalis*, to root out the abuses in the Order. For the most part, these had been caused by the diverse observances of the Families and by the quarrels between nations. For the same reasons, the Provinces in ever-increasing numbers, no longer laid their difficulties and desires before the General or the Chapter, but tried to obtain help directly by means of a Papal Brief. Cozza was not to be allowed to spend himself any longer for the welfare of the Order. For already in 1726 the Pope created him a Cardinal. His Holiness also commanded him to continue to rule the Order, but the new Cardinal begged the Pope to permit him to abdicate. His petition was granted.

Matthew Basile was next entrusted with the government of the Order, first as Vicar General, then as General until the end of the term. It was during his incumbency that the ancient disputes between the Observants and the Conventuals were ended. These divergencies of opinion concerned the age of their respective Order, the Mother Church of the Order and similar topics. The Pope declared that both the Church of the Portiuncula and the Sacro Convento in Assisi, from the historical viewpoint, could be looked upon as the *Ecclesia Matrix*. Silence was imposed upon all concerning the useless question, which Order was the older. This childish dispute had originated in 1724, when the statue of St. Francis had been placed in St. Peter's, among the statues of the other founders of religious Orders. The Saint wore the habit of the Observants. The Conventuals long before had collected funds to erect this statue and to represent St. Francis in their habit. But Benedict XIII had decided in favor of the Observants. Here too it may be added that this same Pope in 1727, in his Bull *Summe decet*, renewed a great number of the former privileges of the Order, with the marked omission of several of the more important ones. This grant stirred up much bad blood in some quarters and so Clement XII in 1732 withdrew a part of the privileges.

The great love which Benedict XIII bore for the Order, prompted him to attempt to unite the various branches thereof. When he saw that this plan could not be realised, the Pontiff communicated several desires to the General. The General Chapter of Milan of 1729 was to take these points under advisement. Among other items, the Pope demanded that in the bestowal of the higher offices of the Order, regard should be had for all nations and not merely for one, as had been the case heretofore. If this were not done, then the Holy See itself would take proper measures to insure equality. Nevertheless, a Spaniard was again elected and not a Frenchman, as so many had desired. Despite this circumstance, due to the qualifications of the friar chosen, the election proved to be a happy one. John de Soto of Valladolid was distinguished for his piety and zeal for perfect

discipline. Since the Chapter could not be convoked in 1735 on account of the war, John was forced to remain in office until his death in 1736. John Bermejo ruled the Order until a General Chapter could meet at Valladolid in 1740. At this Chapter it was decided to prepare a new code of Constitutions and to repeal all Statutes of the recent General Chapters since they were not reliable. However, the projected Constitutions were never prepared. Indeed, they could not be prepared, since the spirit of the friars present for the Chapter was in no way favorable for such serious work. And still these friars were supposed to form the elite of the Order. There was such begging of privileges and precedences and often for such ridiculous reasons, as had hardly been seen before. The Chapter resembled rather a fair, where men could come to dicker for childish trifles than a meeting of Minorites, who according to their original spirit, should treat *de his, quae ad Deum pertinent*. The answer to such proceedings came in the Brief *Apostolica* of Benedict XIV, which abrogated all personal privileges, unless they were granted by the Constitutions of the Order. But since it was doubtful just which code of Constitutions was in force at the time, this Papal Brief effected little or nothing.

The new General, Cajetan Politi of Laurino endeavored to abolish the evil effects of poor elections. Therefore he obtained from the Pope the power to appoint twice on his own authority the Provincial and the Definitors of each Province, as well as the other superiors. After Politi's premature death in 1744, his successor, the Reformati Raphael Rossi of Lagagnano received similar powers. Raphael ruled until 1750, due to the postponement of the Chapter by the Pope. Benedict XIV granted still more extensive powers to the same General by appointing him *Commissarius Apostolicus*, Visitor and Reformer of the Order. Theoretically, the General possessed those powers without a special grant: but, practically, he did not have them since his power was limited by the Constitutions of the Order. Therefore, the Pope conferred upon him all the rights which the General had enjoyed in the beginning of the Order. In reality, therefore, the Pope's permission amounted to this, that the General could do whatever he might consider necessary for the welfare of the Order, without regard to the Constitutions. The laws of the Order permitted no other solution. Henceforth, the Generals and even General Commissaries were wont to receive these same faculties. But they made little use of them.

About this time the Four Confederated French Provinces, working in union with the Grand Couvent of Paris, made a step which had important consequences. For a long time, they had been a source of no little trouble to the General, partly because of their lax discipline and partly, too, due to their retention of real estate and permanent revenues. They claimed that from the very beginning of the union they had never surrendered such goods, which is certainly not correct. But it is certain that such abuses were tolerated very soon after the union despite the complaints of the superiors of the Order and the protests of many of their own friars. Repeatedly did they make attempts to obtain the approbation of the Pope for their conduct. As it seems, this approbation was granted for the first time in 1673. But since it was objected that this approval had been obtained surreptitiously, these Provinces now approached Pope Benedict XIV in the matter. In 1745 the Pope granted the necessary permissions to retain their real estate and their permanent revenues. Only one step now separated these Provinces from Conventualism, and that step was taken within a few years.

In that instance the Pope had sided with the less strict party in the Order, but in his Bull *Sacrosancti* of 1748, Benedict XIV favored the more zealous friars. The Minorites were forbidden to obtain any privilege by means of the patronage of secular persons. The Dominicans, the Conventuals and the Capuchins had already been granted such a prohibition. Still more important were the regulations for appeals: every friar had to appeal first of all to the Provincial, then to the General, and last of all to the Holy See. The officials in the Papal Curia were strictly commanded not to admit any appeal which had not observed the prescribed instances. In reality, many abuses could have been avoided, if these regulations had been observed exactly.

Benedict XIV gave further proof of his fatherly interest in the Order by presiding in person at the General Chapter of 1750. He also honored the electors with an address in which His Holiness proposed the vast number of Saints and Blessed as the glory of the Order. Peter Johannetius of Molina was elected General, the first and only Discalceati to hold that office. In 1753, he forced the Province of the Holy Redeemer in Dalmatia, which had imitated the example of the Four Confederated Provinces of France, to give up their title to all real estate and to permanent revenues. At that time, discipline was at a low ebb in many Provinces, as the Encyclical letters of the General clearly prove. Still, even at the time of such a crisis, the Order clings to its ideal of poverty, although there was danger that thereby it might lose entire Provinces. Such stubborn courage of conviction is the best pledge for the future growth and progress of the Order. The rule of Johannetius pleased the electors so highly that they elected him General for a second time in 1762, upon the completion of the term of Clement Guignoni of Palermo. The protests of Johannetius were not heeded by the electors, after the Pope had granted the necessary dispensation, since the prescribed length of time between terms had not been observed. This is the sole example in the entire history of the Order, of the election of a General for a second time. Nor can any say that it caused any harm. Johannetius devoted all his abilities to the task of clearing up the legislative chaos in the Order. The Discalceati received a code of constitutions during this term (cfr. par. 67). In 1765, the constitutions of the Cismontane Family were also ready for promulgation. They were approved in the Chapter of Valencia in 1768, and are called therefore, the *Collectio Valentina*. They were observed, at least for a time, only after the year 1827.

Paragraph 74
The Generalate of Paschal Frosconi of Varese
(1768 – 1791)

Paschal Frosconi was elected General at the Chapter of Valencia in 1768. As Cismontane Commissary General, he had proven himself a zealous and wise restorer of religious discipline. In his Encyclical letter of 1763, he had written in part to the Cismontane Family: *Ingemiscimus quum Regularis Observentiae, pietatis, charitatisque fervore plus aequo refrigescente, transgressiones et corruptelae adeo undequaque invalescunt, ut prolapsionem atque ruinam proxime secuturam valde sit metuendum* (We are very sad when we see that the piety, charity and fervour of the Regular Observance has grown cold, and that everywhere there reign transgressions and corruptions, in such way that we foresee that we shall soon harvest its deterioration and ruin). Those words

sound like a prophecy, which was to be fulfilled only too soon. Among other remedies, he ordered the superiors to be more careful in the reception of candidates. Regarding the ever-increasing number of friars, he quotes the words of St. Francis: *Utinam in mea religione essent tam rari Fratres, ut qui videret unum, tamquam de novo spectaculo miraretur* (May it come to be that in my Order the brothers would become so rare that, when people see one of them, they would marvel as if they were beholding a new miracle).

When his term was drawing to its close, the General sent out the prescribed summons for the electors to convene in Rome in 1774 for the Chapter. The electors foregathered from all the quarters of the globe, in accordance with the General's orders, except from Spain, but there they had been detained. The Spanish friars were planning to break away from the head of the Order and to have their own Vicar General. The electors at Rome deliberated for a long time concerning the course they should pursue with regard to the absent Spanish friars. Some proposed that the two families should be abolished and that the election of the General should alternate between the Observants and the reformed branches. Finally the plan proposed by the Germano-Belgian nation was adopted. This plan suggested that, with the Pope's permission, the Chapter should be postponed, and that the term of the General should be extended in this particular instance as long as necessary. The General's term had been thus extended many times in the history of the Order. Thus, the Spaniards would have no cause for complaint against the proceedings of this Chapter. The Pope willingly granted the desired permissions, and so Paschal remained in office until his death in 1791. He had ruled more than twenty-three years.

The time of Paschal's rule was filled with sad experience. The so-called Enlightenment, which was bitterly hostile to all religious Orders, strove to arouse the masses against them by spreading abroad libelous pamphlets without number. Many princes, too, both clerical and lay, were fervent patrons of this new spirit of Enlightenment. They thought that the best things they could do for the welfare of their states, was to treat the Orders with severity. Indeed, these deluded men even thought that they were thus doing the Church a favor. Gallicanism and Febronianism offered the theoretical principles upon which such ideas were based. Both systems aimed at restricting the power of the Papacy, and, therefore of monasticism, one of the chief supports of the papal authority. Besides all this, we must remember that the number of religious in many countries exceeded the measure, most desirable for their own best interests. At the same time, the Orders did not occupy those heights of learning and asceticism, which they could and should have attained. However, it would be a great mistake were one to think, that discipline in the Order had collapsed completely in the eighteenth century, as it had in many convents of the fifteenth and sixteenth centuries. Of course, there were such convents also in the eighteenth century; but their number dwindles into insignificance in comparison with the number of the other convents, whose inmates on the whole did not lead an evil or scandalous life. Frequently, these religious were very busy with the care of souls and were, therefore, highly respected, both by the bishop and by the people, even though the Visitors and the General did complain concerning transgressions of the Rule and of the Constitutions. Nor is that very strange. The viewpoint of the Visitors was entirely different from that of persons outside the Order. The Visitors complain about the poor religious observance, while the princes and bishops praise the friars for their zeal and innocence of life.

As an example, we might adduce the proceedings in France. Louis XV had appointed in 1766 a *Commission des Réguliers*, whose purpose was the “reformation” of the Orders. In other words, its purpose was to reduce the number of religious. Of course this was to be done without any permission from the Pope. The chief means to achieve that goal was the suppression of the smaller convents and to change the laws of the Order to agree with the ideas of the Commission. The work was done so well, that, within twenty years, the religious of France were reduced from 25,000 to 6,000. Without exaggeration one author has stated, that this Commission, composed, for the most part of bishops and headed by a cardinal, ruined more monasteries than did Luther, Calvin and Henry VIII combined. Fortunately, the records of this Commission which treat of the Franciscans, are still preserved. They form a truly glorious defence of the Order, a defence taken from the lips and written by the pens of her enemies. Most of the bishops, who had been questioned, replied in strong terms, that the Order was both useful and necessary in their dioceses; only a few desired the suppression of this or that friary and proffered charges against them. The Recollects and the Capuchins received the best testimony. Nevertheless, a number of smaller convents were suppressed and thus the Order lost heavily in France in numbers and influence.

But the zeal of the Commission was not satisfied. The provinces and even the branches should be fused into one unit. The union of the Observants and the Conventuals was especially insisted upon. In the beginning, both parties resisted with vigor, but, under pressure from the Crown, the eight Observant provinces finally gave in. Four of them, at any rate, had been well on the way to Conventualism (cfr. par. 73). Therefore, it was announced to Clement XIV, himself a Conventual, that the French Observants were anxious to unite with the Conventuals. This union was sanctioned by the Pope in 1771, together with new constitutions. Henceforth, not one Observant friar could be found in the whole of France. The Conventuals, on the other hand, who had formerly been merely an insignificant minority, had increased sevenfold.

Bavaria seems to have been the first country to follow the bad example of France. In 1769, the Elector issued a decree, whose express purpose was to diminish the number of monasteries and religious. In other parts of Germany, the rulers acted even more radically, if that were possible. Thus the Elector of Mainz in 1778 published a law forbidding the General to exercise his jurisdiction in the Elector’s territories. The Elector himself wished to play the General, in order to restore and to maintain religious discipline. The ecclesiastical council took care that only good friars should be elected superiors. By his orders, the deans or the pastors were to install the religious in their convents. These laws were soon copied at Worms, but especially were they imitated and even improved in the Austrian and Belgian states of Joseph II. Regulars were forbidden to attend the General Chapters of their Orders or to have anything to do with foreign superiors. The convents of each Order in Joseph’s territories were to form their own congregation, which should elect a Visitor or Inspector as superior together with four advisers. Of course, this congregation, just as each individual convent, was entirely subject to the government and to the bishop.

Similar laws were issued in 1788 by Ferdinand IV for the Kingdom of the Two Sicilies. Many other states followed suit. At a time, when dark clouds were lowering menacingly over Europe, clouds bearing in their bosoms storms, which were to batter down princely dynasties and Episcopal sees, at such a time of crisis, the clerical and lay

rulers imagined that they had nothing more important to do than to tear away the Orders from Rome. Thus these blind men, by their efforts, helped to weaken, if not to destroy, those very forces, which would have been able to avert the oncoming storm and to save their positions. They helped to tear down the supports of their own authority.

Paragraph 75
The Order during the French and Spanish Revolutions
(1791-1838)

Upon the death of the General, Paschal Frosconi, the Pope appointed Charles Joseph of Genoa, the “President of the General Discretorium”. Since there could be no thought of a General Chapter, the Ultramontane Family, that is, the Spanish friars, proposed that the Pope should choose a General from the list of friars presented by it. Pope Pius VI agreed, and accordingly in 1792, he named Joseph Compañy as the new General. His term, as well as that of the other General officials, was to last six years. However, the term was continually extended, until Compañy had remained in office in all for fourteen years. In 1804, at the wish of the King of Spain, the Pope issued the Bull *Inter graviores*, which separated the Spanish friars from the brethren of the other nations. The Spaniards were to receive their own General, distinct from the General of the other friars. In order to save, at least the appearance of unity, it was decided to call one of these superiors the General and other, the Vicar General. The halves of the Order were to elect their own General superior each six years. The titles of General and Vicar General were to alternate. In practice, the title mattered little, as long as the Spanish friars always had their independent superior. Both officials were to be chosen at the General Chapter. The Chapter had to be held in Spain, whenever it was the Spaniards’ turn to choose the General. All electors were to have a voice in the election of the General. But the Vicar General was to be elected either only by the Spaniards or by the friars of the other nations, according to turn. The Vicar General enjoyed all the rights of the General and was aided by several Definitors.

The reasons advanced for this monstrous change were, the great number of Spanish friars in comparison to the friars in other lands, and the advantage of having the General in person in Spain to aid the speedy revival of religious discipline in that country. As far as the Franciscan Order was concerned, these reasons were mere pretences. As a matter of fact, the Spaniards for centuries had in their country either the General himself or, at least, the General Commissary, armed with all the powers necessary to revive discipline. It was indeed true that, at that time, the religious of Spain far outnumbered those of any other country. For all of these lands had already been visited more or less intensely by the Revolution. But that fact really aggravates the sin of the Spaniards, who squeezed advantageous concessions for themselves out of the misfortunes of other countries, instead of proffering brotherly assistance. But here again, the blame should not be laid at the door of the ordinary friar. The guilty ones were merely a small group of ambitious leaders, whose names history is not yet able to brand with the mark of perpetual infamy.

The action of the Spaniards in view of the circumstances of the times, was indeed a crime against the Order: in France, since 1790 and soon after also in Belgium, the

friaries had been completely suppressed. In Germany, the Order was almost completely suppressed after 1803, and the few surviving convents dragged out a troubled existence. In Austria, the number of convents had been greatly reduced. The Revolution had already made inroads into Italy and the archives of the Order, preserved in the convent of Aracoeli, had been almost entirely destroyed, although the full force of the Revolution was to be felt in Italy only later. Little wonder, that under such conditions, the Order should bitterly resent the selfishness of the Spanish friars, until then unscathed, who viewed the misfortunes of others merely as opportunities of gain for themselves.

A General Chapter in 1806 was out of the question. But the Italians discovered a way of getting around the hated decrees of 1804, at least for a time. Compañy was elevated to a bishopric, and the General's office was thus made vacant. The Pope appointed Hilary of Montemagno, the new General. There was no election, therefore there was no need of electing a Spaniard in accordance with the rules of 1804. Hilary's term witnessed the desolation of the Order in Italy. But this sad state was not to last long in that country, for soon after the Congress of Vienna in 1815, the convents there were restored. However, his advanced age had prevented the General from laboring, as he wished, for the return of the scattered religious and in 1814, he had been relieved of his office. Guadenzio Patrignani was appointed by the Pope as Hilary's successor. This General labored zealously for the restoration of the Order in Italy and in France. In 1816, he sent Martin Martein to the latter country, as General Commissary, to reorganize the provinces. Another generation was to pass, before these efforts were rewarded with success.

The Spaniards were aghast by this time, since two Italians in succession had been appointed General by the Pope. Stormy scenes marked the Spanish National Meeting of 1817, until finally the General, at the command of the Pope, confirmed Emanuel Malcampo therein elected, as General Commissary, and then exhorted the Spanish brethren to peace. Patrignani resigned his office that same year. Thereupon the Spanish king demanded that one of his subjects be appointed General. By decree of November 28, 1817, the Pope appointed Cyril y Brea. His term, however, was to be computed from May of the following year. The same is true of the terms of the other General officials.

In 1824, the Reformati John Tecca of Capistrano was appointed General by the Pope. The constitutions prepared at Valencia in 1768 were promulgated by him in 1827 for the Cismontane Family. They were called the *Constitutiones Capistranae*. Juridically, this act of the General was invalid. For, as the General confesses, these constitutions had never been promulgated before, and the General alone cannot do that outside the General Chapter, without special powers from the Pope. Moreover, in the past sixty years, so many changes had taken place in the Order, that a revision of these constitutions was badly needed. Even the title no longer applied, because since the Bull *Inter graviores*, there was no longer any Cismontane Family, in the sense of the constitutions of 1768, but merely a Spanish and non-Spanish portion of the Order. These facts, the General had overlooked in his zeal for the welfare of the Order. Indeed, the great need in Italy was a code of uniform laws. Fundamentally, that had been the cancer which afflicted the religious life there ever since 1517. The *Statuta Salmanticensia*, *Vallisoletana* and *Sambucana* had indeed furnished such a code, but they were in force only for a short time and even then not all provinces accepted them. More important, for a proper judgment concerning the qualities of the General and the condition of the Order in Italy at the time,

is the powerful encyclical, which the General Tecca prefixed to the Italian edition of his constitutions. After a brief review of the happenings of the past few decades, Tecca goes on to issue regulations to improve the present state of religious discipline. His suggestions and regulations do honor both to his determination and to his foresight.

It is to be regretted that Tecca was not confirmed in his office beyond the usual six years. But, with the consent of the Pope, a General Chapter was summoned to meet at Alcalá de Henares (Complutum) in 1830, since a Spaniard was to be elected General this time. The choice fell upon Louis Iglesias. It seems that the non-Spanish provinces were not represented at all at this Chapter and even the General did not attend. Hence, this Chapter was looked upon in Italy not as a General Chapter, but merely as a Spanish National Meeting. In reality, that view was correct, but legally, it must be reckoned as a General Chapter, since it had been convoked according to law and it met under the presidency of the papal delegate, the Spanish Nuncio. The non-Spanish electors were excluded not only by the Spaniards but by their own ill-will. The Acts of the next General Chapter permit us to conclude that the non-Spanish electors obtained a dispensation from the Pope to remedy their absence from the Chapter of Alcalá.

Perhaps the sad experiences of the Chapter of 1830 caused the Spanish king in 1832 to obtain from the Pope the Bull *In Suprema*, whereby the separation of the Spanish friars, began in 1804, was completed. According to the provisions of this Bull, two distinct Chapters were to be held every six years, one in Spain, the other in Italy: the other countries did not even receive any mention. These Chapters were to elect alternately the General and the Vicar General. The Vicar General was a vicar in name only. In reality he was entirely independent in his government and needed merely the formal approbation of the General. In this way, the Spaniards guarded against a repetition of a Chapter like that of 1830: but their measure of iniquity was now filled. The day of reckoning was at hand.

The persecution had begun in Portugal successfully in 1831. Civil war broke out in Spain in 1833 and that completed what the Revolution of 1820 had merely begun. Within a few years, the Spanish provinces were destroyed, most of the convents ruined, the brethren scattered, persecuted and sometimes even subjected to horrible sufferings. In the midst of the trouble, Iglesias died in 1834. Andrew de Dos-Barríos ruled for a short time as *Pro-Minister generalis*. Then Bartholomew Altemir became General. He was the last Spanish General. He was forced to behold the collapse of the Spanish domination of the Order of Friars Minor. Exiled from his fatherland, he died at Bordeaux in 1843. Whether he resigned in 1838 of his own accord, or whether he was deposed by the Pope, since it was impossible for him to govern any longer, can not be determined.

Paragraph 76
From the Constitution “Gravissimas” until the abdication
of the General Raphael Lippi
(1838-1869)

On March 13, 1838, Gregory XVI by his Constitution *Gravissimas*, appointed a new General in the person of Joseph Maria Maniscalco of Alessandria: (*Josephum Deputamus in Ministerium Generalem totius ordinis Fratrum Minorum Sancti Francisci*,

excepta PENINSULA HISPANIAE, pro qua, prout illius regionis MISERA CONDITIO postulat, Commissarium Apostolicum certis facultatibus praeditum ad hujus Apostolicae Sedis nutum deputabimus (We are giving mandate to Joseph as Minister General of the entire Order of Friars Minor of Saint Francis, except in the Spanish Peninsula, for which, due to the miserable conditions of those regions, we give mandate to the Apostolic Commissary with all the other faculties granted to him, under the direction of the Apostolic See). The Pope likewise appointed for six years the Procurators and the General Definitors, but not an Ultramontane General Commissary. The Kingdom of Spain, which would have been ruled by the Ultramontane General Commissary, was again withdrawn from the jurisdiction of the General, though not perhaps Spanish America; in reality, this had been the case for a long time. Now, however, the cause was entirely different: in 1804, the superiority of the Spanish provinces had been the cause, now it was the *misera conditio* of that country. In principle, such a separation was desirable; but, in practice, it was now of small importance, for after the Civil War, the Spanish friars formed only a small part of the Order. Before the Revolution, the friars in Spain had numbered more than 10,000; in 1862, they amounted to hardly more than 230.

Maniscalco aimed especially at restoring the studies in the Order. Upon the completion of his term, the Pope had his successor elected together with the Definitorium, *per schedulas absentium*. A list of the candidates was sent to the electors, who in turn sent their votes to Rome. Aloysius of Loreto was chosen. He was noted for his piety and his zeal for regular discipline. In 1849, he appointed Joseph Areso of Navarre, Commissary of the Holy Land, and confided to him the task of restoring the Order in France. All previous attempts had miscarried. The work of Areso was crowned with such success, that already in 1860, the first Observant province could be erected in Provence. On the other hand, during his term, the Order gradually lost ground in Eastern Europe, in Poland and in Russia. Already in 1831, a great many convents had been suppressed in those countries; in 1842, all connection with the General had been forbidden; in 1864 came the final blow. Only a few convents were permitted to continue as a kind of homes for the elderly friars, in which they might spend their last years.

When the six years of Aloysius of Loreto were drawing to a close, the Pope, after hearing the Definitorium, appointed Venantius of Celano as his successor. His generalate is noted especially for progress in studies in the Order and zeal for the missions. He was privileged to be able to convoke the General Chapter at Rome in 1856. Pope Pius IX presided at the sessions in person. Bernardine Trionfetti of Montefranco, the Commissary of the Holy Land, was elected General. He too was a devoted patron of the missions and of studies, but he bestowed special care upon fostering the study of the Oriental languages. Ninety provincials were present at the Chapter of Rome, France and Spain alone being represented by Commissaries. Correctly, therefore, do the minutes of the Chapter note: *Illud prorsus mirandum, quod in tanta humanae societatis perturbatione, dum commoventur principatus, curruunt reges et regna, evertentur imperia, humilis Sancti Francisci sodales potuerit durare* (In fact, one marvels that in such confusion that reigns in human society, where principalities are troubled, kings and kingdoms come and go, empires are upside down, the humble brothers of Saint Francis can still remain for long). However, such a long interval had intervened since the last Chapter, celebrated by the entire Order, that no one any longer knew how to conduct the business of the Order. This is shown most clearly in the matter of the revision of the constitutions. The General

by a letter of 1853, had permitted the provinces to prepare the new ordinances and the discussion of the proposed constitutions at the Chapter was entrusted to several Definitors. This permission of the General and the manner of conducting the discussion at the Chapter, were not in accordance with the ancient usages of the Order and, consequently, all was surely to be in vain.

The Chapter of 1862 again took up this problem, but it did not settle it. Singularly enough, a secret vote was taken to decide whether the new code should be published or not. Although the overwhelming majority voted in the affirmative, the new code of constitutions did not appear until 1882, and then it was issued merely as a tentative draft. The report, presented at the Chapter, concerning the condition of the Order, complains of Italy and Mexico. For some years the suppression of convents had been on the increase in those countries together with other vexations of the religious. But in France, Germany and America, new life had arisen from the ruins of the old. *Non defuerunt nobis Dei miserentis benedictiones; licet omnino indignis: ergo Deus est adhuc pro nobis. Si autem Deus pro nobis, quis contra nos? Portae inferi non praevalent! Imperabit Dominus tempestati, cum tempus sui beneplaciti advenerit* (The merciful God will not cease to shower us, miserable creatures, with his blessings; even though we are unworthy: but God is still with us. If therefore God is with us, who will be against us? The gates of hell will not prevail! The Lord has commanded the tempests of our times, but the times of his benevolence will follow). These words of the report, written in a dark hour, are a shining sign of the continued presence of the seraphic spirit within the Order. The same spirit was evidenced at the Chapter, also in another form, although not with the desired effect. In the preliminary session of May 27, the ex-Procurator, Fulgenzio of Turin, presented a memorial which suggested that the names Observanti, Reformati, Discalceati, and Recollecti be dropped and that all branches unite under the one General with the sole title of «FRANCISCANI». The suggestion was something so unexpected, that the minutes state with laconic brevity: *Post hujusmodi lectionem, Definitorium integrum mansit in perfecto silentio. Res enim nec facilis nec opportune visa est* (After the reading of this text, the entire Definitorium remained in perfect silence. In fact, this idea was not considered to be easy or opportune). At any rate, the seed had been sown, time only was required for it to sprout.

After these preliminaries, the Chapter proceeded with the election of the General. The first ballot gave no one a majority. Thereupon, the Cardinal, presiding at the session, announced that the Pope, under these conditions, had reserved the nomination to himself. Similar acts by Popes are not unknown in the history of the Order, but in those instances, the chairman of the Chapter had always published the papal decision before the balloting had begun, and then the first ballot had always resulted in an election. The Pope now appointed Raphael Lippi, the candidate who had received the most votes in the Chapter. During his term, the Order in Italy was devastated by the Piedmontese. The Roman Province, in the beginning, remained unscathed, but in 1873, it shared the fate of the other provinces. Although the General's term had been fixed at twelve years in 1862, Raphael resigned already in 1869, broken down by age and worry.

Paragraph 77
The last two Generals before the Union
(1869-1897)

Since a General Chapter was out of question, Pius IX in 1869 chose the Reformati Bernardine del Vago of Portogruaro (Portu Romantino) as General. For twenty years, Bernardine guided the destinies of the Order with great devotion. His efforts to raise the standard of studies within the Order will be treated elsewhere. Here we shall mention merely his foundation of the *Acta Ordinis Minorum*, an official publication for the Order of great importance. He employed it chiefly as a means to keep in touch with the scattered religious, especially in Italy, and to reanimate their zeal and courage through the splendid *Incitamenta Seraphica*, published in the *Acta* and composed by Aloysius Lauer. The *Incitamenta*, breathing the spirit of St. Francis, inculcated especially humble confession of past mistakes and a cheerful trust in God with hope for a better future: “Our fathers have been tried in order that it might be shown whether they wished their God in truth ... All who have pleased God have passed through many tribulations unharmed. Those, however, who have not encountered their trials with a fear of the Lord ... have been destroyed by the destroyer ... And we, therefore, should not avenge ourselves for those things, which we suffer, but, accounting these punishments lighter than our sins deserve, let us believe that these scourges of the Lord have fallen upon us not unto our condemnation, but unto our sanctification.”

Bernardine was indefatigable in his visitations and in his solicitude for the welfare of those friars, who had been driven from their homes by secularizations in Italy and France and Prussia. However, he had also the happiness of beholding the Order, thriving once more in those lands, from which it had been expelled. One of the most serious misfortunes was the fact that the *Curia generalitia* could not return to the convent of Aracoeli. This convent, which had formed as it were, the heart of the Order for over 600 years, was confiscated for the most part and never returned. The General Curia was therefore transferred to the College of St. Anthony, recently erected in the vicinity of the Lateran. By that time, however, Bernardine had become weary of his office. Therefore, he convened the General Chapter at the College of St. Anthony in 1889, not at Pentecost, but by express papal permission, on the vigil of the feast of St. Francis.

The chief business of the Chapter was the election of a new General. The choice fell upon Aloysius Canali of Parma. The restored Spanish provinces were represented by their Apostolic Commissary, who, in an address to the Chapter, made clear their many sided problems. We miss but one thing in his report: the honest desire on the part of the Spanish friars to place themselves under the General, just as the other friars, without recourse to any ecclesiastical or civil privileges. The Chapter beheld in this lack of good will the main cause of the former schism and therefore, with the approval of the Pope, the Spanish provinces were denied representation at the General Chapter of 1895.

Even though a union was not possible at this Chapter, still it was strongly foreshadowed in the legislation of the Order. For the first time since 1517 uniform Constitutions for the entire Order were not only discussed but also published, despite the opposition of the leaders of the Reformati. These latter were permitted to retain their own particular Statutes, which they republished in a revised form. Concerning the question of

the Apostolic Syndic, which had formerly been of such importance, the Reformati in theory still clung to their old interpretation; but in practice, they had adopted the views of the Observants.

Now already the friars began to see that there no longer existed any reason for the continuance of the distinct Families, especially since many Observant provinces surpassed more than one Reformed province in the severity of its discipline. Since this anomaly existing in several localities was bound to injure the reputation of the Order, the number of those who demanded a Union of all branches, increased from day to day. The problem was discussed already at the preliminary session of the General Chapter. Some wished to leave the matter drop on account of the difficulties as soon as someone brought forth the opinion that the Chapter was not competent to deal with the question. But the ball had been started rolling and it was not to be stopped any more, although some of the leaders of the Reformati strained every nerve to do it. They sent pamphlets in the beginning of 1889 to all the Reformati provinces in which the Union of all the branches of the Order was branded as *contra ... salutem*, in short, as entirely impossible. Here, as in so many other cases, the disturbance was caused by a mere handful. A few leaders skillfully caused a great noise in order to retain the old separation intact, while hundreds and thousands among the Reformati longed for the Union with all their heart.

It was indeed fortunate for the Order that the then reigning Pope and Protector of the Order, Leo XIII, was in agreement with the wishes of the vast majority of the friars. Therefore he submitted the whole question for discussion at the General Chapter held at Assisi in 1895. The official title of that Chapter is *Congregatio Generalis*, but considered historically it must be ranked with the original Chapters General of the Order (chapter 3). From the preliminary sessions of the General Definitorium we perceive that the Constitutions of 1889 had been accepted merely conditionally in many provinces. Still stronger is the fact that at these sessions there was talk of the Cismontane and the Ultramontane Families that after these divisions of the Order had ceased to exist for several decades. Some noticed that of themselves and hence, in order to obtain information and clarity, an inquiry was addressed to the highest office. The answer was given in the new division of the Order not into two families as formerly, but into 12 circumscriptions, as we shall see immediately.

Hardly had the Chapter convened when Cardinal Mauri O.P., appointed by the Pope as the presiding official, announced that the chief business of this gathering was the formation of a *realis et solida unio* (a real and solid union) among the branches of the Order. The reasons were presented briefly and to the point: *Conditiones internae ordinis Minorum in praesentiarum valde diversae sunt ab illis, in quibus versabatur ordo anteactis saeculis* (The internal conditions of the Order of Minors in the present times are different from the ones that the Order went through in preceding centuries). If there was to be a true union, then the Order must have a code of uniform laws and a single government, not only under merely one General but also with but one Procurator. The diverse customs of the Nations and the Provinces could find sufficient expression in the Provincial Statutes. However these laws must be passed in such a manner that the General Constitutions remain the basic norm of conduct. Lastly the distinction into branches together with the names thereof would have to be suppressed.

The General Definitorium adopted these fundamental principles of the Union with an impressive majority. The four Families however were divided in their votes. The

Observants with few exceptions voted in favor of the Union. Five-sixths of the Reformati voted against it, the few Discalceati also voted in the negative. The German-Belgian Recollects in their turn presented a well thought out statement to the Chapter. In it the Union was presented as difficult indeed of attainment, but it was possible and something wholly desirable for the Order. As a matter of fact, the Union was finally framed upon the basis of their demands. A brief discussion followed this divided viva voce vote and then a secret ballot was cast. There were 77 affirmative votes and only 31 negative ones. Therefore more than two thirds of the members of the Chapter were in favor of a thorough and energetic execution of the plans for the Union. A few days later, 23 friars of the minority party gave an affirmative vote after the President had declared that such a vote signified merely *desiderium quoddam unionis et assensus ut de ea tractetur* (the desire of a certain unity and the agreement that we deal with this matter). Therefore of 108 voters there remained only eight who were unconditionally opposed to the Union.

For the preparation of the new General Constitutions, the General Chapter appointed several friars from each branch. The Congregation for Bishops and Regulars soon formed that committee into a commission under the presidency of Aloysius Lauer, the ex-Procurator of the Recollecti. The work was finished within the same year. The draft was then sent to the Provinces, in order to obtain their opinion and then was examined and modified by the Congregation.

Paragraph 78
The Union in the Year 1897

On May 15, 1897, the new Constitutions were approved. Thereby the necessary foundation of the Union was completed. Within the same year, Leo XIII, on the feast of the Holy Founder, solemnly promulgated them in his Constitution *Felicitate quadam*. Since the Bull of Union in 1517, no papal document had even approached in importance this document, prepared in a splendid, classical style. First of all the Pope proclaims his own love for the Order, which is founded upon its great accomplishments: *Mira cepit Nos franciscana species atque forma: quoniam intimam franciscalium institutorum virtutem magnopere ad christianam vitae rationem videbamus conduxisse, neque eam esse huiusmodi, ut consenescere vetustate possit ... Vix societas hominum est ulla, quae tot virtuti rigidos custodes eduxerit vel tot nomini christiano praecones, Christo martyres, coelo cives ediderit: aut in qua tantus virorum proventus, qui iis actibus, quibus qui eccellente praestare ceteris iudicantur, rem christianam remque ipsam civilem illustrarint, adiuverint* (We retain that the Franciscan way of life is truly marvellous: in fact we see that the Franciscan institution leads to a very virtuous way of Christian life, and it cannot become obsolete because of the fact that it is so old ... There is hardly a human organisation that has given such rigid custodians of virtue, or heralds of the Christian name, or endowed the citizens of heaven with so many martyrs of Christ: or else given so many men who, with their actions can be judged to be excellent in enlightening civil society with Christian values).

But its usefulness could have been still greater if the Order had not weakened itself by divisions. *Horum quidem bonorum non est dubitandum maiorem et constantiorem futuram ubertatem fuisse, si arctissimum conjunctionis concordiaeque*

vinculum, quale in prima ordinis aetate viguit, perpetuo mansisset; quia virtus quanto est magis unita, tanto est fortior, et per separationem minuitur (These benefits we do not doubt to be greater and more constant and fruitful in the future, if the closest bond of union, that marked the history of the First Order from the very beginning, is to remain for ever; in fact, there is greater virtue and strength where there is unity, that can instead be threatened by separation). St. Francis certainly did not want these squabbles and divisions. He sought unity and harmony in the Order he founded: *Quid revera voluit, quid egit aliud, cum unicam proposuit Vivendi regulam, quam omnes sine ulla nec temporum nec locorum exceptione servarent, vel cum unius rectoris maximi potestati subesse atque obtemperare jussit universos?* (What indeed did he desire, what else did he strive for, if not to propose a unique Rule of life, in such a way that it could be observed by all without exception and in all places, or that there would be one supreme government that would moderate and enact laws for all the friars?).

But alas in the course of time things developed differently: *Hoc certe usu venit franciscanis, ut de instituenda vita communi aliud placere aliis* (These customs were also adopted by the Franciscans, namely to institute a common life according to a way in which to please others). After a brief mention of the Conventuals and the Capuchins, whose separate existence should not be disturbed by the Bull, the Pope speaks of the Friars Minor, *qui concessu Sedis Apostolicae antecedunt loco et honore ceteros* (who with the consent of the Apostolic See come before the others in place and honour), and to whose General alone belongs the title *Minister Generalis totius Ordinis Minorum*. The division of the Order into Observanti, Reformati, Discalceati and Recollecti had proven itself harmful. Nor is there now any reason for its continuance since these friars in their mode of life are merely distinguished from one another by exceedingly slight differences. On the other hand, the continuance of the distinct Families would be the cause of harm to the peace and activity of the Order, which due to its popularity can influence the masses more readily than the other Orders. Such a characteristic is especially needed in our own day *eo vel magis, quod populari ingenio popularibusque moribus volvitur aetas* (especially since our times and popular aspirations and customs are attracted to it).

The Pope directs that the Order should in future be called *Ordo Fratrum Minorum*. All special titles and all special privileges are withdrawn. The friars should have the same code of laws and the same kind of habit. The brown colored habit which had been worn in most provinces for a long time, is now prescribed for all, also for those, who had formerly worn the grey, black or blue colored habits. Special emphasis is placed on unity in government: *Quemadmodum unus Minister generalis, ita Procurator unus esto: item Scriba ab actis unus: honorum coelestibus habendorum Curator unus* (Therefore there should be one Minister General, as well as one Procurator: also the Secretary should be one: since they have the honour of having one heavenly Patron). In order to secure the proper execution of these decrees, it was ordered that the province, which does not submit, is denied the right to receive novices. All solemnly professed friars, however, who believe that they are justified in not accepting the new decrees are to be segregated in special convents of the Order. Care must also be taken to satisfy their ever present longing in the Order for greater strictness of discipline by erecting Houses of Recollection in each province. Finally, if perhaps it should be necessary to redistribute or divide some of the provinces, that task is reserved to the new General Definitorium, whose members are to be named by the Sacred Congregation. The Pope himself will

appoint the new General. That is a brief summary of the contents of the ever memorable Bull of Union.

On the following day, October 5, 1897, the Bull was formally promulgated in the College of St. Anthony by Cardinal Serafino Vannutelli. At the same time the Cardinal also published the names of the new General and the General Definitors, after the former General, Aloysius of Parma together with his Definitorium had, of their own accord, resigned their offices. All the other achievements of Aloysius fade into insignificance compared to his last accomplishment – the union of the Order. His name will be recalled with honor in the Order forever.

Great was the joy of all true Friars Minor upon the realization of the Union. Still, there was some cause of regret since the Spanish friars would not be included in the Union. They accepted, indeed, the new Constitutions, but they would not submit completely to the General, even though all the other Orders in Spain had surrendered their special rights and were completely united with the supreme head of the Order. It was only in 1904, that the Spanish Franciscans took a step towards that same goal, which justifies us in the hope that soon the Union of the Order will be complete. To judge from the former history of the Order any other step would be fatal not only to the unity so laboriously attained, but also to the Spanish friars themselves. For, their glorious deeds occurred precisely in that period, during which they were submissive as St. Francis had intended.

A grave burden was imposed upon the shoulders of the new General, appointed by the Pope, Aloysius Lauer. If the Union of 1897 did not fail as did similar attempts of the past, if the Union was accepted and confirmed in the greatest part of the Order, credit is due in great part to the meek tenacity and mild determination of this General, whom all revered. Unfortunately, he died after only four years in office. David Fleming thereupon assumed the title of Vicar General and governed the Order until the General Chapter of 1903, which elected Dionysius Schüler, as General. The activity of these two men does not pertain, as yet, to the field of history.

MINISTERS GENERAL OF THE ORDER OF FRIARS MINOR
(1517-1903)

Christopher Numai of Forli	1517-1518
Francis Lichetto of Brescia	1518-1520
Vic. Gen. Paul of Soncino	1520-1521
Paul of Soncino	1521-1523
Francisco de Angelis Quiñones	1523-1527
Vic. Gen. Anthony de Calcena	1527-1529
Paul Pisotti of Parma	1529-1533
Vic. Gen. Leonard Publicio	1533-1535
Vincent Lunello of Balbastro	1535-1541
John Maltei de Calvi	1541-1547
Vic. Gen. Clement Dolera of Moneglia	1547
Andrew Alvarez (Insulanus)	1547-1553
Clement Dolera of Moneglia	1553-1557
Vic. Gen. Angelo of Aversa	1557-1559
Francis Zamora de Cuenca	1559-1565
Aloysius Pozzo of Borgonovo	1565-1571
Christopher de Cheffontaines	1571-1579
Francesco Gonzaga of Mantua	1579-1587
Francis of Toulouse	1587-1593
Bonaventura Secusi of Caltagirone	1593-1600
Francis Susa of Toledo	1600-1606
Arcangelo Gualtierio of Messina	1606-1612
John Hierro	1612-1613
Vic. Gen. Anthony de Trejo	1613-1618
Benignus of Genoa	1618-1625
Bernardino of Sena	1625-1631
Vic. Gen. Peter Jover	1631
Vic. Gen. Anthony Henriquez	1632-1633
John Baptist de Campanea	1633-1639
John Merinero of Madrid	1639-1645
John Mazzara of Naples	1645-1648
Vic. Gen. Daniel de Dongo	1648-1651
Peter Manero	1651-1655
Vic. Gen. Julian Perez	1655-1656
Vic. Gen. John de Robles	1656-1658
Michelangelo Buongiorno of Sambuca	1658-1664
Idelphonsus Salizanes	1664-1670
Francis Maria Rhini	1670-1674
Vic. Gen. Francis Maria Nicolis	1674
Francis Maria Nicolis of Castel San Pietro (de Cremona)	1674-1676
Joseph Ximenes Samaniego	1676-1682
Peter Marinus Sormano	1682-1688

Mark of Zarzosa	1688-1690
Vic. Gen. John Aluin	1690
John Aluin	1690-1694
Bonaventura Poerio de Taverna	1694-1697
Vic. Gen. Matthew of Santo Stefano	1697
Matthew of Santo Stefano	1697-1700
Ludovicus Torres	1700-1701
Vic. Gen. Idelphonsus Biesma	1701-1702
Idelphonus Biesma	1702-1716
Vic. Gen. Joseph Garcia	1716-1717
Joseph Garcia Vallisoletanus	1717-1723
Lawrence Cozza of San Lorenzo	1723-1726
Vic. Gen. Matthew Basile	1726-1727
Matthew Basile of Pareta	1727-1729
John Soto Vallisoletanus	1729-1736
Vic. Gen. John Bermejo	1736
John Bermejo	1736-1740
Caietanus Politi a Laurino	1740-1744
Vic. Gen. Raphael de Rossi	1744
Raphael de Rossi of Lugagnano	1744-1750
Peter Ioannetius a Molina	1750-1756
Clement Guignoni of Palermo	1756-1762
Peter Ioannetius a Molina (re-elected)	1762-1768
Paschal Frosconi of Varese	1768-1791
Pres. of the Gen. Discretorium: Charles Joseph of Genoa	1791-1792
Ioachim Compañy	1792-1806
Hilarius Cervelli of Montemagno	1806-1814
Vic. Gen. Gaudenzio Patrignani	?
Gaudenzio Patrignani of Coriano	1814-1817
Cyril Almeda y Brea	1817-1824
John Tecca of Capistrano	1824-1830
Ludovicus Iglesias	1830-1834
Pro-Minister gen. Andrew des Dos-Barríos	1834-1835
Bartholomew Altemir	1835-1838
Joseph Maria Maniscalco of Alexandria	1838-1844
Aloysius Lauretanus	1844-1850
Venantius of Celano	1850-1856
Bernardine Trionfetti of Montefranco	1856-1862
Raphael Lippi of Ponticulo	1862-1869
Bernardine dal Vago of Portogruaro (Porto Romantino)	1869-1889
Aloysius Canali of Parma	1889-1897
Aloysius Lauer	1897-1901
Vic. Gen. David Fleming	1901-1903
Dionysius Schüler	1903

GENERAL CHAPTERS
(1517-1909)

Rome IX	1517
Lyon VI	1518
Carpi	1521
Burgos I	1523
Parma	1529
Nice	1535
Mantua III	1541
Assisi	1547
Salamanca I	1553
Aquila III	1559
Valladolid I	1565
Rome X	1571
Paris IV	1579
Rome XI	1587
Valladolid II	1593
Rome XII	1600
Toledo I	1606
Rome XIII	1612
Salamanca II	1618
Rome XIV	1625
Toledo II	1633
Rome XV	1639
Toledo III	1645
Rome XVI	1651
Toledo IV	1658
Rome XVII	1664
Valladolid III	1670
Rome XVIII	1676
Toledo V	1682
Rome XIX	1688
Victoria	1694
Rome XX	1700
Rome XXI	1723
Milan IV	1729
Valladolid IV	1740
Rome XXII	1750
Murcia	1756
Mantua IV	1762
Valencia	1768
Alcalà de Henares	1830
Rome XXIII	1856
Rome XXIV	1862

Rome XXV	1889
Assisi	1895
Rome XXVI	1903
Assisi	1909

POPES
(1517-1903)

Leo X	1513-1521
Hadrian VI	1522-1523
Clement VII	1523-1534
Paul III	1534-1549
Julius III	1550-1555
Marcellus II	1555
Paul IV	1555-1559
Pius IV	1559-1565
Pius V	1566-1572
Gregory XIII	1572-1585
Sixtus V	1585-1590
Urban VII	1590
Gregory XIV	1590-1591
Innocent IX	1591
Clement VIII	1592-1605
Leo XI	1605
Paul V	1605-1621
Gregory XV	1621-1623
Urban VIII	1623-1644
Innocent X	1644-1655
Alexander VII	1655-1667
Clement IX	1667-1669
Clement X	1670-1676
Innocent XI	1676-1689
Alexander VIII	1689-1691
Innocent XII	1691-1700
Clement XI	1700-1721
Innocent XIII	1721-1724
Benedict XIII	1724-1730
Clement XII	1730-1740
Benedict XIV	1740-1758
Clement XIII	1758-1769
Clement XIV	1769-1774
Pius VI	1775-1799
Pius VII	1800-1823

Leo XII	1823-1829
Gregory XVI	1831-1846
Pius IX	1846-1878
Leo XIII	1878-1903
Pius X	1903

**CARDINAL PROTECTORS OF THE FRIARS MINOR
(1517-1903)**

Dominic Grimani	1503-1523
Andrea de Valle	1523-1534
Francisco Quiñones	1534-1540
Rodolphus Pius Leonelli	1540-1564
St. Charles Borromeo	1564-1572
Julius Feltre de la Rovere	1572-1578
Francis Alciatus	1578-1580
Ferdinando de' Medici	1580-1588
Jerome Mattei	1588-1603
Pompeius Arrigonius	1604-1616
Fabricius Verallo	1616-1624
Francis Barberini	1633-1678
Alderanus Cybo	1678-1699
Fabricius Spada	1699-1717
Lawrence Cazoni	1718-1720
Lawrence Corsini (Clement XII)	1720-1733
Troianus of Aquaviva	1733-1747
Jerome Colonna	1747-1763
Aloysius M. de Torregiani	1763-1777
Bernardine Giraud	1777-1782
Pius VI	1782-1787
Romuald Braschi	1787-1817
Peter Francis Galleffi	1817-1837
Aloysius Lambruschini	1837-1854
Anthony M. Cagiano	1854-1867
Aloysius Amat	1867-1878
Aloysius Bilio	1878-1884
John Simeoni	1884-1892
Leo XIII	1892-1903
Pius X	1903

Chapter 2

THE PROVINCES OF THE ORDER - STATISTICS

Paragraph 79

General remarks on the Provinces of the Order

The natural result of the events of 1517 was a marked multiplication of provinces in the Order. Not only did the former vicariates of the Observants become at one stroke, provinces, but a number of smaller groups of convents also asked for the title and the rights of a province. In as far as these requests concerned new territories, for example, in America, they were certainly justified and were, therefore, well received by the Order. The contrary was true of the requests coming from the established provinces, which did not cover extensive territory and which, nevertheless, demanded a division. The granting of such requests must of itself impair facility of action in the Order and also hinder the achievement of those vaster tasks, which call for a strong common effort, forbidding all further divisions and by decreeing penalties on all those who were trying to bring about such divisions. In particular, the Chapter decreed that all those who were instrumental in effecting the division of any province, should be barred for thirty years from the office of provincial in those provinces, which they helped to erect, indeed, they can not even be members of those provinces. Experience had shown that only too often, friars who sought the division of old provinces or the erection of new ones, were actuated by the old principle, *divide et impera*. The Order, therefore, had chosen the best means to check the growth of unnecessary provinces. Had its decrees been observed, the provinces would never have grown to an almost unbelievable number.

As a rule, the General Chapters were not anxious to grant requests for the erection of new provinces. To overcome this reluctance, the leaders of the movement for a new province, would appeal directly to the Holy See, and, sad to say, their appeals usually met with success. This procedure was the forte especially of the reformed branches, in particular of the Discalceati, who usually had their provinces erected in this way through their agents in Rome or in Madrid. Papal confirmation was indeed prescribed by law for the legal erection of new provinces – that point, as it appears, was understood only too well during the fifteenth and sixteenth centuries – but the matter should have been referred first of all to the head of the Order and then, only after the Order had passed its judgment, should the Apostolic confirmation have been sought. Instead, the General Chapters, in many instances, saw themselves confronted with an accomplished fact, to which they had to agree, whether they wished to or not. The Order recognized full well, that, in this way, its strength was being sapped and the harmony and peace of the common life was being impaired. Especially harmful was the circumstance that many provinces no longer had a territory, with strict geographical limits, which they could view as their primary and exclusive field of labor, because some other province, through these devious dealings at Rome, had intruded into that territory. As a result, the provinces were crowded together with overlapping boundaries, instead of being completely distinct and separated. This situation, already very bad after 1517, became unbearable in Italy and Spain, when the provinces of the Reformati and the Discalceati, pressed into an over

occupied territory. Almost everywhere in those countries, the same territory was claimed by two, sometimes even three or more provinces, without counting the provinces in that territory, belonging to the Capuchins or Conventuals. Much more fortunate, in that respect, were the provinces of Austria-Hungary and especially the Recollect provinces of the Germano-Belgian nation. These provinces had always insisted that the territory of each province be sufficiently extensive. Besides other branches of the Order were not competing in the same territory. The same can not be said of the French Recollects, for these had to find places wherein they might labor in the territories already occupied by the Observants. It was only in consequence of the Union of 1897, which naturally did away with the various branches within the Order, that this overlapping of the boundaries of the provinces was definitely ended.

The selfish interests of a few selfish and ambitious friars, as we have seen, usually caused the geographical division of the provinces; the same elements were also the cause of the ideological divisions within one province, among which the higher provincial offices were to rotate. The reason advanced for this division was the divergence of “nations” in one province. By “nations”, these men meant the inhabitants of neighboring villages, differing in dialect, characteristics or parochial interests from the remainder of the members of the province. It was all merely a subterfuge to hide the ambition of some disappointed office seeker. Whenever the results of some election did not please the leaders of some nation, they attempted to obtain legal guarantees that such a misfortune should not be repeated in the future. Somewhat different, however, were the conditions in a number of the American and in the Neapolitan Discalceati province, which had, indeed, been founded by Spanish friars, but whose personnel, in the course of time, had come to be recruited in ever increasing proportion from the native race or races. In such provinces, there was a genuine difference of nations. But, even there, it was contrary to the Catholic and the Franciscan way of life for the diminishing minority to demand the alternate election of the provincial and of the Definitorium. Such demands merely embittered the native born friars.

Quite different was the division of the entire Order into various nations. This division was made so that the interests of all might be justly represented and protected on the General Definitorium. Thus, since 1621, the Ultramontane Family had been divided into the *Natio Hispanica*, which included also the provinces in the Americas and in the East Indies, the *Natio Franciae* and the *Natio Germano-Belgica*. The *Natio Germano-Belgica* comprised all the German provinces, except those in Bavaria and in Austria-Hungary, the Belgian and the English provinces. The Cismontane Family was divided into the *Natio Lombardica*, comprising the States of the Church and of northern Italy, the *Natio Regni*, comprising the Kingdom of the Two Sicilies, and the *Natio Ultramarina*, to which belonged the provinces in Bavaria, Austria-Hungary, Poland, the Balkans and the Holy Land. This manner of division was permitted to fall into disuse after the French Revolution. In the year of the Union, 1897, the much better division of the Order into twelve circumscriptions took its place.

After the sixteenth century, the precedence of the provinces, for some unknown reasons, assumed ever greater importance in the minds of the friars. In order to settle this point, the principle was adduced, which seemed entirely natural and just, that the age of the province should determine its precedence. The principle seems simple and easy to apply, but it led to interminable difficulties. For immediately there arose a barrage of

questions: is the age of a province to be reckoned from the time of its approbation by the General Chapter, or from the time of the papal approval, or from the time of the actual erection of this province, even if years should have intervened between the actual erection and the legal erection? Does a province obtain precedence from the year when it became an independent custody? If a province had been suppressed by the authority of the Church or by some power hostile to the Church, does such a province regain its precedence upon its restoration? Is a province to be reckoned as destroyed when it ceases to have its own government, or, only then, after all its former members have died? If a new province is erected, which is composed partly of friars from an older province, does the new province enjoy the precedence of that older province? And, especially, do the reformed provinces, erected in 1517 and in 1639, enjoy the precedence of those provinces within which they have arisen, or must their precedence be reckoned only from the year of their erection? Some of these questions never received a satisfactory answer, others received many contradictory replies in the course of time. Usually, lists of the provinces were prepared only for the General Chapters. These often contained remarkable blunders and were the subject of almost continual complaint. The questions were all definitely settled in 1897, when a list of the provinces according to precedence, was added to the new General Constitutions. All provinces, existing at that time, were bound to submit to the decisions of the list.

Paragraph 80

The Provinces of the Cismontane Family until the French Revolution

In Italy, in 1518, the Province of St. Peter in Montorio was formed from the houses of the Amadeans, lying between Rome and Parma. In 1529, the Province of *Sancti Hieronymi de Urbe* was formed from the convents of the Clareneans, situated around Rome. This province soon received the name of *Sancti Bartholomaei de Insula*, from its main convent. It seems that the spirit of the old Clareneans revived in this province, so that the Pope was forced to order a strict visitation in 1567. In the following year, both of these provinces were suppressed by the Pope.

The *Provincia Tusciae* was divided in 1523 into a *Provincia Tusciae* and a *Provincia Senensis*. The latter province, in 1526, was permitted to adopt the old name, *Provincia Tusciae*, while the convents around Florence formed the *Provincia Tusciae Florentinae* and the friaries around Lucca were formed into the *Provincia Lucensis S. Crucis*. In 1530, the *Provincia Lucensis* united with the *Provincia Tusciae Florentinae*. In 1563, the *Provincia Florentinae*, resulting from the former union, merged with the *Provincia Tusciae*; but this union was dissolved in 1591. In 1603, however, there was a lasting union of the two provinces.

In upper Italy, in 1594, the convents, situated north of the Tanaro, were separated from the *Provincia Januae* and erected into the *Provincia Sancti Didaci*. The houses of this province, lying towards the west, were absorbed into the newly erected *Provincia Sancti Thomae Apostoli in Pedemontio* in 1622. Several convents were also surrendered to this new province by the *Provinciae Mediolanensis*, *Genuensis* and *Sancti Ludovici*.

In lower Italy, the convents of the *Provincia Terrae Laboris*, lying towards the east, which formed the poorer portion of that province, were united into the *Provincia*

Principatus; in 1555, these convents were reunited with the mother province, but in 1575, a permanent separation was effected. The tiny province in Calabria soon followed the bad example. The southern part (*Calabria ulterior*) retained the ancient name, *Provincia VII Martyrum*; the northern portion (*Calabria citerior*) was called simply the *Provincia Calabriae*. Conditions were still worse in Sicily. In 1622, the Reformati forced through the formation of three Custodies within the single Sicilian province. This event was the signal for the division of the province itself into three parts within that same year. Where a year before a single province had been found adequate, now there were six administrative units of the Order. The northeastern part of the island retained the ancient name of *Provincia Siciliae* (*Vallis Daemonis* or *Nemoris*), the northwestern part was now called *Provincia Vallis Mazzariae*, and the rest, together with the island of Malta, was called *Provincia Vallis Nethi*. The confusion was increased when in 1639, the three Reformati Custodies were elevated to the rank of provinces. Thus, in Sicily, from the former lone province, six provinces had been formed within seventeen years!

In 1639, the number of provinces in the rest of Italy was doubled in the same way by elevating the custodies to the rank of provinces. More divisions were made during the eighteenth century. In upper Italy, the Observant *Provincia Mantuae* was separated from the *Provincia Veneta* in 1767. This Observant province seems to have disappeared entirely during the French Revolution. The convents, belonging to the Venetian Reformati Province, which was situated in the territory of Mantua, had been incorporated into the Milanese Reformati province in 1753, at the wish of the Empress Maria Theresa. The same thing happened in that year with the houses of the Reformati Custody of *Sancti Paschalis Papiae*.

In lower Italy, the Observant province of St. Nicholas was divided in 1733, *ex amplitudine provinciae ac diversitate regionum*. The convents, situated around Lecce were formed into the independent *Provincia Observantiae Sancti Antonii Lyciensis*. The neighboring Observant Province *Sancti Angeli* was also divided in 1776. The convents, lying in the plain formed the *Provincia Apuliae inferioris* with the old title of *Sancti Angeli*; the houses in the mountainous region formed the *Provincia Apuliae superioris*, with the title of *Sancti Ferdinandi in Molisio*.

The Province of Sardinia had belonged to the Ultramontane Family since 1511, but afterwards it returned to the Cismontane Family. In 1581, it rejoined the Ultramontane Family upon the urging of the King of Spain, who was also ruler of Sardinia. At the wish of this same power, the Pope in 1631, lowered the province to the rank of custody and then joined it to the province of Catalonia. That degradation, however, did not last very long, for by 1639, instead of but one province of uncertain status, there were two Sardinian Observant provinces: *Sanctae Mariae de Gratiis* in the northern part of the island, which enjoyed the precedence of the former lone province, and *Sancti Saturnini*, in the southern part. Reformati were not to be found in Sardinia, since they were not allowed in the lands ruled by the Spanish Crown.

In the Balkans, in 1590, was erected the *Provincia Albaniae* (more rarely called *Macedoniae*) from the convents situated in the territory of the ancient *Provincia Graeciae*. These convents had either been newly erected or had continued to exist, despite the persecutions of the Turks. The neighboring *Provincia Bosnae Argentinae* lost in 1676 its eastern portion to the newly erected *Provincia Bulgariae* and its western part near the Adriatic Sea to the Province *Sancti Caii, Pappae, Martyris*, erected in 1735, also

called the *Provincia Sanctissimi Redemptoris*. In a westerly and northerly direction extended another daughter province of the *Provincia Bosnae Argentinae*, the *Provincia Sancti Heronymi*, erected in 1478. On the eastern border of the *Provincia Bosnae Argentinae*, there was likewise a daughter province: *Provincia Bosnae Croatiae*, independent since 1514. Since the seventeenth century, this last province was called simply *Provincia Carniolae Sanctae Crucis* or *Croatiae-Carniolae*. In 1688, it joined the Reformati. Despite the losses, enumerated above the mother province of *Bosnae Argentinae* extended over the broad territory of Slavonia, Sirmia, Temesvár, Bosnia, and Serbia and numbered at the middle of the eighteenth century about 800 friars. Therefore, in 1757 another division was made and the convents in eastern Slavonia, in Temesvár and Sirmia formed the *Provincia Sancti Ioannis Capistrani*. The remainder of the old province, now composed mostly of mission residences among the Turks, was lowered to the rank of a Custody. This grave injustice was rectified in the following year, when the ancient title and precedence was restored to the now tiny *Provincia Bosnae Argentinae*.

In Hungary, a vicariate of the Observants had existed alongside the ancient province of the Reformed Conventuals since the middle of the fifteenth century. Since this province of Reformed Conventuals was joined to the Observance by the Union of 1517, the General Chapter of 1523 decided that it should be called the *Provincia Sanctae Mariae in Hungaria*, to distinguish it from the more recent Observant province, which was named the *Provincia Sanctissimi Salvatoris*. Due to the losses suffered during the Reformation and the Turkish wars, the union of the two provinces was decreed in 1606, but apparently never executed. In the course of the seventeenth century, both provinces joined the Reformati. The southwestern part of the *Provincia Sanctae Mariae*, which lay partly in Croatia and Slavonia, was separated in 1661 as the Observant *Provincia Sancti Ladislai*. The convents of the *Provincia Sanctissimi Salvatoris* in Transylvania, which were formed into a Reformati Custody in 1640 were raised to the rank of a province in 1729 with the title of *Provincia Transylvaniae*.

The large province of Poland was divided into two Observant provinces in 1630. The larger province, situated in the north, occupied Lesser Poland and received the name of *Polonia minor*, the other was called *Polonia major*. In 1639, the Custodies of the Reformati already existing in both provinces, were also raised to the rank of provinces. In 1637 the houses of the *Provincia Polonia minor*, lying towards the east in Austrian Galicia, were formed into the *Provincia Russiae (Immaculatae Conceptionis)*. Thus, within nine years, five provinces had been formed from the former lone Polish province. Further divisions took place in the eighteenth century. The convents in Lithuania had demanded their independence already in 1529, but in vain. Despite the refusal, a province was begun there, but in 1571, it was again united with the Polish province. Not until 1729, was the *Provincia Lituaniae* legally separated from the Observant province of Lesser Poland. In 1746, the Reformati province in the same territory of Lesser Poland lost its friaries in Austrian Galicia. These houses were formed at first into an independent Custody, and then, in 1763, into the *Provincia Beatae Mariae Dolorosae Russiae*. Shortly before, in 1750, the Reformati province in Greater Poland had surrendered a number of its convents, scattered over West Prussia, Posen and Silesia, to the newly erected *Provincia Beatae Mariae Assumptae Prussiae*.

In 1754, there was the *Provincia Sanctae Hedwigis Silesiae* in Upper Silesia. Naturally, it was a Reformati province, since its mother province in Bohemia had joined

the Reformati in 1660 as the *Provincia Bohemiae Sancti Wenceslai*. Its neighbor to the south, the *Provincia Austriae*, had transferred to the Reformati in 1632 and enjoyed the same privileges as the *Provincia Bavariae*, erected in 1625 (cfr. par. 70). Anthony of Galbiato, reformer and first provincial of the Bavarian province, introduced the Italian reform in 1628 also into the *Provincia Sancti Leopoldi* in north Tyrol, which had been founded in 1580 as an Observant province. Its convents had belonged formerly partly to the *Provincia Argentinensis* and partly to the *Provincia Austriae*. At first, this province belonged to the Ultramontane Family, but in 1583 it became a member of the Cismontane Family.

The present-day south Tyrol was occupied by the convents of the Reformati *Provincia Veneta*, but in 1643, they received their independence as the *Provincia Sancti Vigili*.

Table of the Cismontane Provinces

1517	1639	1789
1. St. Francis	1. St. Francis	1. St. Francis
	2. <i>St. Francis Ref.</i>	2. <i>St. Francis Ref.</i>
2. Roman	3. Roman	3. Roman
	4. <i>Roman Ref.</i>	4. <i>Roman Ref.</i>
3. Marches of Ancona	5. Marches	5. Marches
	6. <i>Marches Ref.</i>	6. <i>Marches Ref.</i>
4. Tuscany	7. Tuscany	7. Tuscany
	8. <i>Tuscany Ref.</i>	8. <i>Tuscany Ref.</i>
5. Bologna	9. Bologna	9. Bologna
	10. <i>Bologna Ref.</i>	10. <i>Bologna Ref.</i>
6. Genoa	11. Genoa	11. Genoa
	12. <i>Genoa Ref.</i>	12. <i>Genoa Ref.</i>
	13. St. Didacus	13. St. Didacus
	14. <i>St. Didacus Ref.</i>	14. <i>St. Didacus Ref.</i>
7. Milan	15. St. Thomas in Piedmont	15. St. Thomas in Piedmont
	16. <i>St. Thomas Pied. Ref.</i>	16. <i>St. Thomas Pied. Ref.</i>
	17. Milan	17. Milan
	18. <i>Milan Ref.</i>	18. <i>Milan Ref.</i>
8. Venice (St. Anthony)	19. Venice	19. Venice
	20. Mantua	20. Mantua
	21. <i>Venice Ref.</i>	21. <i>Venice Ref.</i>
9. Brescia (Brixiensis)	22. Brescia	22. Brescia
	23. <i>Brescia Ref.</i>	23. <i>Brescia Ref.</i>
10. St. Bernardine	24. St. Bernardine	24. St. Bernardine
	25. <i>St. Bernardine Ref.</i>	25. <i>St. Bernardine Ref.</i>
11. Terra Laboris (Naples)	26. Terra Laboris	26. Terra Laboris
	27. <i>Terra Laboris Ref.</i>	27. <i>Terra Laboris Ref.</i>
	28. Principatus	28. Principatus

1517	1639	1789
12. St. Nicholas (Apulia)	28. <i>Principatus Ref.</i> 29. St. Nicholas 30. <i>St. Nicholas Ref.</i>	29. <i>Principatus Ref.</i> 30. St. Nicholas 31. St. Anthony, Lecce 32. <i>St. Nicholas Ref.</i>
13. Basilicata	31. Basilicata 32. <i>Basilicata Ref.</i>	33. Basilicata 34. <i>Basilicata Ref.</i>
14. Sant' Angelo	33. Sant' Angelo 34. <i>Sant' Angelo Ref.</i>	35. Sant' Angelo 36. St. Ferdinand 37. <i>Sant' Angelo Ref.</i>
15. Calabria	35. VII Martyrs 36. <i>VII Martyrs Ref.</i> 37. Calabria 38. <i>Calabria Ref.</i>	38. VII Martyrs 39. <i>VII Martyrs Ref.</i> 40. Calabria 41. <i>Calabria Ref.</i>
16. Sicily	39. Sicily 40. <i>Sicily Ref.</i> 41. Vallis Mazzariae 42. <i>Vallis Mazzariae Ref.</i> 43. Vallis Nethi 44. <i>Vallis Nethi Ref.</i>	42. Sicily 43. <i>Sicily Ref.</i> 44. Vallis Mazzariae 45. <i>Vallis Mazzariae Ref.</i> 46. Vallis Nethi 47. <i>Vallis Nethi Ref.</i>
17. Corsica	45. Corsica 46. <i>Corsica Ref.</i>	48. Corsica 49. <i>Corsica Ref.</i>
18. Candia	47. Candia 48. Albania	50. Candia 51. Albania
19. Ragusa (Dubrovnik)	49. Ragusa	52. Ragusa
20. Dalmatia	50. Dalmatia	53. Dalmatia St. Jerome
21. Bosnia Argentina	51. Bosnia Argentina	54. SS. Redemptor. Dalmatia 55. Bulgaria 56. Bosnia Argentina 57. St. John Capistrano
22. Bosnia Croatia	52. Croatia-Carniola	58. <i>Carniola Ref.</i>
23. Hungary	53. Hungary St. Mary 54. Hungary SS. Salvatoris	59. <i>Hungary St. Mary Ref.</i> 60. St. Ladislao 61. <i>Hungary SS. Salv. Ref.</i>
24. Poland	55. Poloniae Minoris 56. <i>Poloniae Min. Ref.</i> 57. Russia 58. Poloniae Maioris 59. <i>Poloniae Maioris Ref.</i>	62. <i>Transylvania Ref.</i> 63. Poloniae Minoris 64. Lithuania 65. <i>Poloniae Min. Ref.</i> 66. <i>B.M. Dolorosae Russiae Ref.</i> 67. Russia 68. Poloniae Maioris 69. <i>Poloniae Maior. Ref.</i> 70. <i>B.M. Assumptae Prussiae Ref.</i>

1517	1639	1789
25. Bohemia	60. Bohemia	71. <i>Bohemia Ref.</i>
		72. <i>St. Hedwigis Silesiae Ref.</i>
26. Austria	61. <i>Austria Ref.</i>	73. <i>Austria Ref.</i>
	62. <i>Tyrol St. Leopold Ref.</i>	74. <i>Tyrol St. Leopold Ref.</i>
	(<i>Prov. Venice Ref.</i>)	75. <i>S. Vigili Tyrol Ref.</i>
(<i>Prov. Argentinensis</i>)	63. <i>Bavaria Ref.</i>	76. <i>Bavaria Ref.</i>
27. <i>Terrae Sanctae</i>	64. <i>Custodia Terrae Sanctae</i>	77. <i>Custodia Terrae Sanctae</i>

Paragraph 81

The Provinces of the Ultramontane Family until the French Revolution

In western Spain, in the territory of the venerable *Provincia Sancti Jacobi*, there arose in 1517 the *Provincia Sancti Jacobi* and the *Provincia Portugalliae* as well as the two Custodies of *Pietatis* and *Gabrielis*. The *Custodia Pietatis* was made a province in 1518; the *Custodia Gabrielis*, in 1520. In 1533, the southern part of the *Provincia Portugalliae* was separated as the *Provincia Algarbiorum*. This province included also the convents on the Azores, until they became an independent province in 1639 with the title of *Provincia Sancti Joannis Evangelistae Insularum de Azores*. In 1717, this already small province was divided and the independent Custody *Immaculatae Conceptionis* was formed, which is also called *Sancti Michaelis* after the island of that name. The *Provincia Portugalliae* suffered a further loss in 1560 as a consequence of the separation of its Houses of Recollection, which were formed into the *Provincia Arrabidorum* (cfr. par. 66). After 1568, these same houses formed the *Provincia Sancti Antonii in Lusitania*. Finally the convents on the island of Madeira were taken from the *Provincia Portugalliae* in 1683 and joined together as the independent Custody *Sancti Jacobi in Madera*. For these manifold losses, the *Provincia Portugalliae* was but poorly compensated by the absorption of the former Conventual Custody of Porto (*Custodia Portuensis*), which had joined the Observants in 1584.

The *Provincia Sancti Jacobi*, now pushed back into northern Spain and called for a time the *Provincia Galiciae*, had surrendered its houses in the south in 1548 to the new *Provincia Sancti Michaelis in Estremadura*, which lay along the eastern boundary of Portugal. In 1770, the *Provincia Sancti Michaelis* was divided into the part lying above and the part lying below the Tajo, and called therefore *Sancti Michaelis supra et infra Tagum*. Northeast of this province was the *Provincia de Santoyo*, which was enlarged in 1518 by the addition of the Custody *de Abrojo* and was called thereafter *Provincia Conceptionis*. The other neighboring province of Burgos lost the convents situated in its northwestern portion in 1555, when these houses were formed into the *Provincia Cantabriae*.

In southern Spain, the *Provincia Baeticae* was divided in 1583 and the western half became the *Provincia Granatensis*. Previously, the convents of this province on the Canary Islands had gained their independence and, after 1553, were known as the *Provincia Canariarum* (less frequently referred to as the *Provincia Palmarum*).

There were also many changes in the provinces of eastern Spain. In 1520, the Custody of Murcia separated from the mother province of Castile to become the *Provincia Carthaginensis* or *Murciae*. On the south, this province was bounded by the *Provincia Granatensis*. The large neighboring *Provincia Aragoniae* was divided into three parts in 1559: of these three provinces, the *Provincia Valentiae* and the *Provincia Cataloniae* were situated along the sea shore, while the new *Provincia Aragoniae* was pushed farther inland with its main strength around Saragossa.

Besides the provinces already mentioned, there was a series of Discalceati provinces on the Iberian peninsula. In the course of the sixteenth and seventeenth centuries, arose the *Provinciae Pietatis*, *Sancti Gabrielis*, *Arrabidorum*, *Sancti Antonii in Lusitania*. These provinces, three of which were in Portugal, had transferred from the Observants to the Discalceati. By frequent division, the number of Discalceati provinces was greatly increased. In Portugal, the *Provincia Solitudinis* was separated in 1670 from the *Provincia Pietatis* and probably embraced the convents in northern Portugal. In 1704, the *Provincia Sancti Antonii* surrendered its northern houses to form the *Provincia Immaculatae Conceptionis de la Beyra*.

The Spanish Discalceati were even more active than their Portuguese brethren in the matter of dividing provinces. With the exception of the *Provincia Sancti Didaci in Baetica*, which was formed in 1620 from the southern part of the *Provincia Sancti Gabrielis*, all the Spanish Discalced provinces have a common mother and leader, the *Provincia Sancti Josephi* (cfr. par. 66). This province included all the convents, scattered over Old and New Castile up to the vicinity of Valencia. In 1577, the eastern part was separated as the *Provincia Sancti Joannis Baptistae Valentiae*. In 1594, the northwestern part was separated as the *Provincia Sancti Pauli*. Finally, in 1744, the convents farther removed from Madrid were formed into the *Provincia Immaculatae Conceptionis in Nova Castilia*. On the east, the territory of this new province extended to the sea and on the north to about Saragossa. The *Provincia Sancti Joannis Baptistae* from time to time also surrendered portions of its territory to form new provinces. On the south, the *Provincia Sancti Paschalis* was erected in 1744, while the *Provincia Sancti Petri de Alcantara in Granata* was erected in 1659. The latter province had existed for a short time after 1640 as the *Provincia Sancti Raphaelis*.

The Discalceati of Spain sought to establish themselves also in Italy. The Province of Granada tried first of all and failed; but the Province of St. Joseph, more experienced in this matter of establishing new provinces, succeeded in 1675 in establishing the *Provincia Sancti Petri de Alcantara in Neapoli*. In 1742, the part lying in Apulia was separated as the *Provincia Sancti Paschalis Lyciensis*. In order to put an end to the continual ill-humored bickering and difficulties, both provinces were foolishly incorporated in 1745 into the Ultramontane Family. The change, however, did not bring the hoped for results.

Besides the provinces already enumerated, the *Natio Hispanica* embraced also all the provinces in the Americas and in the Far East, since in the beginning, practically only Spaniards or Portuguese were allowed to labor in those lands. The oldest province in the Americas was established on the mainland of Venezuela and on the neighboring islands. It was called the *Provincia Sanctae Crucis Caracarum*, after Caracas, the chief town of Venezuela. However, by 1524, this province had been restricted to the Antilles. In 1534, it was lowered to the rank of Custody and finally, in 1559 it was entirely suppressed. In

1565, however, it was restored as a province, although the opposition to its existence had not ceased.

In Mexico, a Custody was formed in 1523, which became the *Provincia Sancti Evangelii* in Mexico in 1534. This province had spread out from all sides of the Yucatan peninsula, so that a division was a necessity. In 1565, therefore, two custodies of the province became the *Provincia Sancti Josephi de Yucatan* and the *Provincia Sanctissimi Nominis Jesu de Guatemala*. These two new provinces had formed for a few years after 1559 the *Provincia Sancti Josephi*. As a result of the division the venerable *Provincia Sancti Evangelii* receded farther inland towards the district lying south of the capital city. North of this province were formed gradually the Custodies of Michoacan, in the districts of Morelia and Guanajuato, of Jalisco, in the territory west of Michoacan touching the Pacific Ocean, and to the north of both custodies, the Custody of Zacatecas. The custodies of Michoacan and Jalisco were united in 1565 to form the *Provincia Sanctorum Petri et Pauli*. In 1606, the province was legally divided, although the actual division took place only in the following year. The older province was called the *Provincia Sanctorum Petri et Pauli de Michoacan* and the younger, the *Provincia Sancti Jacobi de Jalisco* or *Novae Galiciae*. The Custody of Zacatecas was raised to the rank of a province in 1603 with the title of *Provincia Sancti Francisci de Zacatecas*.

Towards the end of the sixteenth century, the *Provincia Sancti Evangelii* founded convents also in the southern part of the present United States of North America. A custody was begun in Florida in 1609 with convents also on the Antilles. In 1612, it was made a province with the name of *Provincia Sanctae Helenae* in Florida. A Custody *Sancti Pauli novi Mexici* was begun in New Mexico in 1633, in dependence upon the mother province. Of short duration was the Custody *Sanctae Catharinae Fluminis viridis*, which bordered upon the Province of Michoacan. It gained its independence in 1621, but it was reunited with the *Provincia Sanctorum Petri et Pauli* in 1645. The provinces mentioned thus far in Mexico all belonged to the Observants. The Discalceati in 1580 founded a custody within the territory of the *Provincia Sancti Evangelii*. For a time it was governed by the province in the Philippines, but in 1599, it became the *Provincia Sancti Didaci* in Mexico.

In Central America, the *Provincia Sancti Georgii de Nicaragua*, with convents in Honduras and Costa Rica, was separated in 1575 from the province of Guatemala. The convents in Honduras again became subject to the jurisdiction of the Province of Guatemala in 1587 as the *Custodia de Honduras*.

In South America, the *Custodia Peruviana* was separated from the *Provincia Sancti Evangelii* in 1535. In 1553, it became the *Provincia XII Apostolorum de Peru*. On account of its enormous extent, this province was divided in 1565 in the following manner; the Custody of Colombia, which some say was independent already in 1550, became the *Provincia Sancti Fidei in Nova Granata*, the Custody of *Sancti Pauli* of Ecuador, became the *Provincia Sancti Francisci de Quito*, the convents along the southwestern coast of the continent formed the *Provincia Sanctissimae Trinitatis de Chile*, and the Custody of Bolivia became the *Provincia Sancti Antonii de las Charcas (Charcarum)*. Finally, a custody was erected on the *Terra firma*, that is, in Venezuela, dependent upon the mother province, which now styled itself *Provincia Limensis XII Apostolorum*. The spread of this province, despite the losses enumerated above, was still so enormous, since it still included Peru, Tucuman (Argentina) and Paraguay, that the

custodies of Tucuman and Paraguay were united in 1612 into the *Provincia Assumptionis de Paraguay et Tucuman*, also called the *Provincia Fluvii Platensis*.

Thus, within a comparatively short time, Franciscan provinces had been erected by the Observants throughout the largest part of South America. The eastern part of the continent was reserved for the Portuguese Discalceati, since that colony was ruled by Portugal. The *Custodia Brasilis*, which was founded there in 1584, became the *Provincia Sancti Antonii in Brasilia* in 1657. In 1675, the southern part branched off as the *Provincia Immaculatae Conceptionis in Brasilia*. Since the territory of this province was situated about Rio de Janeiro, it was also called for a time the *Provincia Fluminis Januarii*.

East India also was claimed by Portugal and hence it was evangelized by Portuguese missionaries. The convents founded there, especially along the west coast around Goa and Cochin and on the island of Ceylon, formed at first a custody and in 1583 the independent *Provincia Sancti Thomae in India orientali*. Due to the opposition of the mother province in Portugal, provincial rank was withdrawn shortly after; but, in 1612, the province was again restored. In 1633, the southern part of Cochin and the island of Ceylon were separated from the *Provincia Sancti Thomae* as the *Custodia Sancti Antonii de Cochin*. The Province of St. Thomas was restricted to the west coast around Goa.

In the Spanish East Indies, that is, in the Philippines, the Discalceati of the Province of St. Joseph had obtained a firm footing by 1577. Nine years later, the *Provincia Sancti Georgii Philippinarum et Chinae* was erected with convents, in the beginning, also in Mexico. The friars of this province set out on expeditions from the Philippines, not only for China, but also for Farther India, where they founded a convent in Malacca. Since, however, this territory was claimed by Portugal, this convent was surrendered to the Portuguese Discalceati of the *Provincia Sancti Thomae* of India proper. After these friars had built a number of friaries in the East Indies, the *Provincia Matris Dei de Malacca* was erected in 1622. Besides, about 1700 the Observant *Custodia Sancti Francisci de Malacca* was founded.

In France, the union of 1517 brought special difficulties in its train. A remedy was attempted at the General Chapter of 1518, when it was decided to grant the Reformed Conventuals permission to form distinct provinces. The *Provincia Franciae* and the *Provincia Turoniae*, formed by these Reformed Conventuals were ranked as Observant provinces alongside the *Provincia Franciae Parisiensis* and the *Provincia Turoniae Pictaviensis*. Only in the *Provincia Burgundiae (Sancti Bonaventurae)* could the fusion of the two parties be effected, with the former Conventuals, as it seems, retaining the upper hand. In 1729, the *Custodia Sabaudiae* branched off from the *Provincia Burgundiae*, but it was reunited with the mother province in 1750. The Conventuals in Aquitaine joined the Observance in 1532. To distinguish them from the Observants, who had their own province in that territory for some time, they took the name of *Provincia Aquitaniae recentioris*. Thus, there were in France four large provinces, formed for the most part, of former Conventuals. In the future history of the Order, these provinces, together with the Grand Couvent of Paris, whose Guardian was partly exempt from the jurisdiction of the Provincial, were to act as a unit and were known as the *Provinciae confederatae*. In the end, they drew the other Observant provinces over to their side, and in 1771, all joined the Conventuals (cfr. par. 74). Several portions, which had belonged to

the *Provincia Franciae*, were saved for the regular Observance, because they had been separated from this province, before it transferred to the Conventuals. These parts were the *Provincia Flandriae*, erected in 1523, as well as the former Custody of Artois, which had become the *Provincia Sancti Andreae in Artesia* in 1558. Both provinces had been assigned to the Germano-Belgian nation and in the seventeenth century had joined the Recollect reform.

Besides the two provinces just mentioned, a number of other Recollect provinces also arose in the *Natio Franciae*. The *Provincia Britanniae (Bretagna)* joined the Recollects as a unit. In 1612, the *Provincia Sancti Dionysii* was founded in northern and western France, as well as the *Provincia Sancti Bernardini* in the Provence and Aquitaine, and in the *Custodia Sancti Antonii in Delphinatu*, whose convents were situated in Burgundy. In 1620, this custody became the *Provincia Sancti Francisci in Gallia*. Since the Recollects of Aquitaine were not satisfied with their state of dependence upon the *Provincia Sancti Bernardini* of Provence, they formed in 1614 their own *Provincia Immaculatae Conceptionis in Gallia*. This province was later restricted to the northern part of Aquitaine after 1635, when the *Provincia Sanctissimi Sacramenti* was erected in the southern part around Toulouse. The *Provincia Sanctae Mariae Magdalenae* branched off from the *Provincia Sancti Dionysii* in 1619. It occupied the territory from about Tours and Orleans to the eastern border. Finally, in 1643 the *Custodia Sanctissimae Trinitatis* arose within the *Provincia Turoniae*. However, this custody did not last very long.

In Germany, the difficulties encountered as the result of the Union of 1517 were similar to those met in France. The Reformed Conventuals formed the *Provincia Saxoniae Sancti Joannis Baptistae*, while the Observants formed the *Provincia Saxoniae Sanctae Crucis*. In 1520, the *Custodia Holsatiae* was united with the latter. As a result of the storms of the Reformation, both provinces perished. The *Provincia Sanctae Crucis* was united for a time with the *Provincia Argentinensis* after 1606, but it was restored in 1625. The venerable *Provincia Sancti Joannis Baptistae* never revived although it was re-erected in 1633. However, its daughter province in Thuringia had a happier fate. It was declared independent in 1523 in the very midst of the chaos of the Protestant revolution and although suppressed for a time, it was able to develop mightily after 1633. In 1762, because of petty quarrels, the convents on the Rhine and around Limburg separated from this province to establish the *Provincia Thuringiae Inferioris Sanctae Elisabeth*. The mother province was now restricted to Thuringia and Franconia and its name was modified to the *Provincia Thuringiae Superioris Sanctae Elisabeth*.

On the lower Rhine, in present Holland, the *Provincia Germaniae Inferioris* (less frequently styled the *Provincia Brabantiae*) was separated in 1529, from the *Provincia Coloniensis*. In 1790, the civil authorities divided this province into the *Provincia Brabantina* and the *Provincia Mosana*, but the Revolution soon completely nullified the effects of this intrusion. In present Belgium, the *Provincia Sancti Josephi in Comitatu Flandriae* was taken from the *Provincia Flandriae* in 1629. It became a Recollect province.

After Artois had become French territory, the *Provincia Sancti Andreae* ceased to be a member of the Germano-Belgian nation. The same was true of the *Provincia Sancti Antonii in Artesia*, established in 1668 or 1667, which lay to the south of the *Provincia Sancti Andreae*. As a result of territorial conquest, the French nation also absorbed the

Provincia Sancti Nicolai in Lotharingia, which had become independent in 1727 and, whose convents had belonged partly to the *Provincia Franciae* and partly to the *Provincia Argentinensis*. The same is true of the *Provincia Sancti Petri de Alcantara Alsatae*, which had branched off from the Strasbourg province in 1750.

The provinces in the extreme northern countries of Europe were the heaviest sufferers from the Reformation. The *Provinciae Daciae* and *Scotiae* were entirely destroyed, despite the fact that they were formally restored and titular provincials were appointed for them for a long time. Happier was the fate of the *Provincia Angliae*, which, after being restored in 1633, was able to survive despite the gravest trials until well into the nineteenth century. The *Provincia Hiberniae* also suffered much during the many persecutions, but it was never completely destroyed. In 1645, a division of this province was approved by the General Chapter but, according to all appearances, it was never carried out.

Table of the Ultramontane Provinces

1517	1639	1789
1. St. James	1. St. James 2. St. Michael in Estremadura	1. St. James 2. St. Michael in Estremadura north of Tagus 3. St. Michael in Estremadura south of Tagus
2. Portugal	3. Portugal 4. Algarbiorum 5. St. John Evangelist Azores 6. <i>Arrabidorum Discalced</i> 7. <i>St. Anthony Discalced</i>	4. Portugal 5. Custody of St. James of Madeira 6. Algarbiorum 7. St. John Evangelist Azores 8. Cust. St. Michael Azores 9. <i>Arrabidorum Discalced</i> 10. <i>St. Anthony Discalced</i> 11. <i>Immaculate Conception de la Beyra Discalced</i>
3. Custodia Pietatis	8. <i>Pietatis Discalced</i>	12. <i>Pietatis Discalced</i> 13. <i>Solitudinis Discalced</i>
4. Burgos	9. Burgos 10. Cantabria	14. Burgos 15. Cantabria
5. De Santoyo	11. Conception	16. Conception
6. Castile	12. Castile 13. Cartagena (Murcia)	17. Castile 18. Cartagena
7. Custody of St. Gabriel	14. <i>St. Gabriel Discalced</i> 15. <i>St. Didacus Baetica Disc.</i>	19. <i>St. Gabriel Discalced</i> 20. <i>St. Didacus Baetica Disc.</i>
8. Holy Angels	16. Holy Angels	21. Holy Angels
9. Baetica	17. Baetica 18. Granada	22. Baetica 23. Granada

1517	1639	1789
	19. Canaries	24. Canaries
10. Aragon	20. Aragon	25. Aragon
	21. Catalonia	26. Catalonia
	22. Valencia	27. Valencia
11. Majorca (?)	23. Majorca	28. Majorca
- St. Joseph	24. <i>St. Joseph Discalced</i>	29. <i>St. Joseph Discalced</i>
		30. <i>Immaculate Conception in Nova Castilia Discalced</i>
	25. <i>St. John Baptist Valencia Discalced</i>	31. <i>St. John Baptist Valencia Discalced</i>
		32. <i>St. Peter of Alcantara Granada Discalced</i>
		33. <i>Custody St. Paschal Murcia Discalced</i>
	26. <i>St. Paul Discalced</i>	34. <i>St. Paul Discalced</i>
		35. <i>St. Peter of Alcantara Naples Discalced</i>
		36. <i>St. Paschal Lecce Disc.</i>
12. Sardinia	27. Sardinia S. Mariae Gratiis	37. Sardinia S. Mariae Gratiis
	28. Sardinia St. Saturninus	38. Sardinia St. Saturninus
13. Holy Cross Hispaniola	29. Holy Cross Caracas	39. Holy Cross Caracas
	30. Holy Gospel in Mexico	40. Holy Gospel in Mexico
	31. Custody of St. Paul in New Mexico	41. Custody of St. Paul in New Mexico
	32. St. Helen in Florida	42. St. Helen in Florida
	33. St. Francis Zacatecas	43. St. Francis Zacatecas
	34. Sts. Peter and Paul Michoacan	44. Sts. Peter and Paul Michoacan
	35. Cust. St. Catherine Fluminis Viridis	
	36. St. James of Jalisco	45. St. James of Jalisco
	37. St. Joseph of Yucatan	46. St. Joseph of Yucatan
	38. <i>St. Didacus New Mexico Discalced</i>	47. <i>St. Didacus New Mexico Discalced</i>
	39. Holy Name of Jesus in Guatemala	48. Holy Name of Jesus in Guatemala
	40. St. George in Nicaragua	49. St. George in Nicaragua
	41. Sta Fe in Nueva Granada	50. Sta Fe in Nueva Granada
	42. St. Francis of Quito	51. St. Francis of Quito
	43. Lima XII Apostles	52. Lima XII Apostles
	44. Holy Trinity Chile	53. Holy Trinity Chile
	45. St. Anthony in Bolivia	54. St. Anthony in Bolivia
	46. Assumption in Paraguay	55. Assumption in Paraguay
	47. <i>Custody of Brazil Disc.</i>	56. <i>St. Anthony Brazil Disc.</i>

1517	1639	1789
		57. <i>Immaculate Conception Brazil, Discalced</i>
	48. St. Thomas in East Indies	58. St. Thomas in East Indies
	49. Custody of St. Anthony de Cochin	59. Custody of St. Anthony de Cochin (?)
	50. <i>Mother of God Malacca Discalced</i>	60. <i>Mother of God Malacca Discalced</i>
	51. <i>St. Gregory Philippines Discalced</i>	61. <i>St. Gregory Philippines Discalced</i>
14. France	52. Grand Couvent of Paris	
	53. France	
	54. France Paris	
	55. Flanders	62. <i>Flanders Recollect</i>
	56. <i>St. Joseph in Flanders Recollect</i>	63. <i>St. Joseph in Flanders Recollect</i>
	57. St. Andrew in Artesia	64. <i>St. Andrew in Artesia Recollect</i>
		65. <i>St. Anthony in Artesia Recollect</i>
	58. <i>St. Dionysius Recollect</i>	66. <i>St. Dionysius Recollect</i>
	59. <i>St. Mary Magdalen Recollect</i>	67. <i>St. Mary Magdalen Recollect</i>
15. Touraine	60. Touraine	
	61. Touraine Pictaviensis	
16. St. Bonaventure	62. St. Bonaventure	
	63. <i>St. Francis Recollect</i>	68. <i>St. Francis Recollect</i>
17. St. Louis	64. St. Louis	
	65. <i>St. Bernardine Recollect</i>	69. <i>St. Bernardine Recollect</i>
18. Bretagne	66. <i>Bretagne Recollect</i>	70. <i>Bretagne Recollect</i>
19. Aquitaine	67. Aquitaine antiquioris	
	68. Aquitaine recentioris	
	69. <i>Immaculate Conception Recollect</i>	71. <i>Immaculate Conception Recollect</i>
	70. <i>Holy Sacrament Recollect</i>	72. <i>Holy Sacrament Recollect</i>
20. Argentinensis	71. Argentinensis	73. <i>St. Nicholas in Lotharingia Recollect</i>
		74. <i>St. Peter Alcantara in Alsace Recollect</i>
		75. <i>Argentinensis Recollect</i>
21. Saxony	72. Saxony St. John Baptist	
	73. Thuringia (St. Elisabeth)	76. <i>Thuringia superior Rec.</i>
		77. <i>Thuringia inferior Rec.</i>
	74. Saxony Holy Cross	78. <i>Saxony Holy Cross Rec.</i>
22. Cologne	75. Cologne	79. <i>Cologne Recollect</i>

23. Dacia	76. Lower Germany	80. <i>Lower Germany Recollect</i>
24. England	77. Dacia	
25. Ireland	78. England	81. <i>England Recollect</i>
26. Scotland	79. Ireland	82. <i>Ireland Recollect</i>
	80. Scotland	

Paragraph 82
The Provinces of the Order after the French Revolution

The French Revolution, and its repercussions in the various lands, had violently destroyed many provinces of the Order. However, most of the provinces were able to survive, even though with difficulty, and were restored later often with modified boundaries. In fact, the list of provinces, drawn up for the General Chapter of 1856, shows only insignificant gaps, if one excepts the destroyed Spanish provinces. A more far-reaching reorganization of provinces was necessitated by the Union of 1897, which demanded the fusion of numerous provinces. Many mistakes of the past were now rectified at one stroke and that was done within the incredibly brief time of hardly three years.

The history of the changes, which have taken place in the provinces since the French Revolution, must henceforth follow the order of the zones of circumscriptions, as in force today.

The provinces of Italy, which constitute the first four circumscriptions, had not quite recovered from the wounds inflicted by the Revolution, when they were smitten with the decrees of suppression of the new government. In Piedmont, the suppression began in 1854, in the other parts of Italy in 1866, and in the Roman provinces in 1875. While no province was entirely destroyed during this period, all were more or less weakened. On this account, the fusion of neighboring provinces in Italy had become a necessity. This was true especially of those provinces whose boundaries had become inextricably entangled, and whose separate existence, after the union, no longer had any significance. After the former titles of Observant and Reformed had been abolished in 1897, some sought to distinguish the provinces, occupying the same territory, by the addition of *antiquior* (for a former Observant province) and *recentior* (for a former Reformed province). Such titles did not last long, for the new General Definitorium proceeded with the Union in all such provinces, with unrelenting energy.

In the first circumscription or zone, this process of union was entirely completed by 1899. The *Provincia Seraphica* was formed from the two Umbrian provinces, the *Provincia Picena* from the two provinces in the Marches of Ancona, and the *Provincia Bononiensis* from the two provinces around Bologna. Finally, a new *Provincia Romana* was formed from the two former Roman provinces together with the *Custodia Recessuum Sancti Bonaventurae*, established in 1845.

Greater changes were necessary in the second zone, especially in Tuscany. Besides the Observant province, *Provincia Tusciae Sancti Bonaventurae* and the Reformati province, *Provincia Sacrorum Stigmatum*, there was also in Tuscany the *Provincia Lucensis Sancti Josephi*, formed in 1891 from a Reformati Custody of several

decades existence. Since the territories of these provinces overlapped, a new arrangement was decreed in 1898, as follows: the *Provincia Tusciae Sancti Bonaventurae* received the territory around Pistoia, Florence and Siena, the *Provincia Tusciae Sacrorum Stigmatum* retained the territory of southern Tuscany around Arezzo and Chiusi, while the third *Provincia Sancti Josephi* was restricted to the western part around Pisa, Lucca and Livorno. In the same year, the provinces of Genoa, the Observant province of St. Bonaventure and the Reformati province of St. Anthony were united into the one *Provincia Januensis* with the title of *Sancti Leonardi a Portu Mauritio*. In the following year, the two Venetian provinces were united into the one *Provincia Veneta*.

In Piedmont, the former Reformati Province of St. Thomas had been suppressed in 1849 and later two Custodies were erected to take its place: the *Custodia Maritima*, which became the mother of the new French Reformati provinces, and the *Custodia Pedemontana*, which was united in 1898 with the Observant province in Piedmont to form the *Provincia Pedemontana Sancti Thomae Apostoli*. It will be up to the immortal glory of this province, that the request for this union first came from it. Out of the three other double provinces of upper Italy, *Mediolanensis*, *Brixiae*, and *Sancti Didaci*, there were restored after the Revolution only the Reformati *Provincia Sancti Didaci*, the Reformati *Provincia Immaculatae Conceptionis in Longobardia*, erected in 1845, in place of the *Provincia Brixienensis*, and the Observant *Custodia Longobardiae* or *Sanctae Mariae Angelorum*, established in 1861 in Milan. In 1898, one province was formed from the three just mentioned with the ancient title *Provincia Mediolanensis*. Finally, the *Provincia Sardiniae* also belonged to the second zone. Since 1899, this province embraces the territory of both former provinces in Sardinia.

In the third zone or circumscription, conditions were especially complicated. Geographically, no serious difficulties were encountered in uniting in 1898 the two provinces in the Abruzzi into the one *Provincia Aprutiorum Sancti Bernardini*. The same is true of the union during that same year of the Observant province of St. Anthony, situated around Lecce, and the Reformati Province of St. Joseph, which had branched off from the Reformati Province of St. Nicholas in 1835, and the Discalced Province of St. Paschal. Henceforth, these three provinces formed the one *Provincia Lyciensis Sancti Antonii*. But between these provinces, there were in the heights around Naples ten other provinces, extending athwart the peninsula, overlapping each others' boundaries in an almost unbelievable manner, so that, for example, in Naples there were convents belonging to six distinct provinces. A reapportionment of territory was more necessary here than anywhere else in the entire Order. The job was done in 1899 and only three provinces remained where ten had existed before. These were the *Provincia Terrae Laboris (Sancti Johannis Josephi de Cruce)* in the northern section of Naples, together with the districts of Caserta and Benevento; next, the *Provincia Apuliae (Sancti Michaelis Archangeli)*, comprising the eastern districts of Foggia, Bari and Campobasso; and finally, the *Provincia Principatus (Sancti Jacobi de Marchia)*, occupying the southern part of Naples, together with the territory of Salerno and Irpino.

The last province mentioned, the *Provincia Principatus*, belongs to the fourth circumscription. In this zone, in 1898, the two provinces of the Basilicata were united, the same was done with the three provinces in Calabria, which were fused into the one *Provincia Calabriae (VII Martyrum)*. Finally, the three double Sicilian provinces were also consolidated, each pair forming one province, thus: the *Provincia Vallis Nemoris*,

Provincia Vallis Mazzariae, and the *Provincia Vallis Nethi*. The island of Malta, which had been under the jurisdiction of the last named province, had become an independent *Custodia Melitensis* in 1838.

In the fifth zone, the union of the *Provincia Sancti Hieronymi* and of the *Provincia Ragusae* was a necessity. The resultant province received the title in 1899 of *Provincia Sancti Hieronymi in Dalmatia*. In 1892, the *Provincia Herzegovinensis* was established from a custody of that same name, begun in 1852 in the territory of the *Provincia Bosnae Argentinae*. In 1906, the *Provincia Albaniae* was restored, after it had been reduced to the status of an Apostolic Mission in 1832, due to lack of adequate personnel. The Reformati Custody of Constantinople, which was listed during the seventeenth century and again from 1856 to 1882, was not able to support itself.

The provinces of the sixth zone underwent in 1900 a complete rearrangement, because their boundaries, despite the great expense of their territories had become hopelessly confused. The *Provincia Sanctissimi Salvatoris* and the *Provincia Sancti Ladislai* were entirely suppressed and their convents were distributed among the other provinces, in the following manner: the *Provincia Sanctae Mariae in Hungaria* received the middle and the northern portion of Hungary, while the *Provincia Transsylvaniae* retained the eastern part, that is, Transylvania. The *Provincia Sancti Joannis Capistrani* retired to the southern part of Hungary and surrendered its convents in Croatia and Slavonia to the new *Provincia Croatiae Sanctorum Cyrilli et Methodii*. This same province absorbed also the friaries in Croatia and Slavonia, belonging to the *Provincia Sancti Ladislai* and to the *Provincia Carniolae*. The *Provincia Carniolae Sanctae Crucis*, a member of the fifth zone, occupied Carinthia and parts of Styria, while the *Provincia Austriae Sancti Bernardini* comprised eastern Styria and Lower Austria. It was no more than just this province of St. Bernardine should be restored, since its convents, for the most part, had never been destroyed, but had been merely handed over to other provinces, due to the violent intervention of the State. In the year 1785, for instance, by a royal decree, the convents in Carinthia and Styria were separated from this province and in 1791, they were joined into an independent *Provincia inferioris Austriae*, which lasted till 1839. The convents of the province, then still in existence, instead of being returned to the mother province, were handed over to the North Tyrolean Province as the *Commissariat Styriae*. The six convents remaining in Lower Austria after the separation in 1785, formed the *Provincia Austriae* until 1825, when they were given over to the *Provincia Sancti Joannis Capistrani*. This same province received in 1851 the *Provincia Bulgariae*, but in 1869, the few houses still existing in Bulgaria were surrendered to other provinces.

Greater misfortunes, however, were in store for most of the provinces of the former kingdom of Poland. After a period of uncertainty, they were entirely suppressed in 1864 by the Russian government. Only the two provinces in Austrian Galicia, the Observant *Provincia Septem Dolorum* and the Reformati *Provincia Immaculatae Conceptionis*, continued to exist. In 1899, they were united into the *Provincia Galiciae Immaculatae Conceptionis*.

The former *Provincia Prussiae Beatae Mariae Assumptae* in the seventh zone, assumed in the nineteenth century, the title of *Provincia Immaculatae Conceptionis in Borussia (Posnania)*. It had much to suffer from the displeasure of the times. The same is true of the other provinces within the German Empire. Entirely suppressed at the

beginning of the century, these provinces soon revived for the most part; only the *Provincia Thuringiae inferioris* and the once flourishing *Provincia Coloniensis* were to remain crushed. A part of the Cologne convents were given to the *Provincia Saxoniae*, and, on this account, it bore for a while the title of *Provincia Rhenano-Westphalica*. Of the venerable *Provincia Argentinensis*, only the houses in Swabia and Franconia survived and these were absorbed by the *Provincia Bavariae*. In Germany, just as in the neighboring countries, the boundaries of the Franciscan provinces were severely modified as a result of the political disturbances of the nineteenth century. The *Provincia Thuringiae superioris* lost all its convents, which were situated in present Bavaria. The two convents remaining to the province were formed into a custody in 1855. These convents had just begun to recover when they were struck by the storms of the Kulturkampf. The friars were driven not to secularization and destruction, as the authorities hoped, but to a new field of activity in America. So well did their interests prosper than shortly after the end of the Kulturkampf, the *Provincia Thuringiae Sanctae Elisabeth* was restored in the fatherland in 1894, while the foundations had been laid for a new province in America. During the same crisis, the *Provincia Saxoniae Sanctae Crucis* not only maintained its strength intact outside Germany, but, it also founded three new provinces, one in North America and two in Brazil. In 1902, the *Custodia Silesiae Sanctae Hedwigis* branched off also from this province, while the former province of that same name became a part of the Bohemian province.

The *Provincia Germaniae Inferioris*, which has now been restricted to the territory of present Holland, and therefore was also called the *Provincia Hollandiae*, flourished exceedingly. The *Provincia Sancti Josephi* also began to prosper. This province was erected in 1844 by Gregory XVI from the remains of the provinces formerly existing in Belgium

The Belgian friars were also instrumental in restoring the *Provincia Angliae*. They restored this province in 1887 as a custody. In 1891, it was constituted the *Provincia Immaculatae Conceptionis*. Besides this province of England and the *Provincia Hiberniae*, the eighth zone comprises also the provinces in France. The provinces in that country had to be entirely rebuilt. Besides the already mentioned *Custodia Maritima*, also called from its chief city the *Custodia Niciensis*, there was established in 1861 the *Provincia Sancti Bernardini*, which gradually spread over entire France. The northern part was separated in 1889 as the *Provincia Sancti Dionysii*. Some convents in England also belonged to this province. Besides these Reformati provinces, the Observants established in France in 1860, the *Provincia Sancti Ludovici Episcopi*, which likewise extended over the entire country. It was only in 1892 that the northern part together with the convents in England and Canada branched off to form the *Provincia Franciae*. During the recent persecutions of the Orders in France, the friars imitated the example of their Franciscan brethren and, according to the Rule, sought to do penance in other lands (Canada, Switzerland) with the blessing of God.

After Corsica had come under French dominion, its province had to share the fate of the French provinces. During the Revolution, this province disappeared entirely. In 1853, it was restored as a custody; in 1882, it was able to retake its place among the provinces of the Order.

The ninth and the tenth zones have been reserved for the Iberian peninsula, which formerly counted so many friars. However, the provinces there with but few exceptions,

have been entirely destroyed. The *Provincia Portugalliae*, destroyed in 1833, revived at first in one and then in two convents, until in 1891 it was restored to the rank of a province. The other Portuguese provinces were never re-established. In Spain, the friars, after 1834 were harassed almost continually so that the common life of religion was no longer hardly possible. Whether individual provinces were able nevertheless to maintain an unbroken existence, it is not yet known. By 1889, there are mentioned the *Provinciae Sancti Jacobi, Andalusiae* (that is, *Baeticae*), *Carthaginensis, Cantabriae, Valentiae, Cathaluniae*. In the following years, all have progressed in a heartening manner. To the tenth zone belongs also the *Provincia Sancti Georgii Philippinarum*, the only province still existing in eastern Asia. It was not destroyed during the Revolution, but it suffered severe losses as a result of the transfer of the Islands to the United States of America.

The provinces of the eleventh zone, which embraces Central and South America, were suppressed by law during the wars of Independence or the revolutions of the nineteenth century. However, none of the provinces were destroyed, except the province of Nicaragua, although all were very much weakened. The province in Ecuador was reorganized in 1903. The province in Chile was divided into two provinces in 1905, with the river Maule as the line of demarcation. The northern province took the name of the *Provincia Sanctissimae Trinitatis*, and the southern retained the ancient name of *Provincia Septem Gaudiorum Beatae Mariae Virginis*. Both Brazilian provinces had almost completely died out, when they received the desired re-enforcements from the German friars, whose *Provincia Saxoniae* had been abolished in their homeland. Thus these provinces could be re-established in 1901, with the ancient names of *Sancti Antonii* in the north and *Immaculatae Conceptionis* in the south. Finally in November 1907, the province of Peru was divided. The *Provincia Duodecim Apostolorum* was restricted to the southern part of the country, while the convents in the north formed the *Provincia Sancti Francisci Solani*.

The twelfth zone comprises the provinces in Mexico and in North America. The Provinces of Mexico were suppressed by the State in 1859 and, after that time, they were able to maintain only a precarious existence, except the *Provincia Sancti Josephi de Yucatan*. The remaining five provinces were consolidated in 1908 into three: the *Provincia Sancti Evangelii*, embracing the convents in southern Mexico and in the capital city; the *Provincia Sanctorum Petri et Pauli*, comprising the convents around Morelia and Querétaro; and the *Provincia Sanctorum Francisci et Jacobi*, formed of the friaries of Guadalajara and Zacatecas in northern Mexico.

In the course of the nineteenth century, the provinces in Florida, New Mexico and on the Antilles died out completely. But other provinces arose in that new country, whose future is very promising. The Saxon friars had a mission in the United States since 1858. Because numerous brethren went to America in 1875 as a result of the Kulturkampf, the *Provincia Sacratissimi Cordis* could be erected in 1879. The houses of this province stretch from Chicago and St. Paul westwards to California. Within that same broad territory, the *Provincia Sancti Joannis Baptistae Cincinnatiensis* also possesses some mission stations, but its main strength is concentrated more to the East, in Ohio and Kentucky. Here the friars of the North Tyrolean province founded a custody in 1859. It became a province in 1886. In the eastern states, around New York and Buffalo, the Irish Franciscans first of all, and then their Italian brethren came to labor among their countrymen. The convents of the latter were united into a custody in 1861, and again in

1901, as the *Custodia Buffalensis Immaculatae Conceptionis*. Soon friars of other nations also came to this section of the United States. Thus in 1875, the friars of the Thuringian province erected in the same territory a commissariat with headquarters at Paterson. From this commissariat and from the convents of the non-Italian friars in the custody above mentioned, the *Provincia Sanctissimi Nominis Jesu* was established in 1901. Finally, the Polish friars in 1895 founded in the diocese of Green Bay in the state of Wisconsin, the *Commissariatus Pulasckensis*.

Table of the Provinces after the French Revolution

1856	1897 (Union OFM)	1908
<i>I Circumscriptio</i>		
1. St. Francis (Seraphica)	1. Seraphica antiquior	1. St. Francis (Seraphica)
2. <i>Seraphica Reformed</i>	2. Seraphica recentior	
3. Romana	3. Romana antiquior	2. Romana
4. <i>Romana Reformed</i>	4. Romana recentior	
5. <i>Custody Ritiro di San Bonaventura</i>	5. Custody San Bonaventura	
6. Marches	6. Marches antiquior	3. Picena
7. <i>Marches Reformed</i>	7. Marches recentior	
8. Bologna	8. Bologna antiquior	4. Bologna
9. <i>Bologna Reformed</i>	9. <i>Bologna recentior</i>	
<i>II Circumscriptio</i>		
10. Tuscany	10. Tuscany St. Bonaventure	5. Tuscany St. Bonaventure
11. <i>Tuscany Reformed</i>	11. Tuscany Sacred Stigmata	6. Tuscany Sacred Stigmata
12. <i>Custody of Lucca Ref.</i>	12. Tuscany St. Joseph	7. Tuscany St. Joseph
13. Genoa	13. Genoa antiquior	8. Genoa
14. <i>Genoa Reformed</i>	14. Genoa recentior	
15. Venice	15. Venice antiquior	9. Venice
15. <i>Venice Reformed</i>	16. Venice recentior	
17. <i>St. Didacus Reformed</i>	17. St. Didacus recentior	10. Milan
18. <i>Immaculate Conception in Lombardy Ref.</i>	18. Immaculate Conception in Lombardy recentior	
	19. Custody of Lombardy (St. Mariae Angel.)	
19. St. Thomas in Piedmont	20. St. Thomas in Piedmont	11. Piedmont
20. <i>Custody Piedmont Ref.</i>	21. Custody St. Thomas Pied.	
21. Sardinia S. Mariae de Gratiis	22. Sardinia S. Mariae de Gratiis	12. Sardinia
22. Sardinia St. Saturninus	23. Sardinia St. Saturninus	
<i>III Circumscriptio</i>		
23. St. Bernardine Abruzzo	24. Abruzzo antiquior	13. Abruzzo

1856	1897 (Union OFM)	1908
24. <i>St. Bernardine Reformed</i>	25. Abruzzo recentior	
25. Terra di Lavoro (Naples)	26 Terra di Lavoro antiquior	14. Terra di Lavoro (Naples)
26. <i>Terra di Lavoro Ref.</i>	27. Terra di Lavoro recentior	
27. <i>St. Peter Alcantara Disc.</i>	28. St. Peter Alcantara Naples	
28. St. Nicholas	29. St. Nicholas antiquior	
29. <i>St. Nicholas Reformed</i>	30. St. Nicholas recentior	
30. Holy Angels	31. Apulia Holy Angels ant.	15. Apulia
31. <i>Holy Angels Reformed</i>	32. Apulia Holy Angels rec.	
32. St. Ferdinand Molise	33. St. Ferdinand Molise	
33. St. Anthony Lecce	34. St. Anthony Lecce	16. Lecce
34. <i>St. Joseph Lecce Ref.</i>	35. St. Joseph Lecce	
35. <i>St. Paschal Lecce Disc.</i>	36. St. Paschal Lecce	
IV Circumscriptio		
36. Principatus	37. Principatus antiquior	17. Principatus
37. <i>Principatus Reformed</i>	38. Principatus recentior	
38. Basilicata	39. Basilicata antiquior	18. Basilicata
39. <i>Basilicata Reformed</i>	40. Basilicata recentior	
40. Calabria	41. Calabria antiquior	19. Calabria
41. <i>Holy VII Martyrs Ref.</i>	42. Holy VII Martyrs rec.	
42. <i>Calabria citerioris Ref.</i>	43. Calabria recentior	
43. Sicily	44. Sicily antiquior	20. Vallis Nemoris
44. <i>Sicily Reformed</i>	45. Sicily recentior	
45. Vallis Mazzariae	46. Vallis Mazzariae ant.	21. Vallis Mazzariae
46. <i>Vallis Mazzariae Ref.</i>	47. Vallis Mazzariae rec.	
47. Vallis Nethi	48. Vallis Nethi antiquior	22. Vallis Nethi
48. <i>Vallis Nethi Reformed</i>	49. Vallis Nethi recentior	
49. Custody of Malta	50. Custody of Malta	23. Custody of Malta
V Circumscriptio		
50. Custody of Holy Land	51. Custody of Holy Land	24. Custody of Holy Land
51. <i>Custody Constantinople Reformed</i>		
52. Bosnia Argentina	52. Bosnia Argentina	25. Bosnia Argentina
53. St. Jerome Dalmatia	53. St. Jerome Dalmatia	26. St. Jerome Dalmatia
54. Ragusa (Dubrovnik)	54. Ragusa (Dubrovnik)	
55. Holy Redeemer Dalmatia	55. Holy Redeemer Dalmatia	27. Holy Redeemer Dalmatia
56. Custody of Herzegovina	56. Herzegovina	28. Herzegovina
		29. Albania
57. <i>Tyrol St. Leopold Ref.</i>	57. St. Leopold in Tyrol	30. St. Leopold in Tyrol
58. <i>St. Vigilio Reformed</i>	58. St. Vigilio in Tyrol	31. St. Vigilio in Tyrol
59. <i>Carniola Reformed</i>	59. Croatia-Carniola	32. Carniola

1856	1897 (Union OFM)	1908
VI Circumscriptio		
60. <i>Bohemia Reformed</i>	60. Bohemia	33. Bohemia
61. St. John Capistran in Austria	61. St. John Capistran in Austria	34. St. John Capistran in Austria
62. St. Ladislaus	62. St. Ladislaus	35. Croatia
63. <i>Hungary St. Saviour Reformed</i>	63. Hungary St. Saviour	36. Hungary St. John Capistran
64. <i>Hungary St. Mary Ref.</i>	64. Hungary St. Mary	37. Hungary St. Mary
65. <i>Transylvania Reformed</i>	65. Transylvania	38. Transylvania
66. Galicia	66. Imm. Concep. (Russia)	39. Galicia
67. <i>Galicia Reformed</i>	67. 7 Sorrows BMV Galicia	
68. Poloniae Minoris		
69. <i>Poloniae Minoris Ref.</i>		
70. Poloniae Maioris		
71. <i>Poloniae Maioris Ref.</i>		
VII Circumscriptio		
72. <i>St. Joseph Belgium Rec.</i>	68. St. Joseph in Belgium	40. Belgium
73. <i>Holland Recollect</i>	69. Germaniae inferioris	41. Holland
74. <i>Rhine-Westphalia Rec.</i>	70. Saxony	42. Saxony
		43. Custody of Silesia
75. <i>Immac. Concept. in Borussia Ref.</i>	71. Immaculate Conception in Posnania (Poznan)	44. Borussia
76. <i>Cust. Thuringia Rec.</i>	72. Thuringia St. Elisabeth	45. Thuringia
77. <i>Bavaria Reformed</i>	73. Bavaria	46. Bavaria
VIII Circumscriptio		
78. <i>Ireland Reformed</i>	74. Ireland	47. Ireland
	75. England	48. England
79. <i>Custody of Nice Ref.</i>	76. St. Bernardine France	49. St. Bernardine France
	77. St. Dionysius France	50. St. Dionysius France
(Commissariat Prov. France)	78. St. Louis in Aquitaine	51. St. Louis in Aquitaine
	79. France	52. France
80. Custody of Corsica	80. Corsica	53. Corsica
IX Circumscriptio		
	81. Portugal	54. Portugal
	82. St. James	55. St. James
	83. Cantabria	56. Cantabria
	84. Baetica	57. Baetica
X Circumscriptio		
	85. Cartagena	58. Cartagena
	86. Valencia	59. Valencia

1856	1897 (Union OFM)	1908
81. <i>St. Gregory Philippines Discalced</i>	87. Catalonia 88. St. Gregory Philippines	60. Catalonia 61. St. Gregory Philippines
XI Circumscriptio		
82. Assumption in Paraguay	89. Rio de la Plata (Assumption Argentina)	62. Argentina
83. Chile	90. Holy Trinity in Chile	63. Holy Trinity Chile 64. 7 Joys BMV Chile
84. 12 Apostles Lima	91. 12 Apostles Lima	65. 12 Apostles Peru 66. St. Francis Solano Peru
85. De Charcas	92. St. Anthony de Charcas	67. Bolivia
86. <i>St. Anthony Brazil Disc.</i>		68. Brazil St. Anthony
87. <i>Immaculate Conception Brazil Discalced</i>		69. Immaculate Conception Brazil
88. Quito		70. Ecuador (St. Francis Quito)
89. Nueva Granada	93. Santa Fe in Bogotá	71. Colombia
90. Nicaragua		
91. Guatemala	94. Holy Name in Guatemala	72. Guatemala (Holy Name of Jesus)
XII Circumscriptio		
92. Holy Gospel in Mexico	95. Holy Gospel in Mexico	73. Holy Gospel in Mexico
93. <i>St. Didacus Mexico Disc.</i>	96. St. Didacus in Mexico	
94. Sts. Peter and Paul de Michoacan	97. Sts. Peter and Paul de Michoacan	74. Sts. Peter and Paul Mexico
95. De Jalisco	98. St. James of Jalisco	75. Sts. Francis and James Mexico
96. De Zacatecas	99. Zacatecas in Mexico	
97. St. Joseph in Yucatan		
98. Custody of St. Paul in New Mexico		
99. St. Helen in Florida		
100. De Caraca (Characarum)	100. Sacred Heart USA	76. Sacred Heart USA
	101. St. John the Baptist Cincinnati USA	77. St. John the Baptist Cincinnati USA
	102. Custody of Buffalo	78. Holy Name USA
		79. Custody Immaculate Conception USA
		80. Commissariat Pulaski

Paragraph 83
Statistics of the Order since 1517

Hand in hand with the growth of the provinces went also an increase in the number of friaries and friars. On the one side, that was a heartening proof of the vitality of the Order, on the other, it aroused grave worries in the minds of higher superiors. Had this increase shown itself only or principally in the countries across the seas or in the mission districts of Europe, there would have been no reason for the worries of the superiors. But, as a matter of fact, this growth was proportionately greatest in the provinces of Italy and Spain. Therefore, adequate sustenance and sufficient labor became subjects of much concern. Then, too, there were serious complaints that not all of the new members were sufficiently tested regarding their vocation and that the respect of the people for the friars was gradually diminishing, wherever the friars were too numerous.

The General Chapter of 1606 states expressly that especially in Spain and in Portugal, new convents had been erected *sub falso zelo pietatis*, and spoke its mind in no uncertain terms against further increase in those countries. *Religio nostra plane fatetur se ultra progredi non posse*. The same opinion was voiced by the General Samaniego in 1681 when the problem of a new foundation by the Discalceati was being discussed. However, the superiors of the Order were powerless in this matter as long as the Apostolic See gave ear to the seekers of new convents rather than to the proper superiors of the Order. Thus, permission was granted to the Discalceati to receive new convents without consulting the higher superiors of the Order. The permission of the Bishop was sufficient. The Discalceati merely had to observe the prescribed distance between convents.

But, after the evil effects of the excessive increase of the Order had shown themselves more strikingly in Spain, Innocent XIII in 1723 ordered his Nuncio there to take proper measures against any further expansion. In particular, it was decreed that the provinces of all Mendicant Orders were not permitted to receive new members, until the actual number of members should correspond to the means of subsistence. No appreciable betterment was brought about by these decrees, nor did their renewal by Benedict XIII produce any marked improvement. In Italy, the superiors strove to stem the tide of over expansion by permitting each province to invest only a limited number of novices each year. However, despite repeated renewals of this decree, the desired results seem not to have been attained. In Poland, also, there was need to hinder new foundations. Therefore, after 1755, besides the approval of the Holy See, those who wished to accept new convents had to obtain also the approval of the Procurator of the Order.

The Order reached its greatest development at about the time of the Chapter of Valencia, 1768, at which the Province of Mantua was recognized and just before the French Observants went over to the Conventuals. There were, at that time, under the obedience of the General of the Order about 77,000 friars, in 167 provinces, including a few custodies. (The Conventuals at that time numbered at the most 20,000 and the Capuchins about 30,000).

The nineteenth century, with its revolutions and secularizations, not only decimated the Order, but also caused such confusion that often one could not know with certainty whether certain provinces still existed, much less could one know the number of

convents or friars. The Order seems to have reached the period of its greatest decline during the last decade of the nineteenth century, when the friars numbered perhaps about 14,000. Since that time, the number has risen slowly but steadily. Ten years after the Union, on October 4, 1907, the Order counted 17,092 members, of whom 8,152 were priests, living in 1,460 friaries and in 81 provinces or custodies.

Chapter 3

THE CONSTITUTION OF THE ORDER

Paragraph 84

General remarks – The Cardinal Protector

The earnest student of the constitution of the Order after 1517 is handicapped by two main difficulties: the first is the lack of uniform legislation for the entire Order; the second is the absence of a steady development of the basic legislation of the Order, due to the frequent abrogation of the fundamental laws and then, after a short time, the promulgation, either in whole or in part, of the same laws just recently discarded. The frequent changing of the fundamental laws of the Order, often for trivial reasons, brought all law into disrespect and numerous and flagrant violations of the laws, in force for the time, were inevitable. It is impossible to treat all the aspects of that problem here. We must also pass over the laws and customs, which prevailed only in the individual family. Here we can take into account only those laws and customs, which were common to both families, or, at least, were prevalent in the larger districts of both families.

However, before we begin the study of those laws and customs, we must mention that the division of the Order into a *Familia Cismontana* and a *Familia Ultramontana*, no matter how well it may have been intended, seriously weakened the Order. This division was made to expedite the government of the Order, but, as a matter of record, it materially impeded the same. The General was indeed the legal head of both families, but, in reality, his place was taken for the alternate family by its General Commissary. There were, therefore, in practice, even though not in theory, two heads of the Order, who, naturally did not always think the same or rule in the same manner. Thus it came about that the division, which had been introduced originally for reasons of administration soon became really a division of power. Each family wished that its influence should predominate at the General Chapter, and sought to attain that end by the multiplication of its provinces and the incorporation of new territories. Thus, for example, the Poles were members of the Cismontane family and the Neapolitan Discalced Province was a member of the Ultramontane family! From such facts, it is already clear that when the original purpose of the division had been lost sight of, the entire division became irrational.

Abstracting from this common desire for more power, we can glean from the legislation of both families that both gave evidence of yet another trend – the tendency towards a more aristocratic form of government. A restoration of the original absolute power of the General and a corresponding increase of power for the Provincial were intended in no way. On the contrary, their powers were to be restricted even more through the Definitors, who gradually came to form the permanent council of the General and of the Provincial. In certain cases, they were able to exert a very restrictive influence upon the decisions of the Provincial, more than upon the decisions of the General. Formally, the General and the Provincial were bound only by the decrees of the respective Chapter, but during this period a greater and lasting check was provided in the Definitors. However, this restraint of the higher superiors was no longer exercised as formerly by the

subjects through their Discreets, who had formerly a decisive influence upon the Provincial and the General Chapters. The Discreets were rather entirely disregarded at the Chapters of the Order and thereby all direct influence of the subjects upon the administration of the business of the Order was abolished. That was a coup d'état which nullified the results of the revolution of 1239, and insofar was at least a gesture towards the restoration of the constitution of the Order as it existed in the days of St. Francis.

Hand in hand with this tendency towards a more aristocratic form of government, went the efforts to keep all friars, who were not superiors, away from the deliberations of the Chapters. The character of the Chapter changes radically during this period: formerly they were gatherings composed of few electors but of many friars, who had been invited to attend by the General or the Provincial to lend the aid of their advice and experience to the deliberations of the Chapter. Now the Chapter becomes a gathering merely of electors, designated by law. In the Provincial Chapters, the electors were almost exclusively the Guardians. Since the subjects had also gradually lost their voice in the election of these superiors, the appointment of the members of the Provincial Chapter was entirely in the hands of the previous administration. In this regard, the General Chapter was more representative and its members can be regarded as true representatives of the Order.

The exclusion of the non-voting friars from the deliberations of the Chapter bore sad fruit. The absence of these experienced and disinterested friars from the Chapters, especially from the Provincial Chapters, was keenly felt, especially since the short term of office of the superiors endangered the continuity of administrative policies. As a remedy, the friars chose a means, which in itself was beyond reproach, but whose effects were worse than the disease. As a start, the friars granted the right to vote to the Definitors and to the other friars of the General Curia, whose practical experience would make their opinions valuable in the discussions at the sessions. However, since these friars also could hold their offices only for a short time, and since the ancient practice of admitting non-electors to the sessions was no longer permitted, therefore the perpetual right to vote was granted to a number of friars. Thus was constituted the rank of *Definitores perpetui*. Together with the actual Definitors, these friars formed during the Chapter the most influential members of the administration. Outside the time of Chapter, these same friars formed an exclusive group, from whose influence neither the General nor the Provincial could escape. Some *Definitores perpetui* possessed the title merely of *Patres Provinciae*, such as the ex-Provincials, while others were *Patres Ordinis*, as for example many of the friars who were employed at the General Curia. The title and the right to vote were, in the beginning, inseparable. Later, however, in many places, the title was separated from the right to vote, or the title was granted only for the time of office – as, for example, to the actual Provincial Definitors. Essentially, the development of the *Definitores perpetui* was checked in 1590, although the subjects had to contend against them for many centuries.

After the respect due to the retiring Generals, Procurators, General Definitors, Provincials, etc. had found expression in the perpetual right to vote, granted to these officials, some thought that this respect should be shown also by some external honorary rank or precedence over the other friars. In this way, the first steps were taken on the headlong race for precedence, for which there was no longer any curb. Once, in the long ago, St. Bonaventure was forced to defend his friars against the complaint that they

acknowledged no precedence. He wrote: *Cur fratres non habeant consuetudinem praecedentiae* (Why the friars should not make use of the customs of precedence). In defence of the friars, the Saint appeals to the example of the Lord, St. Francis and others, and then observes: *In huiusmodi excellentis, quo unus alteri praefertur, in aliquo solet animus imperfectorum saepe pueriliter extolli* (Whenever one wants to take precedence over the other in order to gain excellence, he cannot be praised more than one who has the imperfect immaturity of a small boy). Here we must note that the Order at that period, as Bonaventure himself admits, did not recognize the precedence, which is based upon the length of service in the Order. Naturally, however, the actual superiors, who possessed the power to issue commands, such as the General, the Provincial, the Custos, and the Guardian, enjoyed precedence before their subjects. All other kinds of precedence were regarded by the Saint as childishness, a detriment to the Order and a contamination of the conscience.

These principles enunciated by St. Bonaventure remained in force in the Order until well into the sixteenth century. Here and there an exception was made in favour of the teachers of theology, in deference to the express wish of St. Francis in the Testament. At this period, however, there were no general ordinances for the entire Order, governing the privileges of these teachers. The question was of importance at most in the Grand Couvent at Paris, and the General Delfini issued directions for this convent. From the middle of the sixteenth century, the number of personal privileges of all kinds rapidly increased. Starting with the ex-Generals, these privileges were granted one after another to the former General Commissaries, Procurators, General Definitors, General Secretaries, Provincials, Provincial Definitors, Lectors, Novice Masters, Guardians, Missionaries, Confessors of princes, and many others. Even the lay brothers in time came to demand the title *Reverendus* and precedence before the student clerics. It is not worthwhile to enter into all the details. Let us merely mention that frequently the title and precedence were granted also to friars, who had never discharged any of the offices mentioned above. That was indeed irrational, but it was merely one of the effects of the entire system. For a time, expectancies were even granted for positions in the General Definitorium, which should become vacant. For a time also *Conventualitas* was permitted; that is, permanent residence in a chosen convent. In minor details, the system of precedence differed between the Observants and the various Reformed branches, but all of them had a system.

What did the Order as such think of these personal privileges? The vast majority of the friars voiced their displeasure with the entire system often and in no uncertain terms, yet they effected little, since the men in power, who could have applied a remedy, wished to guard their own personal interests. Clement VIII in 1600 abrogated all laws granting the *perpetuitas votorum*; yet Paul V, in 1606, at the request of the General Chapter, reinstated all those laws. As a result, conditions became worse than before. Numerous friars obtained privileges of all kinds either from the superiors of the Order, or from the Cardinal Protector. At length, the Order was forced to turn to the Pope for relief. In 1639, the *Patres privilegiati* were deprived of all privileges, which were not granted by the constitutions of the Order. Henceforth, the Ultramontane family recognised only two *Patres Provinciae*, namely, the ex-Provincial, who had just retired from office, and the *Pater dignior* of the Province. The Cismontane family, in accordance with the decree of Gregory XV of 1622, granted the right to vote to the ex-Provincial only for the first

Chapter. Urban VIII in 1640, restricted the power of the *Definitores perpetui* by decreeing that the provinces should grant them no part in the deliberations, but should settle all problems with the actual Definitors alone. The Ultramontane family, however, did not accept this decree of Gregory XV, with the exception of the Discalceati, who had no *Patres perpetui*.

In 1672 Clement X was forced to proceed against the personal privileges granted since the last preceding papal attempt at reform. Benedict XIII in 1724 struck at the root of the problem by abolishing all *Definitores perpetui* without exception. In 1727, this decree was mitigated in favour of the Recollects, who wished to retain their two *Patres Provinciae*, although none of these had the permanent right to vote. The General Chapter of 1729 next took up the question and decided to petition the Pope for the renewal of the former privileges. Immediately after the death of Benedict XIII, his successor, Clement XII granted this request. With the restoration of the privileges granted by the constitutions of the Order, called *privilegia realia*, the other privileges granted by the Curia, the *privilegia personalia*, also revived. In 1740, the General Chapter opposed these latter privileges and Benedict XIV abolished those personal privileges which included a right to vote. There the struggle rested. In 1856 a half-hearted attempt was made at the General Chapter to abolish all personal privileges.

Connected with the hankering after privileges and precedence was the increased use of the *Subrogatio* or *Supplicatio votorum* at the Chapters (cfr. par. 36). The Chapter of 1518 had decreed that if a Provincial or Custos were not in attendance at a Chapter, his place should be taken by the friar who possessed the highest office in the Order to which no vote was granted. Thus the first substitute should be the General Commissary, then the Procurator, and so on. A similar procedure was soon introduced for the Provincial Chapters, but it was abolished in 1559. When the General Commissaries, the Procurators and Definitors received the right to vote by reason of their office, the *subrogation* became merely a means of packing the sessions with party members. Hence, it was repeatedly forbidden and definitely stopped in 1723. Thereafter a substitute was demanded only in the meetings of the Definitorium, since the decrees of that body were without force unless they had been passed in a plenary session (cfr. par. 85).

The introduction of the intervals between offices must be regarded as an effect of the displeasure of the friars towards the aristocratic tendency in the government. Since the terms of all offices in the Order were limited, there was a great danger that some ambitious friars would use their present office as a means of gaining a second upon the expiration of the first and thus maintain themselves continually in power. Numerous were the decrees aimed at checking this abuse. Some of these decrees were certainly not justified: thus, that the General Secretary or the Procurator had to wait six or even sixteen years after the expiration of their offices before they could be elected General. In 1733, the Pope issued a general decree, regulating the intervals between offices. He declared that a *vacatio* was not required if the friar passed from a lower to a higher office; it was required, however, if the friars passed from a higher to a lower position or if he were to exchange one office for another of equal rank.

The chief cause of this scandalous striving for privileges and position was the sinful ambition of some friars. But, as the Popes themselves frequently admit, the Roman Congregations and especially the Cardinal Protectors abetted that ambition by lending a too ready ear to the desires of such men. Since the Cardinal Protectors did not always use

their power and position for the advancement of the Order, there was much talk during the pontificate of Clement VIII of abolishing that office entirely. Indeed, Urban VIII intended to form a new Congregation, which should be the protector of all Orders. This intention of the Pope explains the vacancy in the office from the year 1624 to 1633. Later, individual Cardinal Protectors sometimes exceeded the limits of their powers and, ignoring the superiors of the Order, made laws for the friars. Innocent XII in 1693 and Clement XI in 1715 were forced to intervene against such high-handed tactics. Fortunately, such cases were the exceptions. The big majority of the Protectors discharged their office with devotion and skill, and if they were not able to do so personally, they appointed vicars to do so for them. Such vicars were called Vice-Protectors or Pro-Protectors or especially Con-Protectors. Until 1580, the Conventuals and the Capuchins had to be satisfied with the service of the Protector of the entire Order. In that year, they received their own Protectors. Prominent among the Protectors since 1517 are the Cardinals Quiñones, St. Charles Borromeo, Lambruschini and before him Lorenzo Corsini, who later became Pope Clement XII. Pius VI assumed the office of Protector from 1782 to 1785 and Leo XIII followed that example in the year 1892. Pius X was pleased in 1903 to add the same burden to his many other cares.

Paragraph 85
The Minister General and his immediate assistants

Despite the machinations of Pisotti, the custom remained that the General should be elected by all the qualified electors present at the General Chapter. The one who received the absolute majority of the votes became ipso facto the General and needed no confirmation of whatever kind, although that was sought in exceptional cases. If the General Chapter could not convene for whatever reason, the Pope appointed the General. On several occasions, the Pope was pleased to consult the *vota absentium* before making his appointment.

Several Generals of the seventeenth century sought to retain the government of the Order, even after they had been nominated to a bishopric. Therefore, in 1676, after the courageous renunciation made by Jimenes Samaniego (cfr. par. 65), the General Chapter decreed that each newly elected General must immediately swear that he would not labour for nor would he accept, the Episcopal dignity during his term of office. Only after this oath was the successful candidate to be recognised as the General. Since, however, the Pope cannot be bound by any decrees of the Order, and the Order cannot prevent him from granting a dispensation from this oath, therefore, it was further decreed, that the General from the moment he accepted such a dispensation, was no longer to be considered the superior of the Order, and that no friar might obey him any longer under pain of excommunication. Similar laws were passed also for the Vicar General and the Commissary General.

The term of the General, which according to the Bull of Union of Leo X, was to be six years, was increased by Pius V in 1571 to eight years. Sixtus V, however, reduced it again to six years. Thus it remained until Pius IX in 1862, for weighty reasons, lengthened it to twelve years. Fortunately that length was retained, despite the opposition manifested at the General Chapter of 1889.

The power of the General, in this second period, never went beyond the limits, established in 1239. Indeed, there was, on the whole, a tendency to restrict the power of the General even more. All the fantastic terms employed upon occasion to describe the supreme authority of the General could not hide the reality, expressed in these blunt words: *Capitulum Generale habet auctoritatem simpliciter et absolute super Ministrum generalem, qui ipsi Capitulo est inferior et subditus, ut asserunt doctores* (The General Chapter is to have a simple and absolute authority over the Minister General, who is inferior and subject to the same Chapter, as the doctors assert). They strove to prove the truth of this assertion by saying that, since the General Chapter can elect and depose the General, therefore all the powers of the General come from the General Chapter. That this conclusion was false and that the reason alleged was without force is manifestly proven from those instances when the Pope appointed the General without even as much as consulting or informing the General Chapter. However, no argument could shake the confidence of the adherents of the belief mentioned above; and they formed the majority. So the General was free to act only in as far as it pleased the General Chapter to grant him the power to act. In the main, the General possessed the right of supervision, which he could exercise either personally or through representatives, known as Visitors or Commissaries. Even this right of the General to send Visitors had been restricted in many ways. For a time, the General Chapter itself appointed the Visitors, or it permitted that they might be sent only in cases of necessity, or the Chapter exercised a strict control over the choice of persons who were to be sent as Visitors. Things came to such a pass, that the General finally in 1622 had to appeal to the Pope to receive the right of free and complete visitation to be done either by himself or through representatives freely chosen by himself alone. Without this unrestricted right of visitation, useful activity by the General was impossible. The more recent legislation of the Order recognises this right of the General fully. Not rarely too did conditions during those times necessitate that the Pope should entrust to the General, with the title of *Commissarius Apostolicus*, the supreme power which the General had possessed originally, but which he no longer had due to the restrictive legislation of the Order in the course of the centuries (cfr. par. 73).

Among the privileges of the General must be mentioned the title of *Minister Generalis totius Ordinis Fratrum Minorum*, which was intended to be a moral bond uniting all parts of the Order. The repeated attempts of the other branches of the Order to abolish that title always proved vain, and Leo XIII confirmed it anew in his Bull *Felicitate quadam*.

The kings of Spain conferred upon the General the rank of grandee of the kingdom, not without opposition on the part of the Order. Perhaps this grant moved the Order in 1729 to decree that the General should relinquish all superfluous titles and should be content with the title of *Minister generalis*, to which at the most he might add *Lector jubilatus*. Most of the Generals had merited that dignity anyway. The General, retiring from office, was granted in the sixteenth century precedence immediately after the actual superior of the Order. At the same time, he was accorded the right to vote in all the Chapters of the Order and of his province, even though he might have occupied the supreme dignity only for a brief period.

The fact that the General did not have a fixed residence was not for the welfare of the Order. A General from the Cismontane family usually resided in Aracoeli; an Ultramontane General almost without exception in Madrid. In some cases, an

Ultramontane General never came to Rome throughout his term. As a result of this divided residence the archives of the Order were partly in Rome and partly in Madrid. That naturally caused both inconveniences and delays.

In this second period, the General had as companions and as aids in the conduct of current business, two *socii*, one from either family. In the course of the sixteenth century, these *socii* began to be called *secretarii*, and this title soon became permanent. These secretaries were freely chosen by the General, but they received from the General Chapter the admonition and charge to read carefully and to countersign every document which the General sent to the respective family. In 1670, a third helper was added, the *Secretarius linguarum*, but that office was abolished six years later. The prestige of the secretaries gradually increased to such a degree, that they received the title of *Patres Provinciae*, and in 1676, they were granted the right to vote at the General Chapters. Since the Order was continually on the increase, the number of secretaries had to be increased also. In 1757, provision was made for four secretaries, two from each family, one for the Observants and the other three were to be divided among the various reformed branches. Similarly, two secretaries were granted also to the General Commissary, one an Observant, the other a reformed friar. In the nineteenth century, after the Spanish friars had withdrawn from the obedience of the General, the number of secretaries were reduced to two. A *Secretarius pro missionibus* was added in 1869. After the union of 1897, the secretariat was headed by the *Secretarius generalis*, who was granted an assistant for the missions and several scribes as helpers. The privileges, granted to the secretaries in the course of time, still remain in force, as well as the decree of 1639, stating that the *Secretarius generalis* cannot be the immediate successor of that General whom he had served. This had occurred several times, and the friars evidently thought that a repetition must be stopped by law.

In 1571, Pius V appointed two *Discreti* as assistants of the General. Probably, they were intended to replace the secretaries. They were to be chosen at the General Chapter by their family and were to be the immediate counsellors of the General. In rank they were to have precedence over all friars, except the ex-Generals, and they had the right to vote at all Chapters. Gregory XIII abolished this office in 1573. In order to understand this short-lived ordinance of Pius V, one must remember that at that time the General Definitors did not as yet form the permanent council of the General. Before the Chapter of 1517, all the qualified voters at the General Chapter performed the duties which later were restricted to the Definitors. At this Chapter of 1517, however, for the first time, six members from each family were appointed to act as Definitors. In the next Chapter of 1518, the presiding Cardinal appointed twelve Definitors together with the same number of helpers (*adiuncti*). Soon this became the ordinary practice, although in several Chapters no Definitors at all were appointed. In 1532, the Ultramontane family in accordance with the ancient practice, permitted all Provincials and Custodes to function as Definitors. In 1535, however, this family appointed separate friars as Definitors, because these officials had to elect the Vicar General. No specific rank or precedence was granted to the Definitors at that time. The Chapter of 1523 had expressly decreed that the Definitors in the future, just as in the past, should have precedence neither at table, nor in choir nor anywhere else. The Chapter of 1547 repeated that decree and added that in reality all capitular fathers were Definitors; but those friars to whom the title of Definitor

had been given, were to function simply as *actores causarum* during the Chapter, and thereafter only at the election of a Vicar General, if that should become necessary.

This last clause clearly indicates that the office of Definitor no longer ended with the Chapter, but that it was then considered something permanent. The same is evident from the Statutes of Valladolid of 1593. Each family now chose six Definitors as often as they convened for a Chapter. The term of office of those Definitors, who belonged to the same family as the General, lasted therefore six years, while the term of the Definitors who did not belong to the family of the General at this time lasted only three years, but after 1676, their term was also fixed at six years. Re-election was not permitted. By their election, they became *Definitores perpetui* of their respective provinces, with precedence before the ex-Provincials. They had to be consulted in the more important affairs of the Order, especially concerning the nomination of the Protector of the Order and of the other officials at the General Curia. Besides, they had to be allowed to vote in the election of the Vicar General.

The chief duties of the General Definitors concerned the General Chapter. Here, they were divided into two *Definitoria* according to families, or, if such were the wish of the General, they would form one *Definitorium generale*. In order to retain at least some form of the ancient practice, a double *Definitorium* was also appointed by the General to advise on general matters pertaining to discipline. Special *actores causarum* were also appointed. However, the decisions both of the *actores* and of the *Discretorium* had to be approved by the Definitors. The *Syndicatio* of the General and of the Provincials was also the business of the Definitors. Hence, a large part of the powers formerly exercised by the Chapter as a whole, was now in the hands of the Definitors; they had become as some one has said, the *Primarii in Ordine iudices*. Only one thing was lacking. They had no vote at the Chapter, unless they were also either a Provincial or a Custos. Since, however, they enjoyed the right to vote in their own provincial Chapters, and especially since they elected the Vicar General, it was considered illogical and unbecoming that they should be excluded from the voting at the General Chapter, wherein they otherwise played such an important role. In 1639, they were accordingly granted the right to vote at the General Chapters during their term of office.

In the course of the centuries, many changes were made in the number and nationality of the General Definitors. The six Cismontane Definitors after 1593 were to comprise two from the kingdom of Naples, three from the other districts of Italy and one from the Ultramarine provinces. In 1621, the Ultramontane family decided to appoint two Definitors for Spain and the Americas, two for France, one for Belgium and England, and one for Germany. In 1670, each family was granted four more Definitors, so that the *Definitorium* now numbered twenty members, exclusive of the Procurators, the General Commissaries and the ex-Generals. The apportionment of the Definitors among the single nations and among the various reformed branches was a source of continual difficulty. Usually, in each family, four Definitors were members of the Reformed branches and the rest were Observants. In the Ultramontane family, the tenth Definitor was chosen from the Tertiaries Regular, since they were also subject to the General and should have a voice in the General Chapter.

In 1816, two more Definitors were granted for the Americas, but on account of the political disturbances, this concession was without real value. In 1856, the number of General Definitors was reduced to ten, to be chosen by the entire Chapter without

distinction of family. In 1862, the number was increased to twelve, six of whom were to reside continually in Rome, so that they might be a real aid to the General. Seven years later, the obligation of continual residence in Rome was made obligatory for all Definitors. It is indeed remarkable, that such a self-evident thing was only acknowledged as necessary after several centuries. This move had been proposed as early as 1694 and 1729, but without success. At the time of the Union in 1897, the number of Definitors was retained at twelve, one for each zone or circumscription. Then also the six-year term was restored. For a brief period, the term had been lengthened to twelve years, namely from 1862 to 1890.

The *Substitutio*, that is, the admission of a substitute in the place of a Definitor temporarily absent, has been entirely discarded in the General Definitorium, but not in the Provincial Definitorium. The *Subrogatio*, that is, the seating of the *Pater dignior* in the place of a perpetually absent Definitor, has also been done away with in favour of the election of a new member by the Definitorium itself.

As already mentioned, the Chapters made the office of a General Definitor a permanent position chiefly because the election of the Vicar General devolved upon them. In the strict meaning of the term, the Vicar was the head of the Order just as was the General and therefore his complete title was *Vicarius Generalis totius Ordinis Fratrum Minorum*. Prior to 1517, the term of the Vicar General seldom lasted more than a year, since he was appointed by the Pope expressly to convoke a General Chapter as soon as possible. But after 1517, conditions were changed, for then the General's term had been restricted to six years and usually no General Chapter was to be held before the lapse of that period. There seem to have been laws, prescribing the method of electing the Vicar General and defining his powers, but we do not know the details. In 1520, after the death of Lichetto, the question was put to its first test. *Pauci illi Patris, ad quos hoc negotium spectabat*, met in Rome and elected in the presence of the Pope, Paul of Soncino, Vicar General, *juxta Generales Constitutiones*. The irregularities, however, which appeared under Quiñones and Pisotti, made the need for more detailed ordinances apparent. In 1553, the Statutes of Salamanca filled this need. According to these Statutes, the Vicar General is to be chosen by the Provincial and by the General Definitors of that family, in whose territory the General had died. The Vicar must always be of the same family as the deceased General. A slight change was made by the Constitutions of Valladolid of 1593. The place of death no longer determinates the electors of the Vicar, but the family to which the General had belonged. If the General died within three years of assumption of office, the Vicar, immediately after his election had to summon the electors of his family to a Chapter, in which a new General was to be chosen. This, however, was never done. The Vicar Anthony of Trejo, elected in 1613 ruled for more than four years. After 1674 the new Vicar General was always immediately given the title of General by the Pope, and thus this regulation was implicitly abrogated.

The most important ordinances of subsequent Chapters concerning the election of the Vicar General were those of the Chapter of 1651, which influenced primarily the Ultramontane family. The regulations of this Chapter decreed that the Vicar General was to be elected by the *Patres Ordinis* and the General Definitors of that nation, to which the General had belonged. The election was to be held in some convent of the same nation. Besides the voters mentioned, the electors were to include also the Provincials and the Custodes of the six immediately neighbouring provinces. The other General Definitors

were neither to be invited nor to be denied admittance if they appeared. The purpose of these enactments was evident: the Spanish friars possessed a majority in the General Chapter, but not in the General Definitorium, therefore such a majority had to be created, even though artificially. Thus it became simply impossible for the other nations ever to have a Vicar General, since the General of the Ultramontane family was always a Spaniard. As a result of these laws, the Vicar General now would always likewise be a Spaniard. Such deception greatly embittered the Order. Hence we can easily understand why some friars in 1690 preferred the rule of Nicholas IV and to have the Pope appoint the Vicar General.

Special laws were passed to take care of those cases when the office of General became vacant not through death but by resignation or the promotion of the incumbent. These laws had to be changed frequently. Besides the Vicars General in the strict meaning of the term, there was after 1517 a long list of other friars who bore the same title, but whose memory brings pain to the historian of the Order. All of them had more or less but one purpose: to tear portions of the Order away from the jurisdiction of the General and thus destroy the unity of the Order. Among this group must be reckoned the Vicars General of the *Discalceati* and the *Reformati* and of the French Recollects (cfr. par. 67, 69, 71). The same is true of the Vicar General introduced by the Spanish friars in 1804. He was succeeded by the *Commissarius Apostolicus* from 1838 to 1904 (cfr. par. 75, 78).

For a time the friar who was appointed to represent the General or the General Commissary whenever either one went beyond the territory of their respective family, was also called a Vicar General. The Chapter of 1651 prescribed that such representatives should be called *Commissari delegati generales*. In more recent times, the title *Delegatus generalis* is used to denote that General Definitor, whom the General leaves as his deputy in Rome, whenever he himself leaves the Eternal City.

Paragraph 86 ***The General and the National Commissaries***

The Union of the branches of the Order in 1517 unfortunately did not include also a union of the two families. Leo X expressly stated that this division should continue. Every six years, the one family elected the General, while the other elected a *Commissarius generalis familiae* for the term of three years. Regarding his powers, it was stated: *Cui Minister generalis vices suas committat, prout Capitulo generali expedire videbitur* (The Minister General can commit his powers to him, according to what seems best to the General Chapter). Accordingly the General Commissary should be merely the delegate of the General. In the course of time, however, the opinion came to be generally accepted in the Order, that the General Commissary ruled his family *potestate ordinaria*, even though the General could reserve many functions and faculties to himself. In keeping with this opinion, the General Commissary in 1565 as the *Minister ministrorum provincialium* was granted the right to vote at the General Chapters, was named a *Definitor perpetuus* of his family and of his province and was accorded the title of the General: *Reverendissimus*. In case his office became vacant, a procedure for the election of his substitute was similar to that prescribed for the election of the substitute of the

General, with this difference, that after 1656, the substitute of the General Commissary was no longer called a Vicar General but a Vice-Commissary General. The Vice-Commissary could be elected without consulting the General, but, in that case, he would have no voice in the next General Congressus. This limitation was usually obviated by having either the Commissary or Vice-Commissary appointed by the Pope. After the abolition of the triennial General *Congressus familiae* in 1676, the General Commissary was elected only by the General Definitors of the family, unless perchance a General Chapter was also to be held in that same year.

The Reformati, within a short time after they had been formed into independent provinces, began to strive that they, in their turn, should have a General Commissary elected from among their members. Their efforts were successful in 1664. However, this Reformati General Commissary, despite the fact that the leaders of his branch had been insisting so strongly on the alternate election of the General Commissary from the various branches, obtained his own re-election for a second successive term in 1667. In the next year, the Observant and the Reformati were granted their own Vice-Commissaries. In 1674, the Reformati also gained a General Commissary all for themselves, even though the General at that time was a member of the Cismontane family to which the Reformati belonged. Innocent XI in 1688 tried to pacify all parties by restoring the alternate elections. However, by 1706, we again find separate Vice-Commissaries. This time they were to last longer than before. Many subjects were so disgusted with the whole situation, that the Pope was forced to command them to obey these Vice-Commissaries under pain of excommunication.

The only full-fledged General Commissary in the true sense of the Bull of Union of 1517 was the Cismontane General Commissary. In the Ultramontane family the power of the General Commissary was severely limited by the National Commissaries. The Spaniards were the first to receive such a Commissary in 1521 (cfr. par. 61), despite the opposition of the Portuguese friars who did not want to hear of any such thing. At the Chapter of 1526, the General Quiñones introduced a resolution that in future National Commissaries be appointed for the Spanish, the French and the German nations in place of the Ultramontane General Commissary. There was no agreement on the amount of power to be granted to this new Commissary. The Spaniards and the French restricted his powers as much as possible, while the Germans granted him full power but in dependence upon the General. The duties and the powers of the National Commissary varied considerably from country to country, and it was not thought practical to substitute an official with such ill-defined powers for the General Commissary. Hence in 1529, the election of a General Commissary was resumed. From the middle of the sixteenth century on, the Ultramontane General Commissary was almost exclusively a Spaniard, which offers another reason why the Spanish National Commissary was rather thoroughly ignored. The General Commissary sufficed entirely, since all the provinces of the Spanish nation were also members of the Ultramontane family and hence subject to the Ultramontane General Commissary. Even the Discalceati had to submit to him in 1729.

On the other hand, the provinces beyond the seas soon received their own Commissaries. In 1572, at the request of the Spanish king, the General appointed a *Commissarius Indiarum in Curia Catholica residens*, who dwelt in Madrid and conducted all affairs of the American friars as the representative of the General. In 1583 this Commissary was endowed with *potestas ordinaria*, instead of mere delegated

faculties. In 1587, he obtained the right to vote at all General Chapters and precedence immediately after the General Commissary was accorded him. His appointment took place in this way. The General presented the names of several candidates to the king, who then selected one, whom the General inducted into office. But at the beginning of the seventeenth century the king began to ignore the General and he alone nominated, elected and inducted into office. In 1681, the General Samaniego succeeded in stopping this abuse and having the former method restored. The expenses of the *Commissarius* and of his assistants were borne by the Spanish crown, without whose permission no friar might be sent to the Americas. The returning friars had to be visited by the Commissary or by his representative, the Vice-Commissary, who resided in Seville. The office of Vice-Commissary was abolished in 1612. The Commissary enjoyed the full rights of a General over the friars in America. But many Commissaries were not content with this and wished to be entirely independent of the General.

Before the king had requested the appointment of a Commissary for the Americas, the General, on his own initiative, had appointed Commissaries, who resided in the Americas, *Commissarii generales in Indiis residentes*. The first such General Commissary, appointed in 1541, governed all the friars throughout the Americas. Events soon showed that due to the vast distances in the new lands, one such official could not really fulfil the purpose and the duties of the office. Hence, in 1559, two Commissaries were appointed, one for Mexico, that is for Central America, and the other for Peru, that is for South America. From 1587 to 1621 two Commissaries were appointed for South America. These friars were to visit all the provinces subject to them in the course of six years. If they had discharged their duties faithfully, they were to be ranked in their own provinces only as ex-Provincials. They were appointed directly by the General. The court Commissary in Madrid was usually very anxious to assume another responsibility by aiding in the selection of these Commissaries.

The Portuguese East Indies needed their own Commissary just as much as the Americas. One was appointed with the same powers as the American Commissaries and with the title: *Commissarius generalis Indiae Orientalis*. In the beginning he resided in Portugal and ruled his far distant subjects by means of letters, but after 1593, he had to reside personally in the East Indies. In 1682, the office of the Commissary for the East Indies was abolished due to the refusal of the Discalceati to obey him. These same friars had caused the recall of the Vice-Commissary of the Philippines, sent thither by the Commissary in Mexico.

During the personal union of the crowns of Portugal and Spain, which lasted till 1640, the minister of the *Provincia Portugalliae* was delegated as the representative of the Portuguese friars at the Spanish court. After the separation of Portugal from Spain in 1640, mutual aversion rose to such a degree that any beneficial activity by a Spanish General or General Commissary was out of the question. Therefore, the Portuguese were granted their own *Commissarius generalis Lusitaniae* with full powers also over the provinces in the Portuguese colonies. His own subjects, however, caused the Portuguese Commissary such great difficulties that the Pope or the papal Curia was forced several times to intervene in the interests of peace. In 1658, Alexander VII appointed a *Vicarius generalis* for Portugal and its dependencies, armed with plenary apostolic authority. Due, however, to the energetic representations of the General, this official was reduced to the state of *Commissarius generalis* with the powers of the other National Commissaries.

Ten years later, this office was abolished, because since peace had been restored between Spain and Portugal, this official was no longer needed. The determined opposition of the Apostolic See frustrated all later attempts of the Portuguese friars to have their National Commissary restored.

The friars in Brazil after many attempts finally obtained a *Commissaris generalis Brasiliae* in 1663, but this office here never was of much importance, since at that time there was only one province in Brazil. Soon it was abolished. When in 1675, a second province was erected in Brazil, it was determined that each province should conduct the visitation of the other.

The French National Commissary, inaugurated in 1526, was the source of much strife. He was allowed to intervene only when the provinces appealed to him. Almost nothing is heard of him for a whole century. New quarrels began in 1625, because the French felt that they were being continually slighted in the election of the General and the General Commissary. The General Bernardine of Sena, however, succeeded in quieting their aroused emotions. The Recollects of France alone, aided by their king, now continued the agitation for a Commissary for themselves. They desired that the Pope should appoint the first Commissary and that they would then continue to elect his successor every three years from among their members of course. Despite the unyielding opposition of the Order, they obtained their wish in 1637 in so far that the Pope appointed a Vicar General for the French friars, called the *Commissarius Apostolicus*, entirely independent of the General. But since the first Commissary was a Recollect, the other French provinces were so dissatisfied that the Pope abolished the office in 1642. In 1670 all French provinces expressed their willingness to be subject to the Ultramontane General Commissary. In 1675, however, the king, then at war with Spain, demanded that a Recollect should be appointed Commissary for his French friars. When the General refused this demand, the king forbade his subjects to attend the next General Chapter of 1676 or to acknowledge the General there elected (cfr. par. 65). Chaos reigned in the French provinces, until finally the General complied with the wishes of the king, and the Recollect was appointed National Commissary. The appointment of a Recollect again so angered the Observants that within a few years the office of National Commissary was abolished for the second time. Several ambitious friars continued to agitate for the restoration of the office, but the General Chapter of 1685 firmly refused. From that time, the French Observants seem to have acknowledged at least theoretically, the authority of the Ultramontane General Commissary, while the Recollects were subject directly to the General.

The *Commissarius Generalis Nationis Germano-Belgicae* was the most influential of all the National Commissaries. From 1526 until the French Revolution, this nation with characteristic tenacity, clung to the Commissary as originally intended, namely as one who should fully take the place of the Ultramontane General Commissary. During the sixteenth century, indeed, due to the Reformation which severely crippled the Order in Germany, the election of a Commissary in the strict legal meaning of the term, was not always possible, still the friars always managed to invent some kind of suitable substitute. In the very beginning, the National Commissary was elected by the provinces for three years. After 1594, this Commissary began to be installed by the General and by the middle of the seventeenth century, it became the rule that the friars of the nation should propose several candidates to the General, who then elected the National

Commissary. In the main, the powers of the Germano-Belgian National Commissary remained as granted by the law of 1526: *Commissario generali omnes in omnibus, quae non sunt contra animam et regulam nostram, sicut vero et indubitato Praelato ac Superiori obedire teneantur, iuxta facultatem a Reverendissimo Patre Ministro generali sibi concessam* (The General Commissary is to be obeyed in all those things that do not go against our soul and our Rule, just as the friars are obliged to obey in truth and without doubt their Prelate and Superior, according to the faculties given to him by the Most Reverend Minister General). Some understood these words to mean that the Commissary possessed *potestas ordinaria*, others that he had merely delegated faculties. Within the nation, he enjoyed the title of *Reverendissimus*, participation and vote in all provincial Chapters together with the power to convoke National Chapters, which, however, could not make true laws or Statutes. Such National Chapters were held at intervals, with the permission of the General. They were very influential in maintaining the high standard of discipline in the provinces of this nation. The General was completely satisfied with conditions in the provinces of this nation and called this nation the apple of his eye, because it caused him the least worry.

There was a General Commissary also in the Cismontane Family for the so-called ultramarine provinces in Austria, Hungary and Poland. His title was: *Commissarius generalis Germaniae superioris*. This Commissary was appointed for the first time in 1582. A few years later he was largely instrumental in separating Bavaria from the *Provincia Argentinensis* and thereby also from the Germano-Belgian nation. Thereupon, this nation, fearing lest this Commissary should cause further losses to their group, began to complain about the unjustified title of this ultramarine Commissary. For a while, the German friars even gave their Commissary the title of *Commissarius Germaniae superioris et Belgii*. The provinces of upper Germany, which were subject to this strangely named Commissary were also dissatisfied, especially since that official usually was a foreigner, which seemed to them to be contrary to the very conception of a National Commissary. A further cause for complaint was the fact that he was always an Observant, while almost all the provinces which he governed had been incorporated into the Reformati. When these grievances were explained to the Emperor, he demanded in 1651 that the General should rectify them immediately. The improvement, however, lasted only a few years. Soon afterwards, John of Molina came to Vienna as the confessor of the Emperor. Although a Spaniard, he had himself appointed by the General as Commissary for upper Germany. Since there was general dissatisfaction with his appointment, Molina sought in 1667 to render his position more secure by applying for a papal Brief, which was in reality granted him. It is evident, that such a Commissary, even though legally appointed and fortified by a papal Brief, could not exercise any moral authority. The Duke of Bavaria forbade him to enter the territory of the Bavarian province. Little is known of the powers of this Cismontane Commissary. Certainly, they were not as great and as lasting as those of the Commissary of the Germano-Belgian nation. Indeed, it seems on the whole, that he accomplished very little good among his subjects, not through any fault of the provinces, but simply because this Commissary, according to all appearances never even bothered to visit his provinces throughout the sixteenth and the seventeenth centuries.

Paragraph 87
The Officiales in the Curia Romana

After the Union of 1517 the Order retained its two former Procurators. In 1518, it decided that the Procurator of the family of the General should be called *Procurator totius Ordinis*, while the other should receive the title of *Commissarius in Curia*. Each tended to his own business independently of the other, although both were subject directly to the General. This division lasted until well into the nineteenth century, when finally the two distinct families vanished and with them also the *Commissarius in Curia*.

For a long time the Procurator was appointed by the General with the advice of the Definitors of the family. After 1694, the General proposed at the Chapter the names of the friars who were agreeable to him and the electors of the family then made the choice of the *Procurator per ballotationem*. After the reformed branches had obtained their own Procurators, the *Procurator generalis* and the *Commissarius in Curia* were elected exclusively by the Observants and the Recollects of the Germano-Belgian nation, until the Union of 1897. After that time, the Procurator is to be chosen for twelve years *per schedulas*. In the beginning, he was elected for a three-year term, after 1694 for six years and from 1862 to 1890 for a term of twelve years. The General alone, after consulting with the Definitors, can fill this office, if a vacancy should occur in the time between elections. The Procurator could not appoint a vice-Procurator to serve during a temporary absence. That was reserved to the General, though after 1733, even he had to appoint as vice-Procurator, one of the three friars previously designated by the General Chapter for just such an emergency. This rule was not always observed.

It was the duty of the Procurator to take care of all affairs of the Order at the papal Curia. Matters which concerned the entire Order could not be undertaken by him without commission from the General. He had to see to it that all papal decrees concerning the Order were printed and distributed to the provinces. Another important task of the Procurator was to serve as postulator of the causes of the saintly men of the Order. After 1676, this work was cared for exclusively by the Procurator until about the middle of the eighteenth century, when special *postulators canonizationum* were appointed. In the course of time, one slight change has been made in this arrangement. Formerly as many postulators were appointed as there were cases, now only one Postulator is appointed by the General for a term of six years.

In the beginning, on account of the importance of the office of Procurator, it was demanded that he must be an ex-Provincial. Later on this requirement was dropped. After 1517, the Procurators were admitted to the deliberations of the General Chapters, but without the right to vote. This right was granted by Gregory XIII. Soon thereafter, the Procurators became *Definitores perpetui* of their own province with precedence before the General Definitors. Finally, in 1862 they were granted a perpetual right to vote in the General Chapters, even after the expiration of their term of office.

All these regulations concerning the length of the term of office and the privileges were gradually extended also to the Procurators of the reformed branches. However, the *Procurator generalis* always enjoyed precedence over the other Procurators. Since the Procurators were always Observants, they did not favour at the Papal Curia the efforts of the reformed branches for independence. Hence, the Reformati and the Discalceati sought to obtain, at any cost, their own Procurators, who would fight for their interests. In the

beginning the Guardian of San Francesco a Ripa performed the duties of a *Procurator generalis Reformatorum*. In 1600, at the express command of the Pope, the General had to appoint a special friar with residence at the above-mentioned convent to discharge those duties. From 1621 to 1628, the Cardinal Protector appointed this friar (cfr. par. 69), until Pope Urban VIII restored this right to the General. But Cardinal Barberini (1673-1678) knew how to win back this power usurped by his predecessors, much to the joy of the Reformati. After 1694, the Procurator of the Reformati was chosen for a term of six years by the electors of the Reformati in a *scrutinium* at the General Chapter. In case of a vacancy between Chapters, the Pope himself appointed the successor. In this way, the influence of the General was completely destroyed.

Still greater difficulties beset the path of the *Procurator generalis Discalceatorum et Recollectorum*. The Procurator, which the Discalceati had obtained in 1621 was soon abolished (cfr. par. 67). Towards the end of the century, the French Recollects again bestirred themselves to get a separate Procurator. Their agent in Rome won over the Discalceati to the plan, but the Recollects of the Germano-Belgian nation would not hear of it. Since the General Chapter of 1700 also opposed the scheme, these friars took the matter up with the Pope. Finally, in 1703, after many serious obstacles had been overcome, the Pope was in favour of it and he granted the Discalceati of the Recollects a common Procurator. The title, *Procurator generalis Discalceatorum et Recollectorum*, was not strictly true, since the Germano-Belgian Recollects looked askance at this new official and preferred to conduct their business through their former agents. Nor were they a bit bashful about proclaiming the reasons for their preference. They confessed openly, that if they did acknowledge this Procurator as their representative, their interests would surely be neglected and disregarded and besides they would have embroiled themselves in all the quarrels of their confederates. This opposition between the French and the Germano-Belgian Recollects manifested itself again in the matter of the appointment of a common General Secretary for the Discalceati and all Recollects. The Germano-Belgian Recollects forbade this new secretary to meddle in their affairs. Instead these Recollects entrusted their business to the ordinary General Secretary of the Order, until they received their own secretary in 1757.

The common Procurator of the Discalceati and of the French Recollects no longer resided at the friary of St. Isidore (cfr. par. 67), but at Aracoeli. But, since the spirit prevailing in that convent was not very cordial towards him, a different friary was assigned as his residence in 1730 near the church of Santi Quaranta. This convent, dedicated to St. Paschal Baylon, was given permanently to the Spanish Discalceati and was placed under the protection of the Spanish crown.

Besides these Procurators, there was also a whole host of *Agentes* or *Sollicitatores* in Rome, who had been sent there either to look after some particular affair, such as a canonization, or, who resided there permanently in order to take care of the interests of some nation or some branch of the Order. Thus, about 1646 Portugal sent a representative to Rome for a short time who even bore the title of Procurator. Permanent residents of Rome since 1633 were also the representatives of the French and Germano-Belgian Recollects. The General Chapter of Toledo had agreed to the sending of these agents, on condition that the friars sent should be chosen by the General and that they should remain subject to the Procurator or to the *Commissarius in Curia*. The usual reason was advanced for sending these representatives: both nations were being continually

overlooked in the election of the Procurators, and they felt that their affairs were in consequence being neglected. After these representatives had gained a foothold in Rome, they began to imitate the agents of the *Discalceati* and the *Reformati*, in working for the independence of their nations, so that they might receive the title of Procurators. Many difficulties resulted, but fortunately, thanks to the diplomatic skill of Wadding, everything was settled finally to the satisfaction of all. The representative of the French nation declined in influence and importance continually after the Procurator for the *Discalceati* and for the French Recollects had been appointed. The Germano-Belgian agent, however, retained his relative independence, especially after the General had entrusted the appointment of this representative to the National Commissary. After 1648, he had resided continually at Aracoeli and was justified therefore in his protests, when in 1757, he was ordered to live in exile at Santi Quaranta.

It seems that during the storms of the French Revolution, both the Procurator of the *Discalced* friars and the representatives of the Germano-Belgian nation disappeared. At the Chapter of 1856 the few surviving *Discalceati* and the representatives of the Germano-Belgian nation chose, for the first time, a common Procurator, although there was no legal foundation for such an action. It was only in 1889 that this defect was remedied. But after eight years their Procurator was abolished together with the Procurator of the *Reformati*, in order to make room for a Procurator General who was to conduct the business of the entire Order with the Curia.

Paragraph 88 ***The General Chapter and the General Congregations***

From the earliest times of the Order, the word General Chapter signified the meeting of all Provincials and Custodes to consult concerning the affairs of the Order and to elect a new General.

Leo X decreed in 1517 that such a General Chapter, also called a *Capitulum Generalissimum*, should be held every six years and that after the first three years each family should hold a separate Chapter. This intermediate Chapter was also called *Capitulum Generale* although indeed the title was not strictly justified. Soon however it became customary to call it the *Congregatio Generalis* or the *Capitulum intermedium*. This General Congregation was abolished in 1526 as superfluous in the family of the General and after 1676 also for the family of the General Commissary since from that time on he was elected by the Definitors.

Actuated partly by selfish motives, in 1529 the General Pisotti sought, with the aid of the Pope, to abolish the General Chapter in the more genuine meaning of that term. He wished that each six years the General should be elected merely by one family while the other, by a legal fiction, should be considered as taking part in the election. This proposal was ratified by the General Chapter in 1529 and approved by the Pope. In this way it was hoped that, at least in the election of a General from the Cismontane family, the effect of the Spanish numbers could be frustrated. But when Pisotti noticed that many friars were dissatisfied with this arrangement, he obtained in 1530 a Brief prescribing that each family should have a General Chapter every three years over which the General must preside. This arrangement also was not pleasing and therefore it was discarded in

1535, not by the Pope but by the General Chapter. Hence Wadding was able to maintain that also on legal grounds the enactment of 1529 was still in force. He defended it even more earnestly because of practical reasons: a smaller number could offer better counsel than a large crowd, who were not sufficiently acquainted with the circumstances. They could also elect with better judgement, since the majority of the friars who came from afar had no knowledge of the persons to be elected. Such objections can be understood better if we remember that often about 300 friars, who had the right to vote, assembled for the Chapter so that the convents of the city were not large enough to supply shelter for all. However the Order sensed instinctively that the General Chapter was a powerful force for unity in the Order and that it could not be abandoned without harm. The election of the Minister General was not the only reason why the representatives of all provinces should be gathered in such common meetings. Rather the greatest benefit of these meetings of friars from all parts of the world was the feeling of unity and community of purpose, engendered and fostered by the physical union with the accompanying exchange of opinions, hopes and fears. Admittedly, the number of friars present at the Chapter was too large. But this defect could be remedied either by lessening the number of Provinces or by excluding the Custodes, which in effect was done later, but by no means is it necessary to abandon this beautiful plan of St. Francis entirely. The movement to abrogate the General Chapter evinced itself not only at the time of Wadding but repeatedly also in later times. The predominance of the Spaniards at these Chapters was the basic reason for this tendency. The presence of the other nations at the Chapter was almost entirely superfluous. Indeed the General Commissary Cherubin of Nardo stated that expressly in 1703. He demanded that in accordance with the ordinances of 1530 a General Chapter should be held every three years. Besides each family should have a separate election where a General and the General Commissary should be elected alternately. In this way it seemed possible that at least in the Cismontane family, the non Spaniards could gain recognition. This proposal was again advanced in later times by the Spaniards themselves, when the other Nations did not appear at the Chapter held in 1830 in Alcalà de Henares. Gregory XVI in 1832, upon the request of their king, decreed that in future two distinct Chapters should be held every six years simultaneously, one in Spain, and the other in Italy (par. 75). Fortunately this plan was upset by the Spanish Revolution. The succeeding General Chapters must be considered as true Chapters according to the conception of St. Francis, even though the Spaniards did not take part in them, since they were independent of the General. Besides they formed merely a diminishing minority. In reality, their absence did not affect the unity of the Order except perhaps in theory.

In 1862 the term of office of the General was lengthened so that it lasted 12 years. At the same time it was prescribed that the General Chapter should be held every 12 years also, and that after the first six years of office there should be a *Congregatio Generalis*. Since on the one hand, the entire Order is represented in this *Congregatio Generalis* just as in a General Chapter and since, on the other, it can easily happen that an election of a General should take place in this meeting, we are justified in considering this Congregation as a true Chapter. If we view it in the light of the Rule and of history, the General Congregation is indeed a genuine Chapter since it differs in nothing from the Chapters of the past. Meanwhile the difference in the name continues and has even been adopted in the new General Constitutions.

The prescriptions of the Rule, concerning the time of the year when the Chapter is to convene, remained in force with few exceptions. The General was elected on the Saturday before Pentecost in accordance with the Rule, while the other work of the Chapter in later times began already on Ascension. The duration of the Chapter depended on the amount of work to be done. In 1587 it lasted more than three months, but this was an exception. About 4000 friars came for that Chapter to add to the solemnity of the occasion by means of the sermons and disputations.

For a long time the place of the Chapter was selected, according to the ancient custom, in the preceding Chapter. But since changes often became necessary, this custom was gradually dropped. From the end of the 16th century on, the Spanish Generals almost without exception convoked their Chapters in Spain, the Italian Generals in Italy. Finally in 1804 it was decreed that the Chapter should always be held in Spain whenever the General was to be elected from the Spanish nation. In reality, it was possible to observe this decree only in 1830.

At the beginning of this period, the Ministers and the Custodes, as of old, were the delegates to the Chapter by full right. In 1518 also the Discretos of the Provinces were expressly accorded this right. Gradually thereafter the General Commissaries, Procurators and General Definitors obtained the right to vote as a privilege. Likewise, since 1606, the Guardian of the Grand Couvent of Paris also enjoyed a vote. The presence of the Provincials and Custodes was not only a right, but also a duty. Frequently therefore laws were passed to punish those who did not fulfil this duty, because they considered their presence unnecessary due to the circumstances mentioned above. Whenever sound reasons justified the absence of the Ministers, they were represented by the so-called *Pro-ministri*; even *Pro-custodes* are mentioned. However the *Pro-custodes* were forbidden in 1670. The *Pro-ministri*, often also called *Commissarii provinciales*, were chosen by the Definitors of the Province. Originally, only the Provinces beyond the seas made use of such substitutes. Seldom is there mention made of *Pro-guardianus*, the representative of the Guardian of Paris.

Essentially different from the *Pro-ministri* are the so-called *Ministri titulares*, who were appointed merely to cast the vote at the General Chapter in the name of those provinces which had disappeared. Such unreasonable appointments were finally abandoned entirely apparently in the 17th century after many discussions. On the other hand, with good reason the superiors of those smaller units which had not yet attained the dignity of a Province, were commonly admitted to the General Chapter. Those officials also were granted a vote whom the General appointed sometimes for diverse reasons, as the administrator of a Province. Such appointees were called *Commissarii generales provinciarum*.

A thorough revolution in the membership of the General Chapter took place in 1762 when the Custodes were excluded completely. Naturally the parties concerned opposed this move strenuously and they appealed to the Rule which explicitly commands the presence of the Custodes. On the other hand, it was demonstrated that Custodes as planned by St. Francis no longer existed in the Order except in the confederated provinces of France. The Custos, so-called in the other provinces, was the descendant of the *Discretus* of old who had been elected in the Provincial Chapter immediately prior to the General Chapter with the express purpose that he, together with the Provincial, represent the Province. After the General Chapter his office vanished. But just as the

office of the Definitors gradually became a permanent institution during the 16th century, so also did the office of the new Custos. He became a member of the Definitorium and was elected at the same time as the Provincial Definitors. Under such circumstances the exclusion of the Custodes from the General Chapter was not in violation of the rule. Indeed such action was a necessity in order to diminish the excessively large numbers of electors in the General Chapter. As a reminder of the former meaning of his title, the Custos today still enjoys an exclusive right to represent the Provincial at the General Chapter. Indeed, it is the essential duty of the office and if the Custos cannot fulfil that duty he must resign and a new Custos is to be elected in his stead. That the decrees of 1702 excluded also the *Pro-ministri* is evident.

An attempt made to restore the Custodes in the original meaning of the term was checked in 1856. We have still the *Custodiae gubernii (regiminis)* which might be compared in several ways with the *Vicariae* (par. 30) of old. The superior of such a custody is in reality a prelate and has always been admitted to the General Chapter. His Definitors are called *Discreti custodiales* and are elected, even as he, in a *Capitulum custodiale*.

Naturally the General or the Vicar General should be the President of the General Chapter or General Congregation. In their absence the General Commissary or the *Pater dignior Ordinis* should discharge this office, not however the Minister of the province in which the Chapter is held, as was formerly frequently the case. The Chapter of 1523 chose its own President, but that was an exception. In the 16th century it happened that the Pope named a Cardinal, Nuntius, or some other high ecclesiastical dignitary as presiding officer. Later this became the rule. Several Popes presided in person; thus Innocent XIII in 1723, Benedict XIV in 1750, and Pius IX in 1856.

The order of business of the General Chapter remained essentially the same as before. The *Syndicatio* however tended to become more and more a mere formality of admiration and praise. The general could not be re-elected and therefore it seemed unfair and discourteous, by a *syndicatio generalis*, to mar his withdrawal from office by any unpleasantness. Gradually the work of the assembled was restricted to the elections and to the promulgation of general ordinances. Often the apostolic confirmation was obtained from these laws. In the beginning this was done for the sake of greater stability. Later on, perhaps since the end of the 18th century, Papal confirmation was required for the validity of the laws of the Order. For the rest, the problems of greatest importance were referred to the General Definitorium, or to committees which were formed as the need for them arose. Since the end of the eighteenth century, the *auditors causarum* and the *revisores* or *examinatores scripturarum* were permanent officials. In the seventeenth century, there was a general committee composed of the representatives of all nations and all branches, called the *Discretorium Capituli generalis*. The decisions reached in their meetings had to be submitted to the *Definitorium generale*. Soon, however, the General Definitors, Procurators, and other became ex officio members of this Discretorium, so that gradually the Discretorium became merged with the Definitorium as one deliberative body.

In later centuries, *Procuratores* or *Provisiones Capituli generalis* were appointed to make arrangements for the coming Chapter. Often the right to vote was granted to them. Secular princes often vied with each other for the honour of defraying the expenses and of offering their protection to the General Chapter. Such princes were rewarded with the title of *Patroni speciales Capituli*. In many families, this title became hereditary. The

Holy See continued to lavish its favours upon the members of the Chapters, especially in the form of rich indulgences. Unfortunately, some friars thought that attendance at the Chapter entitled them to special privileges, which they often obtained.

Paragraph 89
The Provincial and the Provincial Chapter

The limitation of the term of the Provincial to three years had aroused no general protest in the preceding period. The Bull of Union of 1517 retained this three-year term. In 1547 an attempt was made to lengthen the term to six years, at least for the Cismontane family, but in vain. Pius V in 1571 introduced a four-year term, but this was reduced to the familiar three-year term by Sixtus V in 1587, and thus it has remained. The time was not to be reckoned mathematically but from Chapter to Chapter. The foolish innovation, which demanded that the Provincials and the Guardians had to resign upon the elapse of exactly three calendar years, but to remain at their posts and govern with the title of *Praesides*, was soon discarded. Because the term of the Provincial was now so strictly limited, it was no longer necessary for him to resign at the General Chapter. For the same reason, the pretended right of the subjects to depose their Provincial at the Provincial chapter was also abandoned. In case the office of Provincial became vacant within a year after the elections, a new Minister was to be chosen, otherwise his place was to be taken by a Vicar Provincial, elected by the Definitors.

More important than the limitation of the term of the Provincial was the election of a good Provincial. Oddly enough, the Chapter of Valladolid in 1593 orders not the lectors, who were responsible for the choice, but the General, to pay close attention to this point, because *nihil magis universo ordini pereunti esse necessarium* (since nothing is more necessary and urgent in the universal world order). If he should be successful in appointing good shepherds everywhere, he would indeed be honoured as a restorer of the Order.

In order that the Provincial might be a man skilled in the conduct of official business, it was usually demanded that no one could be elected, who had not been for several years either a Lector, a Guardian, Preacher, or similar friar. More recent legislation puts less emphasis on such external requirements and insists with justice on evidence of internal virtue. Extraordinary circumstances moved Pius V in 1568 to demand that the Italian provinces should elect a friar who was not a member of the province as Provincial (cfr. par. 62). In 1618, the more reasonable practice of electing a member of the province as Provincial was restored. If a province was composed of disparate elements, the Provincial was usually chosen alternately from the various territories or nations or parts, as the case might be. Frequently the title of Vice-Provincial was bestowed upon a more prominent Guardian of the group, who had not been favoured in the election.

The powers of the Provincial were preserved in this second period, at least in essentials. His right to receive novices was curtailed by the institution of the *examinatores candidatorum* by Sixtus V and by the right to vote upon the novices by the friars of the novitiate house. A more severe restriction was placed upon the former powers of the Provincial in certain instances by the increased power granted to the Provincial Definitors, who even before the General Definitors, had become the

permanent council of the Provincial and *conjudices* with him of the affairs of the province. It is difficult to determine the time when this increased power was granted to the Definitors. The Constitutions of Salamanca had prescribed that the Definitors had to be consulted by the Provincial, whenever he wished to appoint a Guardian outside the time of the Chapter. But the Ultramontane family decreed in 1633, at least for the Germano-Belgian nation, that eight days after the Provincial chapter *ipso facto maneat Definitorium omnino dissolutum et sine ulla auctoritate capitulari* (the Definitorium remained totally dissolved and without any authority from the chapter). Despite this decree, the Provincial was still bound to consult the Definitors chosen at the preceding Chapter in certain instances. The whole matter is not very clear; but once the intervention of the Definitors outside the Chapter had been conceded in principle, their power continually increased until finally they formed a permanent council, whose vote could no longer be ignored by the Provincial.

The Definitorium, at this time, comprised not only the four Definitors at the Custos elected at the Chapter, but also the *Definitores perpetui*. All friars, who had laboured in the General Curia as Secretaries, Definitors or Procurators, became thereby permanent members of the Definitorium of their province. All the Definitors together formed the so-called Definitorium or Discretorium of the province, while all the members of the Provincial Chapter formed the so-called *Discretorium capituli provincialis*. In some provinces we read of the *Definitores quinti*, and, at times, even of twelve to sixteen Definitors, but these were only honorary members.

The powers of the Provincial Definitors were employed chiefly at the time of the Provincial chapter. Originally such a Chapter was held every year, but after the Provincial's term had been limited to three years, the Chapter gradually came to be held only at the time of the election of the Provincial. Italy, alone in the sixteenth century, retained the annual Chapter, at which even the Provincial had to resign. In the time between Chapters, an intermediate Chapter would be held, but there was no obligation to do so. In the intermediate Chapter, the *vocales* could discuss the problems of the Province and elect Definitors, but they could not choose another Provincial. In 1587, these intermediate Chapters were abolished completely. In their stead, we have thereafter a meeting of the Definitorium, called the *Congregatio provincialis*. Such meetings were to be held two to three times between the Provincial chapters. All provincial business can be transacted at such meetings, except the making of provincial statutes. The duty, incumbent upon the Provincial to visit the houses of his province before each such meeting, is of early origin.

The Ultramontane family in 1520 decreed that all Guardians together with the Discretos of their convent should have the right to vote in the Provincial chapter. However, this decree was mitigated in the following year by another, stating that the provincial Custos should decide whether the Guardian should be admitted to the Chapter or not. By 1553 the right of the Guardian to vote at the Chapter was acknowledged in the entire Order. In 1590 the Provincial chapter became a purely legislative body, when all friars, not entitled to a vote, were excluded from its sessions. By a decree of Pius V all who had been Lectors of theology for four years were to be members of the Provincial chapter. Gregory XIII withdrew this decree and thus finally the representatives of learning in the Order were excluded from the councils and from the elections of the Order. In the Ultramontane family, at least in the Germano-Belgian nation, for a time the

Lectores jubilati were admitted to the Chapter as *vocales*. When, however, in 1724, the *Definitores perpetui* were abolished, these Lectors lost even this small privilege forever, while the others, who had been deprived of their right to vote, knew how to regain it within that very same year.

After the Guardian had been regularly granted the right to vote, the other representative of the convent at the Chapter seemed unnecessary. Therefore a movement was begun, aimed at excluding the Discretos entirely from the Provincial chapter. There was certainly a good reason for this demand, since experience had proven that the election of the Discretos was very harmful to the peace of the community. In 1600, the General Chapter at Rome decreed for the first time that the Discretos of the convents of those provinces which counted at least ten friaries, should be excluded from the Provincial chapter. So many protests were evoked by this decree, that despite the papal confirmation, it was recalled. When the Chapters of 1618 and 1621 repeated it, the representatives of the convents, among whom the lay brothers predominated, obtained a papal Brief to safeguard their position. Thus the dispute dragged on, arousing much hard feeling, until Alexander VII in 1658 definitely sustained the decrees of the General Chapters and excluded the Discretos of the convents from the Chapters forever.

Paragraph 90 **Guardian and Convent**

Within this second period, the laws continued to make a distinction between large and small friaries. The latter, as long as they did not contain at least twelve friars, were to be governed not by a Guardian, but by a *Vicarius*, who was frequently called *Praeses* or Superior. The territory of a convent, computed to be the area cared for by the spiritual ministrations of the friars and visited on the quest, is often called a *Guardiania*. The most important convents of the Order were now, just as formerly, at least partially exempt from the jurisdiction of the Provincial and subject directly to the General or to the General Commissary. In 1680 such convents were the friaries in Jerusalem, Constantinople, Aracoeli, the Grand Convent of studies at Paris and several royal convents in Madrid and Naples. The Guardian of Mount Sion, as “Custos of the Holy Land”, possessed the right to vote in the General Chapter. The same was true of the Guardian of Paris. Special statutes governed the election of these Guardians.

The Cismontane family clung to its practice of reserving the appointment of the Guardian to the Provincial chapter. In 1553 and 1590 it had to forbid the convents to elect or to depose their Guardians. On the other hand, the Ultramontane family throughout the sixteenth century, usually permitted the convents to elect their own Guardians. But by 1606, even in this family, the appointment of the Guardian was reserved to the Chapter. Only in exceptional cases did the higher superiors permit the convents to choose a Guardian outside the time of the Chapter. Even this custom seems to have been abolished very soon, so that the appointment of the Guardian in all cases became the exclusive right of the Definitorium. The Definitors chose their candidates usually *per ballotationem* in accordance with the recommendation of the Provincial, although this method was not used everywhere in the Order. Frequently, we meet *Guardiani titulares*, who had been appointed for friaries, which had disappeared in the course of time. This was the case

especially in Germany during the Reformation. These Guardians enjoyed a vote at the Provincial chapter. Later on, this office was abolished.

The term of the Guardian varied exceedingly. The life term was about the only one, which was not tried in this period. After 1559, it was frequently decreed that the Guardian could not spend more than three years in the same convent. No assurance, however, was given the Guardian that he would spend three years in the convent, since he could be deposed at every Chapter or Congregation, or even outside of those times, by a special canonical process. After a term of three years, or among the reformed branches often after a term of but one year, the Guardian had to wait a year, before he could be re-elected. Frequently, however, the laws governing the intervals between offices and especially those determining the duration of the term, had to be mitigated by dispensations. It was considered an injustice to remove well-qualified persons from position, for which they had proven themselves eminently fitted.

The same qualifications were demanded of the Guardian in this period, as in the former. More stress was laid on the Guardian leading the common life, as was but just. In many quarters, the former attempt of the Italian Observants to admit the lay brothers to the offices of the Order, especially to the office of Guardian, were revived. This proposal emboldened the lay brothers, in particular, the French Recollect lay brothers, to demand in 1624 that they should receive an active and passive voice in the election to the offices of the Order. The Congregation, to which they addressed their position, referred them to the next General Chapter of 1625, which rejected their demands in no uncertain terms. Despite this rebuff, they stormed the Congregation twice with petitions, until Urban VIII in 1630 threatened to punish the obstinate elements if they did not observe silence forever. Nevertheless the Vicar General, Daniel of Dongo, tried in 1650, to reintroduce in Italy the rule of the lay brothers at least among the Reformati who ardently favoured the plan. This attempt too was defeated.

Probably the lay brothers wished by their efforts to obtain some compensation for the loss which they had suffered in 1600 by the exclusion of the Discreets from the Provincial chapter. For in the election of these Discreets the lay brother had become in many convents the deciding factor. After the convents had been stripped of their most important rights – namely the election of the Guardian and of the Discreets for the Chapter, the *Capitulum locale* lost its former significance. It became merely a chapter of faults, in the original sense. Only in those mission colleges which were not united with any province where there still *Capitula guardinalia*, which elected the Guardian and his counsellors – the *Discreti locales*.

In the other convents too a Discretorium was gradually given the Guardian. But he was no longer free to choose its members. In 1621 the method of their selection was still determined by the customs of the provinces. Later the choice was reserved to the Provincial chapter or to the Definitors. The number was not strictly limited but left dependent upon the size and importance of the friary. Again and again was the duty impressed upon the Guardians that they must obtain the advice or the consent of the Discreets in all important affairs, that is, in those cases specified by the Statutes.

The first Discreet and at the same time the substitute of the Guardian was the Vicar of the convent. In the larger houses, he was aided by a *Vicarius chori*. The smaller houses which contained less than 12 friars were not to have a *Vicarius*. The older Discreet was to conduct the business of such a house in the absence of the Guardian. The

appointment of the Vicar by the Guardian himself was still in vogue in many places as late as 1700. It seems that soon thereafter this appointment was reserved to the Definitorium. This increased the prestige of the vicar considerably. Now he functioned as the legally appointed representative of the Guardian whenever the superior was absent from the convent, even at the time of the Provincial Chapter or in the case of the death of the Guardian, at least until the Provincial had disposed otherwise. Formerly a special *Praeses* had to be elected by the Visitor and the Discreets who would rule the convent during the time of the Provincial Chapter.

Chapter 4

ACTIVITY AND INFLUENCE

A. HOME MISSIONS – BATTLE AGAINST THE REFORMATION

Paragraph 91

General remarks concerning the position of the Order towards Protestantism

The proximate occasion of the rise of Luther was the preaching of the indulgence whereby the Pope hoped to obtain the money required to build St. Peter's church. The Pope had also appointed Franciscans among others as preachers of the indulgence although the Order in general was not bettered in this work. Towards the end of the 15th century the Observant John of Brietenbach, professor at the University of Leipzig, came out openly against a similar indulgence. Shortly before the beginning of the religious upheaval a Franciscan preached openly in Magdeburg against Tetzl; and the Guardian of Mainz who had been appointed with Albrecht, archbishop of Brandenburg, chief commissaries to supervise the preaching of the indulgence, prudently declined the burden. The General Quiñones prevailed upon the Pope in 1525, to free all Minorites from the duty of preaching those indulgences which demanded money alms as a condition.

In the beginning, Quiñones viewed the activities of Luther in the same way as did many of his noblest contemporaries. They saw in the utterances of this bold man the beginning of the long awaited reform of the Church and allowed themselves to be led astray by the strong emphasis on the ancient truth of present union with Christ and on the important place of the Holy Scriptures. The Father Confessor of the Emperor Charles V, the Franciscan John Glapion of the Netherlands, was of the same opinion. He thought that the Church could reap good fruit from the writings of Luther, and if he would merely retract certain tenets he might achieve a successful reform. But the friars who were closer to the scene of activities from the very beginning had a clearer insight into the true nature of the disturbances. The friary of Jueterbog near Wittenberg, already in the Spring of 1519 under the leadership of the Guardian, Bernard Dappen, energetically opposed the reformers. It seems that here for the first time they were called *Lutherani*. The chronicler remarks: *Vere timeo et verissime timeo, quod anguis lateat in herba* (I truly fear that a serpent is hiding in the grass), because as he hints, there is no longer a question merely of a reform, since a complete break with the Pope, abolition of confession, etc., had been proclaimed. *Contra huiusmodi errores pestiferos publicis concionibus clamitare non cessamus, parum tamen aut nihil proficimus* (We do not cease to speak out strongly against such pestiferous errors, but we can hardly see any progress). The friars were derided as corrupters and destroyers of the Gospel. Cardinal Albrecht, bishop of Brandenburg, to whom the friars turned for help, failed them completely; indeed, when the provincial requested permission that his friars might preach against Luther freely and without hindrance, he refused the permission. Thus were the mouths of the bravest defenders of the Catholic cause forcibly silenced at the very centre of the disturbances.

When the Bishop finally woke up to a realisation of the true state of affairs, it was too late.

The General of the Order, Lichetto, from the very start decidedly opposed the innovators. When he visited Germany in 1520 in order to introduce the reform into the Province of St. John Baptist, which had joined the Observance in 1518, he prescribed that all the writings of Luther should be burned and that eloquent preachers should be appointed for the single houses to combat the heresy. In the following year, the General Chapter at Carpi commanded the brethren to pray for the victory of the Catholic faith and demanded of the friars *ut divini verbi gladio et sacrae theologiae telo (haeresi) usque ad sanguinem resistantur* (in order to resist heresy with the sword of the divine word and with holy theology to the point of shedding our blood). Upon the motion of this Chapter, the Saxon Observants, led by their zealous champion, Andrew Grone, earnestly petitioned the Elector of Saxony to put an end to the teaching of Luther. Unfortunately, this petition was without success. Finally the General Chapter of 1525 appointed Inquisitors for the German convents, in order to preserve them as much as possible from the heresy.

Now how did the conduct of the friars correspond with these rules of the Order? In the interests of an impartial and just opinion we must above all distinguish carefully between the Observants and the Conventuals. In many instances that is not easy since the people called both branches of the Order Minorites, Franciscans, Barefooted (Friars), or also Gray Friars. Thence it happens that the fate of several convents even today has not been sufficiently proven to permit us to form a certain and absolute judgment. But from the facts already known it can be said that the Conventuals in many places played a not very glorious role and numerous were their apostates. (The best known are: Anthony Weins in Bonn, Balthasar Maler and Sebastian Mayer in Bern, Sebastian Hofmeister called Komberger in Frankfurt, Marcellus Bernsheimer in Hagenau). The same must be said of the convents of the Poor Clares placed under their direction. The Conventuals of the Saxon Province of St. John the Baptist, also called Johannites, acquitted themselves more honourably. In 1518 they had submitted to the General of the Order, but it was impossible to reform them in due time, or, at least, to reform them as thoroughly as the Observant General wished. Entire convents of this province also fell away and the friars apostatised in not small numbers. (The best known are: John Briesmann of Cottbus, Konrad Fröhlich in Braunschweig, Konrad Lüdecke in Hildesheim, Stephan Kempen in Hamburg, John Löwe in Hof and Joachim Schnabel in Breslau). Still we cannot pass over in silence the brave resistance offered by a number of these Conventual convents, nor can we omit to mention that individual Conventuals both by their pen and by their preaching vigorously defended the old religion. Among these must be mentioned first of all the undaunted Thomas Murner († 1537) of Strasbourg, Patroclus Boickmann of the Province of Cologne, Gervin Haverland in Soest, and finally the Viennese theologian Camers (Giovanni Ricuzzi Vellini of Camerino).

If any proof were still needed to prove that the Conventuals needed a reform not only in matters pertaining to poverty but also in their entire discipline, that proof was afforded especially in Germany during the sixteenth century in a terrifying manner. The reformed friars, on the other hand, the Observants, at that time saved this honour of the Order in Germany and elsewhere. They defended like lions the ancient ideals by their example, by their preaching, by their writings and at times, sealed all these with their

blood. So far as we know today, no religious Order until the close of the Council of Trent can point to so many brave defenders of the Catholic faith in the Germanic lands, as the Franciscan Observants! The heroes, who have fallen in battle, should not be spurned! With justice can they lift up their voices in protest against the common charge, repeated so often today, that the Orders by their lax discipline abetted the Reformation. Incontrovertible documents prove the contrary concerning the Franciscan Observants. The apostate Francis Hanisch wrote of them a long time after he had deserted their ranks: "It is well known that these monks for many years were highly esteemed not only in Breslau but also in many other cities and territories. Among all clerics, they were considered the most pious." A document from Liegnitz from the time of the Reformation calls them "the Knights of Christ" and testifies that their banishment was protested even by many Protestants, since they had become the pride of entire Silesia, scandalising and offending no one, but arousing many to the service of God. In southern Germany the unfortunate Conrad Pellikan, who had visited the convents of half of the Order, wrote nine years after his departure: *Nulla profecto me hora invitum vixisse in minoritico ordine, quandoquidem a puero persuasum habui, Deo placere institutum illud Vivendi, in quo nollem hodie quoque non me vixisse et nutritum in iuventute certe cum viris Deum timentibus et honestis et in odio omnis iniquitatis, ut in papistico regno nullum hodie credam ordinem fuisse meliorem* (I do not see any gain in my life in the minorite Order, even though I have been persuaded ever since I was a boy that the way of life of this institute was pleasing to God. Until today I have not wanted to live and I was not nourished from my youthful years if not through the efforts of these God-fearing and honest men who hate all kinds of iniquity, in such a way that in the papist reign I do not believe that there is a better Order than theirs). Another runaway Observant, Eberlin of Günzburg, warns the new believers against the religious, especially against the Observants, because they are the most dangerous: "it is the Barefooted or Franciscan monks, not the unreformed and frivolous, but the reformed, earnest Observants, holy fathers, who invade all countries, all cities, yea even all villages and houses, who make the best impression on the people; who worm their way into the hearts of the people by their sermons, counsels and hearing of confession ... They lead a chaste life in words, works and desires ... I speak of the majority. If among a hundred, one does otherwise that would not be surprising. And if one has trespassed, he is punished as a warning for the others." Thus it is easy to understand that the Observants could indeed put up a powerful resistance to the Reformers, so powerful indeed, that Luther exhorted his followers to turn their weapons in the first place against the Franciscans. He considered them his most dangerous foes and, as will be shown, not without reason.

Paul III felt justified to express the following opinion concerning the Observants in 1537: *Fratres Ordinis Minorum de Observantia ... pro catholicae fidei tuitione plurimum laborarunt et in dies laborare non cessant multosque a Lutherana perfidia sua exemplari vita salubrique doctrina, prout intelleximus, revocarunt et revocant* (The Friars Minor of the Observance ... work hard and in many ways to defend the Catholic faith, and in their daily tasks they never cease to call back others from the Lutheran heresy through their example and sound doctrine, as we have come to know). Naturally these words cannot be applied to all Observants without exception. For even among the Observants we find some who fell away. Besides the above-mentioned Eberlin and Pellikan, the most notorious were: Francis Lambert of Avignon, Friedrich Myconius of

Lichtenfels and Burkard Waldis in Riga. Altogether, at this time, we can name hardly twenty Observants of the Germanic lands, who during the first sixty years of the sixteenth century, were disloyal to their vows and their faith. Critical historical research has not yet fully investigated this point and therefore that number will, without doubt increase in the years ahead. But even if the sum should mount finally to a hundred, what is that compared to more than 2000 Observants who were members at that time of the provinces of Upper Germany, Cologne and Saxony alone, not to speak of the faithful members of the other Germanic provinces? What a small percentage of apostates for the Observants if compared to the other Orders, whose members fell away literally by the thousands.

In contrast to that small number of apostates, the Order can point to 500 friars throughout Europe, who shed their blood for the faith from 1520 to 1620. She can point with pride to the conduct of the Observant convents on the whole, of which not one, as far as we know today, dissolved of its own will, not one went over to the heretics. The same is true of the convents of the Poor Clares, subject to the Observants. Indeed, these convents, as for example the one in Nürnberg, under the model Abbess Charitas Pirkheimer, gave heroic proofs of their loyalty to the faith. In the cities, which had accepted the new doctrines, the monks and nuns who would not become disloyal to their faith and to their profession, found less mercy than in hell. Without pity, the inmates of religious houses were expelled. In cities, more kindly disposed, the religious were forbidden any activity outside the convents and they were not permitted to receive new members, so that the communities might gradually die out. Under such conditions, the friars sometimes preferred to abandon their friaries, rather than remain there in inactivity. Such conduct can be readily understood, but still, it is not to be praised without reservations, for thereby the friars surrendered all rights to their convent and they were never allowed to return.

Note must also be taken of the effect of the pamphlets, which the reformers wrote and spread among the people attacking the religious state. As a result, even the Catholic people became increasingly hostile towards the religious, refused to support them with alms or to permit their children to join the Orders. Due to the lack of necessary means of subsistence and to a lack of members, many convents had to be abandoned. In all, the entire Franciscan Order, during the sixteenth century, lost perhaps 300 convents in Germany and Austria alone. Some of the ejected friars withdrew to other convents of the Order, others remained in the world to minister to the scattered Catholics or to gain a livelihood as private citizens. In general their lot was miserable. The chronicler of the Saxon Province pictures it in the words: "The brothers were either killed, or imprisoned, or expelled with violence, or left famished and thirsty, or lacking of all necessities when they had to leave their convents, or brought to a slow extinction, as if nothing was happening."

Conditions became better, although slowly, at the time of the Counter-Reformation, which begins with the end of the Council of Trent. The old warriors had, for the most part, been bled white, and now new troops in the Jesuits and Capuchins came to the help of the Church. These new Orders gained much glory for themselves by reawakening the Catholic spirit and by their efforts to regain the erring sheep. But the older Orders, in particular the Observants, laboured with them shoulder to shoulder. Everywhere at that time new convents were entrusted to them, so that the losses of the sixteenth century were soon abundantly compensated. Meanwhile, the activity of the

Catholic champions was incomparably easier after the Council of Trent than it was before. Now all doubt and hesitation in matters of doctrine was ended. Now too, and this was the main thing, the secular arm was solidly behind the Catholic champions, protecting them everywhere, assuring their success, if need be, by force. Conditions, however, had been quite different in the beginning of the Reformation. Then the secular power in most cities and territories worked with might and main against the defenders of the ancient Church. If those first heroes had not spent the last ounce of their energy in the then thankless task of defending the Church, it is highly probable that the hesitating imperial states would have thrown in their lot with the reformers, and then there would have been no longer any chance for a Counter-Reformation. If Germany and Austria did not become entirely Protestant, the credit must be given not to the men of the Counter-Reformation alone, but, perhaps in a still greater degree, to those doughty champions of all Orders, whom to our shame we have unjustly ignored, who dared to brave the flood of religious innovations at its peak in the first decades of the sixteenth century.

Paragraph 92
Individual Champions of the Catholic Faith in Northern Germany

After the friars of the Saxon Province had entered the lists even before the complete break of Luther with Rome, the battle raged all along the line between the Franciscans and the Reformers. In Leipzig, Augustine of Alfeld († 1523) began in 1520 or even earlier the defence of the old faith in his sermons and in his writings. The entire friary there was with him to a man in this fight. When in 1539, the Duke of Saxony opened the gates of that city to the Lutherans, the barefooted friars offered such dogged resistance, that the prince was compelled to forbid them to enter the houses of the people to encourage them in their fidelity to the “papist religion.” The leader of the friars at that time was the Guardian Kaspar Sasger (Sasgerus, formerly Provincial of the Saxon Province) whose sermons and pamphlets had made him famous long before this time. Against physical force, moral resistance frequently comes off second best and in 1543, the friars were banished from the city. This had happened to the friars of Zwickau in 1525. There the vice-burgomaster led to protect them from the stones thrown by the Lutherans at the departing friars. Despite this outburst, Francis Seiler, Guardian of Annaberg, and James Schwderich (Suedoricus), professors in Dresden, continued to defend the faith in the territory of the present kingdom of Saxony with their pens.

In Thuringia the convent at Weimar with the help of Augustine of Alfeld, tried in every way to check the spread of the heresy. All their efforts were in vain. Therefore, the friars formed a procession and abandoned the city in 1532, singing the *Te Deum* as they marched through the city gates, although they did not know where they should find shelter against the black wintry night which was closing down upon them. In neighbouring Erfurt and vicinity, Konrad Kling (Clingius, † 1556) rendered priceless service to the Catholic cause. Master of Theology in 1520, cathedral preacher since 1529, he assumed the leadership of the Erfurt Catholics, whose lot was especially pitiable. He strengthened many who had grown weak in their faith, and converted numbers by his sermons and writings. Nevertheless the Spanish Inquisitor Quiroga considered it advisable to place all his writings without condition on the Index. Besides Kling, there was also

Kaspar Mecklenlör, Guardian of the convent of Arnstadt, not far from Erfurt, who published several works in defence of the Catholic faith.

In Magdeburg, the friars' convent became practically the sole protection of Catholicism, so that the Lutherans threw stones at the friars in the pulpit and began a regular siege of the convent. Finally, the friars could no longer resist the force, and in 1542, they withdrew from the city two by two, praying the rosary as they marched from the city. In Brandenburg also the friars showed themselves "stubborn" and refused to join the new religion even after a long disputation. The same is said of the friars' conduct in Halle on the Saale River, where their convent was stormed in 1546 by soldiers and a mob of citizens. The Guardian of that convent was the former Provincial, John Datoris, who is praised as an indefatigable warrior against the reformers.

Not less courageously did the friars in the district of Braunschweig resist the Reformation. In Celle, the Guardian, Matthew Teufel, disputed with the preachers in 1524 and prevented the apostasy of many; as a consequence of his brave labours, the entire convent was destroyed four years later. In the city of Braunschweig, the learned Eberhard Runge preached from 1520 on against the Lutheran exegesis of the epistle to the Romans. Another preacher, Pater Johannes, prevented many from accepting the new doctrines, until in 1528 the friars were forbidden to preach. Soon thereafter, they were banished. Events took a similar course in Gandersheim, whose Guardian, Hennign Ricke, fought the reformers with unusual courage and determination. In Goettingen, the friars rejected all the offers of the city. Their preacher, Andrew Grone, was banished in 1531. Soon after, the Guardian, Christopher Mengershausen, was forced to leave and in 1533 all the friars were exiled. The magistrates had proposed to care for the older friars, but they answered: "All of us, whether young or old, superior or subject, wish with the help of the good God, not to be separated from each other." Francis Polygranus also seems to have laboured in the territory of Braunschweig. From 1524 on, he strove to strengthen the faith in the hearts of these people by his writings. When Duke Henry of Braunschweig after the surrender of the Schmalkaldians in 1547, regained his duchy, he earnestly set about restoring the ancient religion. In this work, his chief helper was the Franciscan Henry Helms (Helsesius), famous both as a preacher in the Cologne cathedral and as a polemical writer. He was elected Provincial of the Saxon Province several times and strove to revive its flagging energies. Now he preached in the cities of Wolfenbuettel, Gandersheim and Halberstadt, where the most disgraceful means had been employed in an effort to win the friars for the Reformation.

In Schleswig-Holstein, the most zealous defender of the Church and the most famous advocate of her interests was the learned Franciscan, Louis Naamann († 1574). After his convent in Flensburg had been destroyed in 1530, he withdrew into the convent at Schwerin, whose Guardian, Thomas Regius, was very active both in preaching and writing in defence of the faith.

At Thorn, in West Prussia, which at that time belonged to the Poles, Bernardine Gebron persuaded the people to burn publicly the books which were hostile to the Church. He also did his best to counteract as far as possible the influence of the apostate Grand Master of the Order of the Teutonic Knights of Prussia. In present Silesia, whose convents at that time at least legally belonged to the Bohemian Province, one of the foremost champions of the Catholic Church was the Franciscan Observant, Michael Hillebrant of Schweidnitz. His brethren also held their ground bravely. By their blameless

life, the Franciscans had obtained such a hold on the hearts of the people, that they had to be driven out, before the Reformation should make any headway. In Leignitz, the activities of Anthony of Breslau merit special praise; as long as he was permitted to preach, the majority of the people remained loyal to the Catholic faith and only after he and his brethren had been hounded out of the territory in 1524 could the Reformation be put over. In 1531, Eusebius of Neumarkt in the diocese of Breslau, died at Grossglogau. He was honoured as the *haereticorum debellator*.

The Cologne Observant Province had to surrender a large number of its convents in 1529 to the newly formed province in lower Germany. Even so, it was able to point to a number of brave defenders of the faith, whose activity naturally was centred about the chief Rhenish cities of Cologne and Mainz. In Mainz, John Wild (Ferus, † 1554) of Swabia preached from 1528 till his death. For the last fifteen years of his life, he was the cathedral preacher. Without doubt, he must be ranked among the best German pulpit orators of the sixteenth century. To him, the *unicum Germaniae ac singulare ornamentum*, Mainz must be grateful that it remained a Catholic city. When in 1552, the city was occupied by the Protestant Margrave Albrecht of Braunschweig, Wild alone remained, all the rest of the clergy having fled at the approach of this fanatical man. To the demand of the Prince, that he should put aside his habit, he returned this touching reply: "Gracious Sir, for thirty years have I worn this habit, and never has it done me hurt; why should I put it aside now?" Of his numerous works, the most important is the collection of his sermons, called *Postille*. It was translated into many languages, published times without number and even in the nineteenth century considered fit to rank beside the Homilies of the Fathers. The archbishop of Mainz commanded his clergy to procure the volume, the synod of Muehldorf in 1533 recommended it to the Bavarian clergy, and in many other dioceses his sermons were accepted as the model. Despite this wide approbation, the *Postille* were placed first upon the Portuguese Index, next upon the Spanish and finally erroneously also on the Roman. Among Wild's successors as preachers in Mainz, we must mention Francis Kravendon († 1572, known also as John Gravendunk), who likewise published a *Postille* for the edification and instruction of the people.

In Cologne, the friars of the nearby convent of Bruehl frequently occupied the cathedral pulpit. The most famous of these cathedral preachers was Nicholas Ferber of Herborn in Nassau († 1535). Before his coming to Cologne, he had laboured as "the only defender of the Church in Hessa" to prevent the Landgrave Philip from completing his intended apostasy. After that Prince had taken the step, Nicholas and his brethren were driven out of Marburg. Nicholas turned to the Rhenish metropolis, where from 1527 till his death he wielded a decisive influence in the struggle to prevent the entrance of Protestantism into that territory. The fame of his courage and virtue had spread beyond the borders of Germany, and in 1530, the bishops of Denmark besought him to aid them in their battle against the common foe. Herborn went. There he wrote in a short time his famous *Confutatio lutheranismi danici* – "the most influential and the best work published by the Catholic party in Denmark at the time of the Reformation."

Herborg's predecessor in the cathedral pulpit, Anton Broickwy (Bruich) of Koenigstein († 1541) also must be numbered among the best preachers of the 16th century. He too published several works for the instruction of Catholics. At the same time two other Observants fought by his side in Cologne, John Heller of Korbach (Hallerus,

Corbachius) and John of Deventer. They are often confused with one another. John Haller disputed with the reformers in Siegen and Dusseldorf. John of Deventer, the Provincial of the Cologne Province, was the defender of the Church in Münster. The provincialate of his successor, Stephen Zevanaer, coincides with the attempt of the archbishop, Hermann of Wied, to introduce Protestantism into the archbishopric. In order to stave off that misfortune Stephen, in 1542, called in the best controversialist of his province, Servace of Noetberg († 1567) to Bruehl, where the archbishop frequently resided. Here Servace laboured against Butzer and Melancton with such zeal that their efforts to introduce the Reformation came to nought. Deserving of mention as battlers for the ancient faith in this territory are Hermann of Coblenz († about 1554), Christian Honsius (of Honnef?) and Simon Crosse († 1545). The latter fought against the reformers in the Duchy of Juelich.

The numerous champions of the lower German province will be mentioned later. Here we shall merely mention two of them, because their activity falls partly during this time, that is, before the division of the Cologne province. They are Matthew Weynssen of Dordrecht († 1547) and Francis Titelmans of Hasselt († 1537). The latter, after an extraordinarily fruitful literary activity, withdrew towards the end of his life to Italy where he joined the Capuchins.

Not less zeal was shown by the north German provinces after the Council of Trent – at the time of the Counter Reformation or the Catholic Restoration. The demonstrations of love and reverence with which the Franciscans were frequently favoured in many places even from the heretics is remarkable. The former fanaticism had ceased and the ancient love of the people for the sons of St. Francis had again found a place. Authentic documents are preserved concerning the activity of the Cologne province at the time of the Counter Reformation which prove that a series of cities owe their return to the faith either partially or entirely to the friars. Thus Alzey, Kaiserslautern, Wolfstein, Kreuznach, Naumburg, Stromberg and others. Special service in gathering the scattered friars and introducing a regular life and in restoring the faith was rendered by John Haye, an exile from Scotland, who was appointed Apostolic Commissary of the Cologne and lower German provinces. As such he opposed with dauntless courage the apostate archbishop of Cologne, Gebhard Truchsesz. More influential still was Nicholas Wiggers (Vigerius, † 1628) who as a secular priest had for twenty years sought and consoled the Catholics scattered throughout Holland. After he had founded in Cologne a *Seminarium Hollandicum* for the formation of qualified pastors of souls, he entered the Order there in 1603. As a friar he restored religious discipline which had deteriorated in the course of the chaotic conditions of the Reformation. As an eminent preacher, he checked the growth of the heresy in Cologne where it had again threatened to make progress. This was in 1610. As Provincial he founded successful missions in Sweden, Norway, in Friesland, but especially in Holland where the people with pride point to him as the apostle of the fatherland and the pillar of the faith. Wigger's example was scrupulously followed by his successor as provincial, Joseph Bergaigne who died in 1647 as archbishop of Cambrai and Spanish Legate at the peace negotiations in Münster. The same is true of Bernardine Wetweis († 1668) who won many heretics for the true Church.

This Bergaigne, while General Commissary of Germany, restored the Province of Saxony and Thuringia which had been destroyed. The convent at Halberstadt, the only friary still existing at the time in this territory, was soon joined by a number of other

convents. These convents became the centres of an extensive and laborious mission activity in Franconia, Württemberg, in the Saxon duchies, in Braunschweig, East Friesland, and in the lands called in German Bergisch-Maerkish-Ravensburgischen. Entire districts of these territories owe the preservation or the restoration of the Catholic faith among them to the peaceful activity of these friars. Thus Warendorf, Rheine, Wipperfuert, the province of Vechta in Oldenburg, Limburg and others. In disguise, these priests brought help and consolation to the Catholics living scattered among the Protestants. Such ministrations often caused the friars many hardships and dangers and in not a few instances even life itself.

Paragraph 93

Some champions of the faith in Southern Germany and Austria

In the upper German Observant Province, the foremost opponent of Luther was undoubtedly Kaspar Schatzgeyr (Sasgerus, † 1527). As Provincial and Guardian of Munich he wrote or preached without rest against Luther from 1522 till his death. He died with his pen in his hand. Not without reason has it been said that it is due not least of all to Kaspar Schatzgeyr and his brethren that the Bavarian Princes remained faithful to the Church. Certain it is that at that time the Franciscans enjoyed a not insignificant influence in the ducal Court. In 1524, Schatzgeyr was appointed to the Commission which was to guard the purity of the faith. When his complete works were published in 1543 the Bavarian Dukes urgently recommended all prelates, ecclesiastical houses and pastors to pursue them and for the purpose of procuring them they were to be allowed to use even the money drawn from the revenues of the Church.

At the same Schatzgeyr's successor in the chair of theology at Ingolstadt, John Findling (Apobolymaeus), took up his pen in defence of Catholic doctrine. Somewhat later the same was done by John Horn, preacher in Munich and Mortiz Rasch, preacher in Ingolstadt, Lenzfried and Kelheim. But more important than these was Wolfgang Schmilkofer († 1585). At first Landshut was the scene of his activity. Later on, he laboured in Munich, where he was Guardian, Provincial and Preacher. The Chronicler honours him in the words: "No one has so successfully resisted the spread of Lutheranism as P. Wolfgang. Bavaria must some day pay him the honour he merits." While Wolfgang was Guardian in Munich, John Nas († 1590) was clothed with the habit of the Order as a novice brother. Later he was to become one of the most zealous and most powerful warriors against Lutheranism, not only by his writings but also by his sermons. Straubing must thank him, that in 1566 its magistrates and citizens abjured the heresy and returned to the Catholic faith. After honourably discharging many offices of the Order, Nas became cathedral preacher at Brixen, next court preacher at Innsbruck and finally in 1580, auxiliary bishop of Brixen.

The convents of the friars in Bavaria had nothing to fear from the violence of the heretics on account of the protection of the civil government, but the question was entirely different for the friars in the other districts of upper Germany. In Nürnberg, "the religious priests were practically the only opponents of the new order. Naturally, they became the objects of the very special hatred of the reformers. These priests seized every chance to show that they considered themselves commissioned by God to man the

barricades and to break the power of Lutheranism.” John Winzler of Horb († 1554), Lector of Theology and preacher in the Franciscan church of Nürnberg, especially distinguished himself. As a result, he had to leave the city in 1522. The same fate awaited his successor Jerome Mielich. After his banishment, Jerome continued his activities at Landshut. Later, during the religious colloquies of 1525, the Guardian Michael Friess, acted as the defender of the Catholic cause. Finally, all public activity was forbidden the friars. Still, all of them remained at their posts, until at last one died in 1562.

In nearby Bamberg, the Observants formed the unshakable defenders of the ancient faith. Particularly remarkable are the labours of John Link. For twenty years he battled successfully against the heretics both in the pulpit and in the press. Leonard Graff, the Guardian of the convent, also deserves special mention.

The friars of Amberg were forced to leave in 1566 on account of their stubborn loyalty to the Church; while the convents in Swabia were destroyed by force after a brave defence by their inmates. In Ulm, the sons of St. Francis appointed the exile John Winzler as preacher after the apostasy of Eberlin and Henry of Kettenbach. When Winzler was driven out of the city in 1526, Veit Kalteisen and John Ulrich took his place. But all resistance and bravery proved useless; for, in 1531, the Franciscans were forced to leave the city. Previously, the indefatigable Winzler had opposed the reformers for two years in Kempten amid constant danger to his life. He was able to effect much good among the Catholics there until the Peasant Revolt of 1525 forced him to leave. That was the fourth time this fearless knight of Christ had hastened to defend a threatened and hazardous position. For he had also gone to Basel to oppose Pellikan and his companions. Daniel Agricola was already very active there opposing the new doctrines both in the pulpit and in the press. Due, however, to the hostility of the city officials towards the loyal friars, they could remain there no longer. Winzler left after a very short period of activity. He went to Alsace together with the Master of Theology, Gregory Heilmann. This Heilmann is probably identical with the friar Kilian Heilmann († 1559), who opposed the Lutherans in Oppenheim so successfully, that he was forbidden to preach under pain of death. In the other cities of this section of Europe, where the friars had convents, no danger was permitted to deter them from the defence of the Catholic Church; thus in Freiburg, in Breisgau, Ruffach, Heilbronn, Weissenburg in Alsace, Kreuznach, and many others.

The Observants of upper Germany who still survived at the time of the Counter Reformation, were again in the van of the battle. A number of new convents were given to them so that they could work against the heretics with greater effectiveness. Most prominent in the work of the Counter Reformation were: John Francis Kemminger († 1606), who founded a seminary with the aid of the Duke of Bavaria for the training of qualified controversial preachers; Marquard Leo († 1633), famous for his labours in the upper Palatinate, especially in Amberg; and finally Martin Naegels of Schrobenhausen († 1617), whose sermons preserved Kelheim for the Catholic cause.

Austria. The provinces of Austria were already anemic due partly to the ravages of the Hussites, partly to the inroads of the Turks, who had destroyed many convents and killed or driven out the inmates. Despite such discouraging conditions, the Austrian Observants were determined not to yield to the reformers without a struggle. The Chapter of Vienna in 1529 appointed thirty-nine preachers to resist the preachers of the new doctrines. The Provincial, Anselm of Vienna († 1535) was appointed Inquisitor of the friars to detect and correct immediately any leanings towards heresy among the friars, if

they should appear. Besides, Anselm preached frequently and published several works against the heretics. In this work, he was joined by Medard of Kirchen († 1533), the court preacher of Ferdinand I, and by the learned George of Amberg († 1534). By his extraordinary eloquence, Ambrose of Rohrbach († 1556) won for himself the title of “Hammerer of Heretics”. Zeal in opposing the heretics won the martyr’s crown for the priest, Hippolytus, and for John of Hungary, a lay brother killed at Rudolfswerth in Carniola in 1548 and for Thomas of Salzburg, killed at Laibach, also in 1548. Thomas was likewise a lay brother. The convent at Egenburg was particularly famous for its constancy. “It was an oasis in the desert, a bulwark against Protestantism”.

The reformers also tried to penetrate into Galicia, now in Austria, as well as into the other provinces of Poland. But the Polish provincial, Ulric of Gabolo (Grabovo?) guarded the faith not only of his own friars but also of the people. He quickly sent learned and eloquent friars into the border towns to administer to the people there the necessary antidote. In Cracow, the cathedral preacher, Jerome of Lemberg († ca. 1536) proved himself the most far-seeing adversary of the reformers. In order to check the effectiveness of the Lutheran Bible, he translated the entire Bible into Polish.

Despite all the efforts of the friars, Protestantism grew in Austria to such proportions that by the second half of the sixteenth century hardly one-eighth of the people could still be considered Catholics. As a result, the condition of the convents became ever more pitiable. Many had to be abandoned entirely due to a lack of friars, many could no longer maintain regular community exercises and discipline. Conditions began to change for the better at the time of the Counter Reformation. Despite the hardships of the preceding decades, the Observants were able to furnish a number of men who laboured valiantly for this Restoration. Uncounted thousands owe their return to the true faith to the activity of these friars. The most prominent workers were: Seraphim Mueller († 1639), Louis Pollinger († 1640), Ulrich Seiz († 1642), and Boniface Froehlich († 1645). In the Tyrol, the most noteworthy labourers were: John Nas, mentioned above, and Theobald Schwab († 1635) and Fructuosus Volz.

In Bohemia the situation was even more critical than in Austria, but with unyielding determination the friars took up the task of defending the faith. The zeal shown by these friars is all the more praiseworthy, because they had long suffered under successive attacks of the Hussites and Protestants and from the ravages of the almost continuous wars. The most successful champions of the Church in the seventeenth century in Bohemia seem to have been: Jerome Lanz, Anthony Pero, Gregory Lomnitzky, Vitalis Hoffrichter, Ivo Nevrzly, Alexander Rodinsky, Capistran Devos, Adrian Schindler and Mark Reinoldt. Among the martyrs of the Bohemian province, special mention must be made of the fourteen martyrs of Prague, who were brutally slain in 1611 by bands of sectaries.

Paragraph 94 ***The battle against heresy in France and the Netherlands***

The French kings continually favoured the Protestants in Germany, in order to weaken their rival, the Emperor. At home, however, these same kings suppressed all heretics with inexorable severity. An added reason for this pitiless severity was the fear,

lest the Protestants, if they should triumph, should persecute the Catholics. The many examples of such persecutions in Germany were too recent and too close to be easily forgotten. The followers of Calvin, however, (called Huguenots after 1560), had no intention of tamely submitting to such treatment. They flew to arms ready to challenge force with force. As a result, eight religious wars devastated fair France during the second half of the sixteenth century. Neither side blushed to use the most abominable atrocities. The special objects of the hatred of the Huguenots were the faithful priests and religious. For them, these heretics prepared such exquisite tortures, that even the pagan persecutions of the first centuries can hardly afford us any examples of such diabolical cruelty and malice.

Soon after Calvinism had got the upper hand in Genève, the convents of the friars and of the Poor Clares in that city were destroyed. Sister Joanna de Jussie wrote a graphic description of their sufferings, which is unfortunately little known today. From it we can see that these exiles were not lacking that heroism, which has won such glory for their fellow religious of Nürnberg. Many priests and religious of France gave up their faith during these years of terror, partly to save their own lives, partly to escape from the bonds of their profession and to lead a life of pleasure and ease. The Franciscan Order also had its weaklings. Whether these apostates were members of the Observance, the Conventual or of the confederated Provinces cannot be stated definitely until further research has been made on this point. In contrast to these apostates, the sons of the saint of Assisi count numerous heroic men who preferred death to disloyalty. Two hundred martyrs, whose names are known, fell between 1560 and 1580. Almost all of these were Observants. The number of martyrs must have been much larger, because frequently entire convents, about 100 are known, were destroyed and their inmates killed. No record was kept of such friars who fell en masse, so to speak. It is a difficult task to mention some prominent Franciscans, who sealed their faith with their blood, without doing an injustice to those who have been omitted. We shall name only those martyrs, who were also famous as preachers against the heretics. Thus: Anthony Brunel, martyred in 1561 at Montpellier, Guido Germain, martyred in 1562 at Chateauroux, William Servais, martyred in 1562 at Valognes, John Thiery, martyred in 1562 at Mehun, Nicholas of Loraine, martyred in 1565 at Privas, Peter Gausset, John Brunis and William, martyred in 1568 at Vire, Balthasar du Pre, martyred in 1568 at Nîmes, Peter Blanchard, martyred in 1570 at Exideuil, Peter Borgelier, martyred in 1571 at Rodez, Julian Gubier, martyred in 1573 at Clois, Claude Gabriel Faber, martyred in 1575 at Lunel, and John Cosier, martyred in 1577 at Tarbes.

Here we may mention another list of French Franciscan martyrs: those who gave their lives for the faith at the time of the French Revolution. There were 180 such heroes. Another victim of the Revolution was the famous Eulogius Schneider. He, however, cannot be reckoned with the Franciscans, since he had obtained a dispensation in 1786 and left the Order. Later, he became one of the heroes of the Revolution, until the guillotine put an end to his career at Paris in 1794.

The French friars during the troublesome times of the Reformation distinguished themselves not only by their martyrs and preachers, but also by the many friars who defended the Church in their writings. Among such friars must be mentioned especially the following: Ambrose Milletius (*Voyageur?* † 1578), John Portesius († ca. 1585), and, above all, Francis Feuardent († ca. 1610). This last friar preached throughout France for

over twenty-five years in defence of the Church and still found time to publish a large number of learned treatises.

The Netherlands. Protestant ideas seeped into the Netherlands, partly from Germany and partly from France and England. Finally, the Calvinists (Gueux) got the upper hand. In order to spread their ideas among the people, these so-called “Beggars” played upon the hatred of the native people for the foreign Spanish regime. The bungling policy of the government kindly furnished them with an ample supply of such material. Since the Spaniards were considered the defenders of the Catholic Church, it was an easy matter for the leaders of the revolt to combine the Catholic cause with the Spanish in the hatred of the masses. The rebels raged against the churches and convents, against the loyal priests and religious with a devilish cruelty, which defies description. It is therefore not a surprise, if some, even among the Franciscans, drew back before the horrors of a torture, which was invented in hell. The number of apostates is small, when compared with the number of those heroes who braved the terrors of debased men and died with a profession of their faith in the Holy Eucharist and in the primacy of the Pope upon their lips. More than 80 friars, whose names are known, thus shed their blood in the cause of Christ in the Netherlands during the second half of the sixteenth century. The most famous are St. Nicholas Pick and his companions, who gave a heroic example of courage and loyalty to their faith in 1572, first at Gorcum and then at Brielle. But we must not ignore the six Martyrs of Alkmaar in West Frisia, who only a few weeks before their brethren of Gorcum, suffered a not less glorious martyrdom.

After bloodshed had become tedious, the truce of Antwerp was signed in 1609. The efforts of John Neyen († 1612), General Commissary of the Germano-Belgian nation, played an important part in the final negotiations of that truce. The southern States remained loyal to Spain, while the northern States (the Estates General) became practically independent. They could now compete the religious revolution unchecked. The position of the Catholics in the northern States became ever more pitiable, since priests could minister to their needs only at great risk and in the greatest secrecy. Clement VIII had a seminary erected at the Observant convent in Tournai, to train able and zealous missionaries. More details we do not know. The magnificent activity of Wiggers and his brethren of the Cologne Province has been mentioned above (cfr. par. 92). The largest part of the burden of caring for these scattered Catholics fell upon the lower German Province. Gradually, the friars of this province founded missions in the more strategic places, from which they could travel to the more outlying places to console and strengthen the Catholics. Frequently such journeys were undertaken at the risk of life itself. Many places could not be cared for other than by the wandering priests of religious Orders. That many difficulties were caused for these friars in their unenviable task by the secular clergy, is a theme which we shall not develop.

The best known of these missionaries were: Bartholomew of Middelburg († 1564), Cornelius Brauwer († 1581), who saved Brugge from heresy for many years, Francis Everaerts († 1587), the indefatigable companion of the foregoing Cornelius Brauwer, Arnold de Witte († 1625), a second Wiggers, Anthony Verveij († 1656), who reconciled many Calvinists of Amsterdam and Haarlem with the Church, and finally, Simon de Coninck († 1664), whose labours especially in Frisia were very successful.

The apostolic labours of the friars just mentioned were complemented by the writings of other friars, who opposed heresy with their pens. We shall mention only the

more influential ones. John Royaerts († 1547) published numerous homilies, Matthew Cats (Felisius, † 1576) wrote principally against Calvinism, Arnold Meerman (Alostanus, † 1578) was one of the most successful controversial writers of Belgium in the sixteenth century. Nicholas Tacitus Zegers († 1559) worked at the publication of the correct text of the Sacred Scriptures, Adam Sasbout (Sasboldus, † 1530) was a famous exegete. The seventeenth century added the following names: Henry Sedulius († 1621), Baldwin de Jonghe (Junius, † 1634) and in particular Matthew Hauzeur († 1676), one of the sharpest writers against Calvinism and famous for his victory in the Limburg Disputation of 1635. Matthew's companion, Bartholomew d'Astroy († 1681), was less vehement, but not less successful.

Paragraph 95

The battle against heresy in the British Isles and in Scandinavia

Henry VIII had been an outspoken patron of the Observants. The confessor, both of the king and of the queen, was chosen from among their number. But after he had begun seriously to dally with the thought of dissolving the marriage with Catherine, this friendship went gradually the way of all Henry's friendships. In this time of most difficult trial, the friars gave indubitable proofs of an incorruptible probity, which is truly admirable. The king continually nourished hopes of winning them for his side. He did not wish to lose the influence, which these friars were able to wield among men of all classes on account of their learning and purity of life. Hence, in 1532, he approached the General Pisotti with the request that he should depose the English Provincial. The friar had declared himself unequivocally for the queen and had commanded his subjects to preach and write in her defence. Henry asked that his friend, the friar John de la Haye, might be sent to England. De la Haye was living at that time in Flanders. The General, not wishing to offend the king, answered diplomatically that he did not have the power to depose any Provincial, but that he would send the friar whom Henry had requested. De la Haye was to be appointed Commissary.

However, even before these arrangements could be completed, the die had been cast. In 1533, Pope Clement VII decided in favour of the validity of the marriage with Catherine and commanded that the union contracted with Anne Boleyn to be dissolved. Thereupon the king ordered that John Forest, the Provincial of the Observants and the confessor of the queen, should be thrown into prison. On the one hand, he hoped thereby to punish Forest for his former conduct and, on the other, to warn the Observants not to follow the course of their superior. But the king reckoned here without his friars. The first man in England to come out publicly and condemn his marriage with Anne Boleyn was an Observant, Peto, the Guardian of the Observant convent at Greenwich. In 1533, with unheard of courage in a sermon before the king, he told the monarch of his injustices towards the queen and roundly censured the clergymen who were salving the conscience of Henry. On the following Sunday, a canon, also in a sermon in the same church, defended the conduct of the king. In the course of his sermon, this canon began to inveigh against Peto, who was absent on business of the Order. Elstow, one of the friars, interrupted to defend Peto with such warmth and success, that Henry was forced to command both the canon and the friar to be silent. On the following day, the two brave

friars were summoned before the king's court. The remark of a judge, that the two criminals should be thrown into the Thames, drew from Elstow this bantering reply: "The way to heaven is just as short by water as by land." Now the rupture of the king and the Observants was complete. Peto and Elstow, according to some, were thrown into prison, according to other authors, they were exiled. In the spring of 1534, Hugh Rich, Guardian of Canterbury and Richard Risbey, the Guardian of Richmond, were hanged, drawn, and quartered. In August of the same year, before the other religious had even been threatened in any way by the government, all the Observants were driven from their convents, and more than 200 imprisoned in London. Not one sacrificed his conscience to gain the favour of the king. The condemnation of the friars was postponed due to the intervention of one of their friends. Finally, in 1537, after twenty-one friars had died as victims of the squalor and filth of the prison, some were set free, others were sent to more remote prisons and some were put to death, namely Anthony Brorbey (Brookby), Thomas Cort, and Thomas Belchiam. On May 22 of the following year, the heroic septuagenarian, John Forest, was slowly burned to death, because he had defended the authority of the Church and the supremacy of the Pope.

The ancient faith was restored in 1553, upon the accession of Queen Mary. The restoration was made easier by the fact that the majority of the common people of England were at heart still Catholic. The Orders were likewise restored, and first of all the Franciscan Observants, who had been the first to suffer. But Mary died after a reign of only five years. Her half-sister, Elizabeth, reintroduced the system of her father. Now, however, the persecutions were to last longer and were to become more terrible than they had been under her father, Henry. This time the clergy of all ranks proved more loyal than during their previous trial. Regarding the conduct of the Franciscans we shall only repeat the words of a historian of the Order: "There was not one single friar among the Minors, who did not resist the new faith of Anglicanism brought by Elizabeth with a strong resolve." Therefore, they were honoured with a special decree of banishment from the realm. The exiles went to Belgium, the Netherlands, and France. Some remained in disguise in England, while others returned from time to time to help the poor Catholics as much as they could. Among the numerous missionaries who sealed their ministry with their blood we may mention: Gottfried Jonas († 1598), Thomas Bullaker (friar John Baptist, † 1642), Henry Heath (friar Paul of St. Magdalen, † 1643), Arthur Bell (friar Francis, † 1643), John Woodcock (friar Martin of St. Felix, † 1646), Walter Coleman (friar Christopher of St. Clare, † 1645).

In Scotland the persecution of the Church began in 1559. The Scottish Observants were highly esteemed and sincerely venerated by the people on account of their purity of life. Several of their number had distinguished themselves for many years by their opposition to the heretics. Such were friars John Patrick and Alexander Arbuchell. Little wonder if the heretics on their side hated the friars heartily. Hence, after the new order was installed, the Observants, about 140 in all, were exiled; only a few, two or three, sold their faith for the pleasure of remaining in their native land. The others went to the Continent, where they were received by the various provinces. One of them was the learned John de la Haye. In 1586, while Provincial of the Cologne Province, he transmitted to the General Gonzaga an account of the persecutions of the Scottish Observants. It is unfortunate that the Scottish Province, which ended so nobly, has not yet been restored.

The story of the sufferings of the Irish Franciscans is much longer. Henry VIII already had tried to introduce his reforms there, but met very energetic resistance. But with Queen Elizabeth began 200 years of terrible persecutions in a systematic attempt to crush an unfortunate people – a shameful blot, which every noble-minded Englishman must blush to remember. The constancy of the Irish to the faith despite their miseries is indeed a miracle. The loyalty of the people to the faith is due in part at least to the heroism of the Irish bishops and clergy, who despised the manifest dangers to their own lives, in order to help and console their people. The landed Orders, whose estates were soon confiscated by the invaders, withdrew to the Continent. The Franciscan Observants also went to the Continent, where they founded convents to keep alive the traditions, the learning and the literature of their homeland and where they also trained new recruits to return to their native land to take the places of their brethren, who had fallen on the field of battle. In this way, the Irish province continually renewed its strength even during the darkest periods of the persecutions. The friars in Ireland itself were concealed by loyal families with whom they shared the common sorrow and dangers. No wonder that the Irish people, even today have an especially warm spot on their hearts for the sons of St. Francis, who stood by them in their hour of need, strengthened them with the consolations of our holy religion and only too frequently watered the soil of that wonderful island with their blood. The Irishman, Francis Harold, who lived during the period of the persecutions could pen this description of his confreres about the year 1660: “The rest of the religious of the kingdom without any jealousy work harder, with patience and constancy for the benefit of the Catholic population, and with the Apostle Paul they know how to suffer when tribulations abound.” Of the martyrs, which between 1540 and 1707 number more than 100, we shall name only the bishops: Patrick O’Hely († 1578), Cornelius O’Davany († 1612), Boetius Egan († 1650). It is also worthy of note, that the English episcopate precisely during the period of the bitterest persecutions counted not less than eighteen sons of St. Francis among its members.

The Reformation in Denmark, more than anywhere else, was the work of ambitious and selfish Princes. The Catholic Church there was, on the whole, free of grave abuses, and the people were deprived of their faith through trickery and fraud. Frederick I at his coronation in 1524 had sworn solemnly to defend and maintain the ancient religion. But he did just the opposite. The destruction of the houses of the religious began in 1528 and within a short time all monasteries and convents had disappeared. The religious debate of 1530, in which Nicholas Herborn, called in derision Stagefry, played such an important part, accomplished little. During the persecutions, the religious conducted themselves admirably, even though there was no lack of weaklings and apostates. Lack of information does not permit us to say whether these apostates belonged to the Conventuals or to the Observants. Many convents, as for instance the one in Istad, had to be besieged in earnest before the friars would withdraw. Not infrequently the friars were cruelly maltreated and they generally considered themselves fortunate if, after being robbed of all, they were only thrown out into the street.

The *Provincia Daciae* comprised not only the convents in Denmark, but also those in Sweden and Norway. The Franciscans had dwelt in those lands since 1222. Great had been their labours for the conversion of the still pagan peoples, which they found there upon their arrival. The natives on their side soon grew to love the friars. The Observants were introduced into these countries towards the end of the fifteenth century,

and by 1517, it counted twenty-two convents scattered throughout this Province. Much research remains to be done, before the final history of the destruction of this Province can be written. Probably, the friaries in Norway and Sweden were destroyed at about the same time as those in Denmark. The Reformation there could succeed only if fraud and trickery were employed. Despite the death penalty, placed upon any priest who dared to enter these countries, Wiggers sent missionaries thither from Holland. Their fate and their labours are alike unknown.

Paragraph 96
Preaching the Divine Word

During the sixteenth and seventeenth centuries, the energies of the friars, at least in the northern countries, were almost wholly engaged in the battle against heresy. However, the descendants of a Francis, Bonaventure or a Bacon, even in the midst of such a crisis, could not entirely neglect the other fields of activity and the other intellectual pursuits, mentioned in the previous period. Here we shall mention merely their solicitude for the plague stricken. A historian of the seventeenth century writes thus of the friars' charity for these suffering fellowmen: "I should indeed write an entire book concerning these Franciscan martyrs of charity ... In the camps, the salvation of the dying soldiers is their anxious care; during the times of pestilence and other contagions, they despise all dangers to their own health and life, to aid the souls of the stricken and the dying. Whole cities, districts, and communities are the living proofs of the good wrought by the Franciscans of Germany upon the sick, the despairing and the dying. That is the life, which they love. No journey is too long, no labour too arduous, day or night they are always ready to face danger. How many are known to me, who on account of their services to the sick, became themselves infected with some dreaded disease and received the reward of a martyr of charity. Indeed, they fulfilled to the letter, the words of the Saviour: 'Greater love than this no man hath, that he giveth his life for his friends.'" Nor is this testimony a mere fable, as known from many other sources. The documents to prove the heroic charity of the medieval friars are known today, but they must await a publisher.

The pulpit and the confession remained the most important fields of activity for the friars in Europe. Hence, the superiors were ever on the alert to train good preachers. Hence, too, they immediately proceeded against those preachers, who did not measure up to the duties and responsibilities of their important office. Despite such constant vigilance, abuses did creep in. Therefore, the Chapter of Salamanca in 1533 commanded all preachers to appear before the next Provincial Chapter to demonstrate their fitness to retain their office. Those who were found lacking the necessary requirements were to be deposed without mercy. For many had wormed their way into this office by means of forged letters, called "apostolic". At the same time, it would seem that the standard of studies had fallen in some provinces, so that even the earnest students did not receive sufficient training to fit them for the office of preacher. For some time, the higher superiors issued frequent admonitions and instructions for the guidance of those who had to train the future preachers. Among these admonitions was the reminder to the

Provincials that they alone could not approve preachers, but that this was to be done at the time of the regular triennial or intermediate Chapter.

In order to give the people a better chance to hear the Word of God, each convent was ordered in 1579 to appoint a special friar for this office. The larger convents were to name two "Observant Preachers". The other friars, who had been approved for this exalted task, in 1700 numbered 18,000. They were to preach in those places to which the superior of the convent had appointed them. The foremost preachers of the Order were those who had been appointed for the *Suggestus generales*, that is, for the cathedrals and for the most important conventual churches of Italy. The General alone appointed these preachers. In 1679 these more important pulpits numbered thirty in all. If the appointee fulfilled his duties satisfactorily for about ten years, he was rewarded with certain privileges according to the prevailing custom, and received the title of *Praedicator generalis* or even *Praedicator clarissimus*. The friars, who preached at the court of princes, also enjoyed special privileges. They endeavoured to gain the right to vote, but this was denied them. The great honour which could come to a preacher was to receive the title of *Praedicator apostolicus*. The many abuses which gradually arose in connection with these privileges caused the Chapter of 1521 to abrogate the privileges of all preachers. This prohibition remained in force until the end of the century at the very longest. Gradually, privileges for some preachers of the Order regained their ancient rights. These *Praedicatores apostolici* must not be confounded with the *Praedicatores sacri Palatii*. Before the time of Benedict XIV, the Conventuals and the Observants had shared this duty with the Capuchins. After this time, it was reserved to members of the Capuchin Order.

It is impossible to render a just estimate of the many outstanding Franciscan preachers of the sixteenth century and to assign their true position in the history of preaching, until we have a complete and detailed history of preaching in the Order. However, it may not be amiss to note here that in the matter of preaching, the tastes of the different nations differ very widely. A preacher, who may have worked successfully among the people of his own nation and of his own time, may fare rather badly at the hands of a critic of a different nation and of another time. After carefully considering all angles of the problem, we can still say safely that many of the "great" preachers of the past, catered too much to the vitiated tastes of their contemporaries. The Order has frequently protested against this weakness. Only recently, Aloysius Lauer reminded his subjects of the fundamental principle of all Franciscan preaching: "Preaching should serve for the usefulness and spiritual edification of the people."

The most successful preachers on the foreign missions will be mentioned later. Those who were active opposing the Reformation in northern Europe have already been honoured. Here we shall mention the names of those who laboured neither on the foreign missions nor directly against the heretics of the sixteenth century. Francis Amferle († 1646) was for over forty-five years the cathedral preacher at Freising. The Prince-Bishop placed this inscription on his tombstone: "For such a long time has there not been a more disturbing noise to the delicate ears of both common people and of intellectual men." At about the same time, John Capistran Brinzing († 1687) laboured in Bamberg as a parish missionary. His powerful and withal popular manner of preaching had to wait till recent times to receive its merited appreciation.

In Belgium, Philip Bosquier († 1636) was highly esteemed as a pulpit orator. However, both the style and the contents of his sermons suffered, because he yielded too much to the affected tastes of his hearers. Henry Thyssen († 1844) of the Rhine Province is marked as a man of greater depth of thought. His soul stirring sermons brought many sinners back to God.

In France, ecclesiastical eloquence reached its zenith in the seventeenth century. Even though we do not find any Franciscans among the stars of the first magnitude, still the Order produced a large number of very highly esteemed preachers, who did much good. Maurice Hylaut preached for many years so effectively in Orleans, that the city erected a monument in his honour in 1612. Famous court preachers were: John de la Haye († 1661) and Francis Faure († 1687 as bishop of Orleans). Some friars won honour for their Order not only by their preaching, but also by their writings. Such were: Michael Vivien, who laboured about the middle of the seventeenth century; he is famous for the work *Tertullianus praedicans*; Francis Bonal, whose book *Le chrétien du temps* was widely read after 1665; Zachary Laselve wrote about the beginning of the seventeenth century.

In Spain, Alphonse de Castro († 1558) was especially famous as a preacher, as was also St. Peter of Alcantara. Many critics consider Alphonse the most eloquent Spanish preacher of this period. His gifts obscured the merits of John of Cartagena († 1617), who is famous for his dogmatic sermons. In Portugal, Philip Diez († 1601) published abundant material for sermons, which later generations knew how to appreciate and to use, while Didacus of Estella († 1575) made valuable contributions to the theory of homiletics.

Italy, however, was the most fruitful mother of outstanding preachers. Even today the friars of Italy maintain that position. In the sixteenth century, Francis Panigarola († 1594 as bishop of Asti) eclipsed all his rivals. He knew how to hold his hearers spellbound whether he preached in Paris or in any of the great Italian cities. Fittingly was he called, “the Christian Demosthenes” – “the Italian Chrysostom”. Many attempted to imitate his style of preaching, but few were successful. Indeed, these epigones worked much mischief. No more echoes of another’s greatness were the famous preachers of the seventeenth century, Paul of Sulmona and Bartholomew of Saluthio (Saluzio). The same is true of the saintly preachers of the eighteenth century, Thomas of Core († 1739) and Leonard of Port Maurice († 1751). For forty-four years St. Leonard travelled throughout entire Italy, preaching penance to the people. Not less zeal was shown by Blessed Leopold of Gaichi († 1815). To the eighteenth century belongs also Idelphonse of Bressanvido, whose sermons were esteemed so highly that they were translated into many languages. One of the truly great preachers of the nineteenth century, who is dead, is Louis Parmentieri of Casoria († 1885). The improvement of social conditions in Naples is due largely to his efforts. Numerous were the hospitals and the schools, founded by this humble friar and his death evoked manifestations of sorrow from representatives of every class throughout the territory of Naples.

B. THE FOREIGN MISSIONS

Paragraph 97 *General observations*

The discovery of the new lands in the Far East and West threw down a mighty challenge to the missionary spirit of Europe. The challenge was accepted. In answer the old Orders sent forth troop after troop of the very flower of their ranks. And the heroism of these men was matched by their success. After the middle of the sixteenth century, new religious organisations came to the aid of the pioneers. Many of them, especially the Jesuits, laboured with zeal and wisdom for the welfare of the missions. In most lands, the members of the various religious communities worked together for the common good of Christendom, but in writing the story of those labours, each community labours for itself and either ignores or at times even misrepresents the contributions of the missionaries of other Orders. As a result, today hardly any phase of the activity of the Church has been so unfairly and so poorly written, as just the missionary phase. As matters stand today, we cannot expect to have an objective mission history of any country, until we have in our hands the complete account of the missions of each Order. That is the greatest need today. The Franciscan Order, in particular, though surpassed by none in missionary labours, has been surpassed by almost all other Orders in writing the history of those labours. In consequence, those very labours of the friars of the past are today considered of little importance by many.

Unfortunately at present even the sources which could serve for such a history are not available. If the Franciscans, as other missionaries, had sent in yearly reports of their labours, then the historian would have at his disposal an inexhaustible mountain of materials from which to draw. In reality he must be content with communications which merely skim the surface. Still, these reports, defective as they are, give us some inkling of the mighty labours of the Order in this regard. Naturally, too, the results were not always equal to the energy expended. To form a correct judgment we must not lose sight of the many hindrances which impeded the labours of the missionaries since the 16th century. The greatest hurt was done to the cause of the missionaries everywhere by the systematic oppression practised upon the natives by the Europeans. It was considered highly just at that time, just as today too in many cases, that the stronger nation should claim the lands of those too weak to resist. The natives then at best were ruled according to the laws made to suit the pleasure of the robbers, perhaps we should use a more polished word – the despoilers. Even at that there might have been some excuse if the new system had been introduced in a humane manner and with the intention of raising the natives to a higher plane of civilization. But in reality seldom was either condition verified. The despoilers behaved like tyrants. The natives were treated as slaves. They permitted themselves the most shameful liberties, murdered millions of the conquered peoples or through their fault left them to die so that entire nations perished completely. No one brought greater shame upon the Christian than just these despoilers and merchants of the 16th to the 18th centuries. Indeed things came to such a pass that many Indian tribes came to consider the name of devil and Christian as signifying one and the same being and in their languages we find the same word used to express both ideals because they could not

understand any distinction between them. Some have pushed all responsibility for such shameful crimes onto the shoulders of the kings of Spain and Portugal. But that is an injustice. Abstracting from the fact that these monarchs did very much for the civilization and conversion of these peoples, we have indubitable proofs that they again and again exerted a restraining influence upon their officials and ordered them to treat the natives kindly and that they even appointed Protectors of the aborigenes. The fact that those wise precepts were not always observed is not the fault of the kings but of the viceroys and governors. The most guilty however were the Europeans, soldiers and merchants, who came to these lands with no other purpose than to plunder. For them any means was just. In this respect the English and the Dutch adventurers were even worse; they lacked all higher motives, and zeal for the conversion of the natives was discovered among them only recently.

It is evident that under such circumstances, the missions were burdened with a great handicap. Hence the missionaries did not cease protesting against such circumstances and without rest they demanded protection against these freebooters and oppressors. The first of such courageous champions appear to have been the brothers Anthony of the Martyrs in 1506 and Alphonse Espenar in 1511. Many of their successors later protested to the king himself or to the Council of the Indies at Seville. In these documents they flayed the entire system pitilessly. It was unfortunate that many clergymen were not without guilt by their encouragement of this shameful oppression. The Franciscan John Silva gave his estimate of this plan to the king in 1621 in the words: "It is rather a Mohammedan manner of gaining converts than a Christian system." In the beginning the Indians welcomed the messengers of the Gospel with joy and proved themselves willing and apt pupils. The missionaries could never praise them enough. Naturally however when the Indians saw the hard lot saddled upon them even after their conversion they became to withdraw more and more. Finally they even began to hate a faith which only too frequently had resulted in loss of liberty for those who embraced it. On that account the missionaries were frequently accompanied by soldiers as a guard. However such companions would naturally excite suspicion also against the missionary and thereby hamper his activity. Hence the above-mentioned John Silva vigorously opposed such worldly wise measures. He insisted that the missionaries should be permitted to go out to preach unescorted, even though it might cost them their lives. The Apostles knew no other method. Why should they? Finally conditions became so disadvantageous that the missionaries were able to report great successes only among those Indians who, since they were far removed from the Europeans, were not harassed by the adventurers or among those Indians whom the missionaries had gathered into their own separate villages (*Reducciones*). Here the missionaries themselves ruled the natives with a greater or lesser degree of dependence upon the secular power. However the avarice of the white men became finally so excessive that they even fell upon these Indian *Reducciones*, sacked them, and sold the Indian neophytes as slaves. Others would not permit the missionaries even to found missions in the territories which they claimed, lest they should be hampered in their inhuman oppression.

Excessive nationalism harmed the missions in yet another way. The kings of Spain and Portugal enjoyed the right of admitting into their territories only those missionaries who were agreeable and favourable to them. Gradually therefore it became the rule to send only those who were subjects of the respective monarch. If missionaries

from other nations were sent, it was only by way of exception, at least among the Franciscans. Any sane person must admit that the Spanish and Portuguese friars did an immense amount of good in the missions. Still their number was too few in comparison to that vast territory which they had to evangelize.

To this must be added the fact that the missionaries did not always preserve the necessary harmony and charity among themselves. Many differences between the various religious organisations would have been settled much more peaceably if their labourers in the vineyard of the Lord had stripped themselves of egoism, envy and fanaticism. The frequency of such scandals is not to be exaggerated, but neither were they of such rare occurrence that they can be omitted by the judicious historian. Finally the success of the missionaries was indeed sadly handicapped by the different religious beliefs of the missionaries. The same is true today. It is difficult to convince pagans of the truth of the Christian religion when they behold the Christians themselves divided or eying each other with hostile glances.

While the foregoing difficulties were encountered more or less in all lands, the individual missions and individual missionary communities were forced to contend with other special handicaps. With regard to the Franciscans, their division into several branches was certainly not a help. The Reformed branches usually did not enter into a territory where the Observants were at work. The Discalceati would not allow any other branch to labour in their districts. Thus the resources of the Reformati and the Recollects lay for the most part unused. They laboured only in a few countries.

Not less harmful was the gradual diminution of the power of the General. He was no longer able to draw upon the friars of all Provinces at will and send them to the missions where they were needed. The Provinces themselves did not always do their duty in this regard, and even though they might have had the very best will, still their resources always remained comparatively limited. Before the break-up of the Spanish Colonial Empire, many Provinces would quiet their consciences with the excuse that no field of labour was open to them but that could not be said truthfully after the beginning of the 19th century. All Provinces from that time on could send their men whithersoever they wished. The Generals did not forget to send out frequent and moving appeals to the Provinces and petitions for missionaries. We must confess, however, that certain provinces cared so little for the common welfare of the Order and of the Church that they preferred to see the work built by their brethren after many years of hardship fail through lack of recruits and resources than to see any of their own ridiculously small needs at home go unsatisfied. These short-sighted friars should have known the lesson of history. For the annals of every province show that the religious life flourished or declined in the home provinces in proportion as these did or did not fulfil their obligations to the missions. Perhaps those provinces are to be blamed still more who permitted friars to go to the missions – friars who were unfitted either intellectually or morally. Already in 1562 Nicholas Herborn had prescribed that only “exceptional and illustrious friars, who live a life of integrity” should be selected for the missions. He also furnished them some very sensible directions and counsels. Frequently the Order was forced to complain that these precepts were not observed.

On this account, in 1646, the General requested the Propaganda which governed all the missions except the Portuguese and the Spanish, to publish a decree stating that no friar would be sent to the missions without a testimony of the General regarding his

fitness. For this Congregation, during the first years of its existence, had been only too ready to send any friar to the missions who volunteered to go, even though the Order knew the friar was not qualified.

In order to train qualified missionaries and to overcome the languor of the Provinces, the Order from about the beginning of the 17th century planned to erect its own missionary colleges. Accordingly the Chapter of Toledo in 1633 commanded that such a college should be erected for the Spanish, Italian, French, and German-Belgian nations respectively. In these institutions the prospective missionaries should be instructed in the languages, customs and habits of the peoples whom they were to evangelise as well as the controversial points of religion which would be most important for them to know. However it seems that this order was never carried out. At any rate in 1686, another command was issued which made missionary colleges obligatory in Spain and in the American Provinces. At the same time they were to serve as Houses of Recollection. The general direction of these colleges was reserved to the General and exercised in his name by several *Commissarii Missionum*. These officials could seek qualified friars anywhere and send them to these colleges. A number of these colleges arose especially in America, where they did much good indeed. In Europe too, especially in Spain, numerous convents were set aside for the training of missionaries, but it is not always evident whether these were for the missions at home or abroad. However we are certain that the two Roman colleges of St. Peter in Montorio and St. Bartholomew *in insula* (founded in 1668 and 1709 respectively) trained missionaries for the Holy Land and the Orient. However the number of friars who came to such colleges did not correspond to the expectations and hence in 1747 the General threatened with excommunication all those who should dare to deter any young friar from his plans of consecrating his life to the Missions. In the beginning, as we have noted, these colleges were subject directly to the General. But in 1727, the Discalceati and the French Recollects petitioned that their convents which were intended for the education of their missionaries, should be made dependent upon their provincials. In 1746 however these institutions begged to have the old order restored because they had degenerated in every department while under the care of the provincials.

The disturbances during the Revolution destroyed these colleges completely. New ones, however, arose in their stead. Thus in Spain at Compostella in 1862, at Chipiona, in the diocese of Seville in 1882. These two colleges train candidates for the Holy Land or Morocco. The one at Aguilera, founded in 1887, supplies the missions in Peru and in Cuba. In Rome, the new college of St. Anthony was intended also for the training of missionaries. The Irish College of St. Isidore undertook to train those friars who were to go to Australia.

It is difficult to estimate the exact number of the missionaries in these colleges or in the mission lands themselves, who were occupied with the conversion of the pagans and Mohammedans. We cannot always distinguish between the friars who were engaged in strictly missionary activity and those who are labouring on other tasks. Still the number of those actually labouring on the mission is about 1500, a number unequalled by any other religious community. The statistics of the past are still too defective to permit us any comparisons. Still we can say this much that the Franciscan Order does not need to be ashamed of its missions and its mission history. Mistakes indeed were made. What Order has not made them? Even though all friars did not labour for the advance of the

missionary cause as earnestly as their Franciscan vocation demanded of them, still we can ask boldly whether any other Order can surpass the Franciscans in their missionary activity.

In the course of the following pages we shall endeavour to answer that question to some extent. Before we begin we must mention the powerful aid rendered to the missionaries of today by many missionary congregations of Sisters. Special praise is due the Franciscan Missionaries of Mary.

Paragraph 98 **Central America and Mexico**

The share of the Franciscans in the discovery of America has been exaggerated not infrequently. On the other hand, we know from the mouth of Columbus himself that he owed much to his friend, Juan Perez, Guardian of the Convent of Rabida, near Palos. We have no reason to doubt an eyewitness who testifies that in 1484 Columbus with his son found hospitality and sympathy for his plans at Rabida, when most men considered them a dream. It is also certain that it was Perez who obtained another audience with the Queen in 1491, at which audience the request of Columbus was granted. Finally we find this far-sighted Guardian at the side of Columbus in the port of Palos shortly before he set sail. And when in 1506 the great discoverer saw himself poor and abandoned in Valladolid, at the point of death, he asked to die clothed in the Franciscan habit. Franciscans closed his eyes, celebrated his requiem, and very probably gave him his first grave.

On the other hand, it cannot be said that the Franciscan Bernardine Monticasteri of Todi took part in the first voyage of discovery. According to all appearances there was no priest at all on the first voyage. The news of Columbus' discovery was announced to the entire Order on the occasion of the General Chapter at Florenzac in 1493. What an impression that announcement made upon the assembled friars may be judged from the words of a contemporary annalist, who says that the friars *more elephantis ad sanguinis aspectum animati* (like elephants attracted by grape juice) stormed Maillard, the Vicar General, with petitions to be permitted to evangelise the newly discovered islands. The selection of the first missionaries was entrusted to Bernard Buyl, who had been proposed by the Spanish King as the first Vicar Apostolic. Despite the wording of the papal bull of confirmation, Buyl cannot be said to have been a member of the Franciscan Order, but rather of the newly founded Order of Minims. In 1497 he rejoined the Benedictines. Several Franciscans accompanied Buyl on the second voyage in 1493. Certainly with him were the two Belgian lay brothers John de la Deledeuille (de la Duella, also called Borgoñon or il Bermejo, that is, the red) and John Cosin (de Tisim). Both brothers were friends and companions of the later illustrious Protector of the Indians, Las Casas, who afterwards became a Dominican. It is not certain whether there were other Franciscans on this voyage. However, it is highly probable that Antonio de Marchena, erroneously identified by many with Juan Perez, accompanied the expedition. For the documents are still extant, in which the King of Spain expresses his wish that this Antonio should accompany the expedition because of his great skill in astronomy.

Buyl does not seem to have done much for the missions in the New World; nor is that surprising, since he remained in the colony only for a short time and he was utterly ignorant of the languages of the natives. On account of differences of opinion on policy with Columbus, he returned to Spain within a few months together with most of the missionaries. The two Belgian lay brothers were among those who remained. For five years, they continued to study the Indian dialects and to evangelise the natives. After 1500 bands of new missionaries began to arrive in the Antilles. But the number was not adequate to the needs and almost every letter to Europe contains a request for more labourers to gather in the harvest for Christ. In 1500, the missionaries wrote in a letter to the Vicar General of the Ultramontane family: "Every Province and every Custody should send several friars." Since more requests did not obtain enough recruits, King Ferdinand had the miseries and the needs of the missions graphically described to the General Chapter of 1508 in Barcelona. In 1526, Clement VII empowered Charles V to send 120 Franciscans, 70 Dominicans, and 10 Hieronymites to America, even against the will of their superiors, if necessary. An ordinance of the Chapter of 1535 bound each Spanish province to send two to three missionaries to America each three years. At the same time, the non-Spanish provinces were almost entirely excluded from missionary work in the Spanish colonies; although from time to time we do find occasional non-Spanish friars at work there.

By 1501, the number of the colonists and Indian converts had grown so large that it was felt a Bishop was needed in the colonies. The first Bishop appointed was the Franciscan Garcia de Padilla, who was installed in 1504 in the bishopric of Bainua in Haiti. Since the papal bulls of confirmation could not be promulgated due to the interference of the King, this Bishop was transferred in 1511 to the newly erected See of Santo Domingo. He was then consecrated. Although it is known that he made laws for his diocese, it is not certain that he ever came to his colonies. It is certain, however, that the first Bishop of a diocese on the American mainland, the Franciscan John de Quevedo, actually entered his diocese of Santa Maria del Antigua on the Gulf of Darien. This See was erected in the year 1513. In many other American dioceses, the register of their bishops is headed by a Franciscan, since they were the first missionaries in so many districts.

In 1519 two Franciscans accompanied the energetic Cortez as field chaplains on his expedition to Mexico (Nueva Hispania). In 1521, after he had captured the Aztec capital, the fortunate adventurer requested the Spanish King to send missionaries, but he made it clear to the King that he wanted only good and chaste priests, who would not demand any tithes or taxes, and that they preferably be Franciscan Observants. Charles V turned this request over to the General, who immediately through an encyclical letter informed the Order of this new mission. In the meantime, the Emperor sent three Belgian friars to Mexico, namely John Couvreur (de Tecto), formerly a professor at Paris and Guardian at Ghent, John van der Auwera (de Ayora) and the lay brother Peter de Mura, better known as Peter of Ghent. Peter especially knew how to win the love and affection of the natives, so that the second Archbishop of Mexico was wont to say: "The lay brother, Peter of Ghent, is the Archbishop, not I." Although both the Pope and the Emperor had urged him to be ordained, he steadfastly refused. He was content to instruct the children in reading, writing, in music and the manual trades and to prepare the natives for the reception of the sacraments. Hundreds of churches and schools were monuments

to his industry and skill. Only in case a priest was not at hand did he preach to his charges, much to their joy, since they repaid his labours on their behalf with a most tender affection. Nor did his death (in 1562) diminish that affection, for even in later times, almost every Mexican village treasured at least one picture of this kind friar, who had such a warm heart for the miserable and the downtrodden.

Even before the departure of the three Belgian friars, John Glapion, the Emperor's confessor and Quiñones had planned to go to Mexico. In 1521 they obtained papal permission; but Glapion died soon afterwards, and Quiñones was elected General and so their plan was frustrated. As General, Quiñones did perhaps more good for the Church in Mexico than he would have accomplished by his own personal labours. It was he who heard the plea of Charles V for missionaries for that country, and he sent a group of select friars of the province of St. Gabriel with Martin of Valencia as their leader. They arrived in Mexico in 1524. Uniting an unusual severity of life with an heroic zeal for souls, these "Twelve Apostles of Nueva España" had unusual success. In the beginning they had to contend with difficulties, which we can hardly imagine today. There were practically no interpreters and no one to teach them the native languages, so the friars were forced to note the sounds of the words, guess more or less at their meaning and thus gradually to build up some sort of vocabulary. Even this difficulty was overcome much more rapidly than one would expect. Later the Franciscans became the foremost students and preservers of the Mexican languages and antiquities. The volumes on these subjects, written by the friars, are considered even today to be of primary importance. Outstanding scholars during the sixteenth century were Alphonse Molina, Bernardine Ribeira of Sahagun († 1590), Andrew Olmos, Torybius Motolinia and Maturinus Gilberti. One would think that the services of such scholars would shield the friars from censure, even though they, together with their converts, destroyed many valuable treasures of Mexican antiquity. Indeed, such actions must be regretted, if we consider only the loss which they entailed to the science of archaeology. But there are more important issues in life, than the science of antiquities; and the missionaries, who were risking their very lives for these more important issues, often found no more efficient means of combating idolatry than precisely the destruction of the images and buildings which had been devoted to superstition. Viewed in this light, their actions are seen fundamentally to differ not in the least from the act of St. Boniface, when he felled the oak at Geismar.

Moreover, for the benefit of the complainants, unduly blinded by abstract theories, we would recall this reality, that it is due in particular to the Franciscans that the Mexican Indians were not decimated, as were the natives of the neighbouring islands. Wherever the words of the missionary were heeded, there the Indian was saved and even multiplied. Then too, look at the labours of the friars and of the other religious for the advancement of civilisation among these peoples, or would these scientists prefer that the native had remained in his ancient state, so that they might be supplied with laboratory materials. Everywhere, schools were begun for their instruction, and by 1530 even a university was begun in the capital, under the guidance of the Franciscans, where among other things even Latin was taught to the subjects of Montezuma. Such civilising efforts met their stoutest opposition from the despoilers, who wished that the natives should remain in the darkest ignorance. Everywhere they resisted the efforts of the friars for the betterment of the natives, so that they could rob them the more easily. It can be readily seen that such conduct by white men and reputedly Christian, hindered the success of the

missionaries. Jerome Mendieta, the staunch friend of the Indians, refuted all the sophisms which were advanced to defend the system of oppression of the natives, with the simple question: "What would you say and what would you think of Christianity, if you were in the place of the Indians and they in yours?" An equally zealous defender of the Indian was the friar Juan Zumarraga († 1548), who came in 1528 as the first Archbishop of Mexico and "Protector of the Indians." He introduced the first printing press into Mexico in order to spread the truths of Christianity more rapidly among the people. All that a gifted nature could effect for the welfare of the natives, he accomplished. On that account, he enjoyed the hatred indeed of the bad Spanish settler, but the warmer love of the Indians. The Indians showed their love and esteem for this great man, especially at the time of his death. At times, it is true, the Indians did rebel against the efforts of the missionaries, and not a few martyrs' crowns were distributed at their hands, but such conduct in many instances is sufficiently explained by their mistaken fear that conversion to the religion of Christ meant slavery. Alas! in too many cases that fear was not mistaken. The evil life of many priests, who had settled in Mexico, contributed not a little to make the task of the missionary not only more difficult but also at times more dangerous. But wherever the people had learned to distinguish the true shepherds from the hirelings and the despoilers, there Christian life flourished with such zeal and earnestness that a chance visitor to these Mexican villages would have thought that he had been whisked back bodily to the early days of the Church. Their attachment to the messengers of the Gospel was indeed touching. Truly admirable also were the sacrifices which the Indians made to have these friends with them at all times, but especially when they were sick or stricken with the plague. Due to the frequent mass conversions, the missionaries were wont to curtail the ceremonies as much as possible. Nor did they hesitate to omit to promulgate ecclesiastical laws, if these proved a hindrance to the success of their missionary efforts. Such actions were in accordance with the advice given to the missionaries by their Vicar General, Nicholas Herborn: "I would rather prefer that you guide with leniency and humility those who have just been introduced to the knowledge of Christ, more than to insist upon human laws and decrees. When Augustine was asked regarding what laws Christ wanted to give to our religion, he said that Christ wanted us to be content with few laws, and not to overburden it with human decrees, in order to render Christian religion more tolerable to the old condition of the Jewish religion. Therefore laws should be applied with moderation." Some, however, did not agree with this view and said that new Christians were no better than old ones; if these had to observe the laws of the Church, then the converts should do likewise. The Pope settled the dispute in 1537 in a decree, which followed the golden middle way.

Towards the north of Mexico lay the kingdom of Michoacan, at that time an independent commonwealth. Hither Martin of Valencia sent several friars in 1525 under the leadership of Martin (de Jesus) of Coruña, who with Anthony of Segovia must be reckoned as the most successful missionaries of this territory. After this kingdom had been converted, the friars there contented themselves with the care of the Catholics, although there were still entire pagan tribes in the more remote portions. Hence, the Order began in 1682 the College of Queretaro, whose members consecrated themselves with the utmost fidelity and courage to the conversion of the heathen Indians. At Pachuca, the Discalceati founded a similar college, which after 1733 undertook the evangelisation of the wild tribes living in the mountains of Cimapan (Sierra Madre). Not

less zealous for the missions, especially of New Mexico and California, were the friars of the college of Guadalupe begun by Anthony Margil († 1726) at Zacatecas and of the college of St. Ferdinand, founded in 1734 in Mexico City upon the repeated urgings of the Pope and the Emperor.

The first friars came to the peninsula of Yucatan from Mexico. This territory is praised very highly for its healthful climate, for as the natives say “here doctors are unknown and the people die only of old age.” James Textera with four other friars learned the language in the same way as the other friars under Martin of Valencia had learned the languages of Mexico proper. Having mastered this medium of communication, they began to instruct the people and to defend the rights of the natives against their oppressors. This activity provoked a quarrel with the settlers, and the friars were forced to leave. Other groups of missionaries did not fare much better and it was only gradually and after many recruits had come to these missions, that the servants of the Gospel were able to take their rightful place in this colony. The labours of Lawrence of Bienvenida and of Didacus of Landa († 1579) are especially noteworthy. Didacus was consecrated bishop in 1573 of the See which had been honoured by several of his brethren before him.

The Belgian, John Couvreur, penetrated the districts south of Yucatan, namely Guatemala and Honduras, in 1525. Here he soon died of starvation. Two years later, other friars came from Haiti and settled in Trujillo and laboured zealously at the task of converting the people. The scope of their activity was greatly increased with the arrival of help from Spain. It would not be fair not to accord special praise to Peter (de Sancto Josepho) Betancour. About 1670, he organised a widely spread society which defrayed the expenses of erecting numerous hospitals for the poor sick. Peter was also renowned for his proficiency in the native languages, but in this regard, he was certainly surpassed by his confrere, Maldonado, who showed a truly astonishing mastery of the three languages of Guatemala. He was also the author of *Theologia Indiana*, a very useful manual for the missionaries of Guatemala.

Towards the end of the seventeenth century, Anthony Margil began in Guatemala the *Collegio Sanctissimi Crucifixi*, whose members undertook the conversion of the wild Talamancas Indians living on the Isthmus of Panama. Nicaragua and Costa Rica had received the Gospel already during the sixteenth century, for in 1536, we find brother John of Ghent appealing to the Ministry at Seville to protect the Indians and the missionaries in those countries against the tyranny of the Spanish settlers. Many other friars came in the course of time, of whom Peter Alphonse of Betanzos was the most successful.

Paragraph 99 ***South America***

The northern portions of South America, at the time of the discovery, were lumped together under the name of *Terra firma*. The coast from the Gulf of Darien eastwards was also called *Nueva Andalusia*, while the territory of present Colombia, frequently went by the name of *Nueva Granada*. The Order maintained a very extensive

mission activity in these countries from the early sixteenth century up to modern times. The same is true of Venezuela, which lies more towards the east.

The first friars came to the mainland from the Antilles about 1510; one of them became the first Bishop of the mainland of the Americas (cfr. par. 98). In 1516, three Franciscans fell into the hands of the cannibals of the Caribbean; nothing further is known of them. Other friars came to take their places and to continue their work among the Indians, many of whom were instructed and baptised. The most astonishing success was enjoyed by John of St. Philbert. For a full generation after 1527, he travelled from tribe to tribe in search of converts. By the middle of the century, the number of missionaries made it possible to erect a province in Colombia. Naturally, this province was intended to be the centre, whence the missions could draw life and vigour. The most important missions in this territory in the sixteenth century looking from north towards the south, were: Cartagena, Pamplona, Velez, Tunja, Bogotá and Anserma. Connected with these central missions were numerous Indian *Reducciones* or villages. In many districts, as for instance, in the province of Guane, the Franciscans were the only missionaries; the same is true of the territory inhabited by the fierce Bixaos and Putimaes, who were cared for by the friars from the convent at Cartago. Due, however, to the interminable wars between these two nations and the Spaniards, so many of these Indians were slaughtered that by 1624 only two *Reducciones* remained. The friars had tried all in their power to stop the inhuman butchery, but without avail, even though Philip II in 1587 had expressly praised the missionary achievements of the friars who were labouring among these Indians. At that time, the friars had baptised about 200,000 Indians. The most prominent missionaries in this territory were: Louis Zapata of Cardenas, archbishop of Bogotá after 1578, and Peter of Aguado, the historian, both of the sixteenth century. Famous in the seventeenth century were Francis of Victoria, the apostle of the Sagamozo valley, and Ferdinand Larrea, founder of the mission colleges at Cali and Popayan about 1700.

The territory of present Venezuela had been pledged by Charles V to the Welsers family of Augsburg from 1528-1545. The German colonists sent out by this family were even worse than the Spaniards in their treatment of the Indians. This alone rendered the work of the missionaries very trying and difficult. Besides, the Eldorado was supposed to be somewhere in the southern part of Venezuela, and countless expeditions roamed the country in a fruitless search and often came to a disastrous end. In 1595 five Franciscans accompanied Beri on his exploration up the Orinoco River. Their first stopping place was Angustara (Bolívar). Here they were welcomed by some confreres. The expedition then pushed on following the course of the River Paragua, until they reached the Prairie of Tutmos, when extreme want forced them to turn back. After 1740 numerous missionaries came to Venezuela and the Order was able to establish missions south of the Orinoco, especially along the Caura River, although the friars there had to suffer much at the hands of their Dutch neighbours. The missionaries, labouring among the coast tribes of Venezuela, also had their share of hardships. The first friars, who dared to settle on the island of Trinidad about 1540, were devoured by the cannibals, while the next group under John Deodatus was decimated by tropical diseases and forced to turn back. It was only towards the close of the sixteenth century, that the friars were able to establish themselves firmly on this island. After the middle of the seventeenth century, numerous missions flourished on the Pearl Coast (Cumana) and in the lands lying towards the south

up to the Orinoco River. All these districts were well watered with the blood of martyred missionaries, chiefly because the Caribbean tribes confused the missionaries with the conquering foreigners. Often the missionaries were not permitted to labour in the territory of these tribes, until they had sworn that no other Spaniards would follow them. The most important missions were among the Piritu and the Palenques, thousands of whom were regenerated in the holy waters of Baptism, largely through the unflinching zeal of John of Mendoza and Ruiz Blanco.

During the 16th century the southern parts of Colombia formed the boundary with the empire of the Incas (Peru), which included the kingdoms of Quito (Ecuador), *Nueva Castiglia* (Peru), western Bolivia (highlands of Peru), e *Nueva Estremadura* (northern Chile). Immense regions situated within the Amazon basin, which arrived to the limits of northern Paraguay, were simply called Amazonia, a name which included even the La Plata River: namely northern Argentina, Paraguay, Uruguay and the southern states of Brazil. The region known as old Brazil (*Terra S. Crucis*) included the eastern section of the continent, from the Paraná to Rio de Janeiro. During this period, the friars laboured in South America from Pernambuco to Lima, from Cape Horn to Panama.

The Incas beheld at the same time the *Conquistadores* and the sons of St. Francis. Mark of Nizza had hurried from Mexico to accompany the Spanish expedition into this new land. He was a disapproving witness of the horrors perpetrated by the white men upon a peaceable and well mannered people and has merited well of history by recording a true account of the atrocities. The natives had received the strangers with kindness and shared even their gold with them in utter disinterestedness and trust. As a reward, they were treated most cruelly and slaughtered by the thousands. After Mark had witnessed the shameful drama of Cajamarca, where Pizarro brazenly betrayed the Inca chief, Atachualpa, he withdrew in 1533 with Benalcazar to Quito, where he renewed his complaints against the bestial cruelty of the conquerors, but in vain. The only thing, which he could do, was to send a true report of conditions and of events to the Spanish Crown and to beg for mercy for the natives. Then he left Peru and returned to Mexico to recruit some soldiers of the Cross to repair the damage done by the soldiers of Pizarro. Possibly the Belgian, Jodocus Rycke, was among the number of those who heard Mark's appeal. At any rate, he it was, who began the mission in Quito in 1534. Together with a fellow Belgian, Peter Gosseal of Brussels, he carried on this work alone until 1564. Of his charges he could write: "There is not one poor person to be found among them, although they are all poor in food and clothing." He taught them reading, writing, music, the manual arts and progressive methods of agriculture, so that his natives were dependent in no way upon the colonists. Finally, after the number of friars had increased, an independent Province was erected in Ecuador in 1565. The friars dotted the country with flourishing *Reduccion*es, which were cared for from their main centres at Cuenca and Pasto. Even towards the end of the eighteenth century, more than twenty Indian villages remained under the guardianship of the brown robed friars. In 1889, the Apostolic Vicariate of Zamora was entrusted to the Order, as an inducement and a pledge to undertake the conversion of the pagans, dwelling in that district. Unfortunately the government was moved in 1897 by political reasons to suspend all missionary activity there.

Most of the friars, whom Mark of Nizza had recruited or who had come out from Spain, laboured in the present territory of Peru. Numerous convents arose there within a

brief time and even still more numerous missions. The missionaries, whose names rank highest on the scroll of fame in Peru, are: Francis Morales, Francis de Alcozer, Caspar de Vaños, and especially the lay brother Matthew de Jumilla († 1578). He was wont to travel through the towns and villages effectively teaching all by his good example and exceedingly austere life. He also instructed the children and through them was able to exert a very powerful influence on their parents. In Lima, the friars were soon given a large convent and two colleges. In 1600, they accepted a House of Recollection, whose first Guardian was St. Francis Solano. After 1845, this convent was transformed into a college. It aimed to prepare labourers for the home missions, and it fulfilled this purpose so very well that it became a veritable mother of bishops. Only within very recent years has this college joined the other Peruvian colleges in supplying missionaries for the New Apostolic Prefecture of St. Francis among the Chunchos Indians on the upper Ucuyali River.

The mission among the Indians on the Ucuyali and on the upper tributaries of the Amazon has a very glorious history, written for the most part in the blood of its martyrs. In 1631, Philip Luyando set out from Huanucu on the Huallaga River together with several companions for the East. They laboured among the Pantagues, a tribe which had successfully resisted all former attempts at their conversion. Now was the hour of special grace and the missionaries were very successful. In 1636, Jerome Jimenes, amid the greatest dangers, passed on the Cerro de la Sal and then continued on to the Perene River, where he and his companions were murdered. The news of their deaths immediately persuaded other friars to hasten to take the place of the fallen knights of the Cross. The new friars founded seven Indian villages on the banks of the Chanchamayu, according to the advice of their leader, Matthew Yllescas. In 1641, the heroism of this second group of friars received its reward: the friars were all slain by the Indians. The same fervour was granted at about this time to another and larger group of friars, labouring in the valley of the Huallaga, where they had succeeded in erecting flourishing missions in the midst of the immense forests. Hostile Indians wiped away every trace of their work. Manuel Biedma was killed about 1686 during a trip on the Ucayali. He had laboured with much success in the missions of the Pangoa, since 1673. He is famous as the builder of important roads.

A new era for the missions in this part of Peru opened in 1712, when Francis of St. Joseph founded a hospice in the village of Ocopa, a few hours journey northeast of Jauja. Later this hospice was to become one of the most influential mission colleges of South America. Francis' contagious zeal for the missions drew many friars from Europe to Ocopa. With their assistance, he had founded by 1742, ten missions in the Cerro de la Sal. Ten years before, one of his friars, Simon Zara, had discovered an immense, fertile prairie, which lay between the Huallaga and the Ucayali, which he called the Pampa del Sacramento, because he entered it on the feast of Corpus Christi. Mission work was begun immediately among the tribes inhabiting the Pampas, until in 1742 the wild Indians rose and destroyed the missions and killed the missionaries, Dominic Garcia and his companions. In 1760 the friars from Ocopa began to reclaim this lost ground to push onward towards the Ucayali though at the cost of more than one missionary murdered by the natives. The cruel Casibos were especially active in the work of murder. "But the zeal and the heroism of these stubborn friars must win the esteem and admiration of all fair minded men. They never seemed to know the meaning of the verb 'to quit'. Quietly and

courageously, they followed their interior urge to preach to the untamed savages. A messenger from the outlying mission brought in the news of the murder of another missionary; another friar accompanied the messenger on his return, anxious to take the place of his murdered brother.” In northern and central Peru, 129 Franciscans were killed by the Indians. This number does not include the lay brothers who were killed, nor does it include those, who simply vanished from the earth with further evidence as to their fate.

After Francis Alvarez of Villanova had welcomed an unusually large number of new missionaries from Spain in 1787, he was able to carry through to success the work of restoring all of the destroyed missions. This work also owes much to the indefatigable President of the College, Emanuel Sobrevila, who in 1790 sent another group of missionaries to the Ucayali. Among these missionaries were such men as Narcissus Girbal and Plaza. For fifty years, the latter devoted his talents and his very life to the missions of that region. The characters and the sounds of the languages of the various Indian tribes no longer held any mysteries for him. His extensive knowledge of the Indian languages and Indian ways was frequently his only protection against a cruel death at the hands of the savages. As an old man of 78 years, he was consecrated bishop of Cuenca and here he died in 1858. An eye-witness could pen this verdict of the results of his labours and of those of his brethren: “Nowhere in Peru will one find Indians so cultured, and so well-behaved as in the Franciscan missions along the Ucayali River.”

Paragraph 100
South America (continued)

In 1533, the Franciscans entered Chile at the command of the king, “because as yet there are no religious in the country.” Among the first friars were Martin of Robleda, who died in 1560 as the first bishop nominated for that country, and Christopher of Ravanera († ca. 1590). Within a few decades, the Order had developed a series of missions. But the missions of the friars were destroyed just as frequently as were the cities of the Spaniards by the wild Araucanos. The Indians were merely taking revenge for the treatment which they had and were receiving at the hands of the Spaniards. In vain did Robleda and Ravanera implore the king to pardon the savages. Friar Anthony of St. Michael, the first bishop of Santiago, was of inestimable value in treating with the natives. His sincere kindness had won the love of the children of the wilds and they obeyed his counsels with childlike docility and eagerness. During the twenty years of his episcopacy, there were no Indian uprisings. On every occasion, he reminded the king of the crying injustices which were being practised upon the Indians. When his remonstrances brought no result, the great hearted old man sent in his resignation as a protest, because he could no longer bear to witness the knaveries visited upon his beloved Indians. After much hesitation, the higher authorities finally granted his request and transferred him to the See of Quito, where he died in 1591.

After the beginning of the eighteenth century, the Franciscans handed over the missions south of the Bio-Bio to the Jesuits and concentrated their efforts on the missions lying north of that river. But after the convent at Chillan had been changed into a mission college in 1756 and after the Pehuenches Indians, who had hitherto refused to accept Christianity, asked specifically for Franciscan missionaries, the friars returned to the

regions south of the Bio-Bio. After the expulsion of the Jesuits, the friars shouldered any even greater share of the work in those regions. The services of Peter Angelus de Espineira († 1778) are especially praiseworthy. Both as a missionary and as the Bishop of Concepcion, he knew how to win and to hold the love and confidence of the Indians. After the fearful revolt of 1766, they asked him to negotiate in their name with the Spanish authorities. Another missionary whom the Indians loved especially was Francis Xavier of Alday († 1826). In 1793, at the command of the government, he conducted the negotiations with the Indians, who had revolted again. At the same time, he courageously called the attention of the authorities to some of the abuses, which were being practiced by the officials, in particular he scored the distribution of liquor among the Indians – a very prolific source of both spiritual and bodily ruin to the natives. The Wars of Independence, during the succeeding years, dealt a deadly blow at the missions. The situation was rendered worse by that fact that the Chilean friars sided with their compatriots, while the Spanish friars, labouring in Chile, stood up for the cause of the fatherland. This spectacle of internal dissension on political issues was seen in almost all the provinces of the Spanish Americas at the beginning of the nineteenth century. The hostility of the new independent governments towards all religious almost completed the ruin of the Order begun by these internal quarrels. In the time the tempest passed, and in 1832, Italian friars breathed new life into the college at Chillan and the Order began the task of rebuilding the Catholic life among the peoples of Chile.

At about the same time, the friars reoccupied the College of Castro on the island of Chiloe. This island had been the scene of the earliest missionary endeavours of the Franciscans in this region. From here about 1580, friars Anthony Quadramiro and Christopher of Merida set out on a journey which was to take them to the Straits of Magellan and during which they preached to the Indians of the archipelago. The Indians on the islands proved to be more docile pupils of the missionaries than the natives on the mainland. After the Jesuits had been expelled, the friars from Ocopa took over their missions on the islands off the coast of Chile and thoroughly traversed all of them even to the farthest south. The same journey was undertaken in 1843 by Dominic Pozzolini, but with less success.

In Bolivia, the principal task of the Franciscan province was the evangelisation of the Indian tribes. During the seventeenth century, the friars concentrated in particular on the Mojos and the Mosevenes on the eastern bank of the Beni and of the Madre de Dios, with headquarters at Apolobamba. These missions, however, were supported so miserably by the ecclesiastical and civil authorities, that the missionaries were forced to roam about almost as naked as the savages. Hence the Provincial desired to turn these missions back to the charge of the Bishop. But the diocesan priests sent to take over the missions in 1793 soon left. Later the Bishop and the civil authorities requested the friars of the College of La Paz, begun in 1837, to assume charge of the abandoned Indians. This College is but one of the many monuments to the untiring zeal of Andrew Herrero († 1838). Through his efforts, a large number of Italian and Spanish friars had come to South America to restore the mission colleges of Peru and Chile and especially those in Bolivia. Herrero founded besides the College of La Paz, also the Colleges of Sucre and of Potosi. The friars of the College at Sucre now labour mostly on the home missions, while those of the College of Potosi have cared for the Chiriguano and the Parapeti since 1869. For a short time, the friars had surrendered the care of these Indians to the Bishop, but in

1893, they again took charge at the request of the Indians. The venerable Colleges of Tarija in the south and of Tarata in the centre of the republic also owe their restoration to the initiative of Herrero. The friars of Tarija has been labouring among the Chiriguanos since the seventeenth century, but without marked success until late in the eighteenth century, when Anthony Comajuncosa († 1814) and the lay brother Francis del Pilar († 1803) worked among them with great effectiveness. The labours of the friars among the Tobas and the Noctenes on the Pilcomayo up to the present time have not been so fruitful, even though they have been nourished by the blood of many brethren.

The mission College of Tarata had been founded in 1796, upon the repeated urgings of Bishop Ochoa, who wished that the friars would restore the *Reducciones* among the Mojos, abandoned at the expulsion of the Jesuits, and that the friars would begin some *Reducciones* among the Yuracares. The friars undertook the latter task. The results of their labours, however, were not astonishing despite the heroic services of a Manuel Lacueva († 1849) or of a Joseph Puidgangolas, slain in 1860 by the Tobas. On the other hand, friars from the same college worked with considerable success among the nearly extinct Mosetenes, while their labours among the Guarayos have been blessed exceedingly and these Indians are now gathered in several *Reducciones*. Among the prominent friars of this College, who have already died, we may mention Gregory Faraut, Joseph Cardus, Basilian Landini, who died in 1868 as a martyr of the seal of confession, and finally Santiago Cabot († 1872), the famous popular missionary of Bolivia and Peru, who is still gratefully remembered by thousands.

Modern Argentina is divided into the great Pampas, which lie south and west of Buenos Aires, the district of Tucuman, to the northwest and formerly a part of Peru, to the east of which lies the Gran Chaco. Throughout all these territories, we behold traces of the pioneer Franciscan. In 1898, a College was begun at Rio Cuarto, to supply missionaries to work among the natives of the middle Pampas, after the friar Mark Donati had patched up some kind of peace between the government and the Indians. The missionaries had won the hearts of these Indians by their quiet heroism during the terrible cholera plague of 1870.

St. Francis Solano († 1610) had laboured very successfully for fourteen years in Tucuman. His superiors then recalled him to Lima, much to the sorrow of the natives, for he had become the one object of their common love and affection. Cities and states throughout the broad expanse of South America have shown their respect for his merits and his blameless life by choosing him as their heavenly patron. In the Gran Chaco, the friars have also been very active. Friars from the College of San Carlos in San Lorenzo had established *Reducciones* among the Mocovies and the Tobas by 1784. The College of Salta did the same for the Mataguyos after 1857. In 1887, the convent at Corrientes was changed into a mission College. The friars trained at this institution are sent partly to the eastern part of the Chaco and partly to the missions begun on the central Pilcomayo River by Terentius Marcucci in 1899.

Long before the friars had begun to work in the western part of ancient Paraguay, as just described, they had laboured in the eastern portion of that territory. In 1538, five friars landed in southern Brazil, apparently in the modern State of Santa Catharina, and travelled inland, until they reached the country known today as Paraguay. Their leader, Bernard Armenta, exhausted his vocabulary in search of words to praise adequately the manners of the natives. He requested that farmers and manual labourers should be sent

immediately into the district, but he would not hear of the arrival of any soldiers, lest the good dispositions of the natives should be turned to hatred. He demanded also that all rowdy elements should be forbidden access to the territory, lest the Indians, beholding Christians living worse than the pagans, should call the missionaries liars. Unfortunately, the greed of the settlers triumphed over these lofty ideals of the missionary. In 1547, the hierarchy was established on the La Plata. John de los Barrios was the first occupant of the See of Asuncion and Franciscans frequently were his successors. Of these, the most noteworthy is Bernardine of Cardenas († 1664), who had an unusually stormy episcopate. The most eminent Franciscan missionary in this territory was Louis Bolaños († 1629). We are certainly justified in calling him the founder of the missions in Paraguay. For more than fifty years, he devoted himself wholeheartedly to the welfare of the natives. His grammar and other works in the Guaraní language were of inestimable value to all later missionaries. After the Jesuits had been expelled from their *Reducciones* in Paraguay in 1767, the spiritual care of their missions was entrusted to the Franciscans, while the temporalities were guarded by Spanish government officials. These began such a system of organised wholesale robbery, that within a few years the resources which the Jesuits had developed through decades of unremitting toil, were entirely dissipated. The ruin was completed a few years later by the wars of Independence. The Gospel and civilisation had penetrated into modern Uruguay successfully only at the beginning of the seventeenth century. That the Franciscans, especially Bernardine Guzman and John of Vergara, bore the brunt of this labour, is an undisputed fact.

Cubral, when he landed in the territory of modern Brazil in 1500, was accompanied by several friars. After erecting a cross, he continued his journey in search of the East Indies. In 1503, two friars arrived at Porto Seguro. After labouring there but two hours, they were killed together with the Portuguese settlers, who accompanied them. Many other friars of later expeditions suffered the same fate. Any extensive missionary activity was out of the question before 1549, when the supply of missionaries of all Orders was adequate and gave reason to hope that if a mission was begun, there would be sufficient men to staff it. Among the new arrivals was the lay brother Peter of Palacios († 1570), whose labours were especially fruitful in the territory of the present State of Espiritu Santo. Gradually, two Discalced Provinces were formed in the district along the coasts. The effectiveness of their missionary activities was hampered severely by internal dissensions and by the hostility of their Dutch neighbours. Nor were the Portuguese Observants backward in assuming their proper share of the labour in this colony. They laboured very zealously in the States of Para and Amazonas. In the latter district they joined hands with their brethren, who were pressing forward into the valley of the Amazon from the west. In 1635, an expedition, including several friars, had set out from Quito and struck out for the east. The intention was to travel down the Aguarico River until its junction with the Napo. Instead, most of the party were murdered by the Indians. Several soldiers and two friars, Didacus of Brieda and Andrew of Toledo, survived. They clambered into a canoe, sailed down the Napo, until its confluence with the Amazon. Then the voyage continued down the entire course of that mighty river, until finally in 1637, after intense hardships, the little band entered Para on the Atlantic coast. Thus they had rediscovered this giant among rivers after the knowledge of its location had been lost for almost a century. Later several missions were begun by the friars from Ecuador among the Indians living along the upper tributaries of the Amazon. We know just as

little of these missions as of the missions conducted by the Portuguese Observants in the State of Amazonas, especially among the Tupinambos. We are certain, however, that conditions in Brazil at the beginning of the nineteenth century were not at all favourable to religious discipline and therefore not favourable to foster zeal for the missions.

New missions were begun in Brazil within the closing decades of the nineteenth century, due principally to the zeal of Jesuald Machetti. He established *Reduccion*es on the Madeira River and on the upper course of the Rio Negro. Unfortunately, his missions were handicapped by lack of men. The mission began in the State of Goyaz after 1899 is adequately staffed. Very recently (1908) the Order has accepted the mission of Santarem on the lower Amazon.

The friars seem never to have been able to carry on permanent missionary work in Guyana. Several friars worked in the Dutch territory for a time during the seventeenth century and again towards the end of the eighteenth century.

Paragraph 101 ***North America***

Five Franciscans accompanied Narvaez on his expedition to Florida in 1527. These were the first missionaries known to have trod the soil of the present United States of North America. They paid for their zeal with their lives; two of them died of starvation, among them John Suarez, Bishop elect of the new country. The first attempt of the Franciscans to found a permanent mission in the present United States was a failure; the second, in 1565, was a success. Menendez founded St. Augustine in that year, the oldest city within the boundaries of the present United States. Eleven friars were witnesses of this city and others soon came to share in the missionary labours of the pioneers. Preeminent among the missionaries of Florida is Francis Pareja, who wrote a catechism and numerous other works in the Timucuan Indian language. An Indian revolt in 1597 added new names to the long list of Franciscan martyrs. Among these "Martyrs of Florida" was Rodriguez. The savages granted his request to permit him to offer the Holy Sacrifice just once more before his death. He read Holy Mass with the gang of savages as his congregation, impatiently fingering their knives and testing their tomahawks. As the friar finished his Mass, they bespattered the altar with his brains. After these friars had watered the soil with their blood, it began to blossom with flowers of every Christian virtue. *Reduccion*es of Christian Indians sprung up in Florida and even in Georgia. Most of the converts came from the Apalachee and Cherokee tribes. Unfortunately, the flourishing condition of these *Reduccion*es aroused the greed of the English settlers in the Carolinas. Repeatedly during the seventeenth and eighteenth centuries did these skilled cut-throats skulk through the land, scattering the Indians or selling them as slaves, killing the friars and destroying the missions. Little wonder, if the Indians conceived an undying hatred for such cultured gentlemen. When this territory passed finally into the hands of the English in 1763, the English High Church replaced the Catholic religion. The mother friary of St. Helena, whence the light of the Gospel had penetrated throughout the entire peninsula, was turned into a barracks.

Many were the friars who had come by sea to Florida and Georgia from Mexico, many more left Mexico on foot and simply trudged northwards to labour in spreading

Christ's kingdom on earth. Old Mexico, or to speak more accurately, the province of Nueva Galicia, was bounded on the northeast by Nueva Biscaya, which is the district around Zacatecas. To the north and east of this district lay the *Novum Regnum Leonis*, bounded by the Gulf of Mexico and the Rio Grande del Norte. The large provinces of northwest Mexico were comprised at that time under the title Pimeria Bassa, while the districts along the coast of the Gulf of California commonly went by the name of Sonora or Nueva Navarra. The country still farther north, comprising the western portion of Texas, and the States of Arizona and New Mexico, was known as Pimeria Alta or *Novum Mexicum*. The entire territory was densely populated, but the Indians were for the most part uncivilised and some were even guilty of cannibalism. All in all, it was not an enviable field and only too often was it watered by the blood of the missionaries who had come to reclaim it for Christ.

Nueva Biscaya, shut off from the outside world by steep mountains, was cared for principally by the friars of the Province of Zacatecas. In the course of the seventeenth and eighteenth centuries, these friars established a large number of missions, especially among the Chichimecos, at the price of many sacrifices and even more patience. The missionaries, occupying the outlying missions were hardly able to subsist. At the time of their periodic returns to the central missions, they were usually half naked and so run down that they could hardly stand on their feet. Despite such heroism and despite the schools and infirmaries created at the more important missions to attract the Indians, the results were small. This poor success was due partly to the interminable wars among the Indian tribes and partly to the outrages of the colonists. Of course the missions and the missionaries had to pay on both scores. In vain did the missionaries warn the whites that the day of reckoning would come. Their prophetic voices were ignored or silenced. Especially courageous in this regard was the learned Anthony Tello, who laboured on the missions at about the middle of the seventeenth century. We quote the words of a recent historian: "True to the traditions of his Order, he fought tooth and nail in defence of the unfortunate victims."

Similar difficulties were encountered by the friars labouring in New Leon. This province had been discovered in 1602 by the friar, Andrew de Leon. At the cost of indescribable hardships, missions were established at Cadereyta and at Linares in the State of Coahuila. The Wars of Independence ended these missions. Several of the missionaries labouring in this district were captured by cannibals and were cruelly put to death.

Sonora had received its first missionaries by the middle of the sixteenth century. The Apaches in particular were the objects of the care of the Franciscan missionaries, many of whom were martyred in return. After the expulsion of the Jesuits in 1767, the Order developed a much more extensive missionary activity in this province. The friars not only took care of the missions founded by the sons of Loyola, but they also founded new ones. All however, were swallowed up in a common ruin a few decades later during the wars for Mexican Independence.

The results of the labours of the friars in New Mexico were more heartening. The Franciscans discovered this territory in 1539 and were welcomed by the Pueblo Indians as messengers from heaven. The joy of the missionaries was complete, when the government announced that there would be no *encomiendas* in this territory, but that the Gospel would be preached there as was done in the time of the Apostles. "Beautiful

words,” notes the chronicler, “but never kept.” After Mark of Nizza, the Provincial of Mexico, had verified the truth of the reports of his brethren by a personal tour of inspection, the governor sent out an expedition in 1540 to explore the territory. Several friars, among them Mark of Nizza and John de Padilla, volunteered to go along. After the force had reached Cibola and had spent some time in exploring the country, the soldiers returned to Mexico, but several of the friars remained. They were martyred, thus becoming the first known martyrs for the Faith within the territory of the present United States. The same fate befell the daring lay brother Augustine Rodriguez and his companions, who in 1581 had entered this land. By 1597 such heroic adventures had given way to permanent mission work under such untiring men as Alphonse Martinez, John of Escalona and Jerome Zarate-Salmeron. They laboured among the Taos, the Jemes and the Queres with much success. With the arrival of more missionaries, missions were begun also among the Jumanas and the Tombiros. Although there were many raids by hostile Indians and many missionaries were martyred, still God blessed the labours of the remainder so abundantly that by 1630 almost 80,000 natives had been baptised and forty-three churches had been erected. The missionaries fostered agriculture, introduced many manual arts and the raising of livestock, installed systems of irrigation, instructed the children in the rudiments of music and general knowledge and even published books in the vernacular. In a word, these Indians were taught to lead a happy and full existence. For a time, the peace and harmony of the land was marred by the bloody uprising of 1680 and succeeding years; but the blood of these martyrs was the price of future peace and success. Fresh bands of friars came into the field at about the beginning of the eighteenth century and the work of reconstruction was carried on apace. For almost 200 years the robe of St. Francis was practically the only priestly garb seen by the inhabitants of this land. And indeed, the fate of the natives and of the missions was in able hands to judge from the testimony of an American traveller, who visited these missions in 1748: “The Indians are well clothed and live in peace and abundance. The churches, built under the direction of the Franciscan missionaries, can vie with those of Europe. In zeal for the practice of religion, the natives stand second to none of their Spanish neighbours.” Even after the Franciscans had been forced to leave their missions in consequence of the political upheavals, the Pueblo Indians remained loyal to their faith. Even in 1854, they were praised by the government as pious, industrious and well instructed. In more recent times, the Province of Cincinnati has obligated itself to care for the spiritual needs of the Jemes and the Queres and thus to continue the work begun by their confreres centuries ago.

The beginnings of the missions in Arizona are bound up with the history and the development of New Mexico. When in 1604, Onate, the governor of New Mexico, set out on his search for an overland route to the South Sea, he was accompanied by several friars, who went as far as the western boundary of Arizona. Here the friars stayed, learned the language of the Indians and established a mission for the Moquis, which they maintained for 80 years. The first martyr of this state, Francis of Porras, killed in 1633, was followed by several others in the great Indian uprising of 1680. Despite these heroic sacrifices, neither the Franciscan missions in northern Arizona, nor the Jesuit missions in the southern part of the State, were as successful as the missions in New Mexico. This was due partly to the inroads of the wild Apaches, who stole everything and destroyed what they could not take along, and partly also to the apathetic and degraded nature of the

natives, with whom the missionaries had to work. Repeatedly the missionaries had sent strongly worded protests to the Spanish authorities concerning the outrageous conduct of the colonists. It was the same old story. No heed was paid to these accusations, until it was too late. In 1781, the rage of the Indians boiled over in the great Yuma uprising. The missions, in the usual way, were the first to pay for the government's neglect and all the more important mission stations on the lower Colorado were ruined. Francis Garces, famous both as a missionary and as an explorer, was among the missionaries killed at this time. Another leading missionary, Chyrsostom Gil, had been murdered by the Tiburones in 1773. In very recent times, the missions of Arizona have also been entrusted again to the Order. In 1898, the Province of Cincinnati took charge of the Novajos, the most powerful Indian tribe, west of the Rocky Mountains. Up to this time, these Indians had consistently repulsed all efforts for their conversion. But these modern friars, after mastering the difficult vocabulary and grammar of their language, succeeded in establishing two very promising central missions. All efforts, however, made so far for the conversion of the neighbouring Zunis and Moquis have not met with any marked success, due to the powerful opposition of the medicine men. The Province of the Sacred Heart is conducting several flourishing missions among the smaller Indian tribes of Arizona, namely among the Pima-Papagos, Maricopas and the Mojan-Apaches.

The first missionary attempts made in Texas in the sixteenth century were failures. However, when the French began to threaten to invade also Texas towards the close of the seventeenth century, then the Spaniards hastened to secure it for themselves. For this reason, twenty-one friars were sent thither from Mexico in 1690. The natives welcomed the missionaries as their saviours, especially after they had witnessed the heroic self-sacrifice of the friars during a smallpox plague. One of the most courageous missionaries, Michael Fonteubiarta, fell a victim to the disease. Most successful of all was Anthony Margil († 1726), one of the most remarkable men in the history of the Church in the Americas. After labouring very successfully in Yucatan and Central America, he was sent by the king of Spain to the Indians, dwelling the Sierra de Nayarit, who had hitherto resisted all attempts made for their conversion. Obedience next called Anthony to Texas, where in 1716 he founded the missions among the Nacogdoches and the Ays. One mission was even founded by him in Louisiana. The Texas missions, however, were not sinecures. Hardships and difficulties have always accompanied any work for God and the missions in Texas were no exception. There were the annoyances, consequent upon the almost constant wars between the French and the Spaniards, the dangers from hostile Indian tribes, and to crown all, the converts themselves, for the most part, were averse to agriculture and to a settled life. But the friars stayed at their posts, until the missions were abolished in 1812. The majority then returned to Mexico, although a few friars, moved by the sad lot of the scattered and abandoned Indians, would not leave. Among the friars who remained was Joseph Anthony Diaz. He was foully murdered in 1834, but his memory is still cherished in Texas today. Many beautiful churches, sturdy aqueducts and other buildings are silent reminders to the people of the present age of the industry and foresight of the Franciscan missionaries and their Indian neophytes.

California was for the most part unexplored until well into the eighteenth century, although Lower California had not only been explored long before, but the Jesuits had conducted missions there for a century, before general interest was aroused in Upper

California. After the expulsion of the Jesuits, the Franciscans took over their missions temporarily. In 1773, the Franciscans turned over these missions to the Dominicans, so that they could concentrate their efforts upon the evangelisation of the undeveloped Upper California. Here, in the State of California, the Franciscans were the first and the only missionaries. Francis Palou won renown during the few years he laboured in Lower California as a brave defender of the rights of the Indians. Even more famous in this regard was his superior, Junípero Serra († 1784), who was also remarkable for his sanctity, learning and resoluteness of will. In 1769, Serra began the founding of the missions in Upper California, nobly seconded by his brethren, many of whom, as for instance, Francis Lasuen († 1803) laboured more than thirty years in this new field. As a result of the united efforts of such great-hearted men, the entire country from San Diego on the south to San Francisco Bay on the north, was studded with flourishing *Reducciones*. Perhaps no country on earth bears so indelibly the imprint of Franciscan activity as does this Golden State of the West. Even today, the mere list of the names of its cities, mountains and rivers seems to be but the echo of the Franciscan litany. Here the friars built those magnificent churches, introduced the manual arts and agriculture, laid the foundations for that enormous wealth and live stock, and began the cultivation of those grains and fruits, which turned the land of sunshine into a paradise. The life of the Indian converts followed the old patriarchal model. The fathers were almost the sole rulers of the Indians, governing them with kindness, humaneness and moderation. The Indians, on their side, were loyal and affectionate. But all this was to cease. In 1833, the Mexican government blundered ahead with its decrees of secularization. The old relationship between the Indian and the padre had been ended. The mission became merely the parish church and the Indian was declared a full-fledged citizen with the power to do as he pleased. Despite all the hue and cry that all this was being done in the name of liberty and equality, the secularization really meant the ruin of the Indian. The very idea was preposterous, that a people hardly rescued from the lowest barbarism, should immediately be fit to take its place in the highly integrated organism of modern society. Indeed, as one keen observer pointedly remarked, the whole procedure was not less blameworthy than that of a father, who would send his tiny tots out into the world with the remark that now they should shift for themselves and that they would do as they pleased. The result, as the missionaries predicted, was certain ruin for the Indians. The poor Indian became merely the dupe of lawless freebooters, who robbed him of his land, degraded him with filthy liquor, and then drove him back into the wilderness or sold him as a slave. Within the six years from 1834-1840, the number of the Indians declined from the 30,000 of the missionaries to about 6,000. After the country had been annexed by the United States in 1846, conditions became even worse. Not unjustly does Dwinnelle, the historian of California, say: "If we ... contemplate the most wretched state, into which these Indians have fallen under our own management, we shall not withhold our admiration from those good and devoted men, who, with such wisdom, foresight and self sacrifice, reared these wonderful institutions in the wilderness of California. They, at least, would have preserved those Indian races, if they had been left to pursue unmolested their work of quiet beneficence."

The period following the secularization was a time of suffering also for the missionaries. Some of them, out of sheer misery, abandoned the country entirely, much to the sorrow of their charges. Among those who left was the superior of the San Luis Rey

Mission, Anthony Peyri, who had laboured among the Indians for more than thirty years. In order to spare himself and the Indians the pain of bidding farewell, he slipped away to San Diego by night and on board a waiting boat. When the Indians heard of his departure, they hastened to follow him. Seeing Father Peyri on board some of the Indians leapt into the water and swam after the ship as it sailed out of the harbour. What a picture! Father Peyri, standing in the stern of the ship, arms outstretched in a last gesture of blessing and farewell towards his beloved Indians, in vain crying for his recall. Other missionaries stayed at their posts, sharing poverty and shame with their poor children. One of these missionaries, Father Sarcia, died of starvation in 1838 in the midst of that land, which he and his brethren had made to bloom. In 1840, friar Francis Garcia Diego y Moreno († 1846) became the first Bishop of California. The old padres were able to retain very few of their old missions and in 1885, these few remaining missions were incorporated into the Province of the Sacred Heart. Members of this province proceeded to construct other convents besides engaging in mission work among the nearly extinct tribe of Digger Indians.

Meanwhile, in another part of the vast continent of North America, the sons of St. Francis had been the first to carry the glad tidings of the Gospel to the natives, namely in Canada (Nouvelle France). The French Recollects had been active in this colony since 1615, and they built the first churches. Le Caron is famous especially for his work among the Hurons and for his philosophical researches. Gabriel Sagard published a highly regarded work on the native tribes. Nicholas Viel is honoured as the first martyr of the colony. In 1619, the Recollects of Aquitaine began the arduous task of converting the Abnakis of Nova Scotia (Nova Acadia). They were permitted to continue their labours there even after the English had expelled their confreres from the rest of Canada in 1629. The Franciscans were permitted to return to Canada proper only in 1670; after their return they seem to have devoted their energies primarily to work on the home front. However, we do find Franciscans labouring among the pagan Indians even after 1670. Thus some friars accompanied La Salle on his trips of exploration, among whom was Louis Hennepin. The final verdict has not yet been given concerning the character and the merits of this friar. Christian Le Clerc won renown by his historical researches and by his perfection of the Micmac alphabet. These, however, were merely minor achievements, his main work was done as a missionary in northern New Brunswick (Gaspesia). In 1763, Canada definitely became an English colony. The old missionaries died off and no new recruits were permitted to come from France to take their places. In more recent times, the French friars have succeeded in establishing several convents in the country, which had first been evangelised by the sons of St. Francis.

We know of no organised labours undertaken by the Order in parts of North America, other than those already mentioned. Here and there, however, lone friars did labour in other sections of this vast continent. After 1673, the English Franciscan Marrey laboured in Maryland, as did also his Irish confrere, Whelan († 1805), towards the end of the eighteenth century. Whelan was also among the first to labour in Kentucky. The Dutch friar, Theodore Brouwers, built the first church in western Pennsylvania in 1789; which proved to be the tiny mustard seed in the present dioceses of Erie and Pittsburgh. Another Irish friar, Michael Egan, was active about this same time in Philadelphia. In 1810, he became the first Bishop of that See. The newly erected provinces of the United States have not shirked their share of the difficult labours at the present time. We have

already mentioned some of the missions cared for by the friars of these provinces. In addition, the Province of the Sacred Heart has charge of eight missions on reservations in Michigan and Wisconsin.

Paragraph 102
Europe and Africa

In those countries of Europe, in which the Order possessed provinces, the energies of the friars during this second period were fully occupied with labours on the home missions in the fight against the new heresies.

The only real missionary territory in Europe was the Balkan peninsula. The labours and the sufferings of the friars labouring there under the lash of the Turk defy description. It is due solely to the sacrifices and the heroism of the Franciscans that the Catholic faith was not entirely torn out of the hearts of the people of Bosnia and Herzegovina; for the friars were the only Catholic priests at work in these countries until very recent times. Upon the occasion of the restoration of the hierarchy in 1881, state and church authorities were united in their praise of the sons of St. Francis. "During 500 years of persecution, the Order stood firmly on this exposed front of Catholicism and at the price of the greatest sacrifices, it has fulfilled its noble mission, meriting thereby the gratitude both of the Church and of the State." Pope Leo XIII upon the same occasion stated that we must thank the Franciscans that the Catholics of Slavonia and Dalmatia have won the ascendancy over the schismatics. This was achieved through the immigration of countless Bosnians, whom the friars had saved for the faith. In Bulgaria and Rumania, too, the Bosnian friars helped to defend the Catholic faith; although their efforts were not as successful in these countries as they had been in their native land.

In Albania also the friars stood in the breach and successfully held back the onrushing tides of the eastern opponents of western culture and of the Roman Church. The Observants had managed to remain in this country but were too weak to exert much influence until they were reinforced by the Italian Reformati during the seventeenth century. Bonaventure of Palazzolo brought the Italian Reformati into Albania in 1634. Since that time, they have developed an extensive mission activity in Serbia, Montenegro and Macedonia. The work among the Catholics in these countries was rendered especially difficult by the many abuses, which had crept in among the faithful as a result of the encouragement and the bad example of their Moslem neighbours and rulers. Only too frequently such laxities were but the forerunners of a general apostasy. Nevertheless, whole communities in central and northern Albania have remained loyal to the See of Peter and to the religion of Christ; largely as a result of the labours of the faithful friars. Naturally such results were not achieved in that section of Europe without martyrs. Thus in 1644, Salvator of Offida and Paul of Mantua paid with their lives for their heroism, as did Ferdinand of Albizzola and James Zampa of Sarnano in 1648. Nor must we ignore entirely those friars who laboured at least for several decades in southern Greece and on the islands of the Aegean Sea.

In Africa, the Franciscans during this period were active along the entire northern coast from Fez to Egypt. Friaries had been erected in the coast towns of Morocco by the beginning of the sixteenth century. The Christian slaves, so common in those regions,

were the objects of the friars' tender care and solicitude. Quite a few friars fell as victims to their zeal in this work. Among them was Andrew of Spoleto, martyred in 1532. Soon after the beginning of the sixteenth century, the missions in Morocco were mostly abandoned, due mainly to the discovery of a much more receptive field in the Americas. The Christians, however, in this country were not entirely neglected, since some friars as well as religious of other Orders, came to Morocco from time to time, to console and comfort them. Permanent missionary activity was resumed under John of Prado, martyred in 1631. There was no lack of volunteers from the Discalced *Provincia Sancti Didaci in Baetica* to take John's place. During the reign of the cruel Muley Ismael (1676-1726), the friars were treated most inhumanely, while their Christian charges were abused even more brutally; frequently these poor human wrecks were forced to abjure their faith, and then if they dared to retract, the Moslems tortured them most exquisitely until they died.

During the Spanish Revolution, the missions in Morocco were abandoned for a second time. The resumption of mission activity is due to the ever-active Joseph Lerchundo, who brought some Spanish friars to the country in 1859. Since that time, members of the Order have been constantly engaged in the care of souls and in conducting schools. Indeed, the humble sons of St. Francis have gained the esteem of the Sultan on account of their efforts on behalf of the Arabic language. Not infrequently has this Moslem ruler used the friars as his interpreters or even has his ambassadors. Thus we see the friars employed as his interpreters during the famous Conference of Algeciras in 1906.

No organised missionary activity was undertaken by the friars during the sixteenth century in the countries bordering Morocco. Francis Ziranus of Sardinia was martyred in Algiers in 1603. Tunis has only recently again become the scene of Franciscan activity. On the other hand, the Order has laboured continuously in Tripoli, since 1630, when the Propaganda entrusted that mission to the friars. Of course, persecutions and petty vexations were not lacking, but by the end of the seventeenth century, the friars had managed to build churches and chapels and to found missions even in Cyrenaica. Of the martyrs in Tripoli, we shall mention only John Baptist of Ponto, who was burned in 1653.

Egypt had been an important mission field of the Order during the preceding period and the same is true of this period. Most of the missionaries came from the Holy Land. Conditions were not changed much by the decree of Gregory XVI in 1839, which raised this mission to the rank of an Apostolic Vicariate, since up till now that office of Vicar Apostolic has always been filled by a friar and the Order still has practically complete control of the Catholics of the Vicariate. Upper Egypt, however, namely from Cairo southwards towards Abyssinia has formed an independent mission since 1687. The missionaries here have encountered strong opposition both from the Moslems and from the Copts. In the course of the centuries, however, the friars have been fortunate in converting an ever-increasing number of the Copts. In 1815, these Uniate Copts received their own Vicar Apostolic. It was but reasonable that the friars should surrender to him those missions, which did not number any Latin Catholics.

The mission in Upper Egypt was indeed difficult, but that in Abyssinia was still more so. The Jesuits had worked there successfully for a few decades just after the beginning of the seventeenth century, but they were driven out in 1630. Next, the Capuchins tried to get a foothold in the country, but in vain. Lastly, the Propaganda

ordered twelve Franciscans of the East Indian mission to assume charge of Abyssinia. We know merely that these twelve friars arrived at their destination, and that is all. Now the Congregation commissioned the Reformati to evangelize the country. And from 1634 till the end of the eighteenth century, the Reformati did send many missionaries thither, “especially those whose feet run swiftly to shed their blood.” Indeed, martyrdom was the usual lot of those Reformati, who had not succumbed to the hardships of the journey. We shall mention only the most prominent martyrs. Cherubin of Caltagirone and Francis of Tarentum were barbarously butchered in 1637. Eleven years later, Anthony of Pescho Pagano, Joseph of Atino and Felix of San Severino were beheaded on the island of Suaquen at the mouth of the Red Sea. These were followed by Louis of Laurentiana and Francis of Mistretta, who were strangled in the capital, Goudar, in 1668. At about this time, Liberatus (*a Sancto Laurentio*) Weise, Samuel of Biumo and Michael Pius of Zerbo were stoned to death by order of the king in 1716. The friars were indeed able to make some converts, but on the whole, their success did not correspond to the labours and the heroic zeal of the missionaries. For a time after 1700, the king seemed to be favourably inclined towards the Catholic religion and he even sent letters to the Pope. Six noble youths were sent to Rome to be educated. But a change of rulers shortly afterwards destroyed these slender grounds for hope. Soon, the dream of the missionaries of a complete conversion of entire Abyssinia was drowned in their blood.

The newly-discovered lands along the western shore of Africa, in particular, the islands bordering Cape Verde, were also evangelized by the Franciscans. On one of these islands, Ribeira Grande, the king of Portugal built a convent for the friars in 1656. Shortly afterwards, he built two more convents at Cacheo and Bissao on the neighbouring mainland. These convents were but the starting points for missionary journeys, which took the friars all through the coast provinces as far south as Sierra Leone. Paul of Lordello († 1664) and Andrew of Faro were especially distinguished missionaries. The friars continued to care for these districts until well into the eighteenth century, although their labours do not seem to have had much permanent influence upon the character of the natives; although as a result of the first efforts of the friars, the Congo was blessed with Christian kings for about 100 years. This country was soon relinquished by the friars in favour of the Jesuits and the Capuchins; thereafter, Franciscans are met only rarely in the interior. Thus in 1670, some Belgian Franciscans were labouring there, and again in 1779, some Portuguese friars arrived under the leadership of Raphael of Castel de Vide. Friar Raphael died in 1805 as Bishop of San Tomé on the Gulf of Guinea.

The friars laboured in a modest way also on the eastern coast of Africa. Five French Recollects were sent to Madagascar in 1660, but they were captured by pirates while on their way and never reached their destination. Portuguese friars succeeded in establishing several missions for the natives on the neighbouring Mozambique in 1898, despite serious opposition.

The attempts of several friars in the seventeenth century, which were renewed in 1860, to establish missions in the very heart of Africa, did not enjoy any success worthy of mention.

Paragraph 103
The Philippines and Japan

The newly discovered Philippines were reserved almost exclusively to the Discalced of the *Provincia Sancti Josephi*, due to the successful diplomacy of the lay brother, Anthony of Saint Gregory († 1583). He had been destined, together with many other friars, for the Solomon Islands, but when the plan to send missionaries to these islands was dropped by the Spanish authorities, seventeen Discalced, led by Peter of Alfaro, set out in 1576 for the Philippines. Upon their arrival, they began a period of ceaseless activity. Only a handful of friars remained at the convent in Manila, while the others wandered two by two throughout the land. By 1586, the convents in the Philippines had been united into an independent province with the right to found convents on all neighbouring islands. Since new recruits were arriving continually from Spain, the province was able to erect missions on all islands of the Philippine group, but especially on Luzon. John of Plasencia was the guiding spirit in the erection of the missions, in planning the villages, and in the founding of the schools during the first period of Franciscan missionary activity. Succeeding missionaries continued to imitate his methods and to develop the projects, which he had begun. Due to the fact that the missions were undisturbed for about 300 years, the missions in the Philippines had unusual success. During that period, the friars were able to erect about 230 churches and to found numerous *Reducciones* of the natives. Due to the lack of diocesan clergy, the care of souls devolved almost entirely upon the religious, so that by 1890 the Franciscans alone had more than a million souls in their charge. Of the many hospitals erected by the brethren, we shall mention the leper asylum of Manila, built by John Clemente in 1578. In 1897, this institution was still used and cared for more than 150 sufferers from that dread disease.

The missionaries brought not only Christianity to the islands but also civilisation and culture. Elementary education became so extensive, that by the end of the nineteenth century only 15 per cent of the people were illiterate. Not many countries in Europe at that time could boast of a similar achievement. The missionaries also encouraged the study of the native languages. John of Plasencia was especially indefatigable in his researches and by 1580, he had published a grammar, dictionary and catechism in the Tagale tongue, together with an invaluable treatise on the customs and practices of the natives. At about the same time, Francis de la Trinidad composed the first great poem in that language. About the middle of the eighteenth century, Mark of Lisbon published the first grammar of the Bicol tongue, while Sebastian Totaneis offered to the world his grammar of the Tagale language, thought by many to be the best work of its kind on this tongue.

The friars rendered services still more valuable to the poor people by building roads, bridges and tunnels, by regulating the courses of the rivers and by constructing irrigation systems in those districts where the rainfall was slight. The friars who were busy with such labours from the sixteenth till the nineteenth centuries are legion. We shall mention only the most famous: Alphonse of Valverde († 1583), Francis of Gata († 1591), Dominic of Soledad († ca. 1790), Francis of Robles († ca. 1800), and Victorin del Moral († ca. 1850). But the friars not only laboured for the natives, they also taught the

natives to labour. Agriculture was begun in 1583, then the cultivation of tobacco, cocoa and coffee, exploitation of the mineral resources and the culture of the silk worm. In 1656, Peter Espallargas invented a textile machine, which is in general use among the natives even to the present day. Thus new means of obtaining a livelihood and even wealth were opened up by the missionaries to a people, who had formerly rotted in idleness.

All these favours were forgotten, when the natives began their wars for independence towards the close of the last century. Naturally the Spanish missionaries defended their native land and thus aroused the hatred of the rebels. Anti-clericals continued to add to and to stir the stew of hate. However, we cannot say that the people as such rejected their missionaries. Complete secularisation followed swiftly upon the heels of the United States occupation. Some of the friars remained at their posts, most either returned to Spain or went to labour in South America.

The Philippines were the starting point, whence the friars began extensive missionary trips to the islands lying to the south, to the mainland and to Japan. Portuguese merchants brought the first knowledge of Christianity to Japan. These merchants had arrived in 1542 and three Japanese accompanied the merchants back to Goa, where they were instructed and baptised by the Franciscan bishop John of Albuquerque († 1553) in 1548. They returned in the following year with St. Francis Xavier to their native land. St. Francis, called the Apostle of Japan, spent two years in Japan and his labours were very successful. The same is true of the labours of the other Jesuits, who were the only missionaries permitted in the country for the next few decades. In 1587, black night began to descend upon the Christian Japanese missions, when the daimio, Taicosama, forbade the practice of the Christian religion and ordered the missionaries to leave the country. The majority of the missionaries remained on in hiding. Four years before the prohibition by Taicosama, the Franciscan John Pobre had come to Japan from China. His unusually severe penitential life had impressed the Japanese Christians so favourably, that in 1592 they wrote to the Philippines, asking that the Franciscan missionaries should be sent to them, since they had been deprived of the sacraments for several years due to the edict of Taicosama. Just at that time, negotiations were being conducted between the governor of the Philippines and the Japanese government concerning some political questions and so the Philippine governor sent St. Peter Baptist with several companions as his ambassadors to the Japanese. Some may object that the Bull of Gregory XIII had permitted only Jesuits to labour in Japan. The Franciscans from the Philippines, in their defence, can point with justice to the Bull of Sixtus V of 1586, which permitted them to found convents on any of the neighbouring islands without restrictions. Besides, this very point was thoroughly examined at the time in Manila by competent ecclesiastical authorities and their verdict was, that in consequence of the sad plight of the Japanese Christians, help could not be denied.

The friars were well received by the emperor upon their arrival. Within a short time, with the aid of re-enforcements from the Philippines, they were able to erect convents, churches, schools and infirmaries in Meaco, Nagasaki, Osaka and other cities. The emperor and the daimios were indeed edified by the self-sacrificing zeal of the brethren and did not molest them in the least for the time. The bonzes, however, were not at all pleased by the friars' activity and they lodged frequent complaints against them and demanded that the sick should be removed from the hospitals of the Franciscans. In

October 1596, a large Spanish ship was wrecked on the coast of Japan and in accordance with the law of the country, its cargo became the property of the crown. But the captain, wishing to save his cargo, foolishly exaggerated the power of the Spanish king and even dared to threaten the Japanese. Among other things, he babbled that Spain conquers the world through her missionaries. As soon as these advance agents had gathered enough followers in any country, the Spanish soldiers came to complete the conquest, with the help of the native Christians. We can readily understand that such testimony helped to cause Taicosama to change his attitude towards the missionaries and their converts. He commanded that the missionaries and their disciples should be imprisoned. St. Peter Baptist and five other friars, three Jesuits and seventeen Tertiaries were locked up and on February 25, 1597, they were crucified at Nagasaki.

The immediate result of the deaths of these martyrs was the conversion of many heathens. The missionaries and their neophytes, as a result, of these conversions, again took heart and publicly began to profess their religion. The new ruler, Daifusama (1598-1616) permitted the churches to be rebuilt. He even donated a site to the friars in Meaco, on which they could erect a friary. Although many daimios still strictly enforced the laws against the Christians and although, consequently, bitter persecutions raged against the Christians even at this time in some provinces, still on the whole Christianity grew continually stronger in Japan, especially after numerous missionaries of various Orders had come to the country. In 1608, we know of thirty-four Franciscans alone in Japan who were active in the care of souls.

About 1612, the Dutch Calvinist merchants poisoned the mind of the emperor against the Catholics. In order to gain a monopoly of the trade of the Japanese, they aroused the emperor's hatred against the kings of Spain and Portugal and impressed upon him that the authorities in Holland had been forced to proceed against their Catholic subjects as traitors to the State. The persecution was intensified after 1616, due to the unfortunate entanglement of the Christian cause with the claims of rival candidates for the throne. One of the candidates was a Christian, the other was a pagan. The Christians, of course, supported the Christian claimant. Unfortunately, he was defeated. Thereupon, there began in Japan a period of persecution, unsurpassed in any land. Despite the use of the most refined tortures, the Christians, on the whole, displayed a wonderful staunchness and loyalty. The Christians were butchered by the thousands, and certain death awaited any missionary who dared to set foot on the shore of this forbidden country. Of the many friars, who were martyred in Japan during the first decades of the seventeenth century, we may single out Peter ab Ascensione, John a Santa Martha († 1616), Richard of Santa Anna († 1622), Apollinaris Franko († 1622), Anthony of San Bonaventura († 1628), Gines de la Querada and John Torella († 1632). The story of Blessed Louis Sotelo de Sevilla must be told a little more in detail. He had been condemned to death in 1612, but Mazamune, the daimio of Voxu (Oschiu) in the northeastern part of the island of Nipon, had him set free. This ruler was very well disposed towards Christianity and encouraged the conversion of his subjects in every way. In 1613, he sent Sotelo and some Japanese nobles as his ambassadors to the Pope and to the Spanish King for the purpose of obtaining more missionaries for his province. Paul V appointed Sotelo bishop of eastern Japan. The Spanish Nuncio was to consecrate him, but somehow this ceremony was never performed and so Sotelo returned to Japan without Episcopal consecration. He was delayed for years in the Philippines and when, in 1622, he finally succeeded in reaching

Japan, he was immediately seized by officers and thrown into prison. He was roasted to death in 1624 over a slow fire, while singing the *Te Deum*.

To all appearances, Christianity had been stifled in Japan. But, about the middle of the nineteenth century, when foreigners were again permitted to enter the country, a wondering world heard that several thousand native Christians had remained loyal to the faith despite an almost total lack of priests for several hundred years and despite an almost constant persecution, which ceased only in 1879. The Franciscans returned to Japan in 1906 at the request of the Bishop of Hokodate. Thus far, their main foundation is a college in Sappora on the island of Jesso for the study of foreign languages.

Paragraph 104 China, India and Australia

China, which had been a Franciscan mission in the former period, was reopened to the outside world again in the sixteenth century. Juan Zumarraga (cfr. par. 98), archbishop of Mexico, in 1545 made preliminary preparations for the evangelization of the country and he even expressed the desire to resign his archbishopric in order that he might be able to labour in China in person. Seven years later, St. Francis Xavier died on Sancian Island within sight of that country to which he was planning to carry the glad tidings of the Gospel. The next decades witnessed the arrival in China of missionaries of various Orders, but none of them had any permanent success. The same is true of the five Franciscans, whom Peter of Alfaro brought over in 1579 from the Philippines to Canton and Macao, although they did labour there for several years, caring for the sick but making only a few converts. Permanent missions in China during the modern period were begun by the Jesuits during the first decades of the seventeenth century. By 1633, the Dominicans and the Franciscans were also successful in gaining a foothold. The Franciscans owe the beginning of their missions to Anthony (a Sancta Maria) Caballero, with whose life a great part of the history of the early missionary activity of the Franciscans in China during the modern period is intimately connected. After he had laboured as a missionary for sixteen years, he was appointed Prefect Apostolic for the Franciscan missions of the Far East in 1649. In 1650, he began the mission of Schantung by erecting churches and a friary in the capital of that province, Tsi-nan-fu and by surrounding the city with a precious diadem of Catholic communities, which exist even till this day. He also zealously devoted himself to the study of the Chinese language and thereby merited the title of Mandarin. Numerous treatises, mostly of an apologetical or ascetical nature, came from his pen. In 1776, he was imprisoned and then exiled to Canton, where he died shortly afterwards. The funeral of this indefatigable Apostle of China was attended by an immense throng of people. His brethren, both Spanish and Italian, continued his work with such success that in 1723, the missions in their charge counted more than 100,000 Christians. The persecution, which broke out in 1724 reduced this number within forty years to about 25,000. Other prominent Chinese missionaries of the Order during the seventeenth century are: Bonaventure Ibañez († 1691), the companion of Caballero, Bernardine della Chiesa, who died in 1739 as bishop of Peking, Basil Rollo of Gemona († ca. 1703), the founder of the missions in interior China and

Prefect Apostolic of Schensi. Rollo is also the author of the best Chinese lexicon. It was printed only in the nineteenth century.

The success of the Chinese missions was hampered not a little by the Rites Controversy. Although it has never been proven that the prohibition by the missionaries of the rites under dispute had retarded the growth of Christianity, still it is certain that the differences of opinion among the missionaries concerning the licitness of those rites, which degenerated into a common quarrel, did seriously hinder the advancement of the Catholic cause and effectively prevented the harmonious cooperation among many missionaries. The Franciscans with few exceptions, the Dominicans, the Augustinians, the Lazarists and the priests of the Paris Seminary for Foreign Missions agreed that the rites in dispute were unlawful. Most of the Jesuits, though not all, held them to be lawful. Both sides defended their own views. As far as purely ceremonial and disciplinary rites were concerned, there was certainly room for a legitimate compromise and we cannot deny that the opponents of the Jesuits on these points could have avoided many unpleasantness. Neither can we ignore the fact that there were some practices, defended by the Jesuits, which could not be combined with a pure form of Christianity. At length, the Popes found themselves forced to intervene. After many papal warnings and decisions had all proved vain, Benedict XIV in 1742 definitely forbade all the rites under dispute and commanded the combatants to observe perpetual silence on the matter. A similar dispute concerning the Malabar Rites was settled by the same Pope in the same way.

After the outbreak of the general persecution in 1724, the missionaries for the most part were forced to remain in hiding. Even at that, they were in constant danger of their lives. Of the Franciscans, who laboured in China during this period of hardship and danger, we may mention: Eugene Piloti (Politius) of Bassano, who died in 1756 after twenty-six years of missionary activity in Shensi and Shansi, Francis Mogi (Magni) and his companions, who died in prison in 1785, Blessed John of Triora, martyred in Hunan in 1816 and Joachim Salvetti, who died in 1843 as Vicar Apostolic of Shansi. In consequence of the continual persecution, the missions along the coast were without priests at the beginning of the nineteenth century and those of the interior were gravely threatened with the same fate. In 1839, new life was infused into these old missions by Louis Besi. In the next year, he was joined by the equally zealous Gabriel Grioglio († 1891) and Aloysius Moccagatta († 1891). These three Franciscan bishops can be considered as the second founders of the Chinese missions of the Order. Their co-labourers and successors were such great men as Eligius Cosi († 1884), Peter Paul de Marchi († 1902), Amatus Pagnucci († 1900), and Theotime Verhaegen, martyred in 1904 in southwestern Hupeh. All of these were Vicars Apostolic.

In 1879, Pope Pius IX recognised the church in China. Of the thirty-eight vicariates, nine were entrusted to the Franciscans, namely, East and North Shantung (Chan-Tong), North and South Shansi (Chan-Si), North Shensi (Chen-Si), North, South, and East Hupeh (Hou-Pe), and South Hunan (Hou-Nan). Franciscans, labouring in China outnumber the members of any other religious Order, although the number now in China is not sufficient to care for the present needs of the missions, especially since the persecutions, which are arising continually, demand many victims both from the clergy and from the people. Thus, just a few years ago, the Boxer uprising, especially in the

province of Shansi, cost the lives of many missionaries and missionary helpers, and of about 2,000 Christians.

The Spanish friars, working out of the Philippines as their base, spread their influence throughout the Far East. The Portuguese friars did the same from their convents in the East Indies, where they had been labouring since the beginning of the sixteenth century. For a time they were indeed the only missionaries in many of the countries of that part of the world. Their accomplishments during those first decades and later, after other missionaries had come to labour at their side, are all too little known today. In Goa and at Kranganur on the west coast they began seminaries for the education of priests and of religious. The friars trained in these schools penetrated the gigantic surrounding territories in all directions, building about 150 churches, founding numerous missions and gaining uncounted multitudes for Christianity. Anthony of Porto, about the middle of the sixteenth century, pushed into the interior in a north-easterly direction until he reached Karanja in the province of Berar, where he alone converted about 10,000. In the Deccan, the territory lying just south of Berar, the friars also baptised many natives. But the majority of the friars laboured in the districts along the coast, especially of Malabar. Here Vicent of Lagos, a companion of the archbishop Albuquerque, was one of the most successful workers. The king of Tanor was one of his converts. Other friars travelled over Travancore and around the southern extremity of India to Tuticorin and Negapatam on the east coast, establishing Christian communities everywhere, whose members often ran far up into the thousands. Not less converts were made in the seventeenth century, due especially to the efforts of Emanuel a S. Mathia, who was at the peak of his activity about 1645. At about that same time, some friars travelled along the coast of Coromandel until they reached Bengal, where they preached the Gospel not without success. On the other hand, the French friar, Peter Bonfer, preached in vain in Arakan and Lower Burma about 1550. The same is true of the labours of the Portuguese friars in these districts within the following decades.

The friars were also the first missionaries on the island of Ceylon. John of Villa-Comte began to preach there about 1540 with Simon of Coimbra and four other friars with such success that within a few years, twelve churches had been erected on the island as well as a college to educate the native youths. The friars were fortunate to gain several very influential men for the Church, among them the king of Kandy in the interior of the island and the king of Battikaloa from the eastern part. Their conversion drew many to the true faith. The mission was hampered, however, by frequent dynastic wars and revolts against foreign domination. The revolt of 1630 was especially formidable. In later times, we hear ever less and less of the activity of the friars, and they seem on the whole to have been gradually eclipsed by other religious, although in 1626, there were twenty-four Franciscans active on the island and only sixteen Jesuits. Manar, a small island northwest of Ceylon, was also visited by the friars during the sixteenth century. Many natives were converted and the friars built a convent there.

Malacca, on the Malay peninsula, before it fell into the hands of the Dutch in 1641, was the headquarters of the missions of Farther India. Both Spanish and Portuguese friars were at work in these countries. Already in 1550, three adventurous friars had pushed into Siam from Arakan. Success crowned their labours, especially in the coast district and in Bangkok, the capital. Later centuries witnessed the labours of other friars in this same country, but no permanent gains were reported. More lasting were the results

of the labours of the friars in Cambodia, in Cochin-China and in Tongking. The first friars came to Cochin-China from Manila in 1580, but they were immediately hunted out of the country. Three years later others arrived and this number was continually being increased through new arrivals. At that early date, Bartholomew Ruiz was able to build a church and his brethren were permitted to preach the Gospel without hindrance. Substantial successes rewarded their efforts. When at the start of the seventeenth century, new missionaries arrived, the Spanish friars were forced to leave, since Portugal claimed this territory as her own. But, towards the close of that same century, the number of Portuguese priests was so inadequate, that the Vicar Apostolic Perez was constrained to request the Spanish friars to return. Upon the return of the Spanish friars in 1719, the Bishop returned to their care those missions, which they had begun: this action caused a dispute between the friars and the other missionaries, which Benedict XIV decided in favour of the Franciscans. The friars were now permitted to labour undisturbed and by 1750, 16,000 natives had been baptised. One of the friars, the Bavarian, Valerius Rist, even became the Bishop Co-adjutor of Cochin-China in 1735. Shortly afterwards began the great persecution, which threatened to destroy everything which the missionaries had accomplished. Michael of Salamanca died in prison; the other missionaries were forced to leave. Joseph a Conceptione alone remained behind secretly to console the people among whom he had laboured for thirty years. Later on, self-sacrificing friars were not wanting, who came to share the dangers of this aged knight of the Cross. Even as late as 1821 we find an Italian friar, Odoric of Collodi, creeping into the country, where he laboured with evident blessing, until he was put to death in prison in 1834.

The missions of Cochin-China have been confused so much in the sources with the missions in Tongking, that it is extremely difficult to give an accurate account of the history of the missions in this latter country. However, it is certain that the friar John Simon was martyred in Tongking in 1704 and that the Order had flourishing missions there. In Cochin-China and in Tongking, the Franciscans began 262 Christian communities, built 70 churches and 50 chapels.

Spanish and Portuguese friars were also busy on the islands of the Malay Archipelago until they were forced to leave by the Dutch in 1642. The islands, upon which the friars laboured, are Sumatra, Java, Borneo, Solor, Sangi, Ternate and upon the southwest and northeast coast of Celebes.

Catholic missions were begun in Australia only in the nineteenth century, and therefore, at a time when the Order in Europe was in desperate straits as a result of the French Revolution. Nevertheless, among the early missionaries were several Franciscans from Ireland. One of them, Bonaventure Georghegan, died in 1864 as the archbishop of Adelaide and his confrere, Bonaventure Sheil, died in 1871 as his successor. Since 1878, the friars have charge of several missions and schools in the vicinity of Sydney. From 1860-1874, the Italian friars conducted successful missions among the Maoris of New Zealand. Octavius Barsanti was particularly zealous in this work and therefore, Pompellier called him "the Apostle of Oceania".

Finally, we must not ignore those friars who came from America to the Marianas Islands (Ladrones), the New Hebrides, and the Solomon Islands in the sixteenth century and to the Society Islands in the eighteenth century.

Paragraph 105
The Holy Land

The beginning of the second period of the history of the Order (1517) saw all the Franciscans in the Holy Land in prison (cfr. par. 53). The Turks now took possession of the Cenacle on Mount Sion and converted it into a mosque. The Latins retained only a small part of this sanctuary for a brief time. When the friars were set free, after an imprisonment of two years, they were greatly reduced in numbers. Even the few survivors were in danger of death, since all means of subsistence had been destroyed. In 1528, they were able to represent their need to the Pope and Clement VII sent them pecuniary aid. In 1537 all the friars were again thrown into prison. Nine of them died during their three years' stay in confinement. When the remainder returned to the Holy Places in 1540, they found that everything had been stolen and that the shrines were in a very wretched condition. The next year, almost the entire community at Nazareth was killed; and in 1571 the same lot befell the friars on Cyprus. In 1642, the Sultan decreed the death of all the friars in his territory without any exceptions. Due to the energetic protests of the ambassadors, this decree was never carried out. This was but a temporary respite; for many were the friars who were to fall victims of the hatred of their opponents in the Holy Land, down to the time of the martyrs of Damascus in 1860. Still more numerous were the friars who were left to rot in the filthy prisons of the Turks, or who were tormented with every known manner of torture and vexation of mind and body. It is really impossible to enumerate here all the means of torture and torment, invented and applied by the enemies of the friars. Chateaubriand, who visited the Holy Land at the beginning of the nineteenth century, is not guilty of any exaggeration when he writes: "Almost the sole occupation of the friars is to defend themselves against the daily attacks and tyranny of their enemies. No method of torment and vexation, known to man, is untried. Of what good is it to procure *firmans* from the Sultan at the cost of much money, if such documents are never observed? Each year brings a new *firman* and a new kind of cruelty. In truth, I know of no martyrdom which can be compared to the martyrdom of these friars. And still their hymns of praise and thanksgiving daily rise to heaven from the shrine of the Holy Sepulchre."

The Turks were not the only enemies of the friars, indeed, they were not even their worst foes. That honour must be accorded to the Greek Schismatics and to the Armenians. Since the sixteenth century, these groups have striven to take the sacred shrines away from the friars and from the Custody of the Latin Church. They purposed their object with unrelenting energy; but the friars were not weaklings either and they contested every attempt made by these Orientals, not seldom indeed at the price of their blood. If, nonetheless, the friars have had to yield in some instances, that was due only to the overpowering might of their opponents. Russia, for centuries past, had protected the Greeks and their crimes and she was usually able to force the Sublime Porte to accede to their requests. The western powers, on the other hand, did not usually make any determined attempt to protect their guardians of the holy places, which had been bought and were preserved by western gold. Often, the attempts made by the western powers to protect their rights were so weak that they were a disgrace.

We shall narrate merely the most important episodes of that long drawn out battle between the friars and the Schismatics, a battle which is still raging today. In 1561, the

Greeks made a determined attempt upon the shrine of Bethlehem, but in vain. A similar attack in 1637 was successful. In 1674, the same opponents stole the rights to the Holy Sepulchre, after mortally wounding four friars who defended the shrine. Since the Turks had driven the friars out of the Cenacle in 1551, with the loss of the Holy Sepulchre, all of the most important shrines of the Holy Land passed from the control of the Latins. They were permitted, however, to use three shrines under severe restrictions and after making heavy payments of good money to the usurpers. In 1685, the General of the Order informed Emperor Leopold I of the sad plight of these sacred shrines. His Majesty promised that he would see to it that these shrines were returned to the friars after the war with the Turks, then raging, had been finished. As a matter of fact, he did insert into the Peace of Karlowitz in 1699, a clause to that effect. In the meantime, in 1690 France had procured the return of the Grotto of the Nativity and the Basilica at Bethlehem together with the Holy Sepulchre. France repeated this service in 1731 and in 1740. The Cenacle on Mount Sion was not returned, not even after the Peace of Karlowitz. Although these shrines belonged legally only to the friars, and although France and Austria had formally taken them under their protection, nothing was done, when the Greeks in 1757 again seized the larger part of the Basilica at Bethlehem, nor when they seized an equally large part of the Church of the Holy Sepulchre in 1808. After the Crimea War, one stroke of the pen would have rectified these injustices, but no one of the Western Powers could pluck up enough courage to even ask for that stroke of the pen.

The reason for this pitiful lack of courage must be sought in the Oriental policy of the Western powers, who were afraid to offend Turkey lest she should perhaps bestow her favours upon some rival. The western governments would act in unison against Turkey, as in the Armenian massacre, but they would not act alone, lest the others gain an advantage. This unfortunate rivalry has had a decisive influence upon the history of the Franciscan mission in the Holy Land in modern times and has greatly hindered its proper development. The entire West is the loser. This selfishly nationalistic policy can be traced back to the beginning of the seventeenth century. The French consul, who had begun to reside at Jerusalem in 1621, attempted to replace the friars by an Order of exclusively French religious. But the Pope, and after 1649 also King Louis XIV, blocked this plan; they even took the Franciscans under their special protection. But the friars, who formerly were not influenced at all by any national considerations, were gradually contaminated. After about 1628, it was decreed that the Custos of the Holy Land, who still bore the ancient title of "Guardian of Mount Sion", must be an Italian, his Vicar must be a Frenchman, and the Procurator or the administrator of the temporalities, must be a Spaniard. The Custos, then in office, considered that this decree would do more harm than good and refused to sanction it. But since succeeding Chapters of the Order repeated this decree, the plan was at length adopted and nationalistic considerations were permitted to decide important problems in the Holy Land. Later on, as results clearly showed, this step opened the door to scandalous quarrels, of which we hear so many complaints during the eighteenth century. Benedict XIV severely censured conditions in the Holy Land. In 1746, he approved the new Statutes of the Order, which included detailed regulations for the Holy Land. The three offices, above mentioned, were to be shared by the three nations mentioned, and besides each was to have one discrete. A seventh member of the advisory council was to be a German. Custom decreed that this seventh member was to be a subject of Austria-Hungary. In 1787, the King of Spain

succeeded in effecting a change in the list of friars eligible to be chosen Custos, Vicar and Procurator. Henceforth, these three officials were to be chosen alternately from the friars of Spain, France, Portugal and from the Cismontane family. This decree was revoked in 1794 at the request of the King of Spain himself. At that same time, the six-year term of the chief officials was shortened to three years. Gregory XVI restored the six years in 1841.

How dangerous such nationalistic preferences were for the entire Franciscan mission in the Holy Land was proven most clearly at the beginning of the nineteenth century. The Order had been suppressed in France, Spain and Portugal. Moreover, the pecuniary subsidy, formerly so abundantly supplied by these countries, now ceased. At the same time, the alms from Austria were stopped by order of Joseph II, who forbade anyone to send alms outside the country. As a result, the friars were in the direst need, which the cunning Greeks knew how to use to their own advantage. Savagely they burst into the church of the Holy Sepulchre and stripped it of everything which could remind them of the hated Latins. The appeal of the friars to the Powers was ignored, although several noble-minded persons rallied to the support of the Franciscans. In Germany, there was the eminent G. Goerres, who together with Philipps, placed the recently founded publication, the *Historisch-politischen Blätter*, at the service of the Holy Places. He it was who interested King Louis I of Bavaria also in their cause. Large alms now began to flow from Germany and also from Austria, but these were alight compared to the huge sums which had been contributed formerly by France, Spain and Portugal. Chateaubriand had only words of praise for the guardians of the sacred shrines and the Duke of Joinville, the son of Louis Philippe, in 1836 on the occasion of his pilgrimage, obtained with the aid of the French cabinet a *firman* from the Sultan, ordering the return of all shrines to the friars. These shrines were never returned; indeed conditions even became worse for the friars after this *firman*. In 1846, the Greeks attacked the Good Friday procession of the Latins and the French consul did nothing to protect the friars' rights; indeed, he even protested when the Turkish Pasha took measures to do so. Of course, the consul merely acted in accordance with the orders which he had received from home; his government now wished to drive the friars from these hallowed places, for since the French Revolution, few, if any, Frenchmen had joined the Franciscans. Therefore, the French government wished to replace the friars with the French Lazarists and thus preserve and even widen the sphere of French influence in the Orient. At the same time the papal curia, which had to exercise the utmost caution not to antagonise France on account of the perilous state of the papal dominions, seems not to have been entirely against the plan. The brutal injustice of such an act finally shamed the French statesmen into some sort of common sense, but not until the Pope had been forced to yield so far that in 1846 he firmly rebuked the friars for the abuses which they had permitted. Pope Pius IX also ordered that two French friars were to be admitted to the advisory council of the Custody. Meanwhile, the friars did not lose courage even though they had been abandoned by all and they defended their existence inch by inch. In the following year, the Pope, giving in still more to the demands of the French, re-erected the Latin Patriarchate of Jerusalem. Strange to say, the Pope did not have even one word of recognition or praise for the friars, who alone for 600 years had nourished the Church of God in those lands even with their blood and had faithfully cared for the souls of its adherents. France hoped to gain indirectly through the Patriarch, what she had failed to gain by a direct attack.

The first Patriarch, Joseph Valerga, did his best to further the French plan, not only by his manner of supervising the care of souls as was his duty, but also by using his authority to force the friars to relinquish the sacred shrines and by curtailing their rights. As was to be expected, his conduct merely caused dissensions and discord. The friars were not adverse to the erection of the Patriarchate; indeed, they had been requesting just that very thing since about 1620. What they did oppose was that the Holy Land, which was formerly the common possession of the entire Christendom, should not become, so to speak, merely a province of France. That the first Patriarch strove for the realisation of this latter objective cannot be reasonably denied; the proofs are too patent and too many. In 1856, the Austrians erected a hospice and wished to entrust it to the care of the Franciscans, but the Patriarch opposed the plan. He did the same in 1869, when Emperor Franz Joseph, on the occasion of his visit to the Holy Land, spent large sums of money for the restoration or the rebuilding of the edifices of the friars. He also rebuked the Spaniards, because they did not wish to send to Palestine for the aggrandizement of France, the sums which had been collected in their native land for the Holy Land. Thus we can understand why France, Turkey and Russia in 1868 combined to build the dome of the church of the Holy Sepulchre and coldly ignored Spain and Austria. By this action, Russia gained its first legal right to a voice in the affairs of the Holy Places.

Since the death of Patriarch Valerga, conditions have improved, although many had feared otherwise. Still the plan of removing the friars was not abandoned. Force had failed; but, perhaps, other means might not, thought the enemies, and so they had recourse to calumnies of every hue and colour, with the one main theme: the friars lack discipline and industry. Things became so bad that in 1856, the Custos, Bernardine of Montefranco, found it necessary to send a defence of the friars to the General Chapter. It cannot be denied that religious discipline was not always maintained according to the ideal. Nor can anyone gainsay that the quarrels between the Observants and the Reformati concerning their rights in the Holy Land did not result in harm; but neither can anyone deny that the Order as such was very little to blame for such conditions. These lamentable conditions were but the consequence of that ill-advised policy which sought to reduce the power of the General in the affairs of the Holy Land to zero and to permit the great Powers to decide every important question either directly or through the papal decrees which they obtained. Such a policy had indeed some points in its favour, as long as the Order had been divided according to nations. The fact that even after the recent division of the Order into twelve zones, no analogous provision has been made for the Holy Land is due to the stubbornness of some circumstances, which cannot always be changed as quickly as one would like. Still, the provision of equal rights for friars of all nationalities in the Holy Land is a matter of supreme moment for the continued existence of the Order in Palestine. For then, and only then, will the Holy Land be a truly Catholic land, equally dear to all the nations of the West. Then the selfish strivings of nations will cease, then the efforts of the Powers to protect their own interests by dispossessing the traditional guardians of the shrines will also stop of their own accord, for then the Powers will see that their efforts have no point and are even harmful.

Regarding the charge of idleness hurled against the friars, it cannot be denied that, within the last few decades, the friars in the Holy Land could and should have performed more worthwhile services in those fields of knowledge which especially pertain to the Holy Land. Here too matters are being improved by the recent foundation of a school of

high Biblical studies in Jerusalem (cfr. par. 107). But, if we view the labours of the friars in their care of souls throughout the past centuries, we doubt whether more could or should have been done. Every missionary organisation which has ever laboured in the East has experienced that the conversions of the Jews, the Moslems and the Schismatics are by far more difficult than the conversions of the heathens. All missionaries in this difficult field have been forced to be content with very modest results and, at times, even with the mere preservation of the faith in the hearts of those who have already been won. In this regards, the Franciscans of the Holy Land have done all that could reasonably have been expected of them: they have cared for the Catholics, conducted schools, founded hospitals and orphanages and all at their own expense. The number of converts is indeed small, but it is a steady trickle and hence, in the course of time, it assumes the proportions of a stream. From 1847-1877 the converts numbered 15,000, among whom were 1,000 Jews and Moslems. Moreover, we must not forget to add that the friars of the Holy Land, both in the present and in the past, have worked zealously in Egypt, Cyprus, Rhodes, Syria and Armenia. The care of the Maronites has also frequently been entrusted to these same friars, thus in 1542 and again in 1720, and they have discharged this mission with success.

In order to gather the large sums required for the adequate preservation of the sacred shrines, for the upkeep of the schools and missions, the Order long ago established convents in the various countries to collect the alms of those countries. These convents are called General Commissariates. The Chapter of 1621 appointed a Commissary or Procurator General of the Holy Land for each nation and a vice-Commissary for each province. The Popes have vigorously promoted and encouraged this work and have frequently exhorted the people to support the sacred shrines. In the course of the nineteenth century, the General Commissariates in Madrid, Rome, Vienna and Paris were deprived of their special privileges and were reduced to equality with the other Commissariates. Henceforth, Commissariates may not be erected for an individual province but for regions more or less large. At present, there are thirty-nine such General Commissariates throughout the world, with ten of them in Italy alone.

C. SCIENCES AND ARTS

Paragraph 106 Studies in General

The importance of studies for the friars is fully recognised by the Order. From 1517 until the present time, a steady stream of exhortations and admonitions concerning studies has issued both from the Generals and from the General Chapters of the Order. Their pronouncements have been summarised in the General Constitutions. The Chapter of 1565 had even characterised study as pre-eminently the work of the Franciscans, since they are obliged to it by the Rule. The General Gonzaga in an encyclical reminds the friars of his day of the words: *Otium sine litteris, mors est et vivi hominis sepultura* (Laziness without learning is the death and burial of the living man). At the same time, Gonzaga inculcates the ancient Franciscan method of study: *Fratrum Minorum studium ad inflammandum affectum et ad mores vertendum est* (The study of the Friars Minor should be directed to inflame their affections and ways of life). Wadding addresses these words to those friars who neglect study under the pretence of strict observance: *Periculosa res est inscitia, etiamini in abditissimos abscedat recessus*, (Ignorance is a dangerous thing, and also relegates one into oblivion), and he continues: *Si quis ignorat, ingorabitur* (He who is careless about knowledge, will be ignored). Despite these and many similar exhortations and warnings, the superiors towards the end of the eighteenth century seriously complained of the miserable academic status of the Cismontane family and in particular of the wicked and unqualified lecturers.

The chaos, consequent upon the French Revolution, was in itself not very favourable for the Muses, but the most serious effect was that a normal and well-ordered course of higher studies was rendered almost impossible in many instances, since many provinces were most thoroughly disorganised. Despite these circumstances, which might be pleaded as excuses, the General John Tecca of Capistrano considered himself justified in 1826 in severely rebuking the crass ignorance of the friars of lower Italy, who were thereby bringing dishonour upon the Order and giving scandal to the lay people. On the other hand, at the very same time, there was evident a serious endeavour to restore both the Order and studies in the Order to their former position. Indeed, in the last decades of the nineteenth century, in regard to studies, the Order has done all that humanly possible and the future is indeed a bright one.

But, in the past, the picture was not always and everywhere so consoling. One very evident reason for the decline of learning is to be found in the condition of the convent libraries, for that is an almost never-failing norm of the intellectual activity of any friary. In order to prevent the loss of any book Sixtus V in 1587 had forbidden anyone, under pain of excommunication, to withdraw a book from the convent library, not even to take it to his cell for the purpose of study. Such an extreme decree caused the greatest hardship precisely to the studious friar and it was really a hindrance, rather than a help to the pursuit of learning. Hence Clement VIII mitigated the decree to read that only if a person stole a book from a convent library should he be punished with excommunication. In many convents, however, greater harm was done to the library not through the loss of books from the collection but by the negligence of the friars. The

General Chapter of 1633 complains that the libraries have been permitted to deteriorate and that they now form rather the shame of the Order, than its glory, as they once did. The same Chapter enacted severe regulations and demanded that each convent should have a librarian and prescribed also that each superior should really use a determined sum each year for the purchase of new books. The same complaints and the same remedies are repeated in the eighteenth and in the nineteenth centuries, with this addition, that the books of a deceased friar should without exception be incorporated into the convent library. The most deadly blow to the libraries of the Order was dealt by the French Revolution with the consequent secularisations of the religious houses, when most of the ancient treasures of their libraries, which had not been destroyed, were transferred to the state and to the municipal libraries. Several convents, however, succeeded in saving their former libraries: thus, the convent in Jerusalem, the College of St. Isidore in Rome and the convents of Eger, Prague, St. Poelten and Bozen in Austria. Other convents have rebuilt their libraries after the storm had passed so that today their libraries are exceptional: thus, Antwerp, Munich and St. Anthony in Rome.

The decline in knowledge was most evident in the Cismontane family. It was caused by the unqualified lecturers and by the faulty management and arrangement of the courses of studies. Before entering upon this topic more fully, we must explain the educational system and problems of the Order more in detail. The more the universities, during this period after 1517 threw out the mere preparatory courses, such as grammar, arithmetic, and the like, and relegated them to the gymnasia, the greater became the need that the Order should take an ever-increasing care to instruct its younger candidates in these branches and in the humanities, before they were permitted to enter upon their higher studies. This instruction was imparted in various ways in the different provinces; but, we cannot say that it was done everywhere in such a way that the elementary training of the Franciscan clerics was entirely adequate for the fruitful pursuit of the higher subjects. Much less, may we say that in such provinces, was this training given the cleric students equal to that furnished by the public gymnasia. And yet, on that very point depended the success or failure of the friar students in any field of knowledge. Some provinces, on the other hand, took excellent care of the training of their youth and even opened gymnasia for the public, in which they also instructed their own candidates. This was done especially in Germany and Belgium. Other provinces, again, sent their aspirants to the public gymnasia; a practice, which became very common after the beginning of the nineteenth century. Still others built their own so-called *Collegia Seraphica*, in which the young aspirants were given that general education which is so absolutely necessary today. With justice, therefore, do the latest statutes for studies say: "The Provinces should take great care that they do not receive candidates for ordinations, unless they have before undertaken the courses in the disciplines of Philosophy." If this point was not stressed sufficiently in centuries past, the blame must be laid upon those lecturers who shirked their duty, strictly imposed already in the sixteenth century, of teaching the "liberal arts", as well as on those provincial superiors, who winked at such dereliction of duty by the lecturers. The decree of the Chapter of 1633, prescribing the erection of three general schools for the study of the humanities in Italy, would have done much to remedy the situation, if the decree had been carried out. Instead, the superiors sought to make up for the deficiency in the training in the humanities by extending the course of philosophy. Frequently three years of philosophy are prescribed for the clerics, although the standards

of the times considered a two-year course as amply sufficient. After the candidates had passed the prescribed examinations, they were permitted to begin the study of theology. For sometimes, the duration of the theological course wavered back and forth between three and four years, but by the eighteenth century, it had been fixed at four years.

The method of teaching the higher subjects had changed considerably by the sixteenth century from that of the golden age of Scholasticism. For one thing, the textbook of the ancients, the Sentences of Peter Lombard was being crowded out more and more by the *Summas*, written by the leading Scholastics, and for a second, the broad field of theology was being divided and subdivided into many distinct sciences. The Dominicans and the Jesuits used especially the *Summa* of St. Thomas as the foundation of their lectures and they were even partially obliged to follow his opinions. The Franciscans, on the other hand, taken as a whole, formed no such united school, but remained now just what they had always been before, eclectics. By that we do not mean that the theologians of the Order did not adhere either to St. Bonaventure or to Scotus, but we do mean to say, that the Order allowed the lecturers perfect freedom of choice and prescribed adherence to no school. An exception to that general statement must be noted for the first half of the seventeenth century, when several succeeding Chapters attempted to force the entire Order to adopt Scotism. How little effect their rules had, may be seen from the fact that at that very period, a number of Observants publicly defended in their books the teachings of either St. Bonaventure or of St. Thomas. It is very probable that these legislative attempts were but the official reaction to the restrictive laws passed at many universities at this time. Thus, at this time, several teachers at the University of Salamanca strove to have the university adopt the ruling that all professors should swear to adhere either to St. Augustine or to St. Thomas. John Vasquez, the teacher of Wadding, was largely responsible for the speedy death of this proposal. With the exception then of this brief period, we are justified in the general statement that the Order never had and never wanted a "School" in the strict meaning of that term. The great Franciscan theologians of Spain in the first half of the sixteenth century, were all true disciples of Scotus in this, that they did not blindly defend the doctrines of any one author. Alphonse of Castro, about 1540 when treating of the value of authorities in theology, energetically opposed placing unquestioning trust in a *magister dixit*; and Louis Carvajal, in his book *De restituta theologia*, published in 1545, protested against the attempt of any one to label him as a Scotist, Thomist or Occamist. He reserved to himself the right to abandon any master, whenever he thought that the master was not correct. At about that same time, the General Chapter of 1541 ordered that in the General Studies there should be one professor of Scotism and one professor to teach the doctrines of St. Bonaventure. The Statutes of Valladolid regards the teaching of the doctrines of St. Bonaventure as indeed praiseworthy, but it attaches more importance to teaching the doctrines of Scotus and it states that the disputes between Scotus and the other Scholastics are useful for the development of Catholic doctrine. The Chapter of 1612 wished that the lecturers should not take their material from Scotus alone, but also, and this is more important, from Holy Scriptures, the Fathers, the Councils and also from the other Scholastics. Several succeeding Chapters came out strongly for Scotus, but the Chapter of 1642 again recommended a course of theology based upon doctrines selected from various authors. In 1651, the lecturers were exhorted to avoid all irrelevant and exaggerated statements when attacking the school of the Angelic Doctor and to propose

their own teaching *juxta methodum modernorum ad aures subtilis magistri* (according to the methods of the moderns and to the ears of the subtle master). Similar demands to teach *juxta mentem Scoti* (according to the mind of Scotus) were issued at intervals also later on, but frequently no attention was paid to their observance. In 1688, the General Chapter acknowledged that the doctrines of Raymond Lull had always flourished in the province of Majorca, and hence, it prescribed that there should be one lector in each Spanish house of studies to teach his doctrines.

At the beginning of the eighteenth century, the Germano-Belgian National Congregation placed St. Bonaventure and Scotus on a par as far as the teaching of their doctrines in the school was concerned. A decree of the General, promulgated in 1762, wished that the lectors should follow the more eminent Franciscan teachers, but it does not name any master in particular. The statutes for studies of the General Commissary, Paschal Varese, issued in 1763 set a high standard. He demands that the philosophers should treat also the problems of modern times. The theological students must first study the classical works of Melchior Cano (*Loci Theologici*), Francis Orante (*Loci Catholici*), Louis Carvajal (*De resituta Theologia*) and Mabillon (*De studiis monasticis*). Thereupon the students shall be permitted to begin the study of special theology and that according to a well-ordered textbook, which was to be published. Until this text had been published, the lectors were to draw their material from the Sacred Scriptures, the Fathers, the decrees of the Church and from the foremost Franciscan masters. The stress laid upon positive theology in these decrees is increased even more in later decrees. Thus, the General Company in 1792 exhorts the lectors to return to the unpolluted sources of the Fathers for their material and to free themselves from the prejudices of the single schools, since the obstinacy of these later schoolmen in defending their doctrines, had done great harm to the Church. This trend has prevailed in the Order down to the present time and has greatly benefited the studies of the Order. The present statutes for studies merely remind the lectors of the ancient Franciscan ideal: that studies of a Franciscan should perfect at the same time both mind and heart: *Praecipium lectorum officium est, ut sanctum Bonaventuram imitantes mentes et corda iuvenum verbis exemplisque veluti veritatis radiis seraphicae inflamment* (The principal office of the lectors is that of imitating Saint Bonaventure by inflaming the minds and hearts of the young friars with his words and with the truth of his seraphic rays).

Just as positive theology thus gradually became a distinct branch of theology, so also did Sacred Scripture become a distinct branch. In 1559, the General Chapter ordered that the two daily lectures on Holy Scripture at Paris should continue. Towards the end of that century, we find distinct lectors of Holy Scripture and Hebrew. In 1615, Hebrew was made an obligatory study in all General Studies, so that in future no one could become a Lector of Theology, who did not know Hebrew. The Oriental languages flourished especially in several General Studies, which had been founded precisely for the study of those languages.

The study of Moral Theology and Canon Law was not less important for the friars than the study of Dogma and Sacred Scripture. A *Lector sacrorum canonum* is mentioned already in 1593, who was to propose and to solve practical cases of conscience. Several years later, every General Studies had its own Lector of Moral Theology. Indeed, according to a decree, issued at about this time, every province was to select six convents, where lectures on Moral Theology were to be held, at which all the fathers were to be

present, except the preachers. In 1663, another law demanded that weekly instructions on mysticism should be given to the lay brothers in each convent, and another on the chief points of the Rule. The works of the Dutch Franciscan, Henry Herp, were to form the basis for the conferences on mysticism. In the beginning, neither the lectors on mysticism nor the lectors on Moral Theology were considered full-fledged lectors. Spain accorded them that rank only in 1673 and the entire Order only in 1727. After the beginning of the eighteenth century, so much stress was laid on moral theology, that the students, after the completion of the usual theological studies, had to take a special course in Moral Theology and Canon Law, lasting two years. This was the period of the disputes concerning the various systems in Moral Theology. At the beginning of these discussions, the Order permitted the individual lector to choose whatever system seemed best to him. Hence, at this stage, we find in the Order leaders both on the side of the Probabilists as well as among their opponents. Among the latter must be mentioned the learned Anthony of Cordova († 1578), who fought Probabilism at its very birth. The Chapter of Mantua in 1762 finally decided the interminable argument for the Order by commanding all lectors, under pain of deposition, to avoid all *minus probabiles, laxae et periculosae doctrinae* (minimally probable, lax and dangerous doctrines). Paschal of Varese, in his statutes for studies was not content with such mild terms of disapproval. According to him: *Probabilismum omnium laxitatum fontem ac propositum ab Ecclesia hactenus proscriptorum foecundissimam scaturiginem esse, omnes aequi verum aestimatores proclamant* (Probabilism is the source of all laxity). After the Chapter of Valencia in 1768 and the General Company in 1792 had voiced similar sentiments, the Order returned to its traditional stand in academic disputes and permitted its lectors once more to exercise a prudent freedom of choice.

The Order took only a small part in the other theological disputes during this second period, except in the question of the Immaculate Conception. The theologians of the Order were the leading defenders of this doctrine. Baius' opinions had been favoured by several friars at Louvain, until they were condemned by the Pope; other friars, on the contrary had opposed them from the very beginning. Similarly many friars had defended the views of Jansenius, among whom was even Wadding, who was a member of the Commission appointed to investigate Jansenius' teachings. He submitted only after the Pope had condemned the doctrines.

Paragraph 107 **Educational Institutions**

During the Middle Ages there had been three classes of schools in the Order: General Studies, incorporated into a university; General Studies, not incorporated into a university; and Provincial or Particular Studies. This division persisted well into modern times, up till the French Revolution. However, all three classes had lost much of their former importance. This is true in particular of the schools in the Cismontane family, where the tie between the universities and the Franciscan schools never had been very close. Moreover, this family sent very few of its lectors to be trained in the great educational centres, and consequently, their lectors both in the General Studies as well as

in the Provincial Studies, became notably inferior. For this reason, seculars no longer desired to attend the schools of this family.

An attempt was made by the General Chapter of 1593 to raise the educational standards of the Cismontane family by commanding that each province should set aside four convents to be used exclusively as houses of study. Qualified lectors were insisted upon. Since these schools were to be provincial houses of study, members of other provinces were not to be admitted regularly to them. Many provinces made no move to carry out this command and hence, the General Chapter of 1600 decreed that every province which did not have at least three houses of study would be deprived of its rank as a province. In 1625, this decree was repeated. In 1651 a clause was added stating that only those places should be chosen as the sites for the schools which would permit both the lectors and the students to hold intellectual intercourse with other learned men. This decree was renewed in 1732. The isolation of the Order from the current stream of educational interests was being felt markedly. A partial remedy had been attempted already in 1633, when it was decreed that philosophy and theology should be taught in the same convent, whenever possible. Practical difficulties or lack of interest seem to have prevented the execution of many of these decrees aimed at rectifying the educational system of the Order. The most recent statutes for studies with good reason insist upon unification of control and responsibility of the education of the youth of the Order.

The provinces of the Ultramontane family were commanded in 1571 and again in 1621 to provide at least three houses of studies, under pain of being deprived of the rank of province. For a long time, well-ordered courses of study had been cut of the question in many of the provinces of this family, for they had been ravaged by the Reformation. Spain was almost the only country spared. In the other countries, many provinces sent their students to schools not conducted by the Order. In Germany, most of the clerics attended the schools of the Jesuits.

The Chapter of 1526 had issued a very sensible decree concerning the General Studies, that each family should erect General Studies for each nation. The nation would have control over its own house of General Studies. If this decree had been observed, each family would have had three houses of General Studies. That number would have been adequate to care for the number of students, and, at the same time, these houses would have been sufficiently responsive to the peculiar needs of each nation. Such institutions would have filled a very real need and would certainly have flourished; but, unfortunately, the decree was never carried out.

Three years later, Italy alone boasted of three houses of General Studies and by 1532, the number had risen to ten, with several located in very insignificant places. In 1587, the number was reduced to five schools of theology, which were given the title of *generales et privilegiatae*. The number of students was also severely restricted: Rome, Perugia, Bologna and Venice were to admit only sixteen scholars. Naples was permitted to have thirty-five. Apparently only those clerics were to be admitted to these schools, who were intended to become lectors. Three years later, another decree stated that only two such schools were required for entire Italy: Naples with forty students, and Perugia with thirty. All Italian provinces were allowed to send students to these schools. After another three years, four houses of General Studies are mentioned. Thereafter the number increased in a manner altogether incredible. Although the Chapter of 1603 had been

content to erect nine General Studies for the entire Cismontane family, the number had increased by 1625 to twenty-five and by 1689 it attained forty-nine. These figures comprise only the schools of the Observants, since the Reformati did not permit General Studies. It goes without saying that such underdevelopment of high-titled schools, which could not live up to their names, would work harm on all the schools of the Order. The Order was not slow to see the defect and to apply the remedy. In 1645, it was decreed that entire Italy should have only one General Studies in philosophy. Unfortunately, this decree, like so many others relating to the educational matters of the Order, was quietly ignored. At the same time, the General Studies were divided into those of the first and those of the second class. Only clerics who had made their studies at a General Studies of the first class could become lectors capable of receiving the *jubilatio* (cfr. par. 108). This great advantage caused many provinces to institute two or even three General Studies of the first class. Hence, another decree was passed in 1691 permitting no province to have more studies of the first class than of the second class. As a matter of fact, most of these General Studies were nothing more than Particular Studies for the education of the clerics of the province. A high-sounding title had been assumed and abused, in order that the lectors in these schools might pass as *Lectores Generales*, with all their privileges (cfr. par. 108). These Cismontane schools could not even begin to compare with those ancient General Studies of the preceding period, which were really international schools for the training of able teachers and preachers. At the beginning of the seventeenth century, when there were still only nine General Studies in all Italy, the duty of the affiliated provinces to send their students only to these schools was stressed. By 1651, the contrary view began to prevail; and by the beginning of the eighteenth century, the Ultramarine province needed all the weight of an Apostolic Privilege to have its students admitted to these Italian schools of its family. Even then, the number of the students was severely limited. However, that was not really necessary for really good schools had been developed in Vienna, Prague, Cracow and even in Bulgaria.

In the Ultramontane family, the number of General Studies seems ever to have been small. That was in itself an advantage, but the main point was that the superiors of this family always strove to unite their schools, in some way with a university, even though full incorporation was now out of question, due to the changed character of the universities. Hence the General Studies were usually erected in a town, possessing a university, where the clerics, who were destined for higher studies, had the opportunity to attend the lectures both of the lectors of the Order and of the professors at the university. In accordance with the decree of 1526, the Spanish nation founded a General Studies at Alcalà de Henares (Complutum) in 1532, which prospered exceedingly. At about the same time, the king of Portugal built a college for friars at Coimbra, which was repeatedly enlarged. Wadding speaks with grateful praise of this institution, for it was his *alma mater*. Salamanca and Valencia seem to have been ranked as of the utmost importance, among the other General Studies of the Spanish nation.

In the French nation, the General Studies at the university of Paris naturally held the first place. Even during this period, its influence upon the entire Order was still very strong, since students of all nations yet came to study at Paris in a manner barely matched by any other university of the time. The General Chapter of 1529 decreed that each Observant province should be permitted to send two students to Paris, after they had proven their ability at home. The Confederated Provinces were permitted to send eight

students, in accordance with their ancient privilege. At the same time, the Grand Convent was granted exemption from the Provincial and the right to elect its own Guardian. In 1547, a royal decree limited the number of students at the convent, who had not yet received degrees, to 150, of whom twenty-five could be from the provinces outside of France. Towards the end of this century, the convent was enlarged, so that it was now able to accommodate 214 students. Still, the number of applicants was so large, that many were forced to wait a long time before they could be admitted. At that time, the public school of the convent was the largest, the most beautiful and the most famous at the university. It seems that at the beginning of the seventeenth century, while the total number of students was increased, the number of students from the non-French provinces was ever more severely restricted. This is the only reasonable explanation we can find for the dissatisfaction and complaint of the convent against the General, Benignus of Genoa, who restricted the total number of students to 200, of whom he ordered at least eighteen were to be foreigners. The real cause for the complaint of the convent against the General was not really this decree, but the fact that the General had insisted on the maintenance of a strict religious discipline, which was entirely lacking in the convent. Thus, after the beginning of the seventeenth century, Paris lost ever more its importance for the entire Order and gradually became merely a General Studies of the French nation. After Paris, the outstanding school of this nation was at Toulouse.

Studies in the German-Belgian nation were in a sad condition during the first centuries of this period, due to the revenge of the Reformation. Oxford and Cambridge had been destroyed and no substitute had as yet been developed. The college at Louvain was now the outstanding educational institution of the nation. The Belgian and the lower German provinces sent their clerics there for instruction. Secular students also frequented the lectures in this college. The other German Franciscans were educated partly in their own provincial studies and partly at public institutions, especially at the universities of Cologne and Ingolstadt. The Irish friars, who were not able to conduct schools in their homeland on account of the persecutions, in the beginning of the seventeenth century founded their first school at Louvain, later one at Prague and then finally one at St. Isidore's in Rome. As a rule, these colleges admitted only Irish students, who wished to labour on the Irish missions. At the same time, these Irish colleges performed some really noteworthy services in the field of education and general knowledge and many of their students later on graced the faculties of several universities.

These institutions of General Studies were not the only educational effort of the Order. For during the seventeenth and eighteenth centuries, the sons of St. Francis were at no little pains to train men to meet the peculiar needs of those times. Such training demanded specialised schools, wherein the students concentrated primarily upon languages and apologetical methods. Thus was formed a band of friars, thoroughly equipped to meet successfully either the heretic or the heathen. Moreover in 1767, the learned William Smits founded at Antwerp his *Museum philologico-sacrum*, with the whole-hearted support of the General. This school purposed to foster the study of the Sacred Scriptures and to impart a thorough knowledge of the Biblical languages. The institute was directly subject to the General, who favoured the students with many privileges, especially *in promotione ad doctoratus gradus*. Unfortunately, the college enjoyed only a very brief existence, since it was completely destroyed by the French Revolution. But, in recent times, the Custos of the Holy Land has revived the plan of

such a college. With the consent and support of the General, he has founded in Jerusalem a Biblical Institute which is to serve the entire Order as a school of Oriental languages and of Biblical study. If the future development of the Institute is in keeping with the present plans, it will render valuable services indeed both to the Holy Land and to the science of exegesis.

The Institute in the Holy Land must still win its crown, but two other General Studies, if we may wish to style them thus, which have been founded in recent times, have already proven their worth. The *Collegium Sancti Bonaventurae ad Claras Aquas* (Quaracchi, near Florence) owes its foundation to the initiative of the General, Bernardine of Portogruaro. It was his wish that this college should be the nursery of true Franciscan learning and especially that it should re-edit the works of St. Bonaventure. In 1870, the preliminary work was entrusted to the learned Fidelis of Fanna. For seven years, this friar with the aid of eighteen confreres ransacked more than 400 libraries of Europe in search of manuscripts, so that this edition might fully meet the demands of modern critical scholarship. Upon the death of this indefatigable worker in 1881, the saintly Ignatius Jeiler († 1904) was put in charge of the work and he brought the labour to a very successful conclusion. Since that time there has been no lack of capable workers, nor of great achievements. “The founding of this college, and the edition of the works of St. Bonaventure, are events of great moment and of far-reaching importance for the theological world and for the history of the theological sciences” (Ehrle).

Not less meaningful for the Order was the foundation of the International College of St. Anthony in Rome. It was founded in 1883 by the same Bernardine of Portogruaro to train capable missionaries and to educate qualified lectors for the entire Order. For a time its proper development was hindered by the fact that the Italian clerics had to be instructed here in the mere rudiments of philosophy and theology, since the provincial studies of the Italian provinces had been disrupted by the recent struggle between the State and the Church. Gradually, however, these provinces began to reorganise their courses of studies, so that the College in Rome could be freed to pursue its own high purpose. We have good reason to expect that the influence of this international university will have a beneficial effect upon the educational standards of many provinces.

Paragraph 108 ***The Lectors***

As the educational policy of the Order tended over more towards isolation and self-sufficiency, the more difficult and defective did the training of lectors become. The evil results of this policy were particularly evident in the Cismontane family and in the reformed branches, which not seldom affected a hostile attitude towards higher education and permitted their members to receive the doctor’s degree from a university only rarely. For a time also a considerable portion of the Ultramontane family adopted this policy. The General Chapter of 1523 had stated the ancient law, namely, that the degree of doctor of theology could be obtained by friars only at the General Studies of the Order and that this degree could not be obtained from the General nor from any other school. But, by 1532, the General Congregation of the Ultramontane family wished to forbid the friars to receive any academic degrees. This decision could not be enforced. Moreover,

the General Chapter of 1541 expressly granted permission to the Confederated Provinces to promote their friars to degrees, after obtaining the permission of the General and of the respective Provincial. The English friars, although they had lost their own universities through the Reformation, were still anxious to obtain academic degrees and they were permitted to study at Paris. Only after the English friars had joined the Recollects did they cease bothering about higher studies. Friars of other nations, however, even though they were Observants, were having increasing difficulty in obtaining permission to study at Paris. Since the friars who were not French did not wish to go without academic degrees, they obtained permission from the General Chapter of 1682 to receive academic degrees from any university, provided no charges were made for the degree. On the other hand, the Chapter also commanded that the friars who taught at such universities could not demand any compensation. The universities, most frequented by the friars outside the university of Paris, were the universities of Salamanca and the other Spanish universities, Toulouse, Angers, Bordeaux, Louvain and Mantua. At these same universities, we find friars as professors down to the French Revolution, as well as at the university of Heidelberg, after the suppression of the Jesuits, and at many Episcopal seminaries, as at Freising. The teachers at those schools of the Order, which were connected in some way with a university, although not incorporated into the university itself, were called either *doctores regentes (cathedratici)* or *doctores conventuales*, as they lectured in the university itself or only in the convent school.

After 1517, the vast majority of the lectors were no longer trained at the universities. The Cismontane family attempted to offset this by decreeing in 1590 that two General Studies should be formed expressly for the purpose of training lectors. Unfortunately, the superiors of this family did not abide by their own regulation but soon began to increase the number of General Studies so foolishly that they became merely particular studies. Preparation for the office of teaching gradually seems to have been left to private initiative. That seems to have been the reason for the decree of the Chapter of 1633, which ordered all aspirants for the lectorate in philosophy to appear at the provincial chapter where they were to be examined by the Definitors and the actual lectors. Similar regulations had been made for the Ultramontane family in 1621. Those who proved their fitness in this examination were to be considered lectors of philosophy. After three years, they could transfer to theology. Nothing is said concerning the studies required. We receive just as little information from the decree of the Chapter of 1639, ordering that no one could be a lector who had not devoted four years to study. This system seems to have remained in force for over a hundred years without any substantial change, at least in many provinces of the Observants. The Reformati were usually content with a private examination of their lectors, but in 1679 and again in 1762, they prescribed a public examination. Many provinces took even this matter of examinations too lightly and hence the General, Clement of Palermo, in 1758 decreed that all lectors (of the Cismontane family?) must pass an examination at Aracoeli before they could be installed. Towards the end of the century, the General was forced to take measures to punish the impertinence of those who presented themselves for this examination without any preparation.

With the revival of the ancient traditions of the Order, more stress was placed upon the training of capable lectors. A good number of provinces returned to the old system and sent their prospective lectors to the universities, so that the instructors of our

clerics might be as well trained as those in any other school. Besides, the Order now conducts in the College of St. Anthony in Rome a General Studies, whose chief purpose is the training of truly qualified lectors. The lectors trained there are called *Lectores generales* to distinguish them from the lectors trained elsewhere, who are called simply *Lectores provinciales*.

The title *Lector generalis* was unknown before the year 1639. Urban VIII in 1638, in order to decrease the number of the *Lectores jubilati*, decreed that only those teachers could be called *Lectores jubilati* who taught in a true General Studies. Thereupon the General Chapter of the following year coined the title *Lector generalis*, although there had been no mention of such a title in the papal document. Henceforth, this new title comprised all lectors, who had been appointed either by a General Congregation or by a General Chapter to the faculty of a General Studies, either of the first or of the second class. Only the *Lectores generales* of a General Studies of the first class were entitled to the *jubilatio*, and they were to receive the better students. Naturally all lectors strove to obtain the privilege of a *jubilatio*, and consequently, they had to be transferred in the last years of their lectorship from the General Studies of the second class to those of the first class. As a result the studies of the second class were always taught by the incipient lectors, while those of the second class were taught by the older lectors. However, even the older teachers taught only for a short time, in order to make room for the others who were also anxious to obtain the honours of that position. Therein lay the reason for the excessive multiplication of the General Studies: a refuge had to be prepared for the large numbers of those who sought not wisdom, but the privileges of a *Lector jubilatus*.

This *jubilatio* itself was an innovation in the Order. It appeared for the first time at that period when precedences and personal privileges of all kinds were ruining the Order: towards the close of the sixteenth century (cfr. par. 84). Before this time, it was deemed sufficient to grant the lectors here and there a few privileges; but, in 1590, the Cismontane family granted the rights of an ex-Provincial to all lectors, who had taught theology for ten years. Later, when the ancient method of forming the Provincial Chapter was discontinued and instead a small group of privileged friars was formed to constitute the Chapter, then the representatives of learning could not be entirely overlooked, and some of the lectors were also admitted to the new Provincial Chapter as members of the small privileged group. This important right was taken away from the lectors at the beginning of the eighteenth century (cfr. par. 89) but the title and precedence remain to the present day.

The Ultramontane family, following the example of the Cismontane, decreed that all lectors who had taught philosophy for three years and theology for ten to twelve years, should enjoy the precedence of ex-Provincials, together with the right to vote at the Provincial Chapters *ac si essent perpetui Guardiani* (as if they were perpetual Guardians). It was also decreed that there could be only two *Lectores jubilati* at the same time in the same house of theology and only upon the death of one, could another receive the privileges of the *jubilatio*. These Ultramontane decrees were imposed upon the Cismontane family by Clement VIII and Urban VIII. Since, however, it could readily happen that a lector had finished his requisite years of teaching without receiving the privilege of a *jubilatio*, because the prescribed two incumbents would not die, it was decided to console such a lector with some small precedence and the title of *Lector jubilatus praeternumerarius*. Frequently, these *Lectores jubilati praeternumerarii* just as

the *Lectores jubilati numerarii* were not actually teaching. Finally there were the *Lectores bis jubilati*, who had taught theology for twenty-four years. These were also given some added privileges.

It is not a very flattering testimony to the spirit of the *Lectore*, that they should have been so anxious to obtain honorary titles and extra privileges. It was indeed a sad sight to see some demanding higher precedence, because they had written several works. It was equally astonishing to see the *Lectores jubilati*, to whom Innocent XI in 1679 had granted the rights of Doctors of Theology, wearing the Doctor's hat and ring in public processions: a vagary which was condemned over and over again, but which persisted down into the nineteenth century. In view of the foregoing facts, it is difficult to understand the hesitancy, displayed in 1750, in granting the *jubilatio* to those friars who had taught at the University of Salamanca for fifteen years. Most of the other friars who received it, deserved it much less.

Such excrescences were found not only among the Observants, who were in general the most zealous defenders of higher education, but also among the reformed branches, who in this regard, were not whit better than the Observants. In 1682, the Reformati introduced the title of *Lectores emeriti*, the equivalent of the *Lectores jubilati* of the Observants. Some Reformati zealously opposed this ordinance. Louis Maria of Ameno, however, sharply criticised such niggard spirits, saying that there was no opposition to privileges for officials after their term of office had expired, why then should privileges be withheld from the lectors, the preachers and the masters of novices alone? Despite these strong words of Louis Maria of Ameno, the Reformati in 1720 abolished temporarily the privileges of the lectors, without touching the privileges of the others.

The Discalceati and the French Recollects considered the titles in use among the Observants and the Reformati as too pompous, and so they chose to call their lectors, whom they wished to honour, simply *Lectores qualificati*. Nevertheless, they tried to give them the same privileges as the *Lectores jubilati* of the Observants. The Order opposed such contradictory methods, as did also the Congregation, to whom they appealed, but Benedict XIV in 1744 finally gave them their way.

The granting of the privileges of the *jubilatio* was more harmful to true learning in the Order than is commonly recognised. Love of the honours and the privileges, connected with the *jubilatio*, caused many friars to strive to become lectors, who lacked all the qualifications of mind and heart. The temptation was heightened by the fact that, in most cases, lectors were chosen for the higher offices in the Order. Hence the number of lectors grew so disproportionately that in 1700 there were 4,200 of them (cfr. par. 83). Of course, part of this increase was due to the structure of the Order, with its many provinces, each of which has its own houses of study. The obvious method to reduce the number of lectors would have been to consolidate the houses of study and thus less lectors would have been needed to instruct the clerics. Instead, it was decided to keep the same number of houses of study, but restrict the number of lectors, permitted in each house. This was perhaps the most detrimental result of the overdevelopment of the number of lectors consequent upon the privileges of the *jubilatio*. Time and again was this decree repeated, that in a house of studies there could be only two lectors of theology and but one of philosophy; a post graduate institute of the first class was the only study house permitted to have three lectors of theology. This restriction took place just at the

time, when both philosophy and theology were being developed into many distinct disciplines; thus the lectors, even those who were qualified, were unable to do full justice to their subject.

Other remedies were also tried, in order to attempt to lessen the number of lectors. One very beneficial move was the abolition in 1679 of all expectancies to the lectorate; i.e. the so-called *Lectores supernumerarii*. These were friars who had successfully passed the required examination and had then been assigned to some house of studies, although no classes had as yet been entrusted to them. The *Collectores* were instructors who were to aid the main professor in the discharge of his duties in the classroom.

A further evil result of the privileges of the *jubilatio* was the neglect of philosophy, in so far as only beginners were assigned to teach that noble branch. These were then transferred as soon as possible to the teaching of theology, so that they might be in line according to seniority to receive the *jubilatio*. Perhaps the greatest harm lay in the fact that few friars consecrated their whole life to teaching, nor was it really possible for them to do so. Each lector began his career at a provincial house of studies or at a General Studies of the second class. In due time, he might perhaps be prompted to a General Studies of the first class, from which he was forced to resign as soon as he had obtained the *jubilatio*. Hence, most houses of study had no stable faculty; most of the lectors were either on their way up or on their way out. Thus of the 75 lectors, appointed by the General Chapter of 1676, only 16 were still teaching in 1682. Of course, the chief loser in this system was the Order, since under such circumstances, the proper training of the youth of the Order was bound to suffer.

Paragraph 109 ***Some outstanding men of learning***

The number of authors in the Order since 1517 is legion and any selection from that multitude is a torture. Not all, however, who have published some of their works, can be reckoned among the truly learned men of the Order. This is true even of those friars who have written much, for the bulk of the tomes published is not the correct norm of the author's scholarship and good sense. Not infrequently, historians of the Order have lost sight of these fundamental truths. Nor can one put too much trust in the attempts of more recent times to assign to the authors of the past their correct position in the history of Christian thought. For, not infrequently, the adherents of one school or system readily and quite unconsciously undervalue the worth of the followers of a different school or system of thought. Thus Scotus, according to the judgment of Abraham Bzovius, would be classified as a fourth rate theologian. While Wadding, despite his as yet unsurpassed edition of the works of Scotus and his Annals of the Order, would be classified as a third rate theologian! Not that we should blame Bzovius so much for such ridiculous classifications; the chief blame for the lack of recognition of the great Franciscans must be laid at the door of the Order itself. For the Order has not bothered to write the history of the development of learning in the Order, nor has it laboured to honour its great men at least with scholarly monographs, describing their life and their work. And do not say this is an oversight due to humility. Meanwhile, the historian can do nothing more than merely to recount the names of those whom he considers great men, although he fears

constantly that he is passing over men who really are more deserving of mention. We shall purposely omit those friars, whom we have already mentioned in the paragraphs concerning the defenders of the Faith against heresy.

What prestige the Order enjoyed in the theological world of the sixteenth century is conclusively proven by the Council of Trent. The Order as such was represented at this all important Council by more than 100 consultors: a number equalled by no other religious Order. The foremost Observants were the great Spanish theologians, who had studied at Alcalà or Salamanca. Alphonse of Castro Zamora († 1568) was the first Spanish theologian to write against the religious revolutionaries. Michael of Medina († 1578), though a disciple of Castro, was in no way his inferior either in the originality of his scientific labours or in the courage with which he defended the truth. On account of his defence of the writings of John Wild, the Inquisition put him in a filthy prison at Toledo for five years, but Michael yielded not an inch. In the opinion of many theologians, both Alphonse of Castro and Michael of Medina are surpassed by Andrew of Vega of Segovia († 1560), whose views concerning the Vulgate and justification exercised a very powerful influence upon the final decrees as promulgated by the Council. Louis Carvajal († ca. 1550), also an opponent of Erasmus of Rotterdam, as well as Francis Orantes (Horantius), who died in 1584 as Bishop of Oviedo, were among the leading figures at the Council.

One of the most noteworthy of later Spanish theologians is John Rada († 1608), whose book concerning the controversies, arising from the divergent doctrines of St. Thomas and Scotus, is a necessity even today for all who wish to know the controverted points thoroughly. Clement VIII recognised his learning and summoned him to Rome to act as consultor on the *Congregatio de auxiliis gratiae*. The seventeenth century also had its famous men. There were the two indefatigable Mariologists, Peter de Alva y Astorga († 1667) and Thomas Francis de Urrutigoyti († 1682) as well as the American, Idelphonse Brizano, called “a second Scotus” on account of the acuteness of mind. Here too must be mentioned Franciscus (a Sancto Augustino) Macedo of Coimbra († 1681). He was a professor at the Propaganda, where his encyclopaedic knowledge won for him the name of *monstrum scientiarum*.

In France, Claude Fraessen († 1711), a teacher at the Sorbonne for thirty years, was famous for his learning and piety. Francis Assermet († 1730) won wide renown with his scholastic-positivist theology, although more famous still in this regard was John Nicholas Hayer († 1780). He was one of the leading apologetes of his generation and he fought the Encyclopedists with all the resources at his command, especially in his popular journal *La religion vengée*.

In Italy, the Order possessed several very famous theologians, especially during the eighteenth century. There was Cardinal Lawrence Cossa († 1729), the author of a work on the Greek Schism, which is a classic. Then there was Augustine Matteucci († 1722), a powerful defender of the primacy of the Pope, as well as Jerome of Montefortino († ca. 1740), who wrote a precious Scotistic Summa; and finally there was Benedict Bonelli († 1773), whose preliminary labours for the republication of the works of St. Bonaventure were a masterpiece for his times.

Among the noteworthy Irish friars were John Poncius, the collaborator with Wadding in his edition of the works of Scotus, Hugh Cavellus, who died in 1625 as the archbishop elect of Armagh, and Florentius Conrius († 1631), who had studied

thoroughly seven times all the works of St. Augustine. He was, however, too favourable towards the Jansenists. Fit to rank with such men was the excellent theologian, Theodore Smising († 1626) of Westphalia, a professor at Louvain, whom the chronicler honours with the words: *Unum illi opus erat studere et orare* (His one and only work was studying and praying). His disciple and his successor in his professional chair, John Bosco of Anwerp († 1684) sharply rebuked those who belittle and condemn Scotus, although they have never read a line of his works. Crescentius Krisper († 1749) was also a Scotist of note.

Beside the foregoing theologians, in the strict meaning of the term, we have a long list of friars, who laboured very successfully in the field of exegesis. Space permits mention of only the most famous: Nicholas Tacitus Zegers († 1559) of Louvain, Angelus del Pas of Perpignan († 1596), Marius of Calassio († 1620), an eminent Orientalist and the author of a highly esteemed Hebrew concordance of the Bible. Continuing the list, we find John de la Haye († 1661) in Paris, Polychronius Gassmann († ca. 1830), Professor at Aachen and the teacher of A.J. Binterim, the valiant opponent of the Rationalists; and finally, Gabriel Tonini, who published an excellent biblical concordance in 1861. The usefulness of a knowledge of the Oriental languages for a complete understanding of the Sacred Scriptures was stressed by Thomas Obicini († 1636), the rector for many years of the College of St. Peter in Montorio. His pupil, Dominic of Silesia, possessed a rare knowledge of the Koran. Then there was Michael Angelus Carmeli († 1766), a highly esteemed professor at the university of Padua, and last, but not least, William Smits († 1770), the founder of the Museum at Antwerp together with his pupil and successor, Peter van Hove († 1790).

Among the moralists of note must be reckoned: William Herincx of Louvain († 1678), Amandus Hermann of Silesia († 1700), author of a very comprehensive work on moral theology according to the principles of Scotus, Patrick Sporer of Passau (1714), whose works were frequently quoted by St. Alphonsus Liguori, Francis Henno († ca. 1720) whose probabiliorism found much favour, especially in Spain, Benjamin Elbel († 1756), the mild moralist and Herculanus Oberrauch († 1808) professor at Innsbruck, the pious moralist, called *gemma provinciae, ordinis et sacerdotum* (the pearl of the province, the Order and of priesthood), whose works on moral theology in some inexplicable way, came to be put on the Index. Finally, there is Pius van der Velden of Brabant († 1857), Vicar Apostolic of Holland.

Worthwhile works on moral theology were also written by the canonists Apollonius Holtzmann († 1748) and especially by Anacletus Reiffenstuel of Tegernsee, professor at the Lyceum of Freising († 1703). Reiffenstuel's works have become classics: his *Theologia moralis* was used as the textbook in the *Accademia ecclesiastica* in Rome until well into the middle of the nineteenth century and his *Jus canonicum*, even at about that late date was considered worthy of another edition. The *Prompta Bibliotheca canonica* of Lucius Ferraris († ca. 1750) is frequently consulted even today, but it can be recommended to the discerning reader since some parts are not so trustworthy. Certain parts of ecclesiastical law owe much to Angelus Auda of Lantusca († ca. 1680), who continued the *Bullarium* of Cherubini. John Anthony Bianchi († 1758) was a highly esteemed professor at Rome and Bologna and a capable defender of the power of the Church against its enemies of his time. Wolfgang Schmitt of Hammelburg in Bavaria († 1779) wrote a truly valuable treatise on church law for the perplexed and sorely harassed

German Catholics of his day. Ladislaus Sappel († ca. 1783) was one of the first opponents of Febronius. His work was praised by the Pope and by the university of Paris.

Important explanations of the Rule of the Friars Minor were written by Alphonse of Casarubios in the sixteenth century, and by Louis Miranda, Emanuel Rodriguez († 1613), Peter Marchant († 1661), Gaudence Kerchove († 1703), Thomas Montalvus († ca. 1740) and Louis Sinistrari († ca. 1750). The ascetical view predominates in the *Medulla Evangelii* of Bonaventure Dernoye († 1653).

Catechetics also had its patrons among the friars. Noteworthy is *Der grosse Katechismus eines Dorfpfarrers* of Edelbert Menne († 1826) and the compendious *Catechismo universale* of Sanctantonius Cimerosto († 1847).

The number of friars who have written on ascetical subjects is well nigh infinite. Here we shall mention a Peter of Alcantara, a St. Leonard of Port Maurice, Blessed Charles of Sezze († 1670), whose three-volume work on mysticism has won wide approval. The ascetical and mystical works of Boniface Maes of Belgium († 1706) are also very popular. Sigismund Neudecker of Bavaria († 1736) wrote a very practical book for religious, *Geistesschule fuer Ordensleute*, which is in use even today. The Belgian Bernard van Loo († 1885) rendered great service to his confreres by his *Stimulus seraphicae conversationis*.

Almost all the speculative theologians were at the same time earnest students of philosophy, in particular Poncius and Cavellus. The psychological doctrines of the latter were incorporated into his own system by the father of modern philosophy, Descartes. William van Sichem († 1691) of Belgium published a valuable textbook of philosophy, in which he tried to steer a middle course between Thomism and Scotism. His contemporary, Antonius le Grand, professor at the Academy of Douai, was a follower of Descartes but poured his doctrines into the mould of scholastic terminology. Philibert Gruber of the Tyrol († 1799) possessed a deep understanding of the philosophy of the ancients, especially of Plato and Augustine and his published treatises on this subject are very valuable.

Among the friars who laboured in the field of the natural sciences, we cannot ignore Polycarp Poncelet of Verdun, whose researches in the field of organic chemistry in the second half of the eighteenth century, won wide acclaim, nor can we overlook Electus Zwinger, who published already by about the middle of the seventeenth century, an illustrated *Blumenbuch des Heiligen Landes* and in particular we cannot forget to mention Marian Velloso († 1811) called “the American Linné”, whose researches on the flora of Brazil are well known.

The services rendered by the missionary friars to the sciences of geography, ethnography and philology cannot be chronicled here. Any attempt to do so, would be presumptuous.

Finally, we shall name a few friars who have published historical material which did not treat directly of the Order. Peter Crabba († 1554) after much laborious preparation published the first collection of the decrees of the Councils together with their history. It was soon superseded by other works in this field. Astulph Servantius, who died in 1572 as archbishop elect of Valencia, has left us a valuable diary of the Council of Trent. Irish history is greatly indebted to the works of Hugo Ward († 1635), John Colgan († ca. 1650) and their co-worker, Michael O’Clery, a lay brother. The librarian of Parma, Irenaeus Affo († 1797), a member of a number of learned academies, was distinguished for his

critical mind and for his elegant style. Paulinus Erdt († 1800) professor at the university of Freiburg in Breisgau, was possessed of an extraordinary knowledge of the history of literature. Justinian Ladurner († 1874) merited the title of “the Tyrolese Herodotus”. Honour must also be paid to Clarus Vascotti († 1860) of Carinthia, whose *Kirchenhistorisches Lehrbuch* is still used in the Austrian gymnasia.

Paragraph 110 **The Writing of the History of the Order**

During the first three centuries of its existence, the Order as such did not bother to chronicle its own history. Truthful, therefore, is the observation of the General, Peter Manero, made during the seventeenth century: *Inter eximias praerogativas, quibus Pater coelestis luminum hanc insignivit Religionum Minorum, eam prae ceteris recognoscimus, fere praecipuam, quod nescit publicare quae facit* (Among the special prerogatives with which the heavenly Father of lights has endowed the Order of Minors, we recognise as the most unique among others that the Order has not known how to write what it has accomplished). All the early historians of the Order were motivated merely by their own initiative and love of the Order; none of them, with the exception of a few biographers of the Founder, received an official commission. But with the sixteenth century, the attitude of the Order towards the writing of its history changed very radically. The Order saw itself forced to put more emphasis and more value upon its past, partly in order to keep alive in the minds of the present generation of friars, the glorious traditions and deeds of those bygone ages and partly in order to defend itself against the slanderous attacks of its enemies. At the same time a number of friars, now as formerly, entered the field of history of their own accord: hence a plethora of histories, both good and bad, were now published of the Order, of the single provinces and of prominent individuals. Here we cannot take much notice of these works by volunteer authors, except those of exceptional importance. We shall concentrate largely upon these histories, authorised by the Order.

Pisotti, during his term as General, sought to promote the writing of the history of the Order. In 1532, he commanded all Provincials to search for documents, relating to the activities of the friars during the fifteenth century, so that the work of Bartholomew of Pisa might be brought up to date. Most of the material, gathered as the result of this command, was turned over to Mark of Lisbon († 1591). Mark himself, at the wish of the General, Andrew Alvarez, ransacked the libraries of Italy, France and Spain in a hunt for still more material. One of the documents thus discovered was the *Fasciculus Chronicorum* of Marian of Florence († 1537), then still in manuscript form. Later it was frequently referred to by Wadding. The book, resulting from all this labour, was Mark's “Chronicle of the Friars Minor”. It was very popular in the Order for a long time, although it is rather a collection of biographies of eminent friars, rather than a history of the Order itself. But since Mark had stated that it was his purpose to publish a collection of biographies, he cannot be blamed on that score. Some of the revisers and republishers of the text of the Chronicle have freely corrupted it to bring the Observant cause into disrepute. A continuation of the Chronicle (the Fourth Part) was published by Bartholomew Cimarelli († 1628) and Anthony Daza († ca. 1630); a revision was published by John Nuñez († ca. 1630).

Mark's Chronicle was soon followed by the *Historia Seraphicae Religionis* of the Conventual Peter Ridolfi of Tossignano († 1601) and dedicated to his confrere, Sixtus V. In reality this work is nothing more than an enumeration of persons, provinces and convents; but, it is important for the great number of literary tilts which it caused because Ridolfi had dared to alter the lists of Generals in favour of the Conventuals, in direct violation of a strict command of Leo X. The patron of his history was his confrere and the Pope. In his boldness, Ridolfi even tried to prove that the separation of the Conventuals was a result of the Holy Founder himself. The General of the Order, Francis Gonzaga, in 1587, a year after the publication of Ridolfi's *opus*, issued his voluminous *De origine Seraphicae Religionis*, which he also dedicated to Sixtus V. It is just as little a history of the Order as was Ridolfi's. The main part of the volume consists of a description of the single provinces and convents. The chronological mistakes are evident and the geographical errors are beyond belief. The General simply put too much faith in his collaborators. Despite all their shortcomings, however, both Gonzaga's and Ridolfi's historical works are a source of much material for later historians. Wadding, however, valued more highly than either of these, the work of the learned Henry Sedulius (Henri de Vroom, † 1621) and in particular, his *Historia Seraphica* with its valuable commentaries.

At the beginning of the seventeenth century, the General, Benigno of Genoa, revived the plan of publishing a thoroughly scientific history of the Order. In 1619 he issued an encyclical, commanding all Provincials to entrust to an industrious friar the collection of all necessary materials from each province. All libraries and all archives were to be placed at his disposal: in short, every possible help should be given him. Excommunication was to be the punishment for those who did not cooperate. The material collected was to be sent to Rome. Then the General entrusted the work of integrating this mountain of material to the saintly Irishman, Luke Wadding († 1657), whose figure bulks equally large in the field of theology and in history. His loyal collaborator was Anthony Hiquey († 1641), author of a valuable original work, *Nitela franciscanae Religionis*, a defence of the Order against the attacks of Abraham Bzovius O.P. Noteworthy help was given also by Bartholomew Cimorelli who diligently searched through all the libraries of upper and central Italy. James Polius of the Cologne Province did the same in Germany. Wadding hired some scribes to copy all the documents in the Vatican archives, which concerned the Franciscan Order. These copies filled eighteen volumes. Thus equipped, Wadding began the gigantic task. He laboured so unremittingly, despite his poor health and other distractions and hindrances, that from 1625-1654, he published in eight large folio volumes the *Annales Minorum* up to the year 1540. Some of his remarks in the preface to the first volume deserve to be recalled here, since they are of great historical interest: *Immensum aggredi opus, ultra Maiorum praecepta, fecerunt et vetus nostra gloria et recentes aliorum calumniae. Consenescentem vidimus memoriam eorum, qui aeternum meruerunt, ut squalorem obduci oblivionis praeclare facitis in rei Christianae publicum emolumentum. His accessit aliorum aemulatio, qui suo honori detrahi putant, quidquid accedit alieno, nec proprias res laudari posse, nisi cum magnorum opprobrio ... Celebre fuit, neque immerito, Franciscanorum nomen ob res praeclare gestas in Ecclesiae catholicae dignitatem, ob doctas aditas elucubrationes in fidei Romanae commendationem, ob vitas liberaliter profusas in Christiani nominis auctoritatem; sed quanto successu meliore profecit, tanto invidi in maius incendium livoris ignibus exarserunt. A principio fuerunt, qui tantum ferre splendorem non poterant,*

quin mendaciorum calumniarumve nebulas tentarent obducere; neque aliquando defuerunt, cui promicantem undique amplissimi Instituti gloriam obductis adversae vel diminutae famae tenebris non attenuarent (I have undertaken an immense work, beyond the greatest tasks of our great masters, who in ancient times wrote in favour of our glory, while others have recently wrote calumnies about us. We consider that their works have grown old, even though they merited to be valid for ever, and we do not wish that such tasks that merit public recognition in Christianity be relegated to oblivion. Others have taken the praise, considering that their honour could not be taken away from them, and nobody can praise his own merits without gaining much criticism from others outside his fold. The name of the Franciscans was famous, especially for their dignity and works in the Catholic Church, and they have been commended by learned men for their Roman faith, and for the liberal way with which they spread the name of Christianity; however, the more successes they accomplished, the more they drew the jealousy and burning opposition of the majority...). Upon the completion of the eighth volume, the learned friar, whose hair had grown grey since the beginning of the task, laid down his pen with these words: *Suspenseo calamo illud unum agam, quot potissime necessarium est, animae scilicet procurandae totus incumbam* (I lay down my pen and I now wish to do only one thing, namely to dedicate the remaining time of my life to the only necessary things, the salvation of my soul).

Wadding is, without doubt, the greatest historian of the Franciscan Order and his equals among the historians of the other Orders, are few. He writes truthfully, avoids excessive praise, glosses over nothing which seems to him to be censurable and seeks at all times to find and to use only the best sources. No one can blame him for the fact that he was not always successful in his selection of his material, especially since he did not know all those sources, which the researches of modern scholarship have brought to light and put at the disposal of the modern historian. He might rather be blamed for not mentioning his sources exactly and for being too credulous on certain parts of his work, especially in his biographies of outstanding men. Still, in that, he was but a child of his times. He is unjust, who rejects the *Annales* completely merely because they are not trustworthy in one or the other point. Only he who has consulted them on hundreds and thousands of questions, really learns to treasure them aright.

Wadding wished that his fellow countryman, Francis Harold († 1685) should continue his work. In order to acquaint himself thoroughly with the matter in hand, Harold first of all published a synopsis in two volumes of the eight volumes of Wadding, then he went on with his work; but, he was not able to complete even one new volume. There the matter rested until the General Commissary at the Curia, Joseph Maria Fonseca of Eborac, in 1731 published a new revised edition in sixteen smaller volumes, together with the additions of Anthony of Melissa. An index was published in a seventeenth volume, but this was unsatisfactory. The next eight volumes, which were issued at long intervals from 1740 until 1886, carried the *Annales* up to the year 1622. The best part of these volumes is the *Regestum Pontificium* with related documents, which these authors published in imitation of Wadding. In other ways, these later volumes cannot compare with the original work of Wadding, except the nineteenth volume, written by Joseph Maria of Ancona. Almost all the continuators lack the historical viewpoint, they are unable to distinguish the important from the useless or the superfluous, their narrative possesses little order and they do not have the knack of making their story progress

despite the inherent drawbacks of the annalistic method of writing history. Wadding himself, however, succeeded in depicting a progressive development of the story of the Order despite these same handicaps. Still, in all fairness, we must concede that the use of this method is much more difficult in describing the events of more modern times. As a matter of fact, the use of the annalistic method in writing the history of modern times meets with almost unsurmountable difficulties. All similar attempts at writing the history of modern times in the form of annals have failed.

Wadding himself realised that the usefulness of his work would be greatly impaired if he tried to force too much material into his volumes. Hence, from the very beginning, he set aside several huge fields, which were to be treated in separate works. Thus, in 1650, he published his *Scriptores Ordinis Minorum*. John a S. Antonio in 1731 published a more complete *Bibliotheca Universa Franciscana*, but it is not always exact. In this regard, the supplement to both bibliographies compiled by the learned Conventual Hyacinth Sbaraglia († 1763) is much better. The *Supplementum* was printed for the first time in 1806. Unfortunately, the author ignores most of the outstanding friars, who laboured after the middle of the seventeenth century. This same Sbaraglia received another plan of Wadding when he began the publication of the *Bullarium Franciscanum* in 1759. Since, however, he died soon after the work of publication had begun, only four volumes of his projected work were issued. Upon the suggestion of Pius VI, Flaminio Annibaldi da Latera published a *Supplementum* to this *Bullarium* in 1780, which is noted for the much new material which it offered and for the many corrections which it made upon the original, whose author had sided too much with the Conventuals. During the nineteenth century, the learned Conventual Conrad Eubel added three more volumes to the *Bullarium* and thus brought the matter down to the year 1431. It is hoped that this work will be soon completed so that one of the main sources of the history of the Order may be opened to all students. After 1744 a *Bullarium* of the Discalceati in five volumes was published by Francis of Madrid, but this work leaves much to be desired in many respects.

Wadding in his *Annales* did not give the entire text of the decrees of the General Chapters, the General Congregations, and of the more important Provincial Statutes. He had collected all this material and had kept it separate in the hope of publishing it as a separate work; but before he could carry out this plan, there appeared in 1650 the first volume of the *Chronologia historico-legalis* of Michael Angelus of Naples. What connection, if any, exists between this work and the material collected by Wadding, is still shrouded in mystery. In any case, the work was premature because it is very incomplete and lacks all the scientific apparatus, which alone can give lasting value to a work which is to serve as a historical source. Now the three succeeding volumes to the *Chronologia* were not an improvement upon the first, as we can see plainly even from the very prefaces to the volumes. Moreover, the authors of those volumes veered farther and farther away from the original plan and incorporated into their work, whatever material they thought might prove of interest to the members of the Order. However, despite all these defects, the *Chronologia* is an indispensable source for the history of the seventeenth and eighteenth centuries, because much of the material contained therein cannot be found anywhere else.

After the publication of the *Annales*, the General Chapters and the Generals very frequently issued more or less wise ordinances concerning the preservation of historical

material and the writing of the history of the Order. *Chronologi* and *archivarii generales* were appointed with the understanding that they were to devote themselves exclusively to that task. An entirely new plan was conceived by the General Peter Manero in 1651. He understood very well that Wadding's *Annales* were not a work for light reading but a reference work for the learned; so he wished that the history of the Order should be written in a continuous story form with more emphasis on the biographies of the outstanding friars and on the activity of the Order. This history, he thought, should be complete in about ten volumes. Unfortunately, this plan was never executed, although Manero appointed workers in every province, and strictly forbade the Provincials to impose other work upon them. When he became bishop he took with him the valuable library and all the material which he had collected from the archives of the Order. After his demise, nothing was returned to the Order. The same thing happened in 1730. The plans of Manero were adopted by the General Samaniego, who entrusted Dominic Gubernatis of Sospitello († ca. 1689) with their execution. In 1682, Gubernatis published the first volume of his *Orbis Seraphicus*. In the forward, he outlined the plan of his entire history. He divided the entire work into three parts: the first part comprised what we have called the internal history of the Order, together with its organisation; the second part was to treat of the provinces, while the third part was to treat of the activity of the Order. In the beginning, Gubernatis thought that he could do justice to this plan in twenty volumes; later on, however, this estimate rose, until he judged that he would need well over thirty volumes. Such a gigantic task was too great for the strength of one man. Gubernatis himself was able to publish the first part in four volumes. Of the second part, only one volume was published in 1741, which treated of the Bavarian and Austrian Provinces, with Sigismund Cavelli of Cuneo as the author. One volume of the third part on the missions was published by Gubernatis himself in 1689. A second volume, by Anthony Maria de Turre, has many defects. Gubernatis, just as Wadding, has his weak points. These defects arose partly from the very nature of his plan, which necessitated frequent repetitions; partly, they arose from the fact that Gubernatis retained the viewpoint of the Reformati, and while this influenced the work itself very slightly, it did restrain others from according him that wholehearted cooperation, which was needed so sorely in a task of such magnitude. Taken all in all, his own work is very valuable, indeed, perhaps the most valuable history of the Franciscan Order, Wadding's *Annales* alone excepted.

Another attempt at writing the history of the Order was made in the eighteenth century by the Belgian, Peter van den Haute († 1796); but the difficulties placed in his path in Rome, handicapped him to such an extent, that he was able to publish only a *Brevis Historia* in one volume, which appeared in 1777. A work of real merit was the defence of the Order, edited by Ranier-Francis Marczic in three volumes. Repeated hostile attacks upon the honour of the Order had rendered such a work a necessity. The apologetic tone is, consequently, evident, but still, in many parts, the author adheres scrupulously to documentary evidence. The third volume of this work was republished by Bonaventure of Decimo in 1757 in a slightly altered form as the *Secoli Serafici*. Much valuable still are the *Giardino Serafico* of Peter Anthony of Venice († 1728), the works of Fortunatus Hueber († 1706), the *Storia cronologica* of Angelus of Vicenza († ca. 1750), and the masterly *Germania Franciscana* of Vigilius Greiderer († 1780), which alas has never been completed.

Biography was the dominant interest of the many Franciscan chroniclers both before and after the time of Mark of Lisbon, just as it had formed the chief interest of Mark himself. Thus, the chroniclers, Francis Rojas († 1656), Damian Cornejo († 1707), Bernard Sannig († ca. 1700), to mention only a few, were all pre-eminently biographers. The numerous Legendaries and Martyrologies of the Order are almost exclusively devoted to hagiography.

In the nineteenth century, Marie-Leon Patrem attempted to give a bird's eye view of the entire history of the Order in his *Tableau synoptique*. Many others undertook similar projects, among them, Panfilio of Magliano, but he did not get beyond the fourteenth century. Due honour must be paid to Marcellino de Civezza, who began a vast history of the Franciscan missions, at the suggestion of the General, Bernardine of Portogruaro. Even though that task was beyond his abilities, still another work by the same author, *Saggio di Bibliografia Sanfrancescana* is valuable.

Interest in Franciscan history has grown within the past few decades among all classes of people to a surprising degree. In order to promote and foster this interest and to guide it in correct channels, Dionysius Schüler, from the very beginning of his generalate, planned to have someone to write a short history of the Order, which would correctly present the story of the past and arouse enthusiasm for future researches. In order that all questions, pertaining to the history of the Order, might be studied thoroughly, and that the fruits of this recent research might be opened to all, the same General founded in 1906 the *Archivum Franciscanum Historicum*. The first volume appeared in 1908.

Paragraph 111 ***The Friars and the Arts***

The spring-time of the Franciscan movement is rich in the number of its eminent poets, but the same cannot be said of the later times in Franciscan history. Still, more than ordinary applause greeted the works of Livin Brecht of Antwerp († 1568) and Eugene O'Douyhee. The latter's Irish poems passed from mouth to mouth throughout the Isle in the early seventeenth century. Many of them were later put to music and became the national songs.

The number of friars, who manifested ability in painting and sculpture is much larger, though up till now, they had not received much recognition. Of the multitude of names which have come down to us, we can mention merely the painters Simon Carnoli and Cosmas Spiezza, of about the middle of the sixteenth century, Joseph Rossi of Trieste and Albert Keuchler of Copenhagen (Fra Pietro) of the late nineteenth century and finally, the sculptor, Hugo Linderath of Düsseldorf († 1906).

That music owes much to several Franciscans is generally known. Louis Grossi of Viadana († 1627), choir director at the cathedrals of Mantua, Modena and Fano, "began a new era in the development of music. His work in the field of music was highly successful." "He has at all times been renowned as a composer of church music of an elevated nature, as a zealous promoter of the good and better class of music and as a diligent and enthusiastic champion of the dignity of ecclesiastical music, even though it is certain that his works belong to the period of decline, following the perfection of vocal polyphony in the works of Palestrina." He was the first to apply the modern monophonic

style to ecclesiastical music in his “Church Concerts” and thus he exerted a great influence upon its development. He was also the first to publish a treatise on directing music. Among the friars, who were pupils of this great master, were Bernard Strozzi of Rome, James Ganassi of Treviso, Paul Cornetti, director of ecclesiastical music at Ferrara, and Caspar Casati, director of music at Novara. John Dominic Catenacci of Milan († 1791) developed into a contrapuntist of great merit and was also a famous organist. David Moretti of Bergamo († 1842) was also celebrated as a composer and an organist.

In Germany, in particular, in Bavaria, there arose a whole school of Franciscan composers in the eighteenth century. It is to be regretted that even their works for church bear the marks of that theatrical style which mars the music of their time: Chrysanthus Fischer and Diaconus Zaenkel, both of Munich, are its best representatives. More important, both as an organist and as a composer, was the Tyrolese, Peter Singer († 1882). Even Franz Liszt used to say of him: “If I am the Paganini of the piano, then Father Peter is the Liszt of the organ.” One of the special glories of Singer is the invention and the construction of the Pansymphonicon at Salzburg.

In France, John James Souhaitty won fame in the second half of the seventeenth century in Paris. He was the first to employ successfully the system of replacing the musical with numbers for the purpose of teaching music to the people. In Spain, John Bermudo was well known in the sixteenth century on account of his book on musical instruments, as was Francis Fuentes in the eighteenth century for this work on the theory of music. Portugal values the works of John de Natividade († 1709) as classics and praises Francis Gabriel d’Anunciacam († 1747) both for his skill in composition and for his work in the theory of music.

At this place, we may insert the Conventuals, who did even more for Church music than the Italian Observants. To the so-called Venetian school belonged Costanzo Porta († 1601) of Padua, one of the most skilful musicians of his time. His motets especially were praised as examples of the noblest kind of church music. Some of his disciples, who later became famous, were Bona Valerio, Louis Balbi, and especially Jerome Diruta. Diruta’s book *Il Transilvano* was epoch making in so far that it presented for the first time a real method for learning the organ and the piano.

Of more importance than the Venetian Franciscan school was that of Bologna, which enjoyed its golden period under John Baptist Martini, who died in 1784. Martini was the greatest tone-artist of the eighteenth century, one of the greatest musicians ever produced in Italy, the author of the first general history of music and the master of a school of music, renowned throughout Europe. Friars who were trained in this school were, Joseph Paolucci († 1776), Louis Anthony Sabbatini († 1809), Francis Zagognoni († 1844), and the foremost pupil of the master, Stanislaus Mattei († 1825), who became the founder of another school of music. The school of Mattei produced such men as Joachim Rossini († 1868), the great master of Italian opera, Pilotti and many others.

Famous for their treatises on the theory of music were the Italian friars, Angelus of Piccitone in the sixteenth century, Francis M. Angeli and Zachary Tevo in the seventeenth, Faustus Fritelli, Francis Anthony Calegari and especially Francis Anthony Valotti († 1780) in the eighteenth century. Valotti was also an organist and composer of note.

For a time, the Conventual, Boleslaus Czernohorsky († 1740), the best Bohemian musician of his day, worked also in Italy. Of his friar students, Restitutus Fielder became celebrated for his excellent organ preludes.

The Tertiaries Regular (cfr. Book III) in Italy can also point with pride to some excellent musicians, thus Archangelus Borsaro († 1570), Eleazar Pizzoni, president of the Academy of Music of Bologna about 1670, and Angelus Predieri. Predieri enjoyed wide renown as a teacher. Martini was one of his pupils.

II

THE CONVENTUALS

ORDO FRATRUM MINORUM CONVENTUALIUM

Paragraph 112 *Internal Development*

The separation of 1517 ushered in sad times for the Conventuals. Internal and external difficulties pressed sorely upon their depleted ranks. Under Urban VIII, they were able to reorganize.

The privileges, which the Popes, beginning with Martin V had granted to the Conventuals, had not really clarified their position towards the poverty as prescribed by the Rule. That clarification was achieved only at the Council of Trent, which in 1536 declared that the Conventuals, just as the other Mendicant Orders, with the exception of the Observants and the Capuchins, enjoy the right of possession in common and that they may also possess real estate. Thereby, the *Sindaci apostolici*, in the original meaning of the term, were abolished for the Conventuals, since they were no longer needed, but the other prescriptions of the Rule remained in force.

Since, at about the same time, the discipline of the Order left much to be desired, Pope Pius IV entrusted to the Cardinal Protector the task of introducing the necessary reform, which was done shortly after at the Chapter of Florence in 1565. The reform decrees of this Chapter were confirmed by the Pope and were accordingly known as the *Constitutiones Pianaë (Piae)*. They contained no new dispensations from the Rule, but really evaded the points at issue by daring interpretations of the Rule, which did not satisfy even many of the Conventuals. Moreover, the reform decrees did not achieve their purpose: the strengthening of the general religious discipline of the Order. Hence, Pius V planned to subject the Conventuals of the Franciscan Order to the Observants, just as he had already done with the Dominicans. He won over to his plan even the Master General, Tancredi of Colle, who together with several confreres laboured zealously for the fusion of the Conventuals with the Observants at the Conventual Chapter of 1568. In the end, the opponents of the union carried the day, largely through the efforts of the learned canonist, Martin Azpilcueta of Navarra, a very close friend of the Pope. That ended the last attempt at a union between the Observants and the Conventuals. The Chapter was content to issue several reform decrees, inculcating especially the duty of the common life and the prohibition of all private property. Of the Masters General after 1581, Anthony Fera was particularly distinguished by his zeal for the enforcement of these decrees; lax Provincials, especially, received little mercy at his hands.

Before the time of Fera, Felix Peretti of Montalto, Vicar General of the Conventuals from 1566-1568, had ruled his Order with much wisdom and energy. When in 1585, Peretti ascended the papal throne as Sixtus V, he became an ardent protector of his institute. The good which he accomplished for the Church and the Papal States during his short pontificate of five years by instituting the Roman Congregations, suppressing the bandits, enlarging the Vatican Library, completing the dome of St. Peter's and the like, can only be hinted at here. The Order, to which he had formerly belonged, Sixtus enriched with many favours, especially that branch which was known as the *Conventuales Reformati*. In 1562, these reformed Conventuals, who existed only in Spain, had joined the Observants (cfr. par. 66); but, in that same year, they made their appearance in Italy. Several followers of Jerome Lanza (cfr. par. 70) after joining the Observants, returned to the Conventuals and under their protection continued their reform. The centre of this new reform was the convent of Santa Lucia in Naples, whence it spread rapidly throughout Italy. It was warmly received by the people. Its members lived according to the papal decrees *Exiit* and *Exivi* and wore a habit very similar to that of the Capuchins. Sixtus now protected them against the attacks which came at them from many sides. In 1589 he gave them the convents of the Discalceati, which John Baptist of Pesaro had founded in Italy (cfr. par. 67) contrary to the law. But, at the beginning of the seventeenth century, new difficulties were caused for these reformed Conventuals, partly by the Capuchins and partly by these Conventuals themselves, so that finally Urban VIII in 1626 suppressed the entire branch. However, they continued to exist in Naples and, after a time, even obtained again papal confirmation, until finally Clement IX in 1669 definitely suppressed the *Conventuales Reformati*. Their few remaining convents were turned over to the Discalceati, who used them as the foundation of their Neapolitan Province.

After the death of Sixtus V, the ill will which his open favouritism of the Conventuals had aroused, found expression in the suspension of the Master General, Francis Bonfigli, by the Pope on account of some unfounded calumnies which had been circulated concerning him. After his innocence had been proven, he was reinstated in his office. At about the same time, complaints concerning the entire lack of religious discipline among the Conventuals became so frequent that Clement VIII conducted a personal visitation of the chief Conventual convent in Rome: the Twelve Apostles. The echoes of these complaints were still manifest in the proceedings of the Chapters of 1593 and 1596. But, since a complete and general reform of each convent seemed to be impossible all at once, the superiors decided to reform thoroughly one house in each custody or province, then gradually to extend the good work to the other convents. Philip Gesualdi followed this plan very zealously during the nine years of his generalate and he was successful in leading back to the way of the common life several of the most important convents of the Conventuals.

The great hindrance to a permanent reform among the Conventuals was the uncertainty concerning just what should be the basic laws of the institute. The Chapter of 1593 had rejected the *Constitutiones Pianaë* and restored the *Constitutiones Alexandrinae* of 1500. In the following years, the condition became every worse. The Vicar General, James Montanari of Bagancavallo, gives us a graphic description of the conditions in the words: some thought that the Conventuals were not at all obliged to observe the precepts and counsels of the Rule, while others held that they were obliged to observe them in the

same way as the Observants. Of course, there was a multitude of compromise opinions between these two extremes. In order to quiet the troubled consciences of his subjects, the Vicar General in 1615 published the *Minorica fratrum Conventualium*. It is characterised by a dignified earnestness and an eagerness to observe the Rule as perfectly as circumstances allow. But the Minorites achieved their purpose of quieting the troubled consciences just as little as did the constitution of the Chapter of 1617, which elected Montanari, “the restorer of the Order”, as General. Despite his energetic opposition, the next Chapter of 1625 under the leadership of the General, Felix Franceschini, prepared a new set of Constitutions, of an entirely different type than any Constitutions which the Conventuals had had before. These Constitutions were confirmed by Pope Urban VIII, whence they were called the *Constitutiones Urbanae*. All former declarations of the Popes concerning the Conventuals were first of all abrogated and thus the Conventuals were cleared entirely of any entanglements of the past. The future was assured by the strict command that these Constitutions together with their title should remain forever in force; new laws, after receiving a two-thirds majority vote of the electors at the Chapter, may be added only by way of appendix. The *Constitutiones Urbanae* juridically sanction the customary Conventual manner of observing the precepts of the Rule and hence, the Conventuals should no longer be regarded as violators of the Rule, nor can they be censured for laxism. They observe the precepts as they vowed to observe them; for their formula of Profession was changed by adding the phrase, *juxta Constitutiones Urbanae*. Thus, the internal development of the Conventuals had come to an end. Conventualism now had firm ground beneath its feet and it had secured peace of conscience for its followers. Indeed, these benefits were procured at the price of a greater divergence between the Conventuals and the Observants. Later Popes were frequently forced to declare expressly that the Conventuals were really Mendicants.

The mere approval of the *Constitutiones Urbanae* did not magically free the Order from all its difficulties, but now at least the Order was so internally united, that it was able to overcome them of its own power and to produce much good everywhere. Of the Conventuals, who were outstanding for holiness of life, we must mention St. Joseph of Copertino († 1663).

Another ornament of the Order was Lawrence Ganganelli, the later Pope Clement XIV († 1774). He was distinguished for learning and kindness of heart; but his excessive obsequiousness towards the demands of the Bourbon courts to suppress the Jesuits has materially dimmed the luster of his name. During his pontificate, Clement XIV had bestowed many marks of his favour upon the Conventuals. After his death, a storm of disfavour was visited upon the Order just as after the death of Sixtus V. The union of the French Observants and the Conventuals which had taken place while Clement was Pope, necessitated new Constitutions in 1771. They are a very brief epitome of the *Constitutiones Urbanae*; but it is very doubtful whether these new Constitutions were ever accepted by the entire Order. They seem to have been accepted only in France. At any rate, after the French Revolution no more attention was paid to these Constitutions of 1771 and the General, Joseph Maria de Bonis, in 1823 had Pope Pius VII confirm anew the ancient *Constitutiones Urbanae* together with needed modifications and mitigations, as the changed temper of the times dictated.

Paragraph 113
The Provinces of the Order: Statistics

In 1517 the Conventuals had possessed the thirty-four ancient provinces of the Order, even though several of them had been weakened very much through losses of members to the Observants. A further loss was suffered in the course of the sixteenth century, partly through the Reformation and partly through the continued union of many Conventuals with the Observants. Even those Conventual provinces, which still retained their integrity, as in Italy, declined markedly in their membership. Thus gradually, the ancient proportion between the Conventuals and the Observants was reversed, and it was the Conventuals who now possessed the numerically weaker communities, even though their convents were ever so immense. Since this circumstance did not favour religious discipline, Innocent X in 1652, declared that all convents which could not support at least six religious should be given up. The decree was issued for all Orders, but it struck the Conventuals most severely. By this *Suppressio Innocentiana* they lost about 200 convents in Italy alone. With this exception, the provinces in Italy seemed to have suffered very little change up to the time of the French Revolution. Sardinia appears in the records as a province already in the sixteenth century. The convents of Piedmont, which had formerly belonged partly to the Province of Genoa and partly to the Province of Milan, were formed into the independent *Provincia Taurinensis*. After the French Revolution, only the Provinces of Genoa and Venice revived in upper Italy. In lower Italy, the Provinces in Calabria and Apulia disappeared entirely during the second half of the nineteenth century, while the *Provinciae Sancti Bernardini* and *Sancti Angeli* were united into one province at that time. Until well into the nineteenth century the *Provincia Siciliae* was numerically the strongest of all the Conventual provinces, and hence it could well stand to have the convents of Malta separated in 1859 to form the *Provincia Melitensis*.

In Spain, the Pope gave some of the Conventual houses to the Observants in 1524. Pius V handed over the remainder in 1566 and 1568. At about the same time the Conventuals lost all their convents in Portugal. It is only in very recent times that new foundations have been started on the Iberian peninsula.

In France, too, the losses of the Conventuals were very great (cfr. par. 81); indeed, for a time, it seemed as though they would become completely extinct in this country. Still, the Conventuals managed to retain in the south the three provinces of *Burgundiae*, *Sancti Ludovici* and *Sancti Rochi* (*Occitaniae-Aquitaniae*). In northern France, in the district about Liege, they possessed only a few houses, which had formerly belonged to the *Provinciae Franciae*. After that province had joined the Observants, these convents were united into an independent *Provincia Leodiensis* (Liege). Thus matters remained until the French Observants joined the Conventuals during the pontificate of Clement XIV in 1771, when there was a new division of provinces. The former double provinces of *Franciae*, *Turoniae* and *Aquitaniae* were now united into single provinces. That part of the *Provincia Franciae* which lay in the Lorraine formed the new *Provincia Lothar regiae*. The two other Observant provinces which had joined the Conventuals, were not changed except that the *Provincia Sancti Ludovici* became the *Provincia Massilensis*. The three other Conventual provinces were now united into two: a southern province with the title of *Provincia Sancti Ludovici* and a northern province with the name of *Provincia Clementina* or *Sancti Josephi*. All the provinces in France proper disappeared

entirely at the time of the French Revolution. The *Provincia Leodiensis*, however, with convents in Holland and Belgium, was the only one which could be restored.

In Ireland, the few remaining houses of the Conventuals joined the Observants in 1541. In England and in the Scandinavian countries, this branch of the Order was entirely destroyed by the Reformation and only in recent times have new foundations been made. In Germany, the *Provincia Coloniensis* continued to exist down to the time of the French Revolution, while the *Provincia Argentinensis*, with convents in Bavaria and Switzerland, survived the chaos and began to flourish anew during the nineteenth century.

The Conventuals up to the time of the French Revolution were very strong in Austria-Hungary and Poland, so that, after Italy, these were the greatest centres of Conventualism. In the seventeenth century, the *Provincia Styriae* (*Styriae et Carinithae*) was separated from the *Provincia Austriae*. At the present time, however, it is again united with the mother province. In 1732 the convents in Moravia also separated from the *Provincia Austriae* to form the *Provincia Moraviae*. In 1754, the Silesian convents branched off from the Bohemian province to form the *Provincia Silesiae*. These two more recent provinces seem to have joined their mother province again in the course of the nineteenth century.

The *Provincia Hungariae* was near extinction in the seventeenth century, but it revived during the eighteenth. The *Provincia Transsylvaniae*, which had separated from the *Provincia Hungariae*, counted only one house in the seventeenth century. We find no mention of this province during the eighteenth century and at present the convents in Transylvania are a part of the Hungarian Province.

In the former Kingdom of Poland during the seventeenth century there were the *Provincia Poloniae* and the *Provincia Russiae*. In 1685, the *Provincia Lituaniae* was separated from the latter province. In the nineteenth century, both provinces were again united and the Polish province took the name of *Provincia Galiciae*. The two *Provincia Orientis* and *Provincia Romaniaae*, formed from the former vicariates of the same names, have survived the centuries with fluctuating fortunes. The *Provincia Orientis* is situated near Constantinople, and the *Provincia Romaniaae* includes the mission stations in Rumania.

The Order was partially compensated for its losses in Europe by its gains in the United States of America in the nineteenth century, where it has possessed convents since 1859. From these beginnings have developed the *Provincia Immaculatae Conceptionis*, and the *Provincia Sancti Antonii*.

In 1908 the total number of convents of the Conventuals amounted to 206. The convents in Assisi, Rivotorto and of the Twelve Apostles, as well as the convents in which reside the penitentiaries serving in the Basilica of St. Peter's at Rome and at Loreto and the new *Collegium internationale Sancti Francisci de Urbe* belong to no province and are subject directly to the General.

Reliable statistics, furnishing the number of friars at the various stages of the Order, are few. In 1682, the Order counted perhaps 15,000 members. In 1893, the total number, together with all oblates, was 1481. Exact figures for the present time are lacking.

Paragraph 114
Internal organisation of the Order

The internal organisation was almost completely outlined in the *Constitutiones Urbanae*; hence, it was developed by the beginning of the seventeenth century. Some of its elements are derived from the very first years of the Franciscan movement; others were founded on customs, which attained the dignity of laws only in the course of the sixteenth century. Very few changes were introduced after that time.

After 1517, according to the stipulation of the Pope, the Minister General of the entire Order, had to be an Observant and the head of the Conventuals was called the Master General. Theoretically he had to apply to the Minister General for confirmation in office; in practice, this was never done, since the Master General always applied to the Pope for his confirmation. It can be proven, however, that the Master Provincial, in some regions, both asked and received confirmation in office from the respective Minister Provincial.

When Sixtus V, following the example of former Pontiffs, called the head of the Order at times the Master General and at other times the Minister General, the Order considered that thereby the decree of Leo X was implicitly revoked. Hence, in 1587, the Conventuals for the first time elected a Minister General. His term of office was restricted to six years. If the General resigned his office before the expiration of his term, the Order was to be governed by a Vicar General, commonly called *Vicarius apostolicus*, since he was appointed not by the Order, but by the Holy See. The immediate assistants and councillors of the General are two in number, of which the first is called the *Socius* and the second is called the *Secretarius Ordinis*. Both are elected by the General Definitorium. Both must be learned and experienced friars, whose advice or consent must be obtained by the General as prescribed by law. During their term of office, which lasts for three years, with the possibility of an extension for another three years, these two officials are reckoned among the Definitors of the Order. Upon the expiration of their term of office, they remain *Definitores perpetui* of their respective provinces. The same privileges were granted to the Procurator of the Order, who is likewise elected for three years and may be re-elected for another three years. Formerly, he resided in the convent of San Salvatore in Onda, but since 1845, he has resided in the convent of the Twelve Apostles. Since the middle of the eighteenth century, a Postulator has frequently been appointed to care for the causes of the servants of God.

The predominant position of the two assistants of the General has rendered the development of the General Definitorium into the permanent council of the General impossible. It has remained rather just as of old, merely a committee, whose activity is restricted to the time of the General Chapter. The Definitorium was composed of *Definitores temporanei* and of *Definitores perpetui*. The *Definitores temporanei* were all provincials or their representatives, present at the Chapter, together with the Procurator and the two assistants of the General. The *Definitores perpetui* comprised all ex-Generals and Vicar General, as well as all friars who had received a pontifical privilege nominating them to that dignity. The granting of pontifical privileges as *Definitores perpetui* was begun in the second half of the seventeenth century and in the beginning it was much opposed by the General. The General Definitorium, in full session assembled, is the supreme legislative and judicial power in the Order and even the General is subject

to it. Besides the General Definitors still others are admitted to the General Chapter, namely, the *Custos Custodum* (cfr. par. 38) of each province, the Guardian of Assisi, commonly called the *Custos Sacri Conventi*, the Guardian of the Convent of the Twelve Apostles, and the Guardian of the convent where the Chapter is being held. To these were added in the second half of the eighteenth century, the Procurator of the Missions, the President of the College of St. Bonaventure in Rome and that friar, who has been chosen as Consultor of the Roman Inquisition. The activity of these latter friars is restricted to participation in the election of the General; all other elections and decisions are reserved to the General Definitorium itself. There is also a third class of friars present at the Chapter, namely, those, who have not even the right to vote in the election of the General, but who have been called merely for the sake of adding greater pomp and solemnity to the occasion. Such are the Visitors of the Provinces, like more outstanding preachers and learned men of the Order, and the like. Between two General Chapters or the expiration of the first three years of the term of the General, there must be a General Congregation. Only the General, his two assistants, the General Procurator, the Procurator of the Missions and the Italian Provincials must be present. The General Congregation can dispose of all business which may come before it, just as the General Chapter, except the election of a new General, which is reserved to a General Chapter. In the course of the centuries the Pope has been forced frequently to intervene in the election of the General.

The head of each Province after 1517 was called the Master Provincial. In 1587, following the example of the General, he also assumed the title of Minister. Titular Provincials were appointed by the General Chapters with all the rights of actual Provincials for those provinces which had succumbed to the vicissitudes of time: *Terrae Sanctae*, *Angliae*, *Hiberniae*, *Daniae*, *Saxoniae*, and for a time also *Hungariae*. The Minister Provincial must be a *Magister Theologiae* and a member of that province for which he has been elected. The Provincial, just as the General has two councillors, namely, the *Secretarius Provinciae*, who is chosen by the Provincial Definitorium and confirmed by the General, and the *Custos* of that custody in which the province is situated. In the matters prescribed by law, the Provincial must obtain the advice or the consent respectively of these two assistants. In case they are absent, he can substitute two other friars in their place. The secretary is *ex officio* vicar of the Provincial, and at his death the secretary rules the province, until the General shall have appointed a Commissary.

The Provincial Definitorium, just as the General Definitorium, is not the permanent council of the Minister. It is active only at the time of the Provincial Chapter or of the *Congregatio Capitularis*. The Provincial Chapter is held every three years, the *Congregatio Capitularis* or *Capitula Intermedia* is convoked once or twice between each Provincial Chapter. In the Provincial Chapter, the permanent members, that is, the *Definitores perpetui* or the *Patres provinciae*, decidedly hold the ascendancy. Among this class must be numbered the Ministers Provincial, actual, habitual, and titular, the former Procurators of the Order and assistants to the General, all Masters of Theology who have taught for twelve years as *Lectores regents* at a General Studies or who have been Novice Masters or Inquisitors, as well as the preachers appointed by the General to fill the pulpits of the more important churches of the Order, if they have satisfactorily discharged their office for twelve years. Generally, there was added to these a *Definitor ex gratia*. How large the number of *Definitores perpetui* really was in many provinces is seen from a

decree of 1659, which limits the number of permanent Definitors in the smaller provinces to six to twelve, while no Province could have more than eighteen. Despite this limitation, the number of *Definitores temporanei* was always in the minority. Those were chosen, one for each custody, at the Provincial Chapter or intermediate Chapter, as the case might be, by the Definitorium after all other elections had been completed. Their powers ceased with the completion of the next Chapter or intermediate Chapter respectively. But, at these gatherings, the *Definitores temporanei* together with the *Definitores perpetui* represent the supreme authority in the Province: they appoint the superiors, make the Provincial Statutes, and are even empowered to demand an account of his actions from the Provincial. Besides the abovementioned friars, others may also be admitted to the Chapters, but only for the election of the Provincial, namely, Provincials of other provinces, who may perhaps be present, all masters of theology of the provinces, presidents of the seminaries, who have been twelve years in office, the discretos of each convent, one Definitor *ex gratia* and the Guardian of the convent, where the Chapter is held. The other Guardians have no vote in the Chapter, but they act as representatives of their convents, in case the small number of friars in their convents render an election of a discrete impossible.

It is remarkable that the Custodes were not admitted to the Provincial Definitorium and that they were not even admitted to the election of the Provincial, before the statutes of the nineteenth century granted them this latter right. Although the Conventuals retained, in as far as possible, the ancient division of the provinces into custodies, and though they granted to the head of such custodies certain rights of inspection, such as the right of visitation and of presiding at the election of the discretos of the convents in their charge, still there is an unmistakable tendency to minimise the importance of the custodes. The clearest proof of this tendency is found in the decree that the custos can never claim precedence over the guardians of his custody, except at the time of visitation. Moreover the actual custodes are rigidly excluded from the election of the new custodes, which is held at each Provincial Chapter and at each intermediate Chapter by the Definitorium. They retain merely the right to elect the *Custos custodum*, at least in those provinces where there are at least custodes. If the number of custodes is smaller than three, then the *Custos custodum* is elected by the Definitorium. In case there is only one custos in a province, then he might be sent to the General Chapter. In all cases, the *Custos custodum* must be a master of theology, and if none of the custodes possess that degree, then some other master of theology of the province must be elected as the *Custos custodum*. Thus the General Chapter, with few exceptions, is made up almost exclusively of Doctors of Theology.

The Guardians of the convents were chosen everywhere already from the sixteenth century on by the Provincial Chapter for a term of three years. Only the *Guardiani primae classis*, called also *de mensa Reverendissimi*, were appointed by the General Chapter. Such Guardians were those who ruled the convent at Assisi, the Twelve Apostles in Rome and about thirty other convents, situated mostly in Italy. In case of necessity, these Guardians functioned as commissaries of the General and thus the expense of sending a special commissary was avoided. The vicar, as of old, took the place of the Guardian in his absence. In the larger convents, the Guardian could appoint a President, who enjoyed precedence even before the Vicar. In the guardianates of the first class, this President ruled the convent until a new Guardian had been appointed by the

General. The helpers were given the Guardian to aid him in caring for the resources of the convent. The *exactor* was responsible for the income of the convent; the *procurator* was responsible for the expenditures of the convent. Both, just as the Guardian, had a key to the so-called *aerarium*, where the money and the other valuables of the convent were kept.

With the exception of the sum which each convent had to contribute towards the general expenses of the Order and of the province, each convent is independent in the management of its financial resources. Hence it has been decreed that each candidate for the Order must be adopted first by some convent as a *filius*, before he can be admitted to the novitiate. The relation of a friar with his *conventus natus* is permanent and it was manifested by the fact that all the goods belonging to the novice at the time of his adoption or which afterwards accrued to him, all belonged to this convent. *Filiatio*, however, gives no one a right to permanent residence in the *conventus natus*. On the other hand, the convent bound itself to care for the education of the *filius* and also to provide for his sustenance, in case he should later become unfit for work. This relation is also equally well expressed in the term *Paternitas conventus*, which implicitly includes the *filiatio*. Each convent, so to speak, elects a board of directors and these directors are called *Patres conventus*. It is their duty to advise and to vote upon all important affairs of the convent. Some friars obtain the *Paternitas* by law: thus all Doctors of Theology from the day of their promotion to that degree are *Patres* of their *conventus natus*. Others are chosen by the friars of the convent. In those houses, which number few friars, all the priests are *Patres conventus*.

Of great importance, is the right of the convents, at least of the larger convents, to elect a Discrete to represent it at the Provincial Chapter. The Discrete takes part in the election of the Provincial and must bring up any complaints which the friars of his convent may perhaps have against the superiors. All those who have been entrusted with the administration of the convent, in particular the Guardian, the *exactor* and the *procurator*, are not eligible to be elected Discretes. Formerly, all professed members of the convent were electors, but abuses occasioned the decree of 1720 excluding all lay brothers, who in future might enter the Order from acting as electors of the Discretes. These lay brothers who were already members of the Order at that time and who were forty years old were permitted to vote.

From the facts already mentioned, it is evident that among the Conventuals just as among the Observants, numerous friars in the course of time obtained influential positions in the Order by means of privileges. In this regard, far more consideration was given the representatives of learning among the Conventuals than among the Observants. Nor can we forget to note, that in accordance with the ancient Franciscan practice, the men of learning among the Conventuals retained their right to participate in the Provincial Chapters.

Paragraph 115 ***Activity of the Order***

With fervent zeal and great success the Conventual friars laboured on the home missions. Among their foremost preachers must be reckoned Cornelius Musso of

Piacenza († 1574), perhaps the greatest of all Conventual preachers. He played a not insignificant role at the Council of Trent. Continuing the list, we note Francis Visdomini (Vicedominus) of Ferrara († 1574), Eleutherius Albergoni of Milan († ca. 1600), his contemporary Frederick Pellegrini of Bologna and Joseph Platina of Savigliano († 1743).

In the foreign missions, the Order was not in a position to accomplish very much, since it was entirely excluded from the newly discovered lands. Still, the Conventuals retained their missions in Moldavia and in several other localities of European Turkey amid untold hardships throughout the centuries. In order to train qualified missionaries for the work on these missions, the General Calvi at the middle of the eighteenth century, erected in Rome the *Collegium Sancti Antonii*, called for short, Sant'Antonio. He also appointed a distinct Procurator for the missions.

More important are the achievements of the Conventuals in the field of ecclesiastical music and learning (cfr. par. 111). The ancient practice of gaining the academic degrees at the public universities were retained to some extent only by the Ultramontane provinces. On the other hand, the General had received the power of promoting those friars who had successfully passed the prescribed examinations to the *Magisterium sacrae theologiae*. This was ordinarily done at the General Chapters. This power was exercised freely by the Generals during the sixteenth century and again after the French Revolution, indeed, at this time, he exercised the power so freely, that in 1893, of the 829 priests in the Order, 215 were Doctors of Theology. During the seventeenth and the eighteenth centuries, on the other hand, the power had been exercised very sparingly by the Generals. As a rule, the candidate must have successfully completed a long and minutely prescribed course of studies before he is eligible to apply for promotion to the doctorate. The reaction noted above during the seventeenth and eighteenth centuries was a result of the reform in the studies of the Order, fundamentally inaugurated by Sixtus V. In 1587, he had founded at the convent of the Twelve Apostles, the *Collegium Sancti Bonaventurae*, which was to receive only specially qualified men who were to specialise in the study of St. Bonaventure. After completing the course, which lasted three years, the student was to receive the degree of *Magister* or *Doctor*. The distinguished General, James Montanari, undertook to further the revival of studies thus begun by the Pope. With the authorisation of the preceding Chapter of 1619, he published a new plan of studies, together with a truly remarkable *Epistola* to serve as an introduction. It is true that his plan did not survive very long in its original form, but its main points were incorporated into the *Constitutiones Urbanae*. Thus, his ideas and ideals continued to be the guiding force in the educational policies of the Conventuals until the chaos of the French Revolution rendered their execution impossible. Within recent times attempts have been made to revive these ideals of the past and to fit them into the standards of the present.

The most important features of the educational policy which prevailed among the Conventuals with slight changes throughout the seventeenth and eighteenth centuries are: The young clerics of the Order (*Tirones*) study the fundamentals of philosophy and theology in the seminaries of their respective provinces. After their ordination to the priesthood, if the young man seems fitted for higher studies, he is sent to one of the higher schools of the Order. There are four classes of these higher schools, each with a course lasting three years and each of them must be successfully passed by the aspiring student in turn. The three lower schools are called *gymnasia*, the fourth and highest is

called the *Collegium*. In the lowest school the student is instructed in Logic (*Initiati*), in the next in Physics and Metaphysics (*Studentes*), in the third in the Sentences and in the *Canones* (*Baccalaurei*). The fourth and highest school called *Collegium* was devoted to instruction in positive theology (*Collegiales*). Such *collegia* existed at Rome, Assisi, Padua, Bologna, Naples, Malta, Prague, Cologne, and Krakow. *Gymnasia* of the first class numbered ten, of the second class, twenty, while those of the third class were very numerous. If the graduates of the highest school of the *gymnasia*, even after a repetition of its course, were considered unfit for the *collegia*, they retained their title of *Baccalaureus* and could be employed as teachers in the less important schools of the Order. If they had passed their *gymnasia* with honour, they could become *Collegiales*. The *Collegiales*, who had completed this three year course with honour and had successfully defended their three-year course with honour and had successfully defended there theses publicly could then be promoted to the *Magisterium* by the General. No examination was considered necessary for them in view of the very rigid course of studies, through which they had passed. The teachers at all the higher schools of the Order had to be Doctors. After these Doctors had taught for twelve years and had thereby become *Lectores regentes* of a class, they could be honoured with dignity of *Definitores perpetui* of their province. Commonly, each house of studies possessed only two *Lectores regentes*, who were aided by a *Baccalaureus* or a *Magister Artium*. At the beginning of the eighteenth century, we find also a special *Praefectus Studiorum*, who was to see to it that both lecturers and students performed their duties.

Besides these Doctors in full right, who had successfully completed the prescribed courses of studies, there were also other Honorary graduates, which the General could honour with less important privileges to distinguish them from the ordinary friars – the *fratres simplices*. In 1659, this right of granting honorary degrees was expressly granted to the General, although he had exercised it previously. But he should not grant such honorary degrees merely to those who had laboured successfully as masters of novices or who had won renown in the field of ecclesiastical music, but he should grant this favour also to those friars who had spent twelve years in the care of souls, in the pulpit, or in the confessional. In this way, it was hoped to arouse great zeal in the friars for these duties and thus put an end to the complaint that the Conventuals were neglecting the confessional. The tenor of the entire course of studies was partly to blame for this lack of interest in the confessional, since in the entire course emphasis was always placed on the abstract sciences to the virtual neglect of the practical, especially of moral theology. Even in 1771, the *Lectores morales* still seem to have been classed below the other lecturers, for the *Lectores morales* could obtain the *Paternitas Provinciae* only after they had taught fifteen years, although the other lecturers obtained it after twelve. Even the teachers in the secular universities and in the Episcopal seminaries, and their number was not small, could obtain the *Paternitas* after twelve years. Conventuals graced the professor's chair in many Italian universities. In turn, many seculars attended the schools of the Order.

Here we can mention only the most outstanding of the many men of learning among the Conventuals. Among the chief theologians of the Order must be reckoned Cornelius Musso, mentioned above, Mark Anthony Pagani († 1585), Constantius Torri, died in 1595 as a Cardinal, and especially Lawrence Brancati, who died in 1693, also a Cardinal, famous alike for holiness and learning.

Church historians of the first rank were Anthony Pagi of Rognes near Aix († 1699), who wrote a classical criticism of the *Annales* of Baronius. His nephew and collaborator, Francis Pagi († 1720) published some valuable treatises on the history of the Popes, which were continued by his nephew, Anthony Pagi, the Younger.

Many Conventuals have published works dealing with the history of the Order, but unfortunately they are only too often polemical or apologetical in tone. Besides Ridolfi and Sbaraglia (cfr. par. 110), whom we have already mentioned, worthy of praise are John Franchini of Modena († 1695), Casimir Biernacki of Poland († ca. 1700), Anthony Lucci, who died in 1752 as Bishop of Bovino, Francis Anthony Benoffi of Pesaro († ca. 1728) and Nicholas Papini († 1834). The latter's critical observations concerning the life of the holy Founder are valuable even today. We refrain from mentioning those historians who have not yet died.

Vincent Coronelli († 1700) also published some treatises on the history of the Order, but his chief field was geography. His work in that field was so outstanding, that the Emperor honoured him with the title of *Cosmographicus publicus*. The mathematical and astronomical skill of Hilary Altobello († ca. 1620) is spoken of by Kepler with the greatest respect.

III

THE CAPUCHINS

ORDO FRATRUM MINORUM CAPPUCINORUM

Paragraph 116 *Internal Development*

Matthew of Bascio, formerly a preacher of the Province of the March of Ancona, thought that he had discovered the form of the original habit as worn by St. Francis himself. In 1525 he set out for Rome without the knowledge of his superiors. Here he is said to have obtained verbal permission to don the new habit with the pointed capuche and to lead an eremitical form of life. When he returned to his province, the Provincial began to proceed against him as an apostate, as was prescribed by law. Matthew, however, found a powerful protector in Catherine Cybo, the Duchess of Camerino and the niece of the Pope. Due to her intervention, he regained his freedom. Shortly after, the bad example of Matthew was followed by Louis of Fossombrone and his brother Raphael, who also journeyed to Rome, armed with a recommendation from the Duchess. The Grand Penitentiary in 1526 granted them a rescript, whereby they were permitted to lead a hermit's life together with Matthew under Episcopal supervision. As yet, there was no talk of founding a religious Order. This plan is mentioned for the first time in 1528, when the two brothers, Louis and Raphael, remarkable though true to the fact that Matthew was not even mentioned, with the aid of the Duchess, obtained the Papal Brief *Religionis Zelus*, which empowered them to lead an eremitical life, to wear a beard and the pointed capuche and to receive novices. According to the wording of the papal document, the petitioners at the time, were no longer Observants, but Conventuals, since they had transferred to that Order with the permission of their superiors, in accordance with the *Bulla unionis et concordantiae* (cfr. par. 29). That statement is directly contrary to the truth. At any rate, the Master Provincial of the Conventuals, in whose territory they were residing, now became their immediate superior with the full right of visitation and correction. Louis of Fossombrone became the first superior of the new eremitical community and he received immediately Matthew of Bascio and other Observants into it. In the following year, 1529, Louis convoked a Chapter at Albacina near Fabriano, where the first Statutes, the *Constitutiones Alvacinae*, were adopted. These constitutions stressed a very severe form of choir service, permitted only one Mass daily in each convent and forbade all Mass stipends absolutely. The new religious were not to hear the confessions of seculars nor were they to indulge in learned pursuits. On the other hand, an assiduous exercise of the office of preaching was inculcated for all. The attitude of the new community towards poverty is also manifested in these constitutions: *syndici* and *procurators* were absolutely forbidden; the convents should be characterised in everything by the greatest simplicity and poverty and they should be situated outside the

cities. Each convent should contain only seven to eight friars, or at the most, twelve. Meat, eggs and cheese could not be requested, but if these things were offered voluntarily by the people, the friars might accept with the limitation that they could receive only as much as they might need for one day. The other necessities the friars had to beg from day to day. Only in the case of necessity could the friars lay in a store of food to last an entire week.

Matthew, who had been chosen Vicar General by the Chapter, resigned that office after two months for reasons unknown. Thereupon Louis again took charge of the little community. The *Constitutiones Alvacinae* were now promulgated for the first time, whence we may be permitted to judge that they had been less the work of Matthew than of Louis. The latter seems to have the soul of all undertakings during the first decade, while Matthew, on all important occasions, remained in the background and played an altogether puzzling role. In 1537, he abandoned completely the new community, in which he had been a stranger for so many years, accepted the traditional form of the habit, rejoined the Observants and died in their midst in 1552.

Soon after the resignation of Matthew of his office of Vicar General, the General of the Order obtained a papal decree from Clement VII, which emphatically reaffirmed the existing law forbidding anyone to leave the Order without the permission of the superiors and also forbidding anyone to found new branches of the Order. In 1530, Louis and his followers were severely reprimanded by the Pope for their conduct and they were strictly commanded to return to the Order and to the obedience of their proper superiors. How many obeyed this papal command is not known; at any rate, Louis had no intention of returning to the obedience of others. He entrusted his case to the Duchess Catherine and to another influential woman, Vittoria Colonna, who knew how to win the Pope over to their side. Originally, the members of the new society had called themselves *Fratres Minores de vita eremitica*, but now they adopted the popular name, given them by the people: *Capuccini*. After 1534 this name appears also in official documents. In that year a papal decree was sent to Louis, *Fratrī Capucciato nuncupato et eius sociis*, wherein the command, repeated so often later, was stated that he was not to receive Observants into his community and which characterised the relation of the Capuchins to the Rule with the phrase: *Vos praetendentes velle regulam Beati Patris vestri Francisci ad unguem, juxta eius litteralem sensum et non declarationes super illam per Romanos Pontifices editas observare* (You declare that you wish to bind yourselves to observe the Rule of your Blessed Father Francis according to its literal sense, and that you do not observe the declarations on the same Rule given by the Roman Pontiffs).

In the meantime, Louis had gained ever more influence, so that in 1535 he obtained a Brief, which permitted him to receive Observants of those provinces, which had not founded any Houses of Recollection. But the arbitrariness of Louis had awakened the opposition of his own friars and they forced him to convoke a General Chapter in 1535. Contrary to his expectations, Bernardine of Asti was chosen Vicar General in his place. Blinded by anger, Louis now revealed his true colours, as he publicly gave vent to these very true words: *Ego sum Ludovicus Forosempronio; multa ego molitus sum, plura moliri scio* (I am Louis of Fossombrone; I have undertaken many struggles, and I know how to continue fighting). And, in fact, he now treated the Capuchins, just as he had treated the Observants: he withdrew, won some of the friars over to his new community, gained the willing ear of some Cardinal and by his help got the Pope to order a new

General Chapter held the following year. Fortunately for the young community, this time also the enemies of Louis were able to triumph; Bernardine was re-elected and Louis was expelled from the community.

Lunelli, the General of the Order, thought that the time was ripe to breach the plan for the return of the separated brethren. Although the General made many far-reaching concessions and although not a few Capuchins favoured the plan, still the Vicar General, Bernardine of Asti, with the aid of Cardinal Anthony Sanseverino, succeeded in frustrating the union. The same two men blocked a similar attempt at union in 1542, when, after the apostasy of the then Vicar General, Berardine Ochino of Siena, the entire community was in the greatest danger. The General of the Order made a last attempt at union in 1562, but that too was brought to naught by the Vicar General. Here we see another exemplification of the story, which is repeated so often in the course of the history of the Order: the divisions are caused and maintained not by the individual friars, who chanced to join the new societies, but by a few leaders, who had gained commanding positions and feared, and that justly, that they would lose them, if a union were consummated. We shall know fully the causes of the separation of the Capuchins in the sixteenth century only then, when we shall have at our disposal critical monographs concerning Matthew of Bascio, Louis of Fossombrone and Bernardine of Asti. In comparison with these men, Bernardine Ochino is of minor importance as regards the internal development of the Order. His fall is a lamentable incident, which could have happened in any other Order. There were doubtful characters not only among the Capuchin leaders during the first decades, but also among the rank and file of the members. This is proven not only by the frequent defections from the community, which were so often forbidden, but also by the stern measures of the Vicar General in 1543 against the heretical brethren, as well as from the words of Bernardine of Asti himself in 1548, who distinguishes between the good and the bad Capuchins and complains already of the abuses concerning poverty.

Was the separation of the Capuchins justified? This question is of decisive importance for the entire later history of the Order. To facilitate an objective view of the matter, we shall waive completely the juridical aspects of the question. We are not concerned with the point, whether or not the separation was accomplished strictly in accordance with the laws then existing; still less are we concerned with the present separate existence of the Capuchin Order, but merely with the historical question, whether the internal status of the Observants in the sixteenth century was such as to justify objectively the separation of Louis Fossombrone and his followers. We think that even a Capuchin historian can study the question closely and even answer it in the negative without, on that account, surrendering any of that wholesome enthusiasm which he feels for his branch of the Order or any of the justifiable pride which he feels in the immense amount of good which it accomplished. Any unprejudiced student of the facts as furnished us by history of the internal status of the Observants in the sixteenth century will not be able to maintain that a new branch was necessary for those friars who wished to observe the Rule strictly and purely. Abuses there were indeed among the Observants at that time; there were also abuses within the Capuchin Order within the very first decades and later complaints against the abuses grew ever stronger and more persistent. Would the Capuchins of today consider it right if a few of their confreres on that account would begin a new society, with a different shape of the habit and then begin to disparage

the mother who bore and nurtured them, as did the men who initiated the separation in the sixteenth century? And yet, the Observance, during the first decades of the sixteenth century, in regard to regular religious discipline and the observance of the Rule was certainly not surpassed by the Capuchin Order, as it has developed with the passing of time.

This development of the Capuchin Order with the passing of the centuries was inevitable. The first clear signs of this internal evolution appear about the middle of the sixteenth century, after the ferment of the period of beginnings had subdued. A new, healthy spirit gradually is manifested in the young community, softening the original spiritualistic tendencies and fashioning the new society more and more upon the pattern of the Observance. In the Statutes of 1535 and of 1552, we still find the declaration that the Rule is to be observed literally without any papal declarations; but, by 1608, the *Exivi* was admitted and soon thereafter also the *Exiit*. When, therefore, the Order was released from its dependence upon the Conventuals in 1619, it requested the Pope to confirm the Constitutions as they had been modified and enlarged in the course of time to meet the changed conditions of the times. This confirmation was granted by Urban VIII in 1638. These Constitutions, as revised in 1643, have remained substantially in force down to the present, even though many points have had to be sacrificed to the demands made upon the Order. The Urban Constitutions, which breathe a refreshingly Franciscan spirit, receive the Declarations of Nicholas III, Clement V as well as the Testament of St. Francis, but they do not acknowledge the Martinian Syndic (cfr. par. 61). Later on, however, also the Capuchins began to debate whether or not they should also admit a permanent syndic and what powers should be granted to him. By the middle of the eighteenth century, the practice of the Observants in this regard had been adopted here and there also by the Capuchins. Soon it was universally adopted, despite a contrary decree of the Chapter of 1775. In later times, the Order has even gone beyond the Observants in this regard. The prohibitions that not more than one Mass might be celebrated in each convent and that no Mass stipends might be received, had been rejected already in the Urban Constitutions. On the other hand, at that time, the friars were still forbidden to hear the confessions of seculars. Gradually this prohibition came to be disregarded in most provinces, although many still observed it at about the middle of the eighteenth century. Thus, with time, all the more important traits, which had characterised the first Capuchins vanished entirely. Today, the sole distinguishing marks which separate them from the other *Fratres Minores* are the shape of their habit and some particular customs.

We do not mean to infer that the internal development, just described, was a disgrace to the Capuchins; just the contrary. If this internal development had not taken place, the Order would not have been able to accomplish the vast amount of good which it has done. The Capuchins, more than any other reformed branch, manifested their wisdom in gauging correctly the needs of the times and in adapting themselves to meet those needs and therein, to a great extent, lies the secret of their great popularity. They made laws and they knew how wisely to change their laws or even to abolish them as the needs of the times and their duties required. Hence, the Capuchins surpassed by far all reformed branches in their adaptability and in their accomplishments. They are surpassed only by the Observants in the field of learning and in achievements on the foreign missions.

Abstracting from the tendency towards a milder interpretation of the Rule, which we have already noted, there appeared during the eighteenth century also a definite trend towards a dangerous relaxation of religious discipline, as is evident from many decrees of the General Chapters held during that period. In 1732 some friars in Luxembourg even went so far as to petition the Holy See for permission to live in a separate convent by themselves, so that they might be able to observe the regulations of the Order. This tendency to separate from the regular community was even more pronounced in Spain, where about 1700 *aliqui religiosi ad puriorem nostrae seraphicae regulae, ordinis constitutionum ac generalium ordinationum observantiam spiritus ferovre anhelantes* (some religious, who had a great enthusiasm to observe more purely our seraphic rule, the constitutions and the general ordinances) had recourse to the Pope for permission to erect strict Houses of Recollection. The Pope granted their request. In 1806, the General, Michael Angelus, sent a beautiful encyclical to his subjects, in which he humbly confessed: *Peccavimus et merito haec patimur* (We have sinned and thus we merit to suffer for this). It is self evident that the Order suffered severely during the French Revolution. Still its internal vitality was not destroyed and by the middle of the eighteenth century, the Order was once more firmly established. Moreover, the Capuchins can point with pride to the fact, that the schism within the Order, begun towards the end of the eighteenth century by the separation of the Spaniards has been completely healed: a blessing which has not yet been granted to the Order of Friars Minor. In 1884, Joachim of Llevaneras, with the consent of his subjects, sincerely petitioned that the Spanish brethren might be unconditionally subject to the General. The Pope and the Order joyously acceded to this wish, which is such a noble proof of the true Franciscan spirit of the Spanish Capuchins.

Paragraph 117
Provinces of the Order. Statistics.

The Capuchin Order spread with extraordinary rapidity throughout Italy and, after 1574, when the restriction of Paul III, which forbade the Order to have any convents outside of Italy, had been removed, the rapid expansion continued throughout the countries of entire Europe. The main causes for this rapid spread were the great popularity of the friars and the adaptability of their institute to changed conditions and circumstances as well as the fact that the erection of convents and the foundation of new provinces was entrusted entirely to the superiors of the Order, papal confirmation was not required until after the middle of the seventeenth century. The precedence of the provinces, usually treated as a matter of slight consequence, was reckoned from the date of their foundation, a fact not always easy to determine. In the beginning of the Order, the age of a province was dated from the day on which the friars came into the territory, or, at best, from the day on which the first convent of the future convent was founded. If a province was divided, the daughter province ranked immediately after the mother province.

In Italy, in the course of the sixteenth century, more than twenty provinces arose, very similar in name and in territory to the provinces of the Observants. In central Italy, there were the four *Provinciae Umbriae (Sancti Francisci), Romana, Marchiae (Picena),*

and *Tusciensis (Hetruriae)*. The boundaries of these four provinces have remained substantially the same down to the present time. The territory around Lucca, however, was withdrawn from the *Provincia Tusciensis* and formed first into the *Custodia Sancti Seraphini* and then, in 1884, into the *Provincia Lucensis*.

The provinces in upper Italy developed equally well. In 1697, the *Provincia Lombardiae (Parmensis)* branched off from the *Provincia Bononiensis*, the *Provincia Brixienensis* from the *Provincia Mediolanensis (Sancti Caroli)* in 1587 and the *Custodia Tridentina* from the *Provincia Veneta* in 1734. In 1749, the convents around Mantua were joined with the *Custodia Tridentina* to form the *Provincia Mantuana*. After the French Revolution, the *Provincia Tridentina* became independent, since the provinces of Mantua and of Brescia were not restored. The *Provincia Genuensis (Ligustriæ)* surrendered its north-western portion in 1618 to form the *Provincia Pedemontana* and in 1730 its convents in Montferrat were formed into an independent Custody. But, by 1750, this independent Custody had been united with the convents of the Province of Milan lying near Alexandria and Novara to form the *Provincia Sancti Josephi a Leonissa*. For the sake of peace, the convents of this new province were subsequently redistributed and in 1786 the Custody of Novara was united with several convents in southern Switzerland to form the *Provincia Sancti Laurentii a Brundisio*. It was soon overwhelmed by the full tide of the French Revolution. About the year 1815, the surviving part of the Custody of Novara was incorporated into the Province of Piedmont and the Swiss convents in the canon of Tessin became the independent *Provincia Sancti Fidelis*.

In lower Italy, the provinces of the Capuchins were even more numerous and here too, there is a greater difference between their provinces and the provinces of the Observants. The *Provincia Terrae Laboris* was called by the Capuchins the *Provincia Neapolitana*, the *Provincia Sancti Bernardini* was changed into the *Provincia Aprutiana*, only the *Provincia Sancti Angeli*, which was a part of the Roman Province up to the year 1575, retained the ancient name. This province is bounded on the south by the *Provincia Barensis*, from which in 1590, the convents situated in the heel of the boot were separated as the *Provincia Hydrantina (Otranto)*. The *Provincia Basilicatae*, later commonly called *Provincia Lucaniae*, had been a part of the *Provincia Barensis* until 1560. Calabria had originally formed only one province, but in 1584 that was divided into the *Provincia Cosentina* and the *Provincia Rheginensis*.

By 1574 Sicily counted three provinces: *Panormitana*, *Messanensis*, and *Siracusana*. From the latter, the convents on Malta were separated in 1740 to start the Custody, which in 1840 became the *Provincia Melitensis*. The Sardinian Province was divided in 1695 into a northern and a southern part: the northern part became the *Provincia Turritana*, and the southern part became the *Provincia Calaritana*. The *Provincia Corsicae* suffered no material changes since the sixteenth century, although there were some minor changes as a result of the French Revolution and of the secularisation of the nineteenth century.

France was the first country, outside of Italy, to welcome the Capuchins. Already by the end of the sixteenth century, France counted the *Provincia Parisiensis*, *Turonensis*, *Lugdunensis (Sancti Bonaventurae)*, *Provinciae (Sancti Ludovici)*, *Burgundiae* and *Tolosanae*; six in all. The north-western part of the *Provinciae Tolosanae* was erected into the *Provincia Aquitaniae* in 1640. At about the turn of the century, the *Provincia Sabaudiae* was also founded. In 1629, the *Provincia Normandiae*

was separated from the *Provincia Parisiensis* and the *Provincia Britanniae* from the *Provincia Turonensis*. At about the same time, the convents of Lorraine, formerly scattered among several provinces, were now united into the *Provincia Lotharingiae*. In turn, this province soon was strong enough to surrender some of her convents to form first the custody and later, in 1684, the *Provincia Campaniae*. In 1750, the *Provincia Sancti Ludovici* was divided into the *Provincia Avenionensis* and the *Provincia Massiliensis*. In 1683, political circumstances necessitated the formation of the *Provincia Insulensis (Lille)*, of former Belgian convents. In 1728, the same causes led to the foundation of the *Provincia Alsatae* from convents, formerly belonging for the most part to the Swiss Province. In 1844, the *Provincia Sancti Ludovici* was restored and soon spread over entire France, whence it was also called the *Provincia Franciae*. In 1870, this province was divided into three parts: the *Provinciae Lugdunensis, Parisiensis* and *Tolosana*. These provinces still are in existence, despite the recent persecutions. The same is true of the provinces in Corsica and Savoy.

Soon after the Capuchins had entered France, they gained an entrance also into Germany from the south by way of Switzerland and from the north by way of Belgium. A province had been established in Belgium early in the history of the Order and this had been divided in 1615 into a *Provincia Flandro-Belgica* and a *Gallo-Belgica* or *Wallenica*. Besides the convents about Lille, the Belgian provinces lost also the houses around Liege, which were formed into the *Provincia Leodiensis* in 1740. Under the pressure of Josephinism, the convents in Holland were united in 1782 into the *Custodia Sanctissimae Trinitatis*, which in 1845 became the *Custodia Hollando-Belgica*, and in 1882 was divided into the *Provincia Belgica* and the *Provincia Hollandiae*. Belgian friars founded the *Provincia Coloniensis* at the beginning of the seventeenth century. The southern part of this province became in 1668, the *Provincia Rhenana*. In 1770, the *Provincia Coloniensis* surrendered the convents which were united into the new *Provincia Westphalica*. These two daughter provinces were united in the nineteenth century into the *Provincia Rhenano-Westphalica*, while the mother province had entirely disappeared as a result of the French Revolution.

From the south, the Italian Capuchins came into Germany territory and already during the sixteenth century founded the *Provinciae Helvetica, Tirolensis* and *Bohemica*. These provinces, however, included too much territory and numerous divisions mark their future history. In 1668, the *Provincia Austriae anterioris* separated from the Swiss province and the *Provincia Bavarica* separated from the *Tyrolese*. In 1711, the northern half of the Bavarian Province was separated to form the *Provincia Franconica* and in 1771, by order of the government, the other convents outside the territory of the dukedom were also separated from this province. These convents, at first, formed the *Custodia Immaculatae Conceptionis*, which in 1789 became the *Provincia* of that name with houses in Swabia, the upper Palatinate and in some of the free imperial cities. Political expediency necessitated also that the convents in the diocese of Salzburg should be separated from the province of the Tyrol and formed into the *Custodia Salisburgensis*. After the French Revolution, the *Custodia Salisburgensis* as well as the *Provincia Immaculatae Conceptionis* and the *Provincia Franconica* and the *Provincia Austriae anterioris* were not restored.

The Capuchin provinces in the remaining districts of Austria had developed from the *Provincia Bohemica*. In 1673, the *Provincia Viennensis*, commonly called the

Provincia Austriaco-Hungarica, was declared independent. In 1603, the *Provincia Styriensis* had been erected. In 1783, this province, at the command of the imperial government, was forced to relinquish control of its convents in Croatia; in 1847, they were formed into the *Provincia Croatiae*. Likewise, in 1783, the Bohemian Province surrendered its rights over the convents in Moravia, which thereupon united into the *Provincia Moraviae*. In 1847, this province united with the mother province to form the *Provincia Bohemo-Morava*. The *Provincia Poloniae* had also formerly been a part of the Bohemian Province. It had been declared independent towards the close of the seventeenth century, but by 1740, it had been reincorporated into the Bohemian Province. At length, in 1754, it again became an independent province. After the partition of Poland in 1772, the convents in Austrian Galicia formed the *Provincia Galiciana*. In the nineteenth century, a *Provincia Russiae* was also added.

In Spain, the Capuchins possessed several convents by the end of the sixteenth century. These formed the nucleus of the *Provinciae Cataloniae*. In 1602, the southern portion of this province was separated to form the *Provincia Valentiae* in 1613 and in 1607, the western part became the *Provincia Aragoniae*. The *Provincia Castellae* arose in the central section of the peninsula in 1618, and in 1638 its southern convents were taken to establish the *Provincia Baeticae (Andalusia)*. Towards the end of the nineteenth century, all the Spanish provinces had been restored, except the *Provincia Navarrae*, which had branched off from the *Provincia Aragoniae* in 1679. It is now united with the mother province as the *Provincia Navarro-Aragonae*.

The list of the provinces of the Capuchins in Europe closes with the two provinces in Great Britain, namely, the *Provincia Hiberniae* begun in 1733 and the *Provincia Angliae*, founded in 1873. To be noted also are the colleges founded in the vicinity of Smyrna in 1883. They are united into a so-called *Institutum Orientis* with their own Commissary. Missionaries for eastern Europe and Asia are to be trained in these institutions.

The Capuchins waited until well into the nineteenth century to begin their first province in the New World. In the United States of America, the *Provincia Calvariae* was erected in 1892 with convents in Milwaukee and New York. In the same year, the *Provincia Pennsylvaniae* was also officially erected. Bavarian Capuchins laid the foundations of his province. Its convents are situated for the most part in Pennsylvania and in Maryland. Some time later, the convents in Ecuador appear as the *Provincia Aequatoriana*.

Let us note the following statistics. In 1587, there were 5,953 Capuchin friars; by 1605 this number had increased to 9,525 friars in 757 convents. By 1625, the number had grown to 16,966 friars in 1,192 convents. The Capuchins seem to have reached their peak in 1754, when sixty-three provinces with 1,715 convents counted 32,821 friars. After that time, the membership of the Order continually declined as a result of the French Revolution and of the secularisations of the nineteenth century, until in 1889 there remained only 7,582 brethren. But by January 1, 1908, it counted more than 10,000 friars, among them 5,074 priests.

Paragraph 118
Internal Organisation of the Order

Originally, the head of the Capuchin Order was called *Vicarius Generalis* and he had to be approved by the Minister General of the Conventuals. But when the Order was granted its independence in 1619, the head of the Order adopted the title of *Minister Generalis*. In the beginning, his term of office was restricted to three years, but by 1608 it had been lengthened to five years, in 1618 to six years and in 1667 to seven years and finally in 1859 to twelve years. In 1908, the term was fixed at six years. There was a manifest tendency in the Order to curb the power of the General as much as possible by making his actions dependent upon the consent of the Provincial Chapter. But the Generals skilfully circumvented these endeavours by obtaining plenipotentiary powers from the Pope, permitting them to appoint by their own authority, Guardians, several Definitors in a province and even a Provincial, if they saw fit. From 1633 on, these broad powers were granted to each General as a matter of course. Among the honours granted to the General was the title of *Admodum Reverendus* accorded in 1637. In 1702, this title was changed to *Reverendissimus*. In 1633, the General, even after the expiration of his term of office was granted precedence immediately after the actual General Definitors. The General retained this precedence, despite the opposition of a faction in the Order which planned to enact in the General Chapter of 1667 a decree stating that the ex-General as well as the ex-Provincial should occupy the last place among the priests.

At the death of the General, while in office, the first General Definitor ruled the Order as *Vicarius Generalis*, while the Procurator General is to convoke a General Chapter as soon as possible. In exceptional cases, the Pope himself appointed the *Vicarius Generalis*, in whose case, he completed the term of the deceased General. Towards the close of the eighteenth century another meaning was given to the term of *Vicarius Generalis*, as a consequence of the separation of the Spanish Capuchins from the remainder of the Order. The Spanish portion and the non-Spanish portion alternately elected either a General or a Vicar General. The substitute of the Vicar General after this time was called the *Provinciarius Generalis*.

The General Definitorium forms the permanent council of the General. In the beginning, it consisted of four members, but after 1541, it consisted of six General Definitors. Their term of office ceases with the General Chapter, but one half of their number may be re-elected. The General Definitorium enjoys broader powers than the General Definitorium of either the Observants or of the Conventuals. The General, in important matters, must obtain not only its advice, but also its consent. All business of the Order with the Congregations must pass through its hands and it has the authority, or at least it did have formerly, to make laws for the entire Order and to confirm and decrees of the General Chapter. Manifestly, therefore, the General Definitors, were bound to reside in Rome near the General. In case a General Definitor was either unwilling or unable to reside there, another was to be chosen from the same nation in his stead by the other General Definitors. The importance of the General Definitors may be seen also from the fact that they received the same honorary title as the General, namely, *Reverendissimi*, and that they, just as the General, are called *superiores generales*. They also have the right to vote at the General Chapters. Upon the expiration of their term, the ex-Definitors,

just as the ex-General, enjoy important privileges, among which is the right to take part in the Chapters of their province.

The General Procurator receives the same rights as the General Definitors. Originally, his duties were discharged by the Guardian of the Roman convent; but, in 1558, the *Vicarius Generalis* appointed a special friar to perform those duties. In 1567, the General Definitorium assumed this election, but, since 1629, with few exceptions, the Procurator has been elected by the entire General Chapter. The length of his term of office has suffered the same modifications as the term of the General. The Procurator is ex officio not a member of the General Definitorium, but usually only a member of the General Definitorium is elected Procurator. As we have already mentioned, the Procurator General is to convoke the General Chapter, upon the death of the General. Since perhaps the beginning of the seventeenth century, he has exercised the right of ruling the Italian provinces with the title of Commissary General, whenever the General is outside of Italy. Formerly, he ruled also the Ultramontane provinces, as long as the General did not reside in those provinces. In both cases, the General must delegate his powers to the Procurator, even though the Constitutions of 1643 decreed just the opposite. Towards the end of the sixteenth century, the General as well as the Procurator were each given three secretaries to help them in their work. In the course of time, these appointees have been granted various privileges.

At first, the General Chapters were celebrated every three years, then every five, every six, every seven and last of all, every twelve years. The time has now been determined at every six years. In the first centuries, the legal time was not observed whenever the General had died prematurely. In that case, the General Chapter had to convene as soon as possible. In general, the General Chapter of the Capuchins had the same powers as the General Chapters of the other branches of the Franciscan Family, except that the General Definitorium had a greater influence upon the Chapter of the Capuchins, in as far as it examined and confirmed the decrees of the General Chapter and even had the power to make laws for the entire Order outside the time of the General Chapter. In the order of business of the Chapter, the Capuchin Chapter differs from the others in this, that the Capuchins elect first of all the six General Definitors and then only does the General resign his office and his official seal of the Order. The new General and Procurator are then elected. The elections at the Provincial Chapter proceed in a similar manner. If, as is usually done, one of the General Definitors is elected General in the subsequent balloting, then another Definitor must be chosen. But, if the Procurator is not a Definitor, he steps into the place vacated by the Definitor who was elected the General and no new elections are held. After the elections, the General Chapter passes whatever laws may be required and then frames the answers to all the requests and petitions which have been submitted to it. For this purpose, committees are formed of the *graviore patres nec non theologi ordinis*. It is not stated whether or not, the members of these committees must be selected exclusively from the members present at the General Chapter. Requests and business of all kinds are sent in to the General Chapter, because the powers of the Provincial Chapter are severely limited; the Provincial Chapter cannot even make its own Provincial Statutes. In this way, the uniformity of laws and customs is preserved, but, at the same time, the General Chapter is burdened with a very thankless task.

In the beginning, only the Provincials and the Custodes are admitted to the General Chapter, but soon the General Definitors were also permitted to attend. Due to the peculiar position of the Custodes, their right to vote has undergone many changes in the course of time. The Custodes of the Capuchins are the exact counterparts of the Custodes of the later Conventuals, but they have very little similarity with those of the Observants and still less with the Custodes described in the Rule. Of course, the Capuchins, in accordance with the letter of the Rule, wished to have Custodes in their Order; on the other hand, they could not bring themselves to give them that relatively independent position, which they held in the first years of the Franciscan movement. Indeed, they frequently went so far as to project the division of their provinces into custodies, but the plans were never carried out, that is, they never had any real significance. The Custos is never granted any real rights over the convents in his Custody; he has not even precedence before the Guardians; indeed, he may even reside outside his custody. However, the position, as named in the Rule, remains. In the beginning, the provinces were divided into custodies in order to obtain a greater number of electors from the province at the General Chapter. Later on the division was retained in order to ensure to all "nations" equal representation in the provincial government. Gradually two classes of provincial Custodes were evolved: those who could go to the General Chapter, called *Custodes generales*; and those who could not go, called *Custodes provincials* or simply *Custodes*. According to the Statutes of 1549, all Custodes of a province, if they numbered not more than five, were to take part in the General Chapter, along with their *Custos Custodum*, who was to propose the complaints of the province against the Provincial. In 1643, Urban VIII decreed that no province could send more than two Custodes to the General Chapter, except the ten Italian provinces, which were privileged to send more in order to equalise the voting strength between the Italian and the Ultramontane provinces. This rule was soon discarded. But after 1643 most provinces sent only two Custodes to the General Chapter. They were elected by the Provincial Definitorium, unless the Provincial Chapter and the General Chapter occurred in the same year when the Provincial Chapter elected the two Custodes. In case of emergency, when the General Chapter was convoked at an unexpected time, the Provincial Definitorium could elect the *Custodes generales* or send substitutes to the General Chapter, *Vicecustodes*. In 1847, it was decreed, that as a precaution against such emergencies, at each Provincial Chapter two *Custodes generales* should be elected, who should remain in office until the next Provincial Chapter. They are to have a vote at the Provincial Chapter, but they do not necessarily belong to the Provincial Definitorium. In 1908, the ancient custom was changed. Henceforth, only one *Custos generalis* may be sent to the General Chapter. The Provincial Custodes, together with the division of the provinces into custodies, had been abandoned almost everywhere a number of years before this latest decree.

Besides the two kinds of Custodes mentioned above, the Capuchins have also a third kind, who may be compared to the *Custos regiminis* of the Observants. He is the actual ruler of an administrative unit, which is still too small to be raised to the rank of a province. In the Capuchin Order such a Custos is called sometimes *Custos provincialis*, sometimes *Minister Custos (Custodialis)*; at times, by way of privilege, he was even given the title of Provincial. Instead of Definitors, this Custos has two *Consultores* or *Assistentes custodiarum*. Upon the expiration of his term, this Custos has all the

privileges of an ex-Provincial. The right to participate in the General Chapter was granted to this Custos in the nineteenth century.

The head of a province in the beginning of the Order was called the *Vicarius provincialis*, but after the Capuchin Order had been declared independent of the Conventuals, this title was changed to *Minister provincialis*. At the same time, the term of office was fixed at three years; formerly, the Provincial had to be confirmed in office each year. A *Secretarius provincialis* was added to aid the Provincial in the discharge of business, but this official enjoyed precedence according to the customs of the individual province but no juridical power. Hence, he could not rule the province upon the death of the Provincial, as is done among the Conventuals. This duty devolves upon the first Provincial Definitor, who thereby becomes the *Vicarius provincialis*. The powers of the Provincial, just as those of the General, are greatly restricted by the respective Chapter and especially the Definitorium. Without the consent of the Definitorium, the Provincial cannot transfer friars, even outside the time of the Chapter. The Provincial Definitorium is composed of the Provincial and of the four friars elected by the Provincial Chapter. The Capuchins had no privileged Definitors. Only members of the Chapter may be elected, but one half of the former Definitorium may be re-elected. Formerly, the office of Definitor expired with the convocation of the Provincial Chapter, but since 1818 this is no longer the case. The Definitors now enjoy all rights which the other members of the Chapter possess. Certain privileges, among them the right to choose the convent where they wished to reside, were granted to the Provincial Definitors.

After 1618, the Provincial Chapter convened every three years, but before that time, it met every year. This change was not observed everywhere up till 1667. In 1618, the Provincial Definitors were commanded to meet each year to hold a *congregatio intermedia*. But, since a *congregatio* each year was purposeless in some provinces, the General was empowered in 1676 to convoke a Provincial Chapter in these provinces each year and a half instead of the annual intermediate meeting. This decree was re-promulgated in 1747 for all provinces with the addition, that the Provincial should be free to convoke an intermediate meeting once or twice between Provincial Chapters. Formerly, only the actual Provincial Definitors together with the Guardians and the Discretos of the convents were legitimate electors in the Provincial Chapter, but in 1770 the ex-General and the ex-General Definitors were also admitted. In many provinces, the ex-Provincials were also permitted to participate in the Chapter and in 1852, this privilege was extended to all provinces. Much earlier, perhaps already towards the close of the seventeenth century, the Lectors were made members of the Chapter in those provinces which had abolished the office of Discrete of the convent. The Lectors have retained this right up to the present time. Here and there, the Master of novices and the Secretary of the province have been granted the same right.

The convents of the Capuchins are ruled by a Guardian. The Constitutions of 1643 fix the length of his term at three years. He can be re-elected for a second term in another convent. Formerly the Guardian was elected only in the Provincial Chapter, but since 1747 the intermediate meeting may also elect Guardians. Deposal from office may be done only for grave reasons and after the Guardian has been heard in his own defence. In cases of necessity, even outside the Chapter, the Guardian may be transferred to another convent and retain his office. Two *Discreti* were instituted in 1884 to aid the

Guardian with their advice. One discrete is appointed by the Definitorium, the other is elected by the friars dwelling in the convent.

Of great importance is the right of the convent to elect a discrete to represent it at the Provincial Chapter. The election soon caused many difficulties, which in turn evoked hundreds of regulations. The Order wished especially to exclude the lay brothers, but they protested so vehemently that Innocent X in 1647 reinstated them in their former rights. They could elect the discrete, just as well as the clerics, if they were members of the Order for four years. But, since the evils connected with these discretos were continually increasing, the office was gradually abolished. Sardinia suppressed the office in 1694, Spain in 1747, France in 1761, Italy, at the behest of the General Definitorium, in 1801. The General Definitorium gave these reasons for its demand: *One can hardly say much, because during the conventual elections, much confusion, irritations, private vendettas, hidden simony, and other serious evils do happen.* Despite the opposition of the higher superiors, the discretos were re-introduced in Italy in 1803. Thus the matter remained until finally in 1863 the General obtained a papal decree abolishing the discretos in the entire Order forever and appointing the Lectors in their stead as members of the Provincial Chapter. Other provinces to this day admit all Lectors to the Chapter, who have discharged their office for three years. If the Lector has taught for twelve years, he becomes a member of the Provincial Chapter for life.

Paragraph 119 ***Activity of the Order***

The Capuchin Order has shown a truly astonishing and a wonderfully blessed activity in the field of home missions. Not only did the friars of this Order render the ordinary help to the busy pastors of souls, but they also zealously devoted themselves to the preaching of missions and retreats, to caring for the sick especially at the time of pestilence, to introducing and fostering the Forty Hours devotion and, not least of all, to leading back the straying peoples, especially at the time of the Counter Reformation. Many districts in the German and French speaking countries owe their preservation of the faith or their regaining of it to the labours of the Capuchins. Hence, it is no wonder that the Order was exceedingly beloved everywhere especially during the seventeenth century and that many people, even of the highest classes, joined its ranks. Many princes used the Capuchins as their diplomatic agents and on more than one occasion, their zeal and wisdom solved complicated and even dangerous diplomatic questions. St. Lawrence of Brindisi travelled through Italy, Germany and Spain on diplomatic missions for the Pope and for secular princes. The defeat of the Turks in 1601 was due in great part to his efforts. Not less influential was Mark of Aviano († 1699), the advisor of Leopold I. More than once was he the guardian angel of Christendom in its wars with the Turk at the close of the seventeenth century. A third Capuchin, who must be placed besides those two preceding political figures, is Joseph Leclerc du Tremblay of Paris († 1638), popularly known as Pere Joseph. He was the faithful friend and collaborator of Richelieu.

However, by far the majority of the great preachers of the Capuchins confined their labours strictly to the field of religion. We have space to mention only those who enjoyed extraordinary fame as preachers or whose labours were blessed with special

success. St. Joseph of Leonisa († 1612), St. Fidelis of Sigmaringen († 1622), Blessed Didacus of Cadiz († 1801), called “the Apostle of Spain in the eighteenth century”, Matthew Bellintani († 1611), Michaelangelus of Venice († 1612), Procopius of Templin († 1680), Bonaventure Barberini († 1743) and Vincent Thuille († 1878), the homiletic author. Two other Capuchin preachers who deserve mention here for their efforts on behalf of some of the social problems of their day are Theobald Mathew († 1856) “the Apostle of temperance of Ireland” and Theodosius Florentini († 1865) “the greatest Swiss philanthropist”.

After the Order had discarded some of the original restrictions, it was able to enter the field of foreign missions. From the beginning of the seventeenth century, the Capuchins have devoted themselves to this work with zeal and devotion in many parts of the world. Each mission was entrusted to a definite province, so that the Provincial was always vitally interested in the welfare of the mission. Formerly, the Provincial had to give an account of the mission to the Propaganda. By the end of the eighteenth century, the missionary zeal had slackened visibly and it was almost completely paralysed by the unfortunate conditions of the times during the first half of the nineteenth century. In order to supply men for the missions, mission colleges were begun, which were directly under the jurisdiction of Propaganda. At the same time, the General had to send a letter each year to the Provincials and to the Guardians, exhorting them to further the cause of the missions of the Order. In 1858, a Procurator of the Missions was instituted. He was almost independent of the Order. His activities proved to be detrimental to the welfare of the Order and hence in 1884, the General Bernard Christen von Andrematt had the office abolished. The missions were divided now as formerly among the provinces, but the General and the General Definitorium retained the right of supreme direction and supervision. To aid in the despatch of business pertaining to the missions, a *Secretarius missionum* was appointed, who is confirmed in office by the Propaganda. Further instructions concerning the missions are contained in the *Statutum pro missionibus*, promulgated provisionally in 1887 and definitely in 1893. After that time the Capuchin missions began to flourish visibly. The number of Capuchin friars labouring in the missions has doubled within the past twenty years and today (1907) they number about 700.

In Europe, the only real missions in the care of the Order are parts of the Balkan peninsula and some of the islands which are under Turkish domination. The Capuchins have laboured in the Vicariate of Philippopol since 1841, in Crete since the middle of the seventeenth century and on the Ionian Islands, in particular on Cephalonia, since 1793. Of the most importance was the mission of the Order in Constantinople, begun at the beginning of the seventeenth century. In the beginning, French friars alone were permitted to labour in this mission, as in all the other missions of the Orient. In 1795, Italian friars replaced the French, until 1821, when due to pressure applied by the French government, Constantinople was again entrusted to the Parisian Province, while the Italian friars were allowed to retain the other missions in the Orient. Soon thereafter was begun the *Institutum Orientis* (cfr. par. 117), which has preserved more of an international character.

Soon after the Capuchins had become established in Constantinople, they began to invade Asia. Smyrna was entered first, then Trebizond, Syria, Mesopotamia and Persia. Tibet was also the scene of successful work from 1707 to 1741. Here Horatius of

Penna in particular distinguished himself by spreading religious publications in the native language. After they had been driven out of Tibet, these friars established missions on its borders in northern India, where they continued to care for many stations. Due to lack of men and resources, the Order was forced to relinquish its missions around Bombay and Madras during the nineteenth century. A comparatively new mission is the Apostolic Vicariate in southern Arabia, which includes also the northern coast of Somaliland. In very recent times, the Capuchins have been active also in South Borneo and on the Caroline and the Marianas Islands.

In Africa the Capuchins cared for the mission of Tunis from 1624 until the end of the nineteenth century and for the territory along the western coast down to the Congo and Angola from 1640 until the French Revolution. Capuchins also laboured in Abyssinia, where the Blessed Agathangelus of Vendôme and Cassian of Nantes were martyred in 1638. The mission on the Seychelles Islands in the Indian Ocean, entrusted to the Capuchins in 1852, is still cared for by them. Likewise the Order still labours in southern Abyssinia among the Gallas tribe in the missions which were begun in 1845 by the heroic William Massaja, who died as a Cardinal in 1889. In 1894, the Capuchins accepted the care of the Italian colony of Eritrea.

Capuchin missionaries during the seventeenth century were busy in Canada and Louisiana, the West Indies, Guinea, Brazil and along the Orinoco River. The Order still carries on in Brazil and is especially active around Rio de Janeiro, Bahia, Pernambuco and the State of Maranhao. The energies and the resources of the Brazilian Capuchins are almost completely absorbed by their labours among the Catholics of that country, yet they are also at work among the pagan tribes of that vast land. The same is true to an even greater extent of the convents founded in the nineteenth century in Montevideo, Venezuela and Ecuador. On the other hand, missions among the heathens are the chief work of the Capuchins in Colombia and in southern Chile. The missions in Colombia were accepted by the Order in 1888, those in Chile in 1848. The missions among the Araucanos Indians were entrusted originally to the Italian Capuchins, then in 1889 to the Spanish and in 1894 to the Bavarians.

For the first few centuries, the Capuchins did not occupy any prominent position in the field of studies. The Constitutions of 1529 expressly forbade the erection of convents of theoretical studies. But in 1564, every province was bound by the Council of Trent to erect of course of theology. Gradually the activity of the Order in the pulpit and in the confessional increased and in proportion as the field of labour of the Order broadened, the need of a systematic course of studies became everywhere more evident. The first definite plan for this systematic course of studies seems to have been furnished by the Constitutions of 1643. The provinces were ordered to found schools in which the candidates for the Order should be instructed for three years in philosophy and for four years in theology, in order that the clerics of the Order might become able preachers. Nevertheless studies in the Order did not really flourish in many provinces, for some deliberately hampered the progress of education lest the preachers become too numerous. In 1758, the General, Seraphin von Ziegenhals (Capricolla), when publishing his new pontifically approved plan of studies, said to these hostile elements: *Sanctarum constitutionum nostrarum finis non est multiplicare ignorantes et otiosos ac simplices sacerdotes* (the aim of our holy constitutions is not that of multiplying ignorant, lazy and simple priests). The General goes on to point a very gloomy picture of the state of studies

in many provinces. As a remedy, he prescribes that greater care should be taken in examining the Lectors before they are approved for their office. As a matter of fact, the slipshod method of appointing Lectors was the main cause of the deplorable state of studies in the Order, if we abstract from the total absence of higher studies, so conducive to the more fruitful pursuit of knowledge. Henceforth, Lectors before appointment to office must pass an examination before a committee consisting of the Provincial Definitorium and of some Lectors. We are not informed just what studies the candidate must have made before he was allowed to present himself for this examination. Each province must have at least three lectors. Privileges, such as precedence or dispensation from attendance at choir, were formerly not granted to the Lectors; but they were admitted to the Provincial Chapter, as we have already mentioned. In the nineteenth century, the title of *Lectores emeriti* together with some privileges, formerly spurned in the Order, was granted to all Lectors who had taught for twelve years.

There can hardly be said to have been any Capuchin theological school, although most teachers of the Order followed St. Bonaventure and some also adhered to St. Thomas. The plan of studies of 1758 merely states that the Lector of philosophy should adhere to St. Bonaventure and only if the needed books are lacking may he follow some other philosopher. The General Chapter of 1884 clearly states that philosophy and theology must be taught in accordance with the teachings of St. Bonaventure and of St. Thomas. The same Chapter again insisted on the former plan of studies with three years of philosophy and four years of theology. Great stress was also laid on the cultivation of the science of sacred eloquence. Special favour had been shown towards this science long before this decree. In recent times, many provinces have laudably exceeded the minimum demands of this General Chapter, with the Swiss and the French friars in particular fostering higher studies, at least for their Lectors. The excellent results of this policy are already evident. In 1908, a *Collegium internationale* was begun in Rome to serve as an institute of higher studies.

Capuchin theologians deserving of special mention are: Charles Joseph Tricassinus († 1681), “the chief theologian of the Order” and a very profound student of St. Augustine, Thomas of Charmes († 1765) and Jeremias de Benetti († 1774). Bernardine of Picquigny († 1709) has won undying fame as an exegete. James of Corella († 1699) and Gabriel of Varcano († 1893) are famous moralists. Ascetical writers of note are: Ambrose of Lombez († 1778) and especially Martin of Cochem († 1712), whose sermons and numerous popular writings have been productive of much good everywhere. The natural sciences owe much to Francis M. of Paris († ca. 1710), the discoverer of the photometer and to the astronomer Chrysologus de Guy († 1808).

In the past, the greatest influence on writing the history of the Capuchins was wielded by Zachary Boverius († 1638) through his *Annals of the Order*. But anyone who has read these *Annals* will readily see that Boverius lacks every requirement for an historian. His hostile spirit has greatly embittered the relations between the Observants and the Capuchins. However, he has wrought the greatest harm upon the Capuchins themselves, since his tactless and insipid recitation has spoiled many inspiring and beautiful parts of their history for all thinking men. The historians of later times are more peaceful and more objective and at present many learned Capuchins are at work on the history of their Order.

SECOND BOOK

THE SECOND ORDER
THE CLARES

ORDO SANCTAE CLARAE

Paragraph 120

Saint Clare and her convent of San Damiano

In the valley of Spoleto, the preaching of St. Francis on the imitation of Christ and of evangelical poverty, met with an enthusiastic response even among the women. In 1216, Jacques de Vitry, an eye-witness, writes: "Women, dwelling together in various houses near the cities, receive no alms, but live by the labour of their hands. They are very much grieved and troubled because they are honoured by the clerics and the lay people more than they would wish." From this it can be seen that these women had already entered quite deeply into the noble aspirations of the saint. But, we do not hear that Francis interested himself in any way in these ladies. His biographers are silent on the matter. Their silence is broken only with reference to one foundation, the hermitage of San Damiano, of which St. Clare was the superior. In order not to confound worse the confusion which rests upon the beginnings of the Clares, we shall give first the main facts concerning Clare and her convent.

Clare was born about the year 1194 of the family of Sciffi, one of the most distinguished noble families of Assisi. What she saw and heard of Francis made such an impression upon her, that she resolved to follow the path of perfection under his guidance. By agreement, she, together with a trusted servant, came to the Portiuncula late in the evening of Palm Sunday, 1212. Here Francis cut off her hair, clothed her in a rough habit, similar to the one worn by his friars, and immediately escorted her to the nearby convent of Benedictine nuns of St. Paul near Bastia. After a few days, Clare was transferred to the convent of St. Angelo in Panzo, also a Benedictine cloister. All efforts of her relatives to turn Clare from her resolution were in vain. Her example, on the contrary, so influenced the rest of the family, that her sister, Agnes, followed her within sixteen days. Beatrice, a third sister, joined them after a short time, and Hortulana, their mother, entered the Order after the death of their father.

Francis now had to find permanent quarters for Clare and her few companions. The monks of Monte Subasio again came to his assistance and gave him the convent and the chapel of San Damiano just outside Assisi. Here, some weeks after her investment, Clare took up her residence, and here, in this idyllic retreat, has been preserved the charm of the Franciscan spring up to the present day. Clare lived at San Damiano for forty-one years. The sisters spent their days in prayer and labour, in the greatest poverty and the most severe penances, in uninterrupted meditation and joy of heart. St. Francis gave them a *Forma Vivendi*, which, as was his wont, simply and briefly, prescribed a life according to the Gospels. Soon Francis was faced with the serious problem of obtaining papal confirmation for his foundation, in order to avoid manifold difficulties. He took this step while Innocent III was still on the papal throne, either in 1215 or in 1216. The Pope granted Clare the *Privilegium Paupertatis*, but as it seems, at the same time he also imposed the Benedictine Rule upon her. In any case, it is certain that Francis compelled her to assume the title of abbess and it is also certain that Francis' *Forma Vivendi* was not expressly approved by the Pope at this time, nor did it obtain formal approbation at least

not before 1253. It is not known what part Cardinal Hugolino played in these negotiations. In the following years, however, when the friendship between him and Francis became even stronger, he took an increasingly active part in regulating the affairs of the Clares. Already in 1219, there is mention of *Observantiae regulares juxta ordinem Dominarum Sanctae Mariae de Sancto Damiano de Assisio*, which were approved by the Pope, but these cannot be identified with the *Forma Vivendi* of St. Francis. Consequently, these ordinances probably were drawn up by Hugolino and are usually identified with his detailed rule of the Order, the so-called *Regula ordinis Sancti Damiani*, which was approved by Honorius III, accepted by St. Francis and which was still in force for Clare and her sisters in 1238, as we can gather from a letter of Gregory IX to Blessed Agnes of Bohemia. From various other letters of Gregory, it is apparent that he regarded himself as the lawgiver of the young society.

Further doubt on this point, that Cardinal Hugolino as protector of St. Clare and her sisters drew up a Rule for them, seems now to be impossible. But what was the attitude of Francis and Clare towards this Rule? We do not know whether St. Francis cooperated in drawing up this Rule of Hugolino. The fact that he admitted this Rule, as we see later, in itself means little. What else could Francis do? According to canon law he had no authority over any convent of women and his own *Forma Vivendi* had not yet been approved. That Francis, however, submitted joyfully and with internal assent to the arrangement cannot be proven with any certainty. In any case, he did not abandon San Damiano, although he stayed as far as possible away from the other convents and ordered his friars to do the same. Clare, on her part, always considered herself the disciple of St. Francis alone; in all her letters and other communications, she never mentions that she has received counsel or advice from anyone except Francis. It is only his ideas and his admonitions which she proposes and she passes in silence over the recommendations which any other may have given.

It should not be thought, however, that Hugolino crossed the intentions of Francis and Clare out of ill will. The prince of the Church foresaw that the ideal, mirrored in all its purity in the two great saints, could not be maintained in a larger group of women without a firm organisation, and he proceeded to build up that organisation. That he could not make an exception for Clare and her convent is apparent, still Hugolino permitted her to act pretty well as she pleased and whenever she protested against his methods, he gave in, even though he energetically insisted that other convents should abide by his Rule. Personally, he gladly sojourned at San Damiano and he wrote very edifying letters to Clare, full of candid respect and personal friendship. After he had become Pope, he offered her property so that she might live a life free from worry about personal needs. He even offered to dispense her from the vow of poverty which she had taken before St. Francis, if this should cause her any misgivings and make her hesitate to receive the property. "Holy Father," came Clare's prompt answer, "it is my desire never to be dispensed from the imitation of Christ." Nor did Clare desist from her pleadings until Gregory IX had again confirmed her in the privilege of poverty. On another occasion, Gregory wished to limit the dealings of the friars with the nuns of San Damiano and to make their visits dependent upon special papal permission. When Clare heard of this, she sent the *Fratres eleemosynarii*, who collected alms for the nuns, back to their Provincial, saying that she could dispense also with the friars who procured food for their bodies, if

the friars, who gave them spiritual nourishment were to be taken away from them. When the Pope heard of this, he immediately refrained from carrying out his plan.

These are the two points upon which Clare insisted most emphatically: the preservation of the *Privilegium paupertatis*, which protected her from being forced to receive property, and the continuance of the relations between San Damiano and the Friars Minor, as begun by St. Francis. On this latter point, Francis had indeed warned his friars against excess and at times delivered earnest exhortations to the sisters, which should prepare them for separation from him. But, in general, his attitude towards the Poor Ladies was well expressed by these words of his biographer: *Non eas vocasse, nulla est injuria; non curare vocatas, summa est inclementia* (If they had not been called, this would have caused no injury; but if we do not take care of those who are called, this would be the greatest unkindness). Added to this sense of duty, was the holy friendship which existed between Francis and Clare, a friendship which was not vitiated by mutual solicitude about temporal affairs. Clare was perhaps more thoroughly permeated with the spirit of St. Francis than any of his friars. In affairs of great moment, Francis turned to her for counsel; it was while near her, that Francis composed the Canticle of the Sun and he ordered that after his death, he should be carried to her. Justly, therefore, could Clare say that Francis had faithfully cared for her and that he had commanded his friars to do the same.

Clare sought to procure for other convents that which she sought for herself, namely, the observance of the wishes of her spiritual father, in preference to any other Rule. This is clearly shown in her correspondence with Agnes of Bohemia, whom she calls *dimidium animae*, "the other half of my soul." Clare wrote to her as if no fixed rule of life had ever been given to her: *Sequaris consilia Reverendi Patris nostri Eliae, ministri generalis totius oridinis* (Follow the counsels of our Reverend Father Helias, minister general of the entire Order). Agnes should listen to his counsels and heed no others. Clare then goes on to describe the method of fasting as prescribed by St. Francis and as it was observed at San Damiano, although it did not entirely agree with the Rule given by Hugolino. On the strength of these letters from Clare, Agnes then drew up new statutes for her own convent and in 1238 presented them to Pope Gregory IX for approval. He rejected the petition. Yet, at San Damiano, everything continued as of old, despite the statement of the Pope that his Rule and not the *Forma Vivendi* of St. Francis, was observed also in that convent. In this case, the wish was father to the thought.

When all these facts have been considered, the exemption of the convent of San Damiano from the Rule of Hugolino can hardly be contested. Although the latter may have been the only Rule legally approved, in this convent the instructions of St. Francis were the norm. In order to ensure that this might continue in the future, Clare had to have papal recognition of his actual state of affairs. Success crowned her efforts only in 1252. In that year, the Cardinal Protector, Rainald, approved her Rule, and on August 9, 1253, just two days before her death, she received the papal bull of approval.

This *Regula Sanctae Clarae*, as it deserves to be called, is as regards the wording, in no way the work of St. Francis, as was believed till quite recently. It was composed by Clare herself from the instructions of the Saint, from the customs which had gradually developed at San Damiano and from the Rule of 1223 of St. Francis, which it closely imitated both in arrangement of material and not infrequently also in the wording. This close adherence to the Rule of St. Francis for his friars is seen most clearly in its chapter

on poverty, wherein Clare renounces all property. She permits only that each convent may accept only so much land as is required to insure isolation. This plot of ground could be used only as a garden to satisfy the needs of the sisters. Clare sought to confirm the bond between the friars and her sisters, and she demands that her sisters should have the same cardinal protector as the friars. She requests also that, as in the past, so also always in the future, the friars be permitted to serve as visitor, chaplain and collectors of alms for San Damiano. This rule was approved only for the convent of San Damiano; the Rule of Hugolino remained in force for all other convents.

The same thoughts are expressed again in the Testament, which Clare wrote towards the end of her life in imitation of St. Francis. She begins with the words: *Ego, Clara, Christi et Sororum pauperum monasterii Sancti Damiani, ancilla et plantula sancti Patris Francisci* (I, Clare, handmaid of the Poor Sisters of the monastery of San Damiano and little plant of our Father Saint Francis). Francis was still as dear to her now as formerly: *Erat columna nostra, unica consolatio post Deum et firmamentum* (He was our column, our only consolation after God and heaven). She calls him precisely: *fundatorem, plantatorem, et adiutorem nostrum in servitio Christi et in iis quae Deo et ipsi Patri nostro promissimus* (founder, planter and our help in the service of Christ and in all the things we have promised God and our same Father). As in her Rule, so also in her Testament, she considers herself not the foundress of an Order but merely as the superior of the convent of San Damiano, which had not only been founded by St. Francis but also had been governed by him alone. In the Testament, Clare continues to ignore the legal question of the approved Rule of Hugolino and ever more insistently emphasises actual conditions. That is the reason why in succeeding ages, the Clares are called not the Order of Hugolino, but the Second Order of St. Francis.

Clare could face death joyfully after her efforts to obtain papal sanction for her Rule, were crowned with success. She had been sick for many years and friar Rainald, who was at her side when she was dying, considered it useful to encourage her to bear her protracted sufferings with patience. "My death brother," was her answer, "ever since I learned to know the grace of God from Francis, his servant, no suffering has been difficult for me, no penance burdensome, no sickness difficult." It was a source of great joy to Clare that Innocent IV visited her a few days before her death and it was no small consolation when the old friends of St. Francis also came to see her, Leo, Angelo and Juniper.

Thus surrounded by her friends, Clare died cheerfully on the 11th of August, 1253. The *plantula beati Francisci* was in fact the most beautiful blossom of the Franciscan movement.

The Pope himself came for the funeral. He even expressed the wish that the friars should recite not the office of the dead, but the office of the virgins, until the remonstrances of a cardinal caused him to withdraw his request. Since Innocent died shortly after, it was his successor, Alexander IV, who solemnly canonised Clare in 1255. Two years later the erection of the present church and convent of Santa Chiara was begun. The sisters moved into the new convent in 1260. The well preserved body of the saint lay in this church until 1852, when it was exhumed and transferred to a new crypt.

Paragraph 121
The Clares during the thirteenth and fourteenth centuries

To date little is known of the life and organisation of those women who banded together in imitation of the convent of San Damiano. Besides the words of Jacques de Vitry, already quoted, we have only one other source of information concerning these religious, a report of Cardinal Hugolino to the Pope in 1218. In this, the Cardinal says, that many women desire to leave the world and to establish residences where they can live in complete poverty, possessing nothing except the houses in which they reside. He adds that property was not infrequently being offered to the Church for the purpose of starting such convents, but since many were opposed to such undertakings, it was doubtful whether they would be successful. The Pope told Hugolino to accept the property in the name of the Roman Church and to place the convents, built upon such property, directly under the jurisdiction of the Apostolic See. This exemption should cease only when the nuns desired to possess property over and above the necessary buildings.

In this entire report, there is no mention of either Francis or Clare. On the contrary, it is Hugolino who appears throughout as the director of these convents. How he proceeded in the matter may be seen from what is, as far as we yet know, Ugolino's first foundation, the convent of Monticello near Florence, begun in 1219. The sisters there live according to the Rule of St. Benedict and the observances prescribed for San Damiano. Strict enclosure is enforced. The convent is exempt from the jurisdiction of the bishop and is subject directly to the Pope. During that same year, Hugolino established three other similar convents. In the directions for these convents, however, he does not speak of the observances of San Damiano but of a *formula vitae, quam a nobis recepistis* (a form of life that you have received from us) and this, together with the Rule of St. Benedict is to be their norm. Since Hugolino prepared the directions for all four of these convents between July 27 and August 1, 1219, it is easy to see the identity of his *Formula vitae* with the observances of San Damiano. But, just what were the contents of this *formula*? Up to the present it is held that the contents were similar to those which we find in a communication of Gregory IX of 1239, which stated that the Benedictine Rule was indeed prescribed but only in those things which were not already regulated by the observances. These insist upon perpetual enclosure and the strictest fasting. No mention is made of the question of poverty nor of relations with the Franciscan Order.

Whether Hugolino acted in concert with Francis in founding these convents is really of no importance, if viewed as a point of law. Considered on purely historical grounds, it cannot be said that he carried through the organisation of the convents against the wishes of the saint. The latter considered himself in no way called to become the founder of an Order of women and he gladly retired when Hugolino began to take charge. According to Wadding, whose account must come very close to the truth, Hugolino, before Francis departed for the East, discussed with Francis the government of San Damiano and the other convents. Francis interrupted Hugolino at once: "With the exception of San Damiano, where I have placed Clare, I have established no convent nor have I had any others founded. I have assumed the care of Clare only and it would displease me if the friars should accept the care of any other convents." Thereupon,

Hugolino took full charge of the matter and presented his report to the Pope, who approved his decisions. In compliance with the desire of Francis, he did not appoint a friar as Visitor for the Poor Ladies, but a Cistercian. In accordance with the decree of the Lateran Council, he gave them the approved rule of an already existing Order, in this case the Benedictine, because the rule of the Friars Minor had not yet been approved at that time. When, after the death of the first Visitor, Hugolino appointed the friar, Philippus Longus, St. Francis was highly displeased, because he wished his friars to be free from such worries. Accordingly he wrote into the Rule of 1221: *Nulla penitus mulier ab aliquo fratre recipiatur ad obedientiam, sed dato sibi consilio spirituali, ubi voluerit, agat poenitentiam* (Absolutely no woman may be received to obedience by any brother, but after spiritual advice has been given to her, let her do penance wherever she wants). The prohibition in the final Rule of 1223: *Ne ingrediantur monasteria monacharum praeter illos, quibus a Sede Apostolica concessa est licentia specialis* (They may not enter the monasteries of nuns, excepting those brothers to whom special permission has been granted by the Apostolic See), even during the lifetime of Saint Francis was held to apply only to the convents of the Clares. A person would not perhaps go far wrong if he saw in the wording of this precept a compromise between St. Francis and Hugolino. The latter wished to keep the way open to entrust the supervision of the Clares to the Franciscans. Hardly had he become Pope after the death of Francis, when in 1227, he commanded the General of the Order and his successors under obedience to care for the Clares in the same way as they cared for their own friars. By this command, however, the Order was not burdened with the spiritual direction of all the Poor Clare convents, in particular, not of those, which were under the jurisdiction of the bishops.

Mindful of the attitude of Francis and Clare, Hugolino was very reserved on the question of poverty to be held by the convents which he either erected or approved. On the one hand, he granted the *Privilegium paupertatis* to many convents, while on the other, he favoured the efforts of other convents, which strove to better their material situation by acquiring more extensive property. Consequently, there were two classes of Poor Clare convents. Still, in comparison with the convents of other Orders, all of them were poor and the sisters really spent their lives in great poverty. Even abstracting from the question of property, there was a great difference between the various convents of the Clares and this was bound to become ever greater on account of the diverse elements which formed the very foundation of the organisation and the life of these convents. These divergent elements were the Benedictine Rule, the *Formula vitae* of Hugolino and the instructions of St. Francis as interpreted and fulfilled by Clare. After the death of Gregory IX, Agnes of Bohemia sought the abrogation of the Benedictine Rule for her convent. In response, Innocent IV, following the example of his predecessor, explained that the Benedictine Rule was intended to oblige the nuns only to the observance of the three vows of poverty, chastity and obedience; the other prescriptions of that Rule could be disregarded and different observances substituted in their stead. This explanation did not allay the opposition and in 1247, Innocent IV issued a new Rule. The Rule of St. Francis was now substituted in place of the Rule of St. Benedict as the foundation for the three vows and hence the name of St. Francis is expressly mentioned in the formula of profession. Supervision of the Clares was entrusted to the General and the Provincials of the Franciscans and new foundations of the Clares had to be approved at the friars' General Chapters. The Clares participate in all the privileges of the friars. The nuns may

possess property and regular sources of income, if they so desire, or they may renounce them, if they so please. With the exception of some alleviations regarding fasting, the remainder of the Rule of Innocent IV is identical with that of Hugolino.

Since Innocent IV did not force the Clares to receive his Rule, but even expressly confirmed the Rule of Hugolino for some convents, there were in 1247, two papally approved Rules. In 1253, the Rule of St. Clare was added to make the number three. Apparently, this Rule had already been adopted by some convents immediately after its approval by the cardinal protector in 1252.

At about this same time a movement had begun in France to bring about some relaxations in the observance of poverty. Blessed Isabella († 1270), the sister of St. Louis, had founded a convent at Longchamps near Paris in 1255. Some Clares from Rheims were called in to instruct the ladies entering there, mostly of the nobility, in the ways of religious life. Several learned friars drew up a Rule for this convent, called the *Monasterium humilitatis beatae Mariae Virginis*. This Rule was approved by Alexander IV in 1259, whence these nuns were known as the *Alexandristae*. It is known to us only in the form given it by Urban IV in 1263 at the request of St. Louis. In this, the sisters of Longchamps are called *Sorores Minores inclusae*. They were closely united with the Franciscan Order in every way. In their formula of profession, besides the usual three vows, they expressly vowed also perpetual enclosure. Property and sources of fixed income were permitted. For the rest, the Rule strongly resembled the Rule of Innocent IV and even that of St. Clare.

As a result of this latest Rule, matters had now become even more complicated. In October of the same year, 1263, therefore, Urban IV issued a new Rule, which was to be accepted by all convents of Clares. The greater part of this second Rule is taken from the Rule of Innocent IV, some parts also from the Rules of Longchamps and of St. Clare. Emphasis was placed upon a uniform name for all convents: *Ordo Sanctae Clarae*, which had heretofore been used but little. Usually the sisters had been called *Dominae Ordinis Sancti Damiani*, *Moniales Inclusae*, *Pauperes Dominae*, or something similar. *Sorores Minores* or *Minorissae* were also found, even before the establishment at Longchamps. Despite the prohibition of Urban, these names continued to be used for a long time. No startling changes were introduced by the Rule of Urban in other matters. Possession of property and fixed incomes was permitted, the strict precept of enclosure was renewed, the bond between the friars and the sisters is maintained. The friars and the sisters are to have a common cardinal protector, the General is permitted to enter the enclosure and the priests of the Order should preferably minister to the spiritual wants of the sisters. The friars, however, were freed of the burden of ministering also to their temporal needs, which had been imposed upon them by Popes Innocent IV and Alexander IV. There had been a growing movement among the friars meanwhile to be freed completely of all cares for the Clares. This movement reached its climax at the General Chapter of 1263, when the Order, under the leadership of St. Bonaventure, completely renounced its care of the Clares and even procured a special cardinal protector for them. At the wish of the cardinal protector this decree was never carried out in its entirety. The Order, however, did obtain that the friars were no longer obliged to care for the Clares, although they might of their own accord render their services to them as a favour.

The Franciscans were commissioned to publish the second Rule of Urban in the individual convents, but still the desired unity was not obtained. Urban himself permitted

many convents to accept the Rule of Longchamps. His successors favoured the continued adherence to the Rule of St. Clare, both in the motherhouse at Assisi and in other convents, although the original rigour concerning poverty soon must have been moderated in these convents. Even though this Rule of Urban was not able to abolish the other Rules entirely, still by the end of the thirteenth century, it was by far the most commonly accepted. Later on, this Rule was known as the second Rule and those who professed it were known as Urbanists. The Rule of St. Clare was understood to be the first Rule.

After a few decades, the friars again sought to free themselves completely of the direction of the Clares, but Boniface VIII in 1296 renewed the decrees of Innocent IV and in the following year, Matthew Rossi, the Cardinal Protector, issued two detailed instructions, which imposed the direction of the Clares upon the friars much more completely than before. The Provincials were to care for the convents of women in their provinces with the same zeal as they devoted to their own friars. Sweeping dispensations from the law of enclosure were granted to make the work of the Visitor easier. From these instructions we see also that many abuses had crept in among the nuns, especially regarding the admission of candidates into the Order. Many convents were so poor, that they resorted to a kind of simony in the admission of the sisters, in order to swell their inadequate revenues. Hence, the cardinal protector instructed the friars to try to induce the sisters to adopt the Rule of Urban wherever possible. This same instruction was repeated by Philip Cabassole, the Cardinal Protector, in 1370. As a result of the renewal of the close union of these sisters with the friars, from the beginning of the fourteenth century the General Chapters of the friars had to make the laws also for the nuns. Likewise, in the various revisions of the General Constitutions, a special chapter was regularly devoted to the Clares. This happened for the first time in the *Constitutiones Benedictinae*.

It is extremely difficult to give a general estimate of the state of religious discipline in the convents of the Clares during the thirteenth and fourteenth centuries, because each convent was independent. Thus while strict religious observance might have reigned in one convent, it might have lapsed entirely in the neighbouring convent. This much can be said: the number of lax convents increased during the fourteenth century, in direct proportion to the decadence of religious discipline among the friars. The number of convents, preserving the original strict observance, was not large. The Western Schism contributed not a little to this truly deplorable state of affairs. This fact, however, should not blind us to the good fruits, which the convents of the Clares produced in abundance during the first 200 years. Many heroines of God blossomed forth in those quiet retreats, whose virtues aroused the highest admiration of their contemporaries. Scions of nearly every royal and noble house in nearly every country of Europe entered the convents of the Clares in great numbers from the thirteenth to the nineteenth centuries.

We have but scanty records also of the spread of Clare's Order during the first two centuries. At Clare's death, there were about 70 convents. The number of sisters in each convent varied between twenty to one hundred. At the time of her death, her Order had gained a firm foothold in Spain, France and Germany. During the next decades, it spread throughout entire Europe. Convents were erected even on Cyprus and in the Holy Land. Bartholomew of Pisa justly remarks: *per omnes partes christianitatis, his ordo*

diffusus reperitur (this Order has spread to all the parts of Christendom). One of his contemporaries furnished us with more exact information, in the form of definite statistics for the year 1384 with the number of convents of sisters in each province. According to this list, there were 404 convents in all, with 251 of them in Italy alone. Thus we can estimate, that at the end of the fourteenth century, there were about 15,000 Clares under the direction of the Order. We have no statistics at all for the Clares at that time who were subject to the bishops.

Paragraph 122
The Order of St. Clare after the fifteenth century

Complaints concerning the collapse of religious discipline among the Clares grew ever louder at the beginning of the fifteenth century. Innocent VII, in an attempt to bring about an improvement, in 1405 abolished perpetual abbesses and fixed their term of office at ten years. After many modifications, the term was later fixed at three years, although this was not a universal practice. In some convents, the three-year term was observed, with the possibility of a re-election. In other convents, the abbesses were still chosen for life.

Under Eugene IV, the reform made greater headway. In 1431, he gave extraordinary powers to the General, William of Casale, for this purpose. The General set to work energetically, but he met equally energetic opposition in some convents, especially in southern France. The Pope was required to have recourse to the civil power to bring the recalcitrant nuns to their senses. At the same time, the Pope commanded that all convents must designate themselves simply as belonging to the *Ordo Sanctae Clarae*. All other names were to be abolished. This decree did not affect the Rules themselves. The Observants also in their efforts to reform the Clares, did not attempt to change their Rule, but merely to lead the nuns back to the observance of whatever Rule had been adopted by the respective convent. In the beginning of their reform, the Observants, just as the friars of the thirteenth century, had wished to have nothing to do with the convents of nuns. *Cura mulierum bona est et valde meritoria, sed gravis et periculosa* (The care of women is good and greatly meritorious, but it is also a serious and dangerous affair), was the way one of their oldest historians put their sentiments on the subject. But the Observants also were not able to avoid this task. Sometimes the Popes commanded them to take up this work; sometimes, the Clares themselves besought their aid, that the sisters might be brought back to regular discipline. St. John Capistran himself laboured zealously for the reform of many convents of Clares, although his attempts at legislation for them were not very successful. In 1447, Eugene IV was obliged to correct his too rigorous explanation of their Rule. At the same time this Pope granted various relaxations of minor importance to the nuns. Two years later the cardinal protector appointed the Observant, Francis Sassoferrato, reformer of all Italian convents of Clares with unlimited authority. The sisters who did not wish to submit to his decrees were obliged to leave their convents and go to others which had not been reformed. The reformed sisters were sometimes called *Sorores Sanctae Clarae de Observantia*, irrespective of whether they professed the first or the second Rule. Many new convents were added to the older ones reformed by the Observants, so that by the beginning of the sixteenth century, the

reformed convents outnumbered by far the non-reformed. The troubled internal conditions of the non-reformed convents may be clearly seen from the instructions contained in the constitutions of Alexander VI and Julius II.

Besides this personal reform, that is, this return to the observance of the Rule and other obligatory duties, there was also another reform movement beginning among the Clares, which led gradually to the formation of new foundations within the Order. The Colettines belong partly to this class. They were founded by St. Colette (Nicolette Boylet, † 1447) of Corbie in Flanders. She made her profession at Nice into the hands of Benedict XIII, the Pope of the Avignon obedience. She received permission to found a convent wherein the Rule of St. Clare could be faithfully observed. She was also authorised to demand two Franciscans as confessors and to have these replaced by others, if they did not suit her. The foundation of her convent in northern France, where it had been planned, encountered insuperable difficulties, so the saint was forced to erect it in the diocese of Geneva. In 1412, we meet Colette as the abbess of Besançon. She received authority to found other convents on the same plan and to visit them. Likewise, she was granted the right to choose a confessor, who will receive the rights of a cardinal protector over all her convents. Armed with these permissions and aided by her confessor, Henry of Baume, Colette succeeded in establishing about seventeen convents within the next three decades. She gave them the Rule of St. Clare and some specific ordinances and constitutions of her own. The latter, called *Constitutiones Sanctae Coletae*, were approved by the General in 1434 and by Pope Pius II in 1458. They do not differ essentially from the Rule, but they add many things which Clare had not commanded. The friars are retained as directors and four friars must be placed at the disposal of each Colettine convent, among them at least two priests. In 1435, St. John Capistran sought to unite these French convents with his reformed Italian convents, but Colette successfully opposed this move. Up to 1517, her convents refused to join the Observants. They adhered to the reformed Conventuals, called Coletani. Sixtus IV even forbade the Observants, under pain of excommunication, to receive the Colettine convents or the convents of the other French Clares. After Colette's death, more and more convents, either newly erected or reformed older ones, adopted her constitutions, which have remained without important changes up to the present day. Towards the end of the fifteenth century, her sisters were established in most of the cities of France. Thence they spread within a short time to Belgium, England, and even to America. By the strictness of their life, they won the esteem and the respect of all. The so-called Ave Maria Sisters deserve special mention. They were Colettines, who received their name from their motherhouse, *Ave Maria*, near Paris. They were begun in 1485. They obliged themselves to certain special penitential practices.

The Conceptionists, or Sisters of the Conception of Mary, were not considered originally as Clares. Beatrice of Sylva († 1480), sister of Amadeus of Portugal (cfr. par. 26), erected a convent in Toledo in 1484 in honour of the Immaculate Conception of Mary. It professed the Cistercian Rule. After the death of the foundress, archbishop Francisco Ximenes, with full papal approval, placed the convent under the direction of the Observants and gave it the Rule of St. Clare. Only a part of the nuns, however, agreed to the change. Ximenes transferred these to the former Conventual convent of St. Francis, where they were soon re-enforced by other sisters. In 1511, Julius II gave his approval to their *Regula monialium Conceptionis beatae Mariae Virginis*. This Rule was modelled

upon the Rule of the Clares, but it permitted property to be held in common. The direction of the nuns was entrusted to the Observants under the supervision of the cardinal protector. In 1520, Leo X granted them all the privileges of the friars and of the Clares. The General, Quiñones, gave them special constitutions, which prescribed, among other things, that the sisters, after their profession, were not to have oral intercourse with seculars, even with their nearest relatives. After many convents, even one in Paris, had joined this group, this precept had to be relaxed. Mary of Agreda († 1665) was a Conceptionist. Because of her personal sanctity and still more because of her much discussed book on the “Spiritual City of God”, she has become known far beyond the borders of Spain.

The *Annuntiatae* are in no way connected with the Clares. They were founded by Blessed Joanna of Valois († 1505) and her confessor Gilbert Nicolai (Gabriel Maria). They are mentioned here because they were placed under the direction of the Observants and they shared in the privileges of the Clares.

After 1517 the direction of most of the Clare convents, including the Colettine, was entrusted to the Observants. In 1566, when Pius V suppressed the Conventuals in Spain, he placed the convents of Clares which had been subject to them, under the care of the Observants. At the same time, he commanded the friars to reform them. Two years later, the same Pope took them under the bishops. Sixtus V in 1590 reinstated the Conventuals as directors of the convent of St. Clare in Assisi. They retained this position until 1880, when Leo XIII placed this convent under the cardinal protector of the Friars Minor.

As stated above most of the convents of Clares were placed under the Observants in 1517. In order to fulfil his task faithfully, the General Lichetto planned to do away with those convents which were unable to maintain religious discipline, due to a lack of the necessary funds. Hence, in 1518, he issued the order that henceforth no convent would be accepted which lacked annual income and revenue sufficient to support fifty sisters and each candidate must bring an adequate dowry with her. Thus, once more, the viewpoint of Urban IV on the matter of poverty was being championed vigorously. In carrying out this decree, the General struck many snags, especially among the Colettines. The Council of Trent, however, permitted all convents of Clares without exception to have both property and fixed revenues and all laws to the contrary were abrogated. And still, the desired uniformity was not attained. In theory, a number of convents still clung to the ancient observance, even though the old method of the daily house to house collection could no longer be observed. In practice, the differences between the various branches of the Clares arose less from their manner of observing poverty than from other precepts and customs of minor importance.

The friars attempted to clear up not only this question of poverty, but they interested themselves in all the other affairs of the Clares in order to effect a true and permanent reform. They had no easy task. The General Chapter of 1523 complained: *Ordo noster multa sustinet gravamina manasque habet occupationes in praeiudicium spiritualis profectus propter regimen Monialium* (Our Order has to sustain many serious burdens and has to strive hard to progress spiritually because of the governance of the Nuns). It was decreed that no new convent of sisters could be accepted by the Order without the consent of the General Chapter. The sisters were forbidden to unload the care of their temporalities upon the friars, let them appoint lay people for that job. In 1565, the

office of Visitor was abolished and the duties of that office were entrusted to the Provincials. The members of the Chapter foresaw that some convents would not accept this decree and so they passed another law, that if any convent of nuns did not submit to the decrees of the General Chapter, the friars should immediately withdraw from the direction of the convent. In later years, other more important ordinances concerning the nuns were promulgated by the General Gonzaga in 1582 and by the General Chapter of 1593 and of 1639.

The Observants considered the direction of the convents of nuns a heavy burden. The same is even more true of the reform branches, who in the beginning of their respective reform, always excused themselves from this duty. At the beginning of the seventeenth century, the Reformati tried to convince the Pope that it would be better if all the convents of nuns were withdrawn from the care of the Order and handed over to the bishops. But the Pope would not hear of the plan, saying that it might indeed be of advantage to the Franciscans, but not to the benefit of the Clares. Furthermore, the Reformati themselves soon thereafter had to accept the same burden, although the number of convents placed under their jurisdiction was never large. In this regard, the Recollects were even less fortunate. This branch had sought and obtained exemption from this duty. Their exemption was even renewed repeatedly; but, in the end, they too were forced to take charge of numerous convents. Here and there, some nuns even called themselves *Recollectae*, since they were cared for by the Recollects. In the same way, some sisters were called *Clarissaw strictioris observantiae*. These were founded in 1631 by Frances of Jesus Mary, a member of the house of Farnese. They never were very widespread. Similarly, there were the *Discalceatae*, or the “Barefoot Lady Hermits of St. Peter of Alcantara”. They were founded by Cardinal Francis Barberini († 1679) and approved by Clement X in 1676. They were the strictest branch of the Clares. The nuns almost always went about barefoot, without sandals, and in general, sought to imitate St. Peter in penitential practices. Besides these there were the *Capuchinesses*, also called “Daughters of the Passion”. M. Laurentia Longa had erected a convent for Tertiaries in 1538 and placed it under the direction of the Capuchins. After some time, the sisters adopted the Rule of St. Clare and the Constitutions of the Capuchins. They also imitated in as far as possible the exterior appearance of these friars. St. Veronica Giuliani was a member of this group.

Different opinions may be expressed about these divisions in the Order of St. Clare, divisions which frequently merely copied those in the First Order, but there is no difference of opinion about the good work which has been done and is still being done in the convents of the Clares of all branches. In all the convents of the Clares, which preserved the true spirit or which have regained it after the fifteenth century, meditation, poverty and rigorous penance have flourished and have brought forth sterling fruits of virtue. In those convents were developed strength of character to dare oppose the current of their times. This is shown particularly in the turbulent days of the Reformation in the northern countries. Here the reformed Clares showed more constancy than many male religious. During the French Revolution, they conducted themselves no less bravely. The heralds of liberty opened the doors of the convents for them, but to the great astonishment of these friends of liberty, the nuns did not wish to flee and they yielded at last only to brute force.

There are but few records of the spread of the Clares after the fifteenth century. We know only that the Order increased in Europe and soon spread even to the New World. In 1587, despite the loss of many convents during the Reformation, there were still about 600 convents. Thereafter the Order began to increase until it reached its peak about 1600 with 925 convents in which were 34,100 nuns, subject to the General of the Order. If a contemporary chronicler could be believed, the nuns subject to the bishops were even more numerous, so that the total approached 70,000. After the end of the seventeenth century, the number of nuns tended to decrease while the number of convents tended slightly to increase. The French Revolution and the secularisations which followed it destroyed the Order in Europe, except in Spain, where the convents of women remained unmolested, for the most part. During the nineteenth century, the growth was almost phenomenal. By 1907, there were 518 convents with 10,204 sisters of Clares, excluding the Conceptionists. These nuns have more than eighty convents in Spain, about five in South America and three in Belgium.

THIRD BOOK

THE THIRD ORDER
TERTIARIES

THE THIRD ORDER

Paragraph 123

The Third Order for the Laity. Its development

There were some so-called Third Orders, that is, associations of lay people of both sexes, who were affiliated to existing Orders of men or women for the purpose of sharing in the religious or social benefits, before the time of St. Francis. Thus we find such associations among the Benedictines in the eleventh century, among the Premonstratensians and the Humiliati in the twelfth century. But none of these could compare in importance and development with the Third Order of St. Francis.

Perhaps nothing shows so clearly the influence of the personality of St. Francis and of the preaching of his friars as these unnumbered men and women who, won over by the example of his life and the preaching of his followers, voluntarily submitted to the restrictions imposed by a strict rule of life, in order that they might also imitate the ideals of St. Francis even though surrounded by people who thought quite differently. It cannot be doubted that Francis himself played a very influential part in the foundation of the “Fraternities of Penance”, as they were called in the beginning. Not only is this clearly shown by his biographers, but in 1230, Gregory IX, his friend and collaborator in this project, spoke of the “Third Order of St. Francis” and in 1238 of the “fraternities of penitents”, which owe their existence to St. Francis. According to tradition, the first one to adopt this life of penance according to the instructions of St. Francis, was Blessed Luchesius of Poggibonsi († 1260). But it is difficult to say where the first fraternity was founded, and even more difficult to ascertain where and when Francis gave a definite rule of life to such lay people for the first time. Still, it is more probable that the first written rule was given by St. Francis with the assistance of Cardinal Hugolino in 1221 to the fraternity of Florence or of Faenza. This rule bears the title: *Memoriale propositi fratrum et sororum de poenitentia in domibus propriis existentium*. Abstracting from the additions of later times, we may accept this memorial with its twelve chapters as representing the oldest written form of the Rule of the Third Order. Besides precepts for the exercise of prayer and fasting, it demands simplicity in dress, abstention from dances and shows, mutual help with special emphasis on assistance of the sick and the poor, payment of debts, the opportune drawing up of a will, amicable settlement of disputes, as well as refraining from carrying weapons and from all unnecessary oaths. All Catholics can be admitted, who have paid their debts, have restored ill gotten goods, and have been reconciled with their enemies; married women, however, must have the consent of their husbands. The tertiaries, called *ministry*, govern the fraternity. Their term lasts just one year, as does that of the treasurer. Mention is also made of a Visitor, who must supervise the fraternity, and of a “religious”, who is to give spiritual conferences to the members.

Although the rule, which we have just described, was in the course of time very widely adopted, its precepts and instructions were not observed everywhere in the same way, since in the beginning there was no central power to enforce unity and uniformity among the fraternities. The one source of unity among the Tertiaries was the rule itself, and that was subject to whatever changes the local fraternity wished to make, in

accordance with local circumstances. Nor did the office of the Visitor serve as a check upon this tendency, since at that time no one group with the same policy furnished this official, as the friars do in most places today. The rule itself did not specify whether he should be a cleric or a layman, but since the rule did not give the fraternity the right to appoint the Visitor, he must have generally been appointed by the bishop. Finally, the indefinite *religiosus* must also have led to differences. Where there were no Franciscans, or where the Franciscans did not accept the office, or were perhaps not even offered it, any member of any other religious Order could discharge the office of spiritual director. Thus it is only natural that the fraternities under the direction of the Franciscans should have been continually drawn closer to them, while the other fraternities, which seldom if ever had a Franciscan as director, should have lost gradually all consciousness of any bond with the First Order.

The Franciscan Order, as a whole, was strenuously opposed to the plan that the burden of directing the fraternities should be imposed upon it as a duty. St. Bonaventure answers with no less than twelve reasons, then charge of the opponents of the Order: *Cur fratres non promoveant ordinem poenitentium* (Why the friars should not promote the Order of penitents). Among others, St. Bonaventure brings forth this reason, that if the Order were to take complete charge of these Tertiaries, then it would lose its freedom and it would be involved in numerous disputes with the clergy and with the civil authorities. The second reason was the stronger; for the brothers of penance, partly by reason of the common canon law and partly by reason of their rule had the privilege that the communes could not call them for military service nor force them to accept public offices. Although in general, these privileges could be very beneficial for the preservation of peace, still, in individual cases, they aroused the determined opposition of the public authorities, who proceeded so severely against the brothers of penance that they frequently had recourse to the Pope for help. It is understandable, that the Franciscans had no overwhelming desire to take the odium upon themselves in such cases. But, the majority of the Tertiaries themselves longed for a closer bond of union with the Order. In 1247, they had obtained a decree from Innocent IV that the provincials of the Order must assume the duties of visitation and instruction of the fraternities in Italy. How well this decree was observed cannot now be known. At any rate, at St. Bonaventure's time, the common practice among the friars was just the opposite.

About the middle of the thirteenth century, the individual fraternities had begun to unite among themselves and to establish their own provinces with a provincial at the head, for St. Bonaventure already speaks of such officials. The representatives of these provinces in upper Italy even held their own General Chapters, as for example, at Bologna in 1289. Here the *ministri provinciales* are clearly distinguished from the *ministri civitatum*. To judge from the tone of the official report of this Chapter, the fraternities now seemed to look with more favour upon the acceptance of public offices. Very important was the fact that this General Chapter thanked a certain Ugolino Medici of Ferrara for his zealous and successful labours in the *Curia pro confirmatione regulae nostrae*. This is a reference to the rule of twenty chapters, which Nicholas IV had approved for the Third Order of St. Francis three months previously, August 18, 1289. It remained without important changes through the centuries, until the revision of Pope Leo XIII in the late nineteenth century. In its wording, this rule is the work neither of Nicholas IV nor of St. Francis. In contents, however, it is the same as the *Memoriale* of

1221, revised to meet the changed circumstances of the times. When it was made, is not known. Possibly it was formulated at one of the General Chapters of the Third Order during the second half of the thirteenth century. The only essential change made by Nicholas IV was the addition of one sentence: *Quia vero praesens vivendi forma institutionem a beato Francisco praelibato suscepit, consulimus, ut visitatores et informatores de fratrum Minorum ordine assumantur, quos custodes et guardiani eiusdem ordinis, cum super hoc requisiti fuerint, duxerit assignandos. Nolumus tamen congregationem huiusmodi a laico visitari* (Since the institution of this present form of life has been accepted from the praiseworthy intuition of blessed Francis, we order that the visitors and the formators of the fraternity should be chosen from the Order of friars Minor, who are to be assigned the task by the custodes and guardians of the same Order, after having fulfilled these requisites. We do not want that lay persons function as visitors of this congregation). Although in the next few years, several fraternities, led on by former Visitors, opposed this instruction, it still seems possible that the Brothers of Penance themselves had requested some such instruction from the Pope, otherwise they would not have received the approval of the rule with this insertion so joyfully. Being a former Franciscan, Nicholas IV well knew the spirit in the Order concerning caring for the Tertiaries. Consequently, he issued a very prudent regulation, which allowed both parties a certain amount of freedom.

Even in the fourteenth century, there was no uniformity in the matter of visitation, although there is no longer any talk of the Franciscans being opposed to directing the Third Order. On the contrary, the two Orders became more intimately united than formerly. This was the case particularly in Germany. The Tertiaries there had to suffer many hardships and discriminations because they were mistaken for the Beghards and the Beguines, to whom indeed they did bear at least a partial resemblance. In this critical period, the friars constantly defended the Tertiaries against their various opponents.

But, in the fourteenth century, the Franciscans began to have some competitors for the duty of directing the lay Tertiaries in the societies of Tertiaries Regular, who began to claim the exclusive right of directing the Tertiaries living in the world. The dispute dragged on into the sixteenth century with the tide of battle fluctuating constantly from one side to the other. During the same century, another change was just beginning to make itself felt. According to the Rule of Nicholas IV, the privilege of receiving candidates into the Third Order pertained solely to the ministers, that is, to the officers elected by the fraternity itself. Now, the superiors of the Tertiaries Regular, who were also called ministers, according to all appearances, began to act as the officers of the lay Tertiaries and consequently also to control the right of reception of candidates into the lay fraternities. The superiors of the Franciscans, not to be outdone, demanded the same right, and in one specific instance even received it expressly from the Pope. By the beginning of the sixteenth century, the superiors of the Conventuals, Observants and of the Tertiaries Regular were all recognised, in practice, as equally entitled to receive candidates into the Third Order. Later legislation frequently was aimed at changing this status, but to all appearances no actual change was ever made. In any case, after the sixteenth century, the Franciscans were universally admitted to have the right of receiving candidates into the Third Order and of holding the canonical visitation. The secular clergy frequently had to be prohibited from exercising the same rights. There is mention of one case, which seems to be unique in the history of the Third Order, in which

the women Tertiaries, living in the world, separated from the men and chose their own Ministers. These then received the new candidates.

The divisions in the First Order during the seventeenth and the eighteenth centuries had a harmful effect also upon the Third Order and led to many foolish conflicts. In the beginning, the Capuchins were entirely opposed to directing the Third Order. Later on they changed their minds and strove to gain the same rights in this regard as those enjoyed by the Conventuals and the Observants. They won their point in 1620. The people then began to speak of a Third Order of the Conventuals, of the Capuchins, and the like. In 1725, Pope Benedict XIII sought to put an end to these unreasonable and constantly growing divisions and to the petty quarrels and jealousies thus engendered. He placed all Tertiaries under the General of the Observants. In him, the Pope wrote, they should recognise and honour *ipsius fundatoris legitimum successorem atque trium ordinum beati Francisci primarium generalem* (the same legitimate successor of the founder as well as the primary general of the Order of Saint Francis). The Pontiff also commanded that no new fraternity of the Third Order could be established where one already existed. In the years which followed, Benedict XIII weakened his own regulations by declaring that the fraternities of the Conventuals and of the Capuchins should be independent of the General of the Observants. His other ordinance, that only one fraternity should be established in any one city, remained indeed on the books unaltered, but it was never observed. The Discalced friars were particularly distinguished by their violations of this papal regulation. They founded fraternities where the Observants were already in possession and this inevitably led to scandalous quarrels.

During the nineteenth century, all these points of friction disappeared more and more. At the same time, it became apparent that the regulations of the original rule which were entirely adequate for the Third Order in the thirteenth century, would have to be modified if the Third Order were to continue to exercise a beneficial influence to any extent on the souls of the people in the more modern age. Leo XIII, himself a Tertiary, met the need in his Constitution, *Misericors Dei Filius*, of May 30, 1883. In this Constitution, the Pope issued a new form of the Rule, energetically worded in modern language. All the more important points of the Rule of Nicholas IV, which still applied to present-day conditions of fasting and prayer were greatly lightened. Confession, on the contrary, was stressed. Instead of three times a year, confession was prescribed monthly. Some of the regulations are of great social and religious importance, especially the prohibitions of immodest dress and behaviour, attendance at improper entertainments and the reading of literature dangerous to faith or morals. The ordinary direction of the fraternities is entrusted to the First Order and to the Tertiaries Regular. The bishop's rights of jurisdiction, however, must be respected. Every regularly appointed director of souls may also be delegated to organise and to govern a fraternity. Moreover, the Pope also made it possible that individuals who cannot join any definite local fraternity, may still enter the Third Order and share in its benefits.

The natural result of the Constitution of Leo XIII was a great spread of the Third Order, unparalleled perhaps in its history. We know indeed that in the thirteenth century, Tertiaries were found practically everywhere, but most of all in the cities of Italy. According to one of the enemies of the Order, there was, in the thirteenth century, hardly a person in Italy who did not belong to one of the fraternities of the Third Order. Accurate statistics, however, are lacking, except for 1384, when the *Congregationes*

Tertiariorum Poenitentium are included in a general survey of the entire Order. From this survey, we learn that there were 244 such *Congregaciones* (perhaps these are not mere fraternities, but societies of religious), of which 145 were in Italy. If these figures are correct, then the conclusion is evident that the Third Order, due partially to the entrance of many of its members into religious life, had decreased greatly during the fourteenth century. During the fifteenth century, St. Colette sought to spread the Third Order in France, St. John Capistran in Poland and Germany, and Bl. Bernardine of Busti in Italy. The sixteenth century, again, was a century of severe losses for the Third Order in all countries of Europe, except Spain due partially to the attitude of the Order towards it, but still more to the unfavourable circumstances of the times. By 1600, the Third Order of the laity was practically extinct in Italy, and the same was true of lower Germany, but here Nicholas Wiggers, in his efforts to revive the Catholic way of life, successfully re-established the Order. The seventeenth century witnessed a general improvement in the fraternities, due to the General Chapters which repeatedly urged the friars to care zealously for the Tertiaries. Towards the end of that century, the number of lay Tertiaries amounted to several hundred thousands. After that time the various families of Franciscans were very zealous in caring for the members of this Order, so that there was a very substantial increase during the eighteenth century. Some even tried to introduce the Third Order in the East among the communicants of the Oriental Rites. The French Revolution and the decimation of the First Order ushered in a new period of decline. This continued until the closing decades of the nineteenth century, when after the reform of the Rule by Leo XIII, there was such an unparalleled rise in membership that at the present time, the number of Tertiaries of the laity throughout the world may be reckoned at about two and one half millions.

Paragraph 124
The Third Order of the Laity. Its importance

If Christ were a living influence in the hearts of all men, and if the Gospels were followed in practice by all the members of His Church, then every Order, in particular, the Third Order for the laity would be entirely superfluous. The great Church, established by God, would be sufficient for all their needs. But such alas is not the case and so in every age, men inspired by God, sought to band together in order that through their united efforts, they might attain some desired goals the more effectively. The mission of St. Francis was to lead men back, by word and example, to a life in accordance with the Gospel. Whoever heard his words became conscious of the full meaning of the evangelical counsels, which cannot always be imposed upon all indiscriminately, but which often oblige only the individual as a strict duty. It is quite natural, that such individuals, actuated by the same spirit and striving for the same objectives, should band together. Thereby, the individual is strengthened against temptation from within and from without and is protected against the influence of hostile surroundings. Moreover, the regulations, which always accompany such an association in some form, give much needed direction to the often confused efforts of the individual or point out the means to attain the desired goal.

The regulations, which St. Francis gave to those who felt called to live a life in the world in accordance with the Gospels, were very simple, appropriate to the times and very practical. The first rule was the obligation of personal sanctification, by means of assiduous prayer and the spirit of penance. Without these a truly Christian life is impossible. All the other regulations of St. Francis can be reduced to the great commandment: love of neighbour. Francis was very insistent upon this point with all who wished to follow him. He demanded harmony among his disciples, the renunciation of all enmities, reconciliation with enemies and the fulfilment of all just obligations towards the neighbour. He insisted that his followers should help the poor, the sick and the abandoned by alms and other works of mercy. Fundamentally, all this was merely what the Gospel demands of all Christians. Actually, however, it is practiced only by a few. Besides these positive rules, Francis added the prohibitions not to carry arms and not to take oaths without necessity. These prohibitions were an antidote against the party spirit, which was at that time causing untold woe to the cities of Italy.

How has the Third Order carried out its program in the course of the centuries? Beginning with the last point, we may say that there is no doubt that in thirteenth century it was of the utmost importance in the struggle between Church and State. Frederick II felt its power keenly. The Tertiaries in all places championed the freedom of the Church and of the cities against the feudal lords and as far as lay within their power, prevented private feuds and wars between cities. Though these efforts gave rise to some abuses, still their efforts for peace in an age which knew no peace is noteworthy from the cultural standpoint.

Of more universal importance are the achievements of the Third Order in the sanctification of its members and the elevation and the development of the ecclesiastical life and spirit. The spirit of St. Francis, or more accurately, the spirit of the Gospels, was diffused through all classes of society by this Order. It knew no distinction of social position. "Servants and maids, married men and married women, young men and young women, nobles and princes and kings – all embraced the rule of the Poor Man of Assisi." It became a "universal brotherhood in which vassal and lord, subject and king, the most lowly Christian and the Pope, joined hands as brothers in a brotherhood in which each member, remaining in the position and calling assigned to him by God, changed his duties into a service of God by reason of his consecration to his Lord." These are not merely fine phrases. Proof of them is found in the great number of saints and distinguished men from every state of life, who were members of the Third Order. With pride does the Order point to the eighty brothers and sisters who have won the honours of the altar by their heroic virtues. No other similar lay group can compare in this respect with the Third Order of Saint Francis. More than this, the Third Order even surpasses by far most religious Orders. We will mention here only a few of the saints: the heroic Elisabeth of Thuringia († 1231), the holy kings, Louis of France († 1270) and Ferdinand of Castile († 1252), the great penitent, Margaret of Cortona († 1297), the philosopher, Raymond Lull († 1315), and the zealous pastor, John Vianney of Ars († 1859).

Great also is the number of princes, ecclesiastical and lay, who have joined the Third Order of St. Francis from the thirteenth century down to Pius IX, Leo XIII, and Pius X. There is hardly a European dynasty which cannot point to some Tertiary in its family. The Third Order can lay claim to such brilliant statesmen as Thomas More († 1535) of England and Garcia Morano of Ecuador († 1875). Add to these a long list of

artists, poets, scholars and discoverers, of whom the most important are: Dante († 1321), Giotto († 1336), Petrarch († 1374), Columbus († 1506), Vasco da Gama († 1524), Cervantes († 1616), Lope de Vega († 1636), Galvani († 1798), Volta († 1827) and Franz von Liszt († 1886).

But the Third Order can boast of other accomplishments besides influencing the highest classes and winning the ruling spirits. It is no less to its glory that it eagerly took under its protection the lowly and those who needed help, the physically and spiritually sick. In the countries and in the cities where the Tertiaries had capable guidance, they were active especially as a charitable organisation, as a group always ready to relieve the necessities of their fellow men. They took charge of many hospitals, protected the poor and saw to the fulfilment of pious bequests, cared for the funeral services and the burial of those in need and laboured to reconcile enemies. Fallen women found in them a means of salvation, while the Tertiaries themselves found strength in the frequent reception of the sacraments, a practice which they also recommended to others. It is but natural that men and women, whose interests were so similar, should band together in a union closer than that of the Third Order for the more effective and more enduring accomplishment of their common undertakings. Thus, out of the interests and the activities of the Third Order, arose numerous religious societies, whose members however continued to call themselves Tertiaries. Many such Orders with the Rule of the Third Order as their foundation were begun in the course of the Middle Ages as well as in more modern times (cfr. par. 126). If we add to these religious Orders, the various charitable and benevolent societies of every kind, which have arisen especially during the nineteenth century, we can readily see that the field of possible endeavours, open to the lay Tertiaries of today, has been greatly narrowed.

Has the Third Order, therefore, lost its importance for the laity in our days? Aside from the fact that the lay Third Order has been the parent of many religious Orders in the past, and is today the fruitful nursery of many religious vocations, we can say that the Third Order still retains its primary purpose for the laity of today, namely the deepening of the religious life in the world. "The revival of the Third Order," thus writes a modern apologist, "would be a matter of the greatest importance as a help towards a solution of the problems of the present day. With certain modifications needed to adapt it to modern conditions, it would unite the scattered bands of zealous Catholics into one united, well-organised army. In such an army each member would receive individual instruction, guidance, salutary discipline and renewed courage ... We are the children of saints. Therefore we do not fight as the disciples of Lucian and Voltaire with the weapons of ridicule; nor as the followers of the philosophers with a Niagara of words and specious dialectics. We do not entice or frighten as do the mighty of this earth, who have it in their power to bestow favours or to mete out punishments. We are the children of saints, and we shall conquer the world by a believing, holy life, by a life devoted to sacrifices ... We need great men; but great ideals alone form great souls. Where we can find such ideals, we see from the history of the Third Order. What we desire, and what we so frequently lack, the *causa et ratio efficiens magnos viros*, that the Third Order possessed in rich measure. Joined with this Order, and in close union with the ecclesiastical organisations in dioceses and parishes, the Catholic societies will be preserved from every aberration and will possess an inexhaustible fountain of life and vigour."

Indeed, picture to yourself a group of 100 determined men or a group of 100 self-sacrificing women in a parish. Moved by their own convictions, they have bound themselves to receive the sacraments every month, to promote peace everywhere, not to read bad literature, to avoid all luxury, to stay away from dangerous dances and entertainments, to contribute as far as in them lies to the relief of need among their neighbours, and the like. This group has also resolved to influence others with whom they may come in contact to take up the same manner of life. It goes without saying, that such an organisation would be a tower of strength to the pastor, they would be a picked troop in whom he could place implicit trust. The union of the Third Order, of all these small parish groups, into one vast, worldwide unit would assure it of that catholicity of interests which it so badly needs and would give it powers which no individual local group could ever develop. The Third Order could thus become a bulwark against the irreligious efforts of our times; it would have the power to make religion a social factor, provided the local directors are conscious of the possibilities of their task and do not see in the Third Order merely a confraternity, whose chief purpose is to hold common religious exercises. St. Francis never had that in mind when he began his Third Order. His aim was to bring zealous Christians together, Christians whose ideal was to lead a life conformable to the Gospels, Christians who were prepared to make sacrifices to attain their ideal. That is also the secret of the strength of the Order, as is abundantly shown from the success of those fraternities, which received only such Tertiaries and which did not destroy their own internal strength by receiving candidates who, according to the mind of the holy Founder, did not belong in the Third Order.

Few men are so convinced of the importance of the Third Order for the present day as was Pope Leo XIII. He formed this conviction when, as bishop of Perugia, while holding the visitation of the parishes of his diocese, he discovered that those parishes in which the Third Order was flourishing, were his best parishes. When he ascended the Chair of St. Peter he used every opportunity to give expression to this conviction. In the Encyclical *Auspicato* of 1882, he commands that all bishops should promote the Third Order and he describes the duties of this Order in his own inimitably beautiful language: *Praeceptis Dei Ecclesiaeque obtemperetur: absint factiones et rixae: nihil detrahatur de aliena re: nisi pro religione patriaque ne arma sumantur: modestia in victu cultuque servetur: facessat luxus: periculosa chorearum artisque ludicrae lenocinia vitentur* (They observe the commandments of God and of the Church; they avoid factions and quarrels; they do not indulge in dishonesty; they do not carry weapons, if not to defend their own religion and homeland; they are temperate in food, modest in dressing; they avoid luxuries and the seductions of irreligious entertainment and spectacles). After Leo XIII had adapted the regulations of the rule to the needs of the present, new life was infused into the Order and numerous conventions were held. Among the most important of these conventions was the one held in Rome in 1900, at which these words were uttered: "The Third Order is not a promoter of strife and conflict. It is called to establish peace between the various classes of society and it will not enkindle conflict between them."

Nothing perhaps shows more clearly the value of the Third Order for the present day, than the fact that the Anglican Church has quite recently adopted it. The Rule has, of course, been changed, but the name remains the same. Its members are found in many parishes, even in the English colonies, and their activity has merited sincere praise.

Paragraph 125
The Third Order Regular for Men

St. Francis had not intended that the lay Tertiaries should form cloistered communities, although such communities were founded already in the thirteenth century. In 1295, Boniface VIII permitted the Tertiaries of upper Germany, who were leading a common life, to erect chapels in their dwellings and to hold divine services there. It is not said whether the men and the women lived under the same roof. Neither is there mention made of the religious vows. At this time, these cloistered communities seem to have been more in the nature of free associations of Tertiaries who merely had no families. Similar associations were begun elsewhere, inspired partly perhaps by the Tertiary habit which many wore. Towards the end of the thirteenth century, many houses of the Beguines embraced the Rule of the Third Order and so formed religious houses with the sexes in distinct convents.

In the course of the fourteenth century, this development continued, so that by the end of the century we find that the erstwhile loose organisation of these Tertiaries was now more closely knit. In Sapin, at this time, these Tertiaries even had a central organisation with a General at the head. In Holland, these Tertiaries who were leading a common life, also wished to unite and in 1401 they asked the Pope for permission to elect a general superior, who could hold a General Chapter each year. As yet, there were no vows with the exception of the solemn vow of chastity, which the members were permitted to take. Of great importance for the later development of the movement was the fact that the Visitor here could be chosen from among the priests who were living a common life with these Tertiaries, although the Rule of the Third Order prescribed that he should be chosen from among the priests of some approved Order. Another important step towards a full and complete religious institute was taken in 1412, when the *Ministri universi et fratres de ordine tertio* approached the Pope with the information that, although Nicholas IV had forbidden the Tertiaries who had made their profession to return to the world, still many professed members were ignoring this papal regulation and were returning to the world. John XXII thereupon commanded all bishops that wheresoever they should find such “disobedient” Tertiaries roaming at large in the world they should send them back to their community. With this papal command, the former voluntary common life of the Tertiaries became an obligatory state of life.

The very next year, the Tertiaries of Flanders presented a formal rule to the Pope which provided for the three solemn vows. The Pope approved it. At the head of this Order was a *Magister*, who governed both the men and the women. In his absence a *Soror superior* was appointed for the female branch of the Order. The Visitor was to be chosen from some other Order. Martin V gave these same regulations to other communities in northern France. In 1480, Sixtus IV declared expressly that the vows of the Tertiaries of both sexes were to be considered solemn vows. This does not mean though that such solemn vows were actually taken in all convents. The practice in this matter continued to vary considerably to the no little harm of the Tertiary communities themselves. Martin V had tried to simplify the direction of the Tertiaries by declaring in 1428 that all Tertiaries, both lay and religious, were subject to the Minister General of the First Order; but Eugene IV abrogated that law just three years later. After that time, this

matter of the dependence of the Tertiaries upon the General was argued back and forth for about a century, with the tide turning sometimes in favour of dependence and sometimes against it. This uncertainty must have been very harmful, since there was no one superior for the young Order. As a result, during the fifteenth century, we find that whole series of independent congregations of Tertiaries had developed, whose head was the Visitor, chosen from among the Tertiaries, who discharged the duties of a superior general. Such congregations were formed in upper Italy, Sicily, Dalmatia, Spain, Portugal, France, upper and lower Germany (the Congregation of Zeppern).

Leo X wished to introduce the necessary unity in the government of the Order and hence he issued a new Rule in 1521 for the men and women of the Third Order Regular. This Rule of ten chapters is still observed in many convents. It preserved whatever parts of the Rule of Nicholas IV were applicable to the needs of community life and added some new precepts and regulations, in particular, the addition of solemn vows for all. The sisters were free to have enclosure or not. This Rule of Leo was very emphatic on the point that the convents of Tertiaries should have only local superiors, who were in turn to be subject to the provincials of the Franciscans and to the Visitors, appointed by these same provincials. On this account, the Rule of Pope Leo aroused the opposition of many who did not wish to relinquish their former important positions in the Tertiary congregations. Anthony of Tablada, the visitor general of the Tertiaries of Spain, induced Clement VII in 1527 to sanction a return to the former method. In 1537, this permission was cancelled by Paul III at the request of the Franciscans. Just a decade later, in 1547, the pendulum swung again to the other side and the *Minister Generalis* of the Spanish Tertiaries obtained papal approval for three distinct rules, one for each class of Tertiaries, namely, the *fratres collegiales*, the *moniales*, and the other *fratres et sorores Ordinis*. All three classes of Tertiaries, of course, were to be subject to this *Minister Generalis*.

The Spaniards were not alone in their opposition to the Rule of Pope Leo X, in this they were joined by the Italian Tertiaries Regular, especially by the male convents of the *Congregatio Longobarda*. These religious, with the consent of the cardinal protector, made new constitutions in 1549, which ignored entirely the Rule of Leo X and paid but little heed to the Rule of Nicholas IV. According to these constitutions, the Tertiaries were to be wholly independent, with their own provincials and independent superior general. But these new constitutions were not able to bring about any improvement of the relaxed state of discipline and so Pius V commissioned the Cardinal Protector, St. Charles Borromeo, and the General of the Franciscans to introduce a reform. As a result of their efforts, Pius V, in 1568, placed an entire Third Order under the supervision of the one Cardinal Protector and under the jurisdiction of the Generals of the Franciscan Order. All previously sanctioned visitors and superiors general of the individual congregations of Tertiaries were now abolished. The Tertiaries were still permitted to have provincial visitors chosen from among their own members, but even these were entirely subject to the Provincials of the Observants. Sixtus V, however, in 1586 cancelled most of these decrees and permitted the Italian Tertiaries to have their own visitor general, elected by themselves at a General Chapter and empowered to govern independently. The General of the Order retained the right of confirmation and to hold the visitation of the Tertiary convents, once every four years. The common Cardinal Protector was retained. But, since the General of the Franciscans failed to insist upon his right of confirmation, after some time, he lost it altogether, just as the General had lost the right of confirmation of the

Master General of the Conventuals. By the time of Sixtus V, the former *Congregatio Longobarda* had expanded into an Italian Congregation with eleven provinces, since under Paul III the convents in Sicily had been joined to the congregation. During the seventeenth century, the congregations in Dalmatia and in lower Germany (Zeppern) also joined this Italian congregation. In 1734, Clement XII approved their new statutes (*Constitutiones Clementinae*). Further changes were made, especially in the matter of internal organisation, in 1888.

It took some time for the Spanish Congregation to settle down after the changes of Pius V, due possibly in part to the imprudent demands made by many of the Observant Provincials. Finally, the Tertiaries of Spain sought and obtained the right to elect their own provincial visitors, but they remained subject to the General or to the General Commissary of the First Order. After 1625, the superiors of the three Tertiary provinces of the Iberian peninsula, were permitted to take an active part in the General Chapters of the Observants. After 1679, the Third Order Regular was always represented by a General Definitor, who was continually chosen from the Spanish Congregation, never from the French, even though the latter had more members and therefore a better right to the honour.

The discipline within the French Congregation had seriously declined during the sixteenth century, but it was restored in the early seventeenth by that stirring preacher of penance, Vincent Mussart († 1637). Beginning with the convent of Piepus in Paris, which he founded in 1601, Vincent reformed with the aid of the General of the Franciscans, the seven Tertiary provinces of France, and, at the same time, he reduced their number to four. Convents which would not accept the reform were forbidden to receive novices. The Italian Tertiaries sought to hinder Vincent's work, but the French king nullified their efforts by his active cooperation with the reformer. As a result, all the convents were soon reformed. They were then united into the Third Order of the Strict Observance. New constitutions were drawn up on the basis of the Rule of Leo X, with the government quite similar to that of the First Order. For a time there was also a general visitor for the four provinces, who was subject to the General of the Order; for Mussart had laid great stress on the point that his followers should always adhere to the superiors of the Franciscans. In the eighteenth century, the Italian Tertiaries sought to win over the French Tertiaries to their congregation. Very flattering conditions were offered and many of the French wavered for a time in their allegiance; but, in the end, the attempt failed. Among the noteworthy men of the French or Piepus Congregation, Hippolyt Helyot († 1716) deserved special mention as the author of a general history of the Order.

Besides the above-mentioned congregations, there were a number of others, which differed as widely from one another, as did the congregations of Italy, France and Spain. As yet we know but little of their history. Such congregations were found in upper Germany, along the Rhine, in Bohemia, Hungary, Ireland and England. Although many of their residences were lost during the Reformation, still at the beginning of the seventeenth century, more than 200 of their convents still were in use. There were even about thirty convents in Ireland at the beginning of the eighteenth century. At about that same time, the Italian Congregation, including Dalmatia and Belgium, numbered only 124 convents with 2,250 members; Spain had about forty convents with 860 religious, while France counted 900 members in sixty residences. Other reliable statistics for the purpose of comparison are lacking. In general, we can say that the Third Order Regular

for men was strongest in the fifteenth century. After that time, there was a period of decline in most countries, occasioned partly by external circumstances, such as the Reformation and the frequent transfer of members to the First Order, partly by internal weaknesses, such as lack of discipline, ignorance of the essential aims and objectives of the Order, and the lack of a central source of unity, which Leo X and Pius V had sought in vain to introduce.

During the French Revolution, the greater part of the Order was completely destroyed. Only the Italian Congregation was able to maintain itself. In its four provinces of Romana, Sicula, Umbro-Picena and Dalmata, there were only twenty-five convents with 254 members. A congregation of lay brothers of the Balearic Islands has joined the Italian Congregation in 1906, thereby increasing the number by four convents and forty religious. Since then, two convents with study houses in the United States of America have been added, so that in 1908 the total number of religious was about 360. The head of the Italian Congregation now became the superior general of all men of the Third Order Regular with the title: *Minister Generalis Tertii Ordinis Sancti Francisci Regularis Observantiae*.

Besides these Tertiaries Regular, strictly so called, a number of other Third Order congregations for men also arose. Although not having solemn vows, these congregations were organised into regular communities, more or less, and they did wonderful and self-sacrificing work for mankind. Among such congregations of the past, the Obregons, founded in 1566 by Bernardine Obregon, deserve much praise for their work among the poor sick in Spain and Portugal. Equally noteworthy in the same kind of work was the Congregation de Bons-Fils organised in northern France in 1615. The Gray Penitents (Pénitents Gris), organised in Paris about the end of the sixteenth century to educate poor boys who wished to become priests, are also worthy of remembrance. The constitution of the Gray Penitents was midway between the constitution of the Tertiaries living in the world and the Tertiaries Regular.

The nineteenth century witnessed an increase in the number of congregations of men Tertiaries. The most important ones are:

a. The Congregation of the Poor Brothers of St. Francis, with their motherhouse at Blyerheide in Holland, founded in 1861. It is a congregation of lay brothers, who devote themselves principally to the care and instruction of youth in northern Germany, Belgium and North America.

b. The Franciscan Brothers of Waldbreitbach in the Rhineland. Established in 1860, their chief activity is the care of all kinds of sick men.

c. The Brothers of the Third Order of St. Francis in Ireland were founded in 1830 for the education of Catholic youth.

d. The Frati Bigi (Gray Friars) organised in 1884 by Louis of Casoria (cfr. par. 96) for the care of the sick and the education of Negro children.

Finally, we have to mention those Tertiaries who belong to no congregation, but live as hermits or as workers in the convents of the First Order (*Tertiarii commensales*).

Paragraph 126
The Third Order Regular for Women

As we have seen in the foregoing paragraph, the formation of cloistered communities of women Tertiaries, or, at least, their development into a genuine religious Order, frequently was united with the similar endeavours by men Tertiaries, so that often the women convents were merely a part of the common Tertiary Congregations of a country. This is proven most clearly for Spain and for some districts of Belgium and northern France. Only in the sixteenth century do these Congregations, which comprised both men and women religious, seem to have disappeared, when the convents of the women were placed partly under the jurisdiction of the First Order and partly of the bishops.

On the other hand, from the very beginning, there were convents of women Tertiaries, which never had any connection with any convent of men. That fact is certain, although it is often difficult in individual cases to classify exactly some convents of women. The partially religious community of women, mentioned in Florence already in 1275, even preceded a community of men. Nor has any dependence upon the men Tertiaries Regular been proven for the numerous so-called Regelhauser in Germany, which were on the contrary frequently under the care of the Franciscans. Most evident is the independent development of those convents of Tertiary women founded by Blessed Angelina of Corbara († 1435), also called after her mother, Angelina of Marsciano. After she had founded a convent in Foligno in 1397 and many more convents in other places soon thereafter, she received permission from Pope Martin V in 1428 that all her convents could elect their own superior (*Ministra*), who could receive candidates and even admit novices to profession in the Third Order. These superiors then could elect a *Ministra generalis*, who was empowered to visit all convents and to receive into the congregation members from other similar foundations. Aside from the obligation of obedience, there is no mention of either vows or enclosure. The individual sisters are subject directly and completely to their superiors, but on the other hand, the superiors are subject to a visitation by the *ministri et visitatores praefati ordinis*. From the context, these can only be the superiors of the men Tertiaries Regular, although it is not entirely certain that superiors of the lay fraternities were excluded. However, there is no known instance, when any of these superiors exercised their right of visitation for the sisters soon placed themselves under the guidance of the Italian Observants, probably in 1430, when they received the permission from Martin V. They were commonly called Bizocche in Italy, although this expression, just as the common name for lay Tertiaries, Pinzochari, was often used of similar societies.

The Congregation, founded by Angelina, in the course of time had so many convents, that she came to be regarded as the foundress of the Third Order Regular for women. Since the many journeys of the *Ministra generalis*, as well as the trips of the superiors to the Chapters, were the occasions of many disagreeable incidents, Pius II abolished the office of *Ministra generalis* in 1461. Still, even after this time, these convents continued to cause the Observants so many worries, that they frequently decided to surrender the care of those convents, which did not wish to have a strict enclosure but permitted their nuns to wonder aimlessly about the world. Although Sixtus

IV approved this decision of the Observants, it was never carried out everywhere, because the sisters knew how to win over the Pope with the aid of powerful protectors. In this regard there was therefore no longer a uniform observance: some convents observed the enclosure, others refused to have it and placed themselves under the Amadeans, who permitted them greater liberty, still others submitted to the bishops. This divergence persisted even after Leo X gave them a Rule in 1521 which prescribed that all convents must accept solemn vows but which gave the convents freedom of choice concerning enclosure. The Observants, however, consistently refused to accept the care of those convents, which did not have strict enclosure. Even at the Chapters of 1553 and of 1583 the decree was again passed that the Observants would not accept any *Tertiariae Italiae in communi viventes*, who would accept the enclosure. The question was finally settled when Pius V in 1568 decreed that all convents of Tertiary women, which had solemn vows, must also have the enclosure.

Many women Tertiaries in Germany during the fifteenth century had decided to accept the vows and the enclosure. During the Reformation, these nuns were just as heroically steadfast in the faith as were the reformed Clares. But, in general, the development of the Tertiary nuns was just as irregular and diverse in Germany as in Italy and the other countries. Here also, just as in the other countries, were Tertiary women who indeed lived a common life, but had neither religious vows nor enclosure. Equally great differences were evident in the supervision of the nuns with some subject to the bishops and some subject to the Franciscans. Some observed the rules of both Nicholas IV and of Leo X, others observed the Rule of Leo X together with the constitutions given them by the Franciscans. In the seventeenth century, new congregations of women Tertiaries Regular arose with solemn vows and strict enclosure, which adhered to one or the other of the reform branches of the First Order. To these congregations belong those nuns, who beside the Rule observed the Constitutions of St. Peter of Alcantara, as well as the Tertiary Capuchinesses (*Sorores de Poenitentia Tertii Ordinis Reformati Cappuccinae nuncupatae*) and finally the Recollectine Penitents (Pénitents Récollectines), who were founded by Peter Marchant and were approved in 1634. Under the name of Franciscan Sisters of Limburg, these nuns are still in existence today although with slightly modified statutes. Similarly, the other kinds of women Tertiaries Regular have retained in a number of their convents down to the present their solemn vows and strict enclosure. But their original contemplative character, which made these nuns so similar to the Clares that many convents joined the Clares after making the necessary external changes, has been gradually lost in the course of time as these nuns became engaged more and more in exterior activity, especially in the training of youth.

We have already pointed out that all women Tertiaries Regular did not accept solemn vows and strict enclosure. Rather, a large number preserved their less confined character and thus assured for themselves an opportunity of a far more intensive external activity than was possible for the nuns with the strict enclosure. These women Tertiaries Regular were the Sisters of Mercy of the Middle Ages and have remained so down to the present day. They were not united in one congregation, but they were divided and still are divided into many Congregations, each with its own statutes. Some have no vows, others have only temporary vows, others have perpetual vows, but all the vows are merely simple, not solemn. They do not have the enclosure and are mostly subject to the bishops, even though a large number by reason of privilege or legal right are affiliated with the

Franciscan Order. The Third Order can look with pride upon these congregations of women, as well as upon the corresponding congregations of men, as its elite corps, who have relieved the lay Tertiaries of a large part of their duty.

Noteworthy among these congregations of the past are the Sisters Hospitaller, also called Gray Sisters, despite their varicoloured habit, begun in the thirteenth century. They were spread over Germany, France and Belgium. In the seventeenth century, some of them accepted the enclosure. Another congregation, begun in the thirteenth century and one rather difficult to distinguish from the Sisters Hospitaller, was the Elizabethines. They dedicated themselves to the care of the sick in the hospitals in imitation of St. Elizabeth of Hungary. They were spread chiefly in Austria, Germany and France (Soeurs de la Misericorde) and at the middle of the sixteenth century, numbered more than 3,800 sisters. They still have numerous foundations. Here also must be mentioned the Ursulines, since their foundress, St. Angela Merici († 1540) gave them the Rule of the Third Order. Long after her death, other hands reorganised her Order on a different basis.

Much larger is the number of congregations with the Rule of the Third Order, which were founded in the nineteenth century. In France alone, about fifty such congregations were begun and other countries did not lag far behind France in this regard. No matter how valuable the services of these nuns may be, it still remains true, that the amalgamation of these congregations, at least within the same country, which have the same Rule and the same objectives and activities, without prejudice to the rights of any bishop, should be both possible and eminently worthwhile. The numerous divisions only weaken and dissipate the energies, which could be used for better purposes. A complete enumeration of all these sisterhoods, some of which are quite small, cannot be given here. We shall mention only the more important ones, which reckon their numbers by the thousands and have spread over several countries:

a. The Discalced Franciscan Sisters, who were founded in Holland in 1835 under the name of “Soeurs du Tries-Ordre de la Penitence et de la Charite Chretienne”. At the time, there are two provinces, of Holland and of Germany, with convents also in Brazil, North America and in the Dutch and German colonies.

b. The Poor Sisters of St. Francis, with the motherhouse at Aachen. This congregation was begun in 1845 by Francis Schervier to minister to human misery. It is spread in Germany and in North America.

c. The Sisters of the Holy Cross, with the mother house at Ingenbohl, begun in 1852 by Theodosius Florentini (cfr. par. 120). The numerous convents in Germany and Austria are organised in eight provinces. Some sisters are also active on the missions.

d. The Poor Franciscan Sisters of Perpetual Adoration, with the motherhouse at Olpe in the diocese of Paderborn, begun in 1857. They are active in Germany and in North America in the care of the sick and in the education especially of orphans.

e. The Stigmatines (Sisters of the Holy Wounds) founded by Anna Lapini († 1860). These sisters are labouring zealously in the schools and orphanages of Italy and the Balkans.

f. The Franciscan Missionaries, founded in 1876 at Ootacumund in eastern India by Helena de Chappottin (Marie de la Passion). The sisters now numbering about 4,000 are organised in eight provinces. In their convents scattered over the entire globe, the sisters are living a life of charity and are rendering most valuable aid to the missionary priests. In keeping with the healthy, virile, and truly Franciscan spirit, which is so marked

in their constitutions, these nuns have developed an all-embracing activity, which recalls the friars of the thirteenth century. In all truth, in order that the abilities of each sister may be employed in the place best suited for them, each nun must learn at least three languages.

Besides the congregations already mentioned, many others employ at least some of their nuns in the missions, for example, the sisters of the motherhouse at Salzkotten in the diocese of Paderborn, at Thuine in the diocese of Osnabrück, at St. Mauritz near Münster, at Gemona, and many others.

Exact statistics of the number of women Tertiaries living in convents, are not available, even for the present time, much less for bygone ages. Gubernatis in the seventeenth century, is content to say, that the *moniales* of the Third Order, therefore only nuns with strict enclosure, were beyond reckoning. For the other Tertiary sisters of that time, we have no figures whatsoever. At the present time, the sisters in the various convents and congregations, who observe the Third Order Rule, may be safely estimated to be more than 50,000.

CONCLUSION

Seven hundred years have now passed in review before our eyes. The seed, which the Poor Man of Assisi had sown, has sprung up and has brought forth fruit in all countries of the earth and in all centuries up to the present. Indeed, not all who bore his name, had also his spirit; too many lost sight of the important things in his Rule in their concern over trifles, but does not that observer make that very same mistake, who, when reviewing the history of the Order, notices only those shortcomings of some members?

It is true that the Order has undergone a development, which, according to superficial indications, was not in harmony with its beginnings. Who, however, will dispute that this course of development was not necessary if the Order was to survive, or that this development was not in truth merely a further, organic growth of the movement instituted by Francis?

The spirit of St. Francis, the evangelical spirit of simplicity, of love of truth, peace and joy, the spirit of sacrifice together with a tender love of Christ and an active love of neighbour, has never departed from the Order. That spirit has enabled the Order to fulfil its astonishing tasks in the Middle Ages. In modern times that spirit has won for the Order the affection and loyalty of millions, who have found in the banner of St. Francis an inspiration to renewed zeal to perform works of charity and to labour in the cause of peace. "The Lord revealed to me this salutation that we should say: the Lord give you peace," thus wrote St. Francis in his Testament. As long as the Order is faithful to this wish of its Founder, it will always find a warm response in the hearts of men, who are hungering for that peace.

The history of the Order teaches us still another lesson. The sons of St. Francis should bring peace not only to the world, but they should bring peace also to their own Order by settling their inherited dissensions in the spirit of their Founder. A promising beginning has been made. The seventh centenary of the founding of the Order finds it internally more united and stronger than it was one hundred or two hundred years ago. May the future not disappoint us but may it bring this promising beginning to a happy end.

Pax huic domui!

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