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FRANCISCAN ORDER FROM REFORM OF FR. PAOLO A
TRINCI TO THE DIVISION OF THE ORDER IN 1517. THE
EVIDENCE FROM THE FRANCISCAN SOURCES

*Franjevački red od početka reforme fra Paola od Trincia do podjele
Reda za pape Lava X. (1517.) u Franjevačkim izvorima*

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Summary

These article examine the circumstances which bring to the division of Franciscan Order in 1517. It begins with beginning of small Reform movement of Fr. Paolo of Trinci at 1368 which outgrow in 15th century in strong Observant movement. The question of observing the Rule of St. Francis was basic problem between Observants and Conventuals, and it grow in big ecclesiastical, political and social problem which was solved at 1517 bay division of the Order. Article is mostly based on published different sources of Franciscan history. Most of these sources are original sources published in various publications of Collegii di S. Bonaventura, in 19th and 20th century.

Key words: Reform; Rule of St. Francis; Observants; Conventuals; Franciscan Order; division in 1517; Leo X.

1. PREPARATORY AND CONTEMPORANEOUS OCCASIONS AND CAUSES
OF THE OBSERVANT REFORM

The 14th Century was eventful in the history of the Franciscan Order as the facts thus far chronicled evince. The Franciscan Order founded by the st. Francis of Assisi in 1209 had increased to such an extent that 1400 it numbered 34 Provinces,

7 Vicariates, 226 Custodies, 1499 Convents,¹ and about 40 000 members.² It had accomplished much good through its missionary activities at home and abroad; its Superiors were constantly being elevated to episcopal and cardinalial dignities;³ its friars were leading lives the repeatedly merited the highest encomiums of the Popes; individual members were continually being added to the Canon of Saints.⁴

Yet one cannot be blind to the defects and faults of the Order at large. The events of the past century show only evidently that there was much unrest. The Order was going through a painful stage of its existence. It groaned at times under its burdens; in fact at one time it seemed to have reached a fatal crisis that threatened to be its very death-blow. Such a condition of affairs naturally had its adequate causes. The same can be easily accounted for. One of the principal reasons for the decline of discipline in the Order was very issue that strove to be its idealistic reform. The flagrant violations of the queen of all virtues, charity, in private and public utterances and writings; false incriminations and scandalous detractions by brethren of the same Community during with the struggle with the recalcitrant of spirituals⁵; the baneful influence of the contentions with the Fratitelli⁶, which affected alike Church, State and Order and which under John XXII almost led to the very suppression of the Friars Minor, cannot be overestimated. It can hardly be expected, that, while the General of an order himself is in conflict with the Pope, his own subjects will have much regard for authority. religious obedience and discipline will surely suffer.

¹ Luca Waddingus, *Annales minorum*, tomus IX (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1932), 160-180.; 324-344.

² Usp. Heribert Holzappel, *History of the Franciscan Order* (Freiburg: TAU Franciscan Communications, 2010), 170.

³ Cf. Conrad Eubel, *Hierarchia Catholica* (Münster: Monasterii Sumptibus et typis librariae Regensbergianae, 1913); *Bullarium Franciscanum*, tomus V, (Vaticanis: Typografia Vaticana, 1898).

⁴ Cf. Giuseppe Vicari, *L'Ordine dei Frati Minori Conventuali e il Santo Cenacolo* (Constantinople: Archivio di Convento San Antonio, 1924), 32-33.

⁵ Cf. Daniel Patafta, "Pokret franjevačkih spiritualaca u 13. i početkom 14. stoljeća", in: *Znat će da prorok bijaše među njima. Zbornik u čast prof. dr. sc. Bože Lujića, OFM povodom 70. godine života*, ur. Mario Cifrak i Stipo Kljajić, (Zagreb: Kršćanska sadašnjost, 2018), 739-765.

⁶ Cf. Virp Mäkinen, *Property Rights in the Late Medieval Discussion on Franciscan Poverty* (Leuven/Louvain: Peeters Publishers, 2001)

Besides, the strife between John XXII and Louis the Bavarian caused interdict to be put on all places that remained subject to the king. This necessitated the friars either to leave their homes or to be without religious services. Some of the Convents in Germany sought to evade the issue by leaving a few brethren to take care of their interests at home without services while the others wandered about from city to city. The evil effects of such a nomadic life can easily be imagined.⁷ Matters became worse after Louis of Bavaria had promulgated on August 6, 1338 his *Reichsgesetz* (*Fidem catholicam*) forbidding all subjects to pay any attention to the ordinances of Pope since, in accordance with his deposing John XXII, these were to be considered null and void.⁸

Then came the disastrous epidemic known as the *Black Plague* or *Black Death* (1345-1350) that devastated Europe, decimated cities and depopulated Convents in Braunschweig and Magdeburg, the largest cities of the Provinces of Saxony. According to the *Chronicle of the Twenty Four Generals* the Order lost two thirds of its members.⁹ This estimate is confirmed by the figures given at the Chapter of Toulouse in 1373 concerning the number of deaths in the Order during the preceding three years. Whereas only 63 years previous in 1310 as many as 2712 friars had been reported having died, during the preceding period of three years by 1373 the number of dead diminished to 1345 friars. Assuming, relatively speaking, the same proportional number of deaths for each triennium, these figures show that the Order had decreased by over one half in 63 years.¹⁰ This great diminution of members, to quote Cardinal Gasquet, speaking of the monasteries in general *renders the proper performance of their religious duties and the diligent discharge of their obligations as regards monastic discipline, difficult and often almost impossible*.¹¹ As in the following years the number of convents steadily

⁷ Cf. Conrad Eubel, *Geschichte der oberdeutschen (Strassburger) Minoriten Provinz* (Würzburg: Würzburg Bucher, 2011), 55.

⁸ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1885), 140., 180.

⁹ "Chronica vigintiquator Generalis", in: *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus III, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1885), 544.

¹⁰ Richard Howlett, "Preface", in: *Monumenta franciscana*, tomus II (London: Longman, Brown, Green, Longmans, and Roberts, 1858), XXXVI.

¹¹ Francis Aidan Gasquet, *Henry VIII and the English Monasteries* (London: Nimmo, 1925), 2.

increased, rather than decreased, and the vacancies had to be filled as quickly as possible, little discretion was often used in the admission of new members. Persons who had no vocations were invested in habit.¹² The many legacies, houses, real estate etc., bequeathed to the friars on the occasions of the death of relatives and donations of benefactors, especially families whom the brethren had served in loving charity during their illness, undoubtedly added another evil influence. As a rule as long as religious Communities are poor and struggling they are fervent; when riches begin abound discipline relaxes.¹³ To this must be added the general decline of discipline and morals in the Church at large, which clamored throughout the fifteen century, in the Councils of Constance, Basel-Ferrara-Florence, for *Reformatio in capite et in membris*.

Finally came the great *Western Schism* that divided the Church for nearly forty years. Member of the same Community, whether they wished or not, were obligated to adhere to different Popes, Generals and Provincials. Often their allegiance would change according to location, promises or advantages. To offset this, Superiors would make other concessions, all of which naturally reacted most disadvantageously on the common discipline. No Wonder that Gregory XI, a great friend of the Order, complained of many *dissensiones et scandala* in his letter to the friars assembled in General Chapter at Toulouse in 1373.¹⁴

Yet despite these evils it would be wrong to conclude that at the end of the fourteen century the Order had sunk into that deep declivity of the reform of Fr. Paulo a Trinci. At this time there were living in the Order and without being members of new Reform the following Servants of God who died in the fame of sanctity; Nicholas and Ventura, lay brother of the convent in Perugia; Blessed Andrew; Blessed Bartholomew of Pisa; Blessed Richard of Kirchberg in Bavaria; Blessed Sante Bonacussini etc.¹⁵ Main source of discord lay not so much in the lack of religious discipline, which under papal and religious vigilance soon sur-

¹² *Firmamenta Trium Ordinum Beatissimi patris nostri Francisci*, tomus III (Paris: Jo. Petit, Franc. Regnault et John Frellon, 1512), 3

¹³ Cf. Holzapfel, *History of the Franciscan Order*, 82.

¹⁴ Cf. Luigi Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti* (Palermo: Edité par Palomes, 1897), 273; Michael Robson, *Franciscans in the Middle Ages* (Norfolk: The Boydell Press, 2006), 108-109.

¹⁵ Cf. *Manuale dei Frati Minori* (Rome: Typs Vaticani, 1897), 214-216.

vived after the bad influences had once ceased, as rather in the old, and yet ever new question of the interpretation of the vow of poverty and ideas of St. Francis concerning the same.

The Order had just emerged from the almost tragic theoretical disputations with John XXII and politico-disciplinary contentious with the Fraticelli. The excessive stand taken by one General, Michael of Cesana, had its reaction in the wider and laxer interpretation by one of his successors, Eudes (1392-1342). John of Valle (d. 1351) in 1334, influenced by Angelo Clareno, tried to stem the use of papal interpretations of the vow of poverty by his poor life in Brugliano. Clement IV (1343) however, feared a recurrence of the Spirituals strafes and the effort failed. Gentilis of Spoleto, a companion of John of Valle, resumed the latter's idealistic intentions in 1350, but he unwisely admitted apostates and heretics, forcing the Chapter of Assisi in 1354 and Innocent VI in 1355 to intervene. Once more the effort was reduced to naught. A third attempt to observe *ad litteram* the Rule of St. Francis concerning poverty was made by Fr. Paulo a Trinci who aimed at ideal poverty as led by St. Francis, but under the direction of the Ministers General and Provincial and in contradiction to the excessive doctrinal tents of the Spirituals and the Fraticelli who fostered discord and schism.

This time the effort succeeded. That the general discipline of the Order at the time of Fr. Paulo's reform was good is testified by authorities of Pope's. Thus the above named Gregory XI, writing to the friars assembled for the General Chapter in 1373, at the very time when Fr. Paul began his reformed life, despite the complaint of dissensions and scandals caused by the above named events, says: *Bearing in the bowels of sincere charity your Order resplendent in the Church of God with great merits, with the gift of science and spiritual fruit, we ardently desire that in continue to be governed so holily and prudently according to God and the holy intention of the Blessed Father Francis, that is my progress from one virtue to another, be increased in number and merits, and by the splendor of its virtues and doctrine continually illumine the elect Church of God.*¹⁶ Another letter of the

¹⁶ *Ordinem vestrum grandibus meritis, dono scientiae et spirituali fructu in Dei Ecclesia radiantem gerentes in sincere charitatis visceribus, desideramus ardentem sic sancte, sic provide secundum Deum et sanctum intentionem Beati Francisci Patris Vestri continue gubernari, quod semper de virtute in virtutem proficiat, numero augeatur et meritis, fulgore virtutum et doctrinae ipsius iugiter illuminati Ecclesiam*

same Pope reads thus: *Your Order of the Friars Minor shines like a most brilliant planet - it is resplendent in the sight of God through its blessed offspring which it has brought to the glory of eternal beatitude, and for that reason having the Order at heart we watch over it with paternal solicitude that it may with the grace of God be protected from harmful influences and receive ever anew salutatory increase.*¹⁷ Urban V in 1367, a year before Fr. Paul begin his reform wrote the following letter to the General of Order: *To our beloved son, the Minister General of the Order of the Friars Minor; Your Order glittering with the brightness of a star in the firmament of the Church, makes known the universal way by which mankind can more easily arrive at the goal of salvation, and hence while fighting in the valley of poverty, in triumphs in the height of heavenly riches.*¹⁸ And again: *Among the militant ecclesiastical Orders in the house of God it must be said to the special praise of the Order of Friars Minor and its members that, wherever they live, they entice the faithful to gain their eternal salvation, a fact which experience testifies.*¹⁹ Clement VI in a letter addressed to the friars assembled at Venice for the General Chapter of 1346 wrote along the same lines.²⁰

praelibatam. Bullarium Franciscanum, tomus VI, (Romae: Typs Vaticani, 1898), 503.

¹⁷ *Gregori XI ad P. Leonardum di Rossi, Mn. Gen. Sept. 28. 1374. Claret in terris tamquam luminare praeifulgidum tuus Ordo Fratrum Min. claret etiam in conspectu Domini per beatam sobolam, quam produxit ad aeternae beatitudinis gloriam assumptam, et propterea Nos Ordinem ipsum... infra Nostri pectoris ubera complectentes, circa eum paterna sollicitudine invigilamus ut Deo propitio protegatur a noxiis et salubria semper incrementa suscipiat. Bullarium Franciscanum, tomus VI, 537.*

¹⁸ *Dilectio Filio Min. Gen. Ordinis Fratrum Minorum. In Ecclesiae firmamento tuus ordo sydereo nitore coruscans universum inter insinuat, quo ad salutis bravium facilius pervenitur, hinc in valle pauperitatis militans, in ecclesiastico Ordine in domo Domini militantes, illud de benedictione coelesti Ordinum Fratrum Minorum et eius Professoribus ad laudes specialibus adserbitur, ac rerum efficax experientia testatur, quod ubique locorum, in quibus degunt, fideles populos ad salutis gratiam avocant etc. Luca Waddingus, Annales Minorum seu trium ordinum a S. Francisco institutorum, tomus VIII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1932), 567.*

¹⁹ *Waddingus, Annales Minorum seu trium ordinum a S. Francisco institutorum, tomus VIII, 567.*

²⁰ *Sane dum inter ceteros hius belli Spiritualis belligeros. ordinem vestrum quem in agro ipsus Ecclesiae coelestis plantavit agricola, sicque gratiae suae rore rigavit quod a suo principio fructus honoris et bonestatis uberes in eadem Ecclesia continue non destitit, nec destitit ferre, mentis oculis contemplamur, profecto desideris affectamus intensis. Ordinem ipsum, et professores ipsus, intra nostra, et Sedis*

Even John XXII defends the discipline as observed in the Order against its adversaries. In the letter *Gloriosam Ecclesiam* Jan. 23, 1318, he writes: *Unlearned men are rising up against the Community of the said Order and with wondrous pride boasting that they alone observe the Rule of St. Francis whilst in their rash judgments they stigmatize the multitude of the Order with the transgressions of the Rule.*²¹ In the same Apostolic letter the Pope applying to the Church the words of the Psalmist: *the Queen stood on thy right hand, in gilded clothing surrounded with variety*, says of the Order: *To this garment of the Church, embellished by such marvelous variety the sacred Order of the Friars Minor, founded by the Seraphic St. Francis and protected by the Apostolic See, has, like a beautiful texture, added its lustre. This Order is celebrated for its faith; it is strong in hope, perfect in charity, placid in humility, devout in obedience. Like a select ray of sanctity it has shown by example and word of doctrine throughout the whole world. With wonderful swiftness it has contributed much towards ecclesiastical decorum and utility.*²² In the XV Century after the reform had begun to take a solid footing Martin V, Nov. 11, 1423, in a letter appointing Anthony of Massa, Apostolic Vicar of the Order, could still write that the Order had produced, and was still producing, wonderful fruits in the field of the Church.²³

Apostolicae praecordia recumbentes, adeo continuis Spiritualibus e temporalibus prosperari commodis, quod semper reddantur aptiores in conspectu Altissimi, et crescat iugiter fidelium devotio erga ipsos. Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1932), 330.

²¹ *Discoli homines adversus Communitatem praedicti Ordinis insurgentes et se solis suosque complices de Observantia Regulae B. Francisci mira vanitate iactantes, notabunt etc.* *Bullarium Franciscanum*, tomus V, 138.

²² *In hoc igitur vestimento tam tam mirabili varietate distincto Minorum Fratrum sacer Ordo ab ipso suae foundationis exordio, almi Confessores B. Francisci regulari traditione et Apostolicae Sedis autoritate atque confirmatione indissolubili quadem textura connexus, fide clarus, spe validus, charitate perfectus, humilitate placidus, obeditione devotus, velut singulare iubar sanctitatis, exemplo et doctrinae verbo per universum orbem claruit et ecclesiastico decori multum utilitatis et plurimum inlyte alacritatis invexit.* *Bullarium Franciscanum*, tomus V, 138.

²³ *Amabilis fructus, quod sacer ordo Minorum in agro militantis Ecclesiae in augmentum chatoicae fidei uberrimo produxit hactenus et producit assidue, in nostre considerationis speculum adducentes etc.* Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1932), 69.; Drugom prilikom isti je papa napisao: *Amabilis fructus, quod sacer Ordo Fratrum Minorum, velut pomerium quodam divina manu consitum in agro militantis Ecclesiae in ubertate produxit hactenus, et producit assidue, ac odorem suavitatis in omnem terram ex fructuo-*

From these encomiums of the Pope's it would seem to follow that, although owing to the above mentioned evils, sufficient occasions for relaxation of discipline had been prevalent, the real cause of the Reform was not so much a question of discipline in general as rather the interpretation of the vow of poverty. It was this letter, not so much the former that for years later became the distinguishing feature between the Observants and Conventuals.

2. THE BEGINNING OF THE OBSERVANT REFORM (1368)

The Order was still one and undivided in 1354 when at the General Chapter celebrated at Assisi under General Farinerius new Constitutions, which bear his name, *Constitutiones Farineriae*, were edited. In these Constitutions the prohibition of the *Constitutiones Narbonnenses* of St. Bonaventure (1260) forbidding anyone to foster division in the Order under pain of excommunication was reinsulated. To the above named censures was also added imprisonment.²⁴

We may trace the division in the Order, which followed in the wake of Fr. Paulo a Trinci's Reform, a far back as 1334. In Italy in that year²⁵ John of Valle (d. 1351)²⁶ recived permission from the General of the Order Eudes (1329-1342), to live in hermitage with four other brethren, among them the above named lay brother Gentilis of Spoleto (known aslo as Angelo della Valle di Spoleto)²⁷ and to observe the rule according to its pristine rigor without the

sis operibus dicit Ordinis professorum continuo prodeuntem. Waddingus, Annales Minorum seu trium ordinum a S. Francisco institutorum, tomus X, 130.

²⁴ *Si quis autem ex deliberatione contrarium fecerit ipso facto sententiam excommunicationis incurrat, et si legitime fuerit deprehensus, carceri mancipetur. Bullarium Franciscanum, tomus VII, 674.*

²⁵ Of this Wadding says: *Parva tunc iacebant semina regularis observantiae quae postea in magnam segetem creverunt. Waddingus, Annales Minorum seu trium ordinum a S. Francisco institutorum, tomus VII, 293.*

²⁶ *Anno item 1334 sumptibus pietatis Fulginatum hominum, monasterium S. Bartholomaei Bruliani in Monte, inter Fulginium Camerinunque propemodum inaccesso, rigideque elato, initium habuit; quo postea B. ille Joannes a Valle, cum aliquot sociis Ordinis S. Francisci, contemplatricis vitae munia obiturus, secessit, ibidemque ann. 1351, cum magna opinione sanctitatis decessit. Hoc illius monasterium est, unde postea, Fr. Paulo a Trincia agente eximiae sanctitatis homines, S. Francisci alumni fluxere. Palomes, Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti, 258.*

²⁷ Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 256; Michael Robson, *Franciscans in the Middle Ages*, 181-183.

use of the papal declarations and privileges.²⁸ The place selected was the little convent of San Bartolommeo de Brugliano, situated between Foligno and Camerino. Being in the mountain, far removed to accomplish their designs. In 1352 four other hermitages, le Carceri, Monteluca, Romita and Giano, with permission to harbor 12 brethren were conceded to them.²⁹ Fearing, however, lest the secluded life of these friars might eventually led to separation from the Community, as St. Antonine intimates,³⁰ Clement VI in 1343, forbade the General Fortanerius Vasalli (1343-1348), to grant them any exemptions until the Apostolic See itself should judge expedient.³¹ In 1350 the same Pope gave them permission to receive novices and rendered them practically exempt from the jurisdiction of their Provincial.³² They assumed a shorter and narrower habit similar to that used by reform brethren of Narbonne.³³ Anxious to increase their number they acted very imprudently, receiving apostates and heretics, especially Fraticelli, who despite their condemnation still continued to exist.³⁴ As a result, the Order, in the Chapter at Assisi 1354, had to take exception to their mode of procedure,³⁵ and in the following year 1355 Innocent VI,³⁶ felt himself obliged to annul the concessions

²⁸ *Ibidem*, 258.

²⁹ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 186.

³⁰ *Anno Domini 1352 quidam frater Gentilis nomine de Spoletto, provinciae S. Francisci et quidam alii secum, quadam fatua devotione seducit, in tantam audaciam proruperunt, ut se toti communitati ordinis opponentes, Ordinem magno schismate divider molirentur*. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 259.; Michael Robson, *Franciscans in the Middle Ages*, 183.

³¹ *nhibuit ergo Pontifex ne immunitates aut gratias ullas eis exhiberet, timenes ne sopita iam scismata et molestae discordiae iterum resuscitarentur*. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VII, 293-294.

³² *Bullarium Franciscanum*, tomus V, 245.

³³ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VII, 103.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 259.

³⁴ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 260; Michael Robson, *Franciscans in the Middle Ages*, 184.

³⁵ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 187.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 103.

³⁶ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 189.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 103-104.; *Bullarium Franciscanum*, tomus VI, 291

of his predecessor, Clement VI. The four places conceded to the friars were again placed under the immediate jurisdiction of the General. Gentilis of Spoleto and the brethren were incarcerated and the congregation disbanded.³⁷ Among the members whom were allowed to return to the Community was Fr. Paulo a Trinci of Foligno.³⁸

Paulo (Paoletto, Palutius, Paoluccio, Pault) Vegnozzi de Trinci, whom Wadding calls: "Founder of the Observants,"³⁹ was born 1309, a son of the noble family Trinci of Foligno. At the age of 14 he entered in the Franciscan order. Due to a love for retirement and desire to imitate as much as possible the austere life of St. Francis, he led for many years a quiet life in a tower near home city. In 1368 the General of The Order, Thomas Frignani (1367-1372), a noted preacher, chanced to be at Foligno, presiding at the Chapter of the Province of Umbria. Hugolino Trinci, Lord of Foligno, had supplied the friars with the necessaries of the life during the Chapter, and was moreover a personal friend of the General.⁴⁰ When the Chapter was over, Hugolino asked and obtained from general permission that Fr. Paulo a Trinci, his relative, might retire with as many companions as he could find to the Convent of Brugliano, where Fr. Gentilis of Spoleto had died in 1362, and there observe the rule of St. Francis in its primitive rigor.⁴¹ The General gladly gave the desired permission. The following day however, he regretted his action and, fearing a schism in the Order, asked the Lord Hugolino Trinci to consider the permission as null; but in vain.⁴² The permission had been granted; so Fr. Paul and some companions, all lay brothers, went to

³⁷ Cf. Eubel, *Geschichte der oberdeutschen (Strassburger) Minoriten Provinz*, 56; Michael Robson, *Franciscans in the Middle Ages*, 184-185.

³⁸ *Alium obtinuerunt ducem, Fratrem Paoluccium a Trincis Fulginatam*. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 209.

³⁹ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 210., 336.

⁴⁰ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 263; Michael Robson, *Franciscans in the Middle Ages*, 184.

⁴¹ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 210.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 263.

⁴² *At non prius domum reversus, quam aliqui suggesserint, rem periculosam concessisse, et in domuncula hac parvam sparsisse semetem magnae discordiae futurae. Dum haec tacticus secum cogitat, et in memoriam revocat alias turbas in Ordine excitatas, ac difficulter sopitas, sequenti die ad Heroem accedens rogat, ut sibi liceat concessa revocare, dicens ea indubitanter cessura in magnum Reli-*

Brugliano. This was the beginning of the first permanent reform and division of the Order. Wadding in his annals of the year 1368 says “that in this year the division in the Order so often attempted by others, but imprudently directed, made a humble but firm beginning.”⁴³ At this time however, the Order did not look upon the new reform and its members as exponents of separate family. Members could be transferred from the hermitages back to the Community at any time.

Despite the fact that John XXII in 1317 and Benedict XII in 1337 had forbidden *under pain of excommunication habits dissimilar to the garbs worn by the other friars belonging to the Community of the Order*⁴⁴ Fr. Paul thought himself justified in adopting a new grab.⁴⁵ His intention and that of his immediate followers was to observe Rule of St. Francis to the letter without availing themselves of any papal interpretations, declarations, dispensations or privileges. Financial administration, known as *Syndici* were considered unless, as the new Congregation was to have neither fixed income nor annual revenues.

The young reform met with many vicissitudes. Fr Paul at first had very few continuous adherents, and for a while, even after the reform apparently taken strong footing, he was alone. Yet owing to his deep sincerity as good example he attracted again the attention of the friars of the Community and the little Congregation once more began to flourish.⁴⁶ By 1373 the Reform Brethren were occupying nine small hermitages in the Province of Umbria, Rome and Tuscany: Brugliano, Le Carceri, L'Eremita Scarpola, Montegiove, Stroncone, Giano, Greccio, Fonte Colombo

gionis detrimentum. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 210.

⁴³ *Hoc anno ordinis diviso toties ab aliis intentata, non tamen prudenter directa humile sed stabile sumpsit initium in homine undique statu et natura et corpora effigie contemptibili, sed genere, et pietate, praestabili, Paulutio scilicet Fulginate.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 209.

⁴⁴ *Sub poena excommunicationis habitus vestibus aliorum Fratrum Communitatem Ordinis tenentium dissimiles.* *Bullarium Franciscanum*, tomus VI, 28.

⁴⁵ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 264; Michael Robson, *Franciscans in the Middle Ages*, 189.

⁴⁶ *Quotidiano suscipiebat hoc tempore incrementum pusillus grex novae familiae Observantium.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 211.

and Poggiobustone.⁴⁷ All of these were conceded to their Superiors of the Order.⁴⁸ They did not form independent Congregation at that time but were entirely subject to the jurisdiction of the corresponding provincials in whose Provinces they lived.⁴⁹

Fr. Paolo a Trinci had learned from the failures of the other reform movements two very important lessons: absolute adherence to Church in all theoretical opinions concerning the essence of Franciscan poverty, and humble submission to, and faithful cooperation with the Superiors of the Order, who, striving their utmost to promote the ideals of St. Francis as far as this was compatible with the conditions of the times, were ready to welcome every good movement within the Order that made for correction of faults and elevation of religious discipline. For that reason in 1374 the general Leonard de Rossi (1373-1378) having visited Umbria and having been edified by the humble and strict life of Fr. Paolo and his followers, gave them permission to go beyond Umbria to the neighboring Provinces.⁵⁰ They did good work in Perugia where there still existed a number of Fraticelli. As reward the Community granted the organizers of the new reform the convent of St. Francis outside Perugia. The General who favored them very much even went further and granted Fr. Paul and the Guardians of the reform permission to send their friars whithersoever they wished. Thus the reform movement gradually spread and waxed strong.⁵¹

The Reform moreover received the cheerful acknowledgment and assistance not only of the Order but also of the popes. Gregory IX is said to have directed a personal letter to Fr. Paul, July

⁴⁷ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 229.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 266.

⁴⁸ *Obtinuit proinde infra breve tempus a predicto generali Ordinis Praefecto (Frignani) eiusque successoribus in provinciis sancti Francisci, Romana et Tusiae Coenobiola multa.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 210.

⁴⁹ *Vivebant tamen sub obedientia ministri praedictae provinciae sancti Francisci.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 298.

⁵⁰ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 298.

⁵¹ *Qua ratione factum est, ut brevi nova haec cresceret plantula, et religiosum multiplicaretur Institutum.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 300.

28, 1373.⁵² In 1380 the Provincial of Umbria appointed Fr. Paul Commissary Provincial over the now 12 reformed convents.⁵³ In 1383 he gave him permission to receive novices and to erect houses without recurring every time to him for permission.⁵⁴ The tenor of the letters show the good will Provincial entertained towards Fr. Paul.⁵⁵ The General of the Order Henry Alfieri (1387-1405) went step further by appointing Fr. Paul his Commissary General. Through him he governed the brethren of the Reform. He honored Paul as much as possible and gave him power to sub-delegate Commissaries and to send his brethren in to all parts of Italy, Bosnia and Corsica.⁵⁶ Fr. Paul died Sept. 17, 1390, in the Convent of the Conventuals in Foligno.

Fr. Paul's successor in administration of the Reform Houses within the order was John of Stronconio (d. 1418), a renowned preacher and lover of religious discipline.⁵⁷ The three provincials of the Provinces of Assisi, Tuscany and the March of Ancona made him their Vicar over the houses of the newly organized congregation. He reformed several convents, erected others, and through his preaching obtained many followers.⁵⁸ The General and the Provincials continued to favor the new Reform and did all they could to increase its growth.⁵⁹ Up to the year 1405 the

⁵² *Bullarium Franciscanum*, tomus VI, 533.

⁵³ Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 42; Michael Robson, *Franciscans in the Middle Ages*, 189.

⁵⁴ Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 436; Michael Robson, *Franciscans in the Middle Ages*, 189-190.

⁵⁵ The one begins with the words: *Cupiens tota animi voluntate occurrentibus quotidie periculis omnimodo obviare, idcirco ex causa rationabili nihi nota, dilectioni tuae, praesentium tenore concedo et modo etc.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 60.; the other: *Cupiens sincero cordis affectu tuis devotis et salubribus petitionibus paternaliter sasticface-re et omnimode condescendere, idcirco iuxta tenorem superdictae concessionis et gratiae etc.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 61.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 271

⁵⁶ *Fr. Henricus Minister Generalis... Fratrem Paulitium... commissamque familiam omnibus quibus potuit, modis excitavit ad ampliandam Ordinis reformationem.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 78., 91.

⁵⁷ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 90.

⁵⁸ *Lenti incremento suam familiam dilatabat.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 383.

⁵⁹ *Ministros plurimo obsequio, et placidoregimine habebat propitios.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 383.

administration of the Reform was entirely in the hands of the Conventuals, who then represented Community as such. The Guardians of Reform hermitages were elected in the Provincial Chapters of the Province of Umbria, the march of Ancona and Tuscany to which they were subject. The Vicar was appointed by the General.⁶⁰ About the year mentioned however, the General, and the Provincials of these provinces, of their own accord, granted the Reform Brethren permission of hold their own Chapters, make their own laws, erect hermitages, admit brethren and send them whithersoever they deemed fit. They could even elect the Vicar, subjects however to the approbation of the General.⁶¹ But the General and the provincials always reserved to themselves the power of holding canonical visitation in the Houses of the Reform Brethren.

The Reform increased from day to day. John of Stronconio wished to found Houses also in the Roman province, but as his jurisdiction as Vicar of the General extended only over the above mentioned Province of Umbria, March of Ancona and Tuscany, he applied 1403 directly to pope Boniface IX (1389-1404) asking him for permission to found there two new hermitages with attached churches and cemeteries.⁶² There were indeed other Reform Houses in the Roman Province before this time, but they all stood under immediate jurisdiction of the Provincial of Rome. From Umbria, John of Stronconio also brought the reform in Abruzzo and opened a hermitage in Aquila.⁶³ At the time of the Council of Constance, 1414, the Reform Brethren occupied thirty-four suc Hermitages, including Le Carceri, which had been given in 1350 by Clement VI to Gentilis of Spoleto; and San Damiano conceded to Fr. paul by Coventuals of the Umbrian Province in 1380. La Verna was ceded in 1419. After 1432 Portiuncola was conceded by the Conventuals of the same Province, under condition however, that the offerings made by faithful be remitted to the

⁶⁰ Cf. Francesco Antonio Benoffi, *Compendio di storia minoritica* (Pesari: Tipi di A. Nobili, 1829), 158.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 266; Michael Robson, *Franciscans in the Middle Ages*, 189-190.

⁶¹ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 383.

⁶² *Bullarium Franciscanum*, tomus VII, 164; Holzapfel, *History of the Franciscan Order*, 94.; Kajetan Esser, *Pregled povijesti Franjevačkog reda* (Sarajevo: Franjevačka teologija-Sarajevo, 1972), 117-118.

⁶³ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 383.

Sacro Convento.⁶⁴ Besides the Convents or Hermitages just mentioned the newly-begun family of Fr. Paul had received between years 1368-1415 from the Community also Burgliano, Monte di Perugia, Farneto, Montegiove, L+Eremita, Lo Speco di S. Urbano, Monteluca, Stroncone, San Paulo near Spoleto, Morovalle, Cesapolomba and Fiesole.⁶⁵

The adherents of the Reform numbered at the time of the Council of Constance about 200.⁶⁶ There were very few priests, the majority of the friars being lay brothers.⁶⁷ They devoted themselves to pious exercises and lived distant from the cities and the distractions of the world. They carried little for learning or study, as they thought this was contrary to the spirit of St. Francis.⁶⁸

3. THE REFORM IN OTHER EUROPEAN COUNTRIES AND COUNCIL OF CONSTANCE

The Observant Reform spread from Italy to France in 1388.⁶⁹ Three friars of the Province of Tours taking advantage of the unnatural disciplinary and canonical conditioned occasion of the Great Western Schism obtained from the antipapal Ange-

⁶⁴ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 381.; Benoffi, *Compendio di storia minoritica*, 164.; Urbanus VIII, "Domini Nostrum", in: *Miscellanea Franciscana*, 12 (1910), 125.; "The Portiuncula Indulgence", in: *Franciscan Studies*, 19 (1938), 178; Michael Robson, *Franciscans in the Middle Ages*, 189-190.

⁶⁵ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 42.

⁶⁶ Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1932), 411.

⁶⁷ Cf. Benoffi, *Compendio di storia minoritica*, 158.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 382.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 302.

⁶⁸ *Primi fautores Instituit, viri abiecti, humiles, rerum agendarum, et scientiae experites, in solitudinibus, in cavernis, et eremitoris a mundo remoti, non alienes, quam suae curabant animae, rerum coelestium contemplationi et pietati incessanter addicti.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 382.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 302.

⁶⁹ Cf. Benoffi, *Compendio di storia minoritica*, 159.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 273-296.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 80.; *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 215., 225., 291; Michael Robson, *Franciscans in the Middle Ages*, 202.

lo of Spoleto (Avignon obedience: 1379-1391) a solitary place in Mirabeau, in the Diocese of Poitiers, with intention of leading a life according to the literal interpretation of the Rule.⁷⁰ Within a short time, favored by the antipopes Clement VII and Benedict XIII, and many rich persons of Bezieres and Narbonne, these reform friars and their followers obtained eleven places, among them Laval and Bressiure,⁷¹ in the Provinces of France, Burgundy and Tours.⁷² The former inhabitants of these convents were obligated to make room for the reform brethren.

After the death of the Provincial of Tours, John Phillip who had favored the Reform, the Observants were expelled from their homes. By order of General however, through pressure brought upon him by the antipope Benedict XIII, they were allowed to return. The General also gave them a Commissary of their own in the person of Thomas of Curte.⁷³ In 1402 Peter of Villanova requested and received permission from Boniface IX to construct one or the other house, or to receive the same from General Alfieri, in order to start the Reform in the Province and Duchy of Aquitaine.⁷⁴

In 1407, through the prestige of the anti-pope Benedict XIII and the anti-General Bardolini, the Reform Brethren of the above named three Provinces of France, Burgundy and Tours acquired exemption from the legitimate Superiors of the Order, the General Anthony of Pireto (1405-1408) and the Provincials.⁷⁵ These French Observants, who in the meantime had added to

⁷⁰ *Suscitavit Dominus spiritum trium religiosorum patrum in provincia Turoniae ut collapsam disciplinam restaurarent. Hi vel suis, vel aliorum praecibus a suo illo pseudo Ministro Generali Angelo obtinuerunt coenobium aliquod solitarium... Mox imperante Angelo, Fr. Johannes Phillippus praefate provinciae Minister, ei humanissime tribuit Conventum Mirabelanum Diocesis Pictaviensis... et infra paucos annos, anti-Pontificum Clementis et Benedicti auctoritate, procerumque favore undecim loca infra limitis provinciarum Franciae, Burgundiae et Tutonis aggregarunt.* Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 80.

⁷¹ *Bullarium Franciscanum*, tomus VII, 311., 329., 343.

⁷² Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 81.

⁷³ *Ibidem*, 81.

⁷⁴ As Aquitaine was subject partly to the king of England, partly to the king of France, the friars were divided in regard to their allegiance to popes. Some were obedient to Rome, others to Avignon. *Bullarium Franciscanum*, tomus VII, 142.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 256; Michael Robson, *Franciscans in the Middle Ages*, 202-204.

⁷⁵ Cf. *Bullarium Franciscanum*, tomus VII, 350.

their list the Convents of St. Jean d'Angely and Loches⁷⁶ and the newly established houses of Chalet and Fonteney-le-Comte,⁷⁷ also received permission to select a Superior of their own. On May 13, 1408 they elected Bardolini's Vicar the above named Thomas of Curete.⁷⁸ Alexander V, the Pisan Pope, at the request of Pireto, who although favoring the Reform feared a new schism in the Order⁷⁹ directed his Bull *Ordinem Fratrum Minorum*, Sept. 23, 1409, against the Reform Brethren and accused them of violating their vows; of having changed the form of the habit; of having received novices without permission of the lawful General and Provincials; even of allowing, contrary of the will of the letter, such novices to make profession.⁸⁰ He furthermore accused them of getting exemption through influence of secular princes, and of destroying obedience, unity and charity in Order.⁸¹ He accordingly annulled all the above mentioned privileges and exemptions granted by Benedict XIII to the Pseudo-General Bardolini; obliged the followers of the Reform to return to the obedience of their lawful Superiors and ordered them to depose the assumed habit. He limited the acceptance and investment of novices to the Minister-General and Provincials.⁸²

⁷⁶ Cf. *Ibidem*, 360.

⁷⁷ Cf. *Ibidem*, 355., 359.

⁷⁸ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 371.; *Bullarium Franciscanum*, tomus VII, 316, 417.

⁷⁹ *Ut maiori praecaverit scismati in Religione, etsi alisa huic reformationi faveret*. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 371.

⁸⁰ *Nonnulli ex Fratribus ipsis sui voti transgressores, absque ipsorum Ministrorum commisione, seu consensu immo ipsorum Ministrorum prohibitionem, seculares personas ad Ordinem et novitios ad professionem eiusmodi recipere, ad loca ipsius Ordinis iam forsan aedificata, vel quae aedificata procurarunt, ab illis dicit Ordinis fratribus pminino separatum inhabitare, Vicarium vero de eorum Societate sibi retinere, alterius vero formae habitum gestare praesumpserunt, et praesument, praetendentes, se ut praesumitur ad haec seu aliqua eorum ab iniquitatis alumno Petro de Luna, olim in sua obedientia Benedicto XIII nominato seu a perditionis filio Ioanne Bardolino Fratrem, dudum pro Ministro Generali dicit Ordinis se generente, specialem habere licentiam*. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 506.

⁸¹ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 7.; *Bullarium Franciscanum*, tomus VII, 417; Michael Robson, *Franciscans in the Middle Ages*, 202-204.

⁸² Benoffi, *Compendio di storia minoritica*, 161; Michael Robson, *Franciscans in the Middle Ages*, 204.

After the death of Alexander V (1410), the Observants appealed to his successor. John XXIII entrusted the matter to the cardinal Procurator. A short time thereafter the Observants received another General Vicar in the person of the Nicholas of Bretagne, who however like his predecessor, Thomas of Curte, was never recognized or able to exercise the power entrusted to him; in fact, through the action of the ministers, he soon deposed.⁸³ By his Bull *Fis qui pro statu pacifico*, July 28, 1414, John XXIII approved of the measure taken by Alexander V. He prohibited the Provincials however, under threat of punishment from the General, to hinder the brethren in leading a Reform within the Community if they so desired.⁸⁴

Not content with this provision, the French Observants, about 200 in number, appealed at the Council of Constance just then in session.⁸⁵ They accused the Order of relaxations, scandals and disorders;⁸⁶ likewise of having abandoned the ideals of poverty set down by St. Francis. They now wish to live the *regular* life of St. Francis by observing the Rule *ad litteram* without any dispensations whatsoever, especially in regard of the vow of poverty, and without using certain privileges that led to contentions with the secular clergy. Accordingly they asked permission to separate from the Order,⁸⁷ and to elect Superiors of their own, as conceded them by the anti-pope Benedict XIII in 1407.

Their method of procedure was this. No new convents should be built, but those already existing reformed. In every Custody two convents should be set aside where those desiring Reform might live, and to which other convents, if they majority of the inhabitants so desire, might ally themselves. Should there be twelve such Reform houses in any Province they should have the right to elect for themselves their own Provincial, who like

⁸³ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 371.

⁸⁴ *Volentes ac etiam eadem auctoritate statuentes quod ministri provinciales in suis provinciis et conventibus pro tempore existentes fratres, volentes, regulam ipsum ordinis secundum Deum servare, non possunt aut debeant quomodolibet impedire. Bullarium Franciscanum*, tomus VII, 483.

⁸⁵ Cf. *Archivum Franciscanum Historicum*, tomus IX, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1916), 3-41.

⁸⁶ Benoffi, *Compendio di storia minoritica*, 162.; Esser, *Pregled povijesti Franjevačkog reda*, 119-120; Michael Robson, *Franciscans in the Middle Ages*, 205-207.

⁸⁷ Benoffi, *Compendio di storia minoritica*, 163; Michael Robson, *Franciscans in the Middle Ages*, 205-207.

the other Provincials, should be subject to the General. In case these convents do not reach twelve, they should form a Custody, and their Reform-Custos should be subject to the Provincials the same as other Custodes. A commission, consisting of Giordano Orsini (the Cardinal Protector) Peter D'Ailly and other learned men,⁸⁸ was appointed to hear both sides. The result was announced in the nineteen session (Sede vacante) in the form of the decree *Supplicationibus personarum* Sept. 23, 1415.⁸⁹ By virtue of this decree the Reform convents, of three French Provinces that appealed could each elect one of their own Superiors, who however was to be confirmed within three days by the Provincial and his Vicar. These three Provincial-Vicars in turn were to elect one as the head of three provinces. He was to be presented to the General of Order and within three days be confirmed by him as Vicar.⁹⁰ As General Vicar the Council itself appointed Nicholas Rodulphe.⁹¹ By virtue of this decree the French Observant reform received its formal ecclesiastical approbation. Later under the Eugene IV (1446) these provisions were extended to Italy and other Observant Provinces.⁹² The General Vicar, Nicholas Rodulphe, held his first Chapter of his vicariate at Bressiure 1416. Here decrees referring to the observance of the Constitutions and the papal declarations, with exception of the privileges referring to the use of money, were inculcated. Work and study were commanded.⁹³

At the beginning of the 15th Century Spain had three Provinces: Portugal (called Santiago), Castile and Aragon. In 1392 three of the brethren of Portugal Province, Didacus Arias, Gundislavus Mareni and Peter Diaz applied to Boniface IX permissi-

⁸⁸ *Archivum Franciscanum Historicum*, tomus IX, 371.

⁸⁹ Cf. Gian Domenico Mansi, *Sacrorum Conciliorum nova et amplissima collectio*, tomus XXVII, (Paris-Leipzig: H. Welter, 1906), 796-798.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 437.; *Archivum Franciscanum Historicum*, tomus II, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1909), 258.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 371.

⁹⁰ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 371-372.

⁹¹ Cf. *Archivum Franciscanum Historicum*, tomus II, 260.

⁹² Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 388.

⁹³ Holzapfel, *History of the Franciscan Order*, 156; Michael Robson, *Franciscans in the Middle Ages*, 209.

on to inhabit a hermitage apart from the other brethren.⁹⁴ The Pope willingly granted their petition, by only under the condition that they remain subject in all things to the legitimate Superior of the Order.⁹⁵ Gundislavus founded seven such hermitages in the northern part of the Province and received adherents. These latter however, with the exception of Gundislavus, withdrew from obedience of Boniface IX and adhered to Benedict XIII anti-Pope. In 1407 they petitioned the letter to recognize their houses as canonically established. The Pope did so in a Bull dated Sept. 14, 1407.⁹⁶

From a Bull of Martin V. dated Sept. 10, 1427 we learn that a house of St. Antony was founded near Lisbon by brethren who called themselves *de Observantia*;⁹⁷ likewise at Ovideo⁹⁸ and the hermitage Sancta Maria de Radicibus.⁹⁹ They did not however form a separate Congregation with any jurisdiction of their own but were subject in all things to the obedience of the Conventual Provincials and General of the Order.

In the Province of Aragon the Reform seems to have begun in 1389. In that year three friars received permission from Peter de Luna, then Legate of Anti-Pope Clement VII, to lead a solitary life exempt from the obedience of the regular Superiors of the Order.¹⁰⁰ In a Bull dated July 26, 1414, Martin V refers to the houses of the Reform in Spain as having been erected but "a few years previous."¹⁰¹ From another Bull of the same Pope *In Apostolicae Sedis Specula*, Aug. 14, 1425.¹⁰² We learn the names of these first four houses: St. Blaise or St. Mariae de Angelis (founded in 1413), S. Spiritus in Eremo (founded 1403) in Diocese of Valence, Xelva in Diocese of Segorbe and Montanera in Diocese-

⁹⁴ Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 295.; Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 107.; Esser, *Pregled povijesti Franjevačkog reda*, 117; Michael Robson, *Franciscans in the Middle Ages*, 209.

⁹⁵ Cf. *Bullarium Franciscanum*, tomus VII, 29.

⁹⁶ Cf. *Ibidem*, 355.

⁹⁷ Cf. *Ibidem*, 685.

⁹⁸ Cf. *Ibidem*, 388.

⁹⁹ Cf. *Ibidem*, 379.

¹⁰⁰ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 81.

¹⁰¹ *Bullarium Franciscanum*, tomus VII, 616.

¹⁰² Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 390.

se of Caesarea. In 1424 these four places received from Martin V permission to elect their own Custos, but under the condition that the new Custody form a part of the regular Province of Aragon and that the Custody and Custos be subjects to the obedience and care of the Provincial of the said Province.¹⁰³ They were exempted from the regular Province tax. They were also allowed to elect their own Guardians for a space of three years; likewise, to receive novices and to admit them to profession. In 1425 Martin V in virtue of the named Bull granted the four places a further concession by permitting them to be governed by the vicars in accordance with the decree of the Council of Constance made at the instigation of the French Observants.¹⁰⁴

In the Province of Castile, the Reform seems to have taken a stronger footing. Already before 1413, in the Chapter celebrated at the City of Cuenca, a decree was formulated that every Custody of the Province of Castile one house be selected in which the friars might live according to the Rule and the Traditions of St. Francis and observe the Rule strictly and *according to the letter*.¹⁰⁵ The house selected for this purpose in Custody of Palencia was Sahagun (St. Facundus) with 15 brethren charged by bl. Peter of Villacresces.¹⁰⁶ The Covent of St. Francis in Villaverde was conceded as house of Reform to Didacus of Alcala by Alphonse of Guadalafaiara, the Provincial of Castile.¹⁰⁷ About the year 1400 Benedict XIII granted the six brethren living there permission to elect their own Vicar.¹⁰⁸

One to whom the success of the Reform in Spain (Castile) is deeply indebted is Bl. Peter of Villacresces. The first time we meet his name in Franciscan Annals is in 1396 when, as Bachelor in Salamanca, he requested Benedict XIII to make him doctor of theology.¹⁰⁹ He became professor and later, 1413, was appointed by Benedict XIII head of Reformed House of Sahagun,¹¹⁰ in

¹⁰³ *Ibidem*, 83.

¹⁰⁴ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 390.; *Bullarium Franciscanum*, tomus VII, 632; Michael Robson, *Franciscans in the Middle Ages*, 212.

¹⁰⁵ *Bullarium Franciscanum*, tomus VII, 384.

¹⁰⁶ *Ibidem*, 384.

¹⁰⁷ *Ibidem*, 378., 711.

¹⁰⁸ *Ibidem*, 404.

¹⁰⁹ *Ibidem*, 305.

¹¹⁰ *Ibidem*, 384.

the Custody of Palencia. In 1417 the Convent of St. Dominic of Silos, in Diocese of Burgos, endeavored to incorporate Aquilera, a hermitage founded about 1404 by Peter of Villacresces.¹¹¹ The latter, however, seems to have objected to the plan; at any rate, the incorporation was made subject to his wish and in case he refused should not go into effect until after his death.¹¹² He obtained for Sahagun the same privileges as the other Observants in Spain. There is very little concerning Peter of Villacresces to be found in the papal documents of that time.¹¹³ He seems however, to have exerted a vast influence over the various Reform Houses;¹¹⁴ at least, mention is often made of a *Recollectio Villacretiana*. He sent a committee of friars to the Council of Constance to obtain the approbation of their rules and to have a Vicar appointed over them. He petitioned at the same time however, that he and his friars be permitted to remain under the immediate jurisdiction of the General of Order.¹¹⁵ Peter of Villacresces was appointed the first Vicar general of Castile by the Council. After his death in 1418, which occurred while he was attending the Provincial Chapter in the Convent of Pinnafiel, St. Peter Regalatus was appointed his successor. St. Peter Regalatus had made profession under the Conventuals at Valladolid. He became later a member of the new Reform in the hermitage at Valladolid and thereafter in the hermitage at Aquilera.¹¹⁶ He governed the Reform in Spain most wisely and prudently, until his death in 1456.¹¹⁷

Many of the members of the Spanish and few of the French Reform contended that Bull of the Constance, granting the Obser-

¹¹¹ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 265.

¹¹² Cf. *Bullarium Franciscanum*, tomus VII, 402.

¹¹³ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus VIII, 337.

¹¹⁴ Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XIV, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1933), 265.

¹¹⁵ Cf. Benoffi, *Compendio di storia minoritica*, 163; Michael Robson, *Franciscans in the Middle Ages*, 212-213.

¹¹⁶ Cf. Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XII, 2.

¹¹⁷ Cf. Benoffi, *Compendio di storia minoritica*, 163.; Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, 86.; *Archivum Franciscanum Historicum*, tomus VII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1914), 398.

vants their independence. Mostly majority under the St. Bernardine of Siena desired to remain directly subject to the General. At the earnest request however of Transalpine Observants and the instigation of Henry IV of Castile the Reform Congregation was incorporated into the Regular Observance in Italy by Pius II, 1460.¹¹⁸

St. Colette according to Wadding begins her work reform in Flanders with Poor Claris in 1406.¹¹⁹ She was a member of the Third Order when she obtained Innocent VII permission to join the Poor Clairs over whom he made her Abbes.¹²⁰ In a short time she restored the original observance of the Rule of St. Clare, and through her Confessor, Fr. Henry de Balma, introduced a Reform of Strict Observance also in the Order of Friars Minor in Germany, Burgundy and Savoy.¹²¹ Pius II in his Bull *Religiosam vitam professis*, Oct. 16, 1458,¹²² permitted them to remain under the General as St. Colette had wished.¹²³ The Constitutions of the Colettines were written 1434 by General Casale (1430-1442).¹²⁴

4. THE GROWTH OF THE REFORM IN OTHER COUNTRIES, BERNARDINE OF SIENA AND JOHN CAPISTRAN

At the middle of 15 century the regrettable spirit of animosity arose between the Community (Conventuals) and rising Observant Reform movement. It became more prevalent in all the provinces of the Order. The best feeling existed in Italy, as here, owing undoubtedly to the influence of St. Bernardine of Siena and St. John Capistran. The Italian Observants devoted

¹¹⁸ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 295; Michael Robson, *Franciscans in the Middle Ages*, 212-213.

¹¹⁹ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus IX, 279.

¹²⁰ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 240.

¹²¹ Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XII, 296.

¹²² Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XIII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1933), 68.

¹²³ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XII, 296.

¹²⁴ Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 323; Michael Robson, *Franciscans in the Middle Ages*, 192.

themselves more to studies and the *cura animarum*. They gradually fortook the idea of eremitical life. In Spain congregation of Peter of Villacresces flourished. In Hungary the Reform brethren are said to have established places early as 1380.¹²⁵ At all events in certain that house of the Observants existed at Nagy-Kanizsa in 1425,¹²⁶ in Visegrad, in Diocese of Gran, in 1425, and Szasz Regen, in Diocese of Siebenbürgen, in 1426.¹²⁷ In fact the papal Bulls presuppose the prior existence of the Observants in these districts, as in explicitly mentioned in the case of Szasz Regen. The friars there wished to be called *de Observantia*, to observe the Rule *ad litteram*, and to be exempt from Custos. The Reform movement here, as also throughout Austria and Germany, was greatly augmented in the following years through the efforts of St. John Capistran.

In Germany the Observants had places in the Province of Saxony as early as 1421.¹²⁸ In 1426 Louis, elector of the Palatinate, influenced by his wife, the Princess of Savoy who formerly had an Observant at her Court as confessor brought four Observants from the Province of Tours to Heidelberg.¹²⁹ In 1427 the Guardian and brethren of Heidelberg received permission from Martin V to elect Vicar, whose office was to last one year, and whose duty should be to visit all the brethren and houses of the Reform and execute whatever he deemed advisable and salutary for their temporal and spiritual welfare. In 1428 a house was founded in Metz.¹³⁰ In the same year the brethren of Brandenburg received permission to elect a Vicar Provincial for three years who was to be subject of the General¹³¹ and to be confirmed within three days after the notice of his election had been presented to him in writing; otherwise he was to be considered *ipso facto* elected and

¹²⁵ Cf. *Archiv für Literatur und Kirchengeschichte des Mittelalters*, tomus VI, ur. Heinrich Denifle, Franz Ehrle (Berlin: Weidmannsche Buchandlung, 1887), 189; Michael Robson, *Franciscans in the Middle Ages*, 192-193.

¹²⁶ *Bullarium Franciscanum*, tomus VII, 605.

¹²⁷ *Ibidem*, 665.

¹²⁸ Cf. Max Heimbucher, *Orden und Kongregationen der katholischen Kirchen I/II*. (Paderborn: Ferdinand Schöningh, 1933), 376.; Esser, *Pregled povijesti Franjevačkog reda*, 120-123; Michael Robson, *Franciscans in the Middle Ages*, 195-196.

¹²⁹ *Bullarium Franciscanum*, tomus VII, 659.; *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 282-285.

¹³⁰ *Bullarium Franciscanum*, tomus VII, 710.

¹³¹ *Ibidem*, 699.

confirmed. The right of the General however to visit and correct the brethren was in no way limited. The brethren were forbidden to pass indiscriminately from Reform House to a non-reformed House and *vice versa*. Other early Reform Houses besides that in Heidelberg were Basel, Pforzheim, Ruffach,¹³² Tübingen and Nürnberg.¹³³ The first provincial Vicar in the Province of Strasbourg, according to the concessions of Eugene IV, was Nicholas Charles, 1450.¹³⁴ In 1451 the Cardinal Legate, Nicholas of Cusa, ordered all religious of diocese of Bamberg to accept the Reform within a year's time; otherwise they should be deprived of all privileges and favor of the Apostolic See.¹³⁵

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The Franciscans came early to England. They were at first known as the *Brothers of the order of Apostles* but soon afterwards, owing to their grey habit, were called the Grey Friars, a name which they retained for centuries. The English friars seem have concerned themselves little about disputes of their brothers on the Continent. They led a life of poverty as is evidenced by the condition of their houses at the time of Reformation. They were poor that they were not considered worth pillaging, and after the expulsion of the friars soon fell to ruins. That they were learned men and addicted to study is evidenced by their libraries. They lived under the Government of the Conventual General, and when, in the time of Henry VII (1485-1509) the Observants came to England the Grey Friars were the man who made Oxford and Cambridge. In the other words the Reform Observants reached England only at the very late date, a century after Paulo a Trinci, the first Observant, had begun his Reform in 1368.¹³⁶

In Italy the Reform began in Brugliano in 1368, spread to Umbria, then to Faenza in 1444,¹³⁷ to Apulia in 1448,¹³⁸ to

¹³² *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 312.

¹³³ *Ibidem*, 529.

¹³⁴ *Ibidem*, 330.

¹³⁵ *Ibidem*, 334.

¹³⁶ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XIV, 382.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 295.; Holzapfel, *History of the Franciscan Order*, 167 Michael Robson, *Franciscans in the Middle Ages*, 198.

¹³⁷ *Archivum Franciscanum Historicum*, tomus VIII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1915), 516.

¹³⁸ *Archivum Franciscanum Historicum*, tomus VIII, 92.

Tuscany in the XV Century,¹³⁹ to Milan and Lombardy after the middle of the same century.¹⁴⁰ In France the Reform began in Convent of Mirabeau towards 1390; in Bessuire in 1406; in Seez in 1404. It was canonically approved by the Council of Constance in 1415. Italy and France, although before the Council of Constance, and even some time thereafter, quite distinct in their operations, gave birth to the Reform in other countries. Thus in Germany, Saxony in 1241,¹⁴¹ Cologne, 1439,¹⁴² Upper Germany (Argentina) or Strasbourg, 1426,¹⁴³ Bavaria (Munich), 1480¹⁴⁴; Poland, 1453¹⁴⁵; Belgium (Bruges), 1475¹⁴⁶ and 1478 in Liege¹⁴⁷; Bohemia, 1451¹⁴⁸; Ireland, 1433¹⁴⁹; Scotland about 1463 (by way of Cologne)¹⁵⁰; Luxembourg, 1467¹⁵¹; Austria, 1422¹⁵²; Portugal, 1378¹⁵³; Spain, 1414¹⁵⁴; England after 1485 by way of Scotland.¹⁵⁵

In 1418, in the presence of Pope Martin V, the Order held his General Chapter in Mantua.¹⁵⁶ It forbade the brethren under

¹³⁹ *Archivum Franciscanum Historicum*, tomus X, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1917), 441.

¹⁴⁰ *Archivum Franciscanum Historicum*, tomus VII, 108.

¹⁴¹ *Archivum Franciscanum Historicum*, tomus III, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1910), 153.

¹⁴² *Archivum Franciscanum Historicum*, tomus III, 759.

¹⁴³ *Archivum Franciscanum Historicum*, tomus XIV, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1921), 138.

¹⁴⁴ *Archivum Franciscanum Historicum*, tomus XIV, 258-259.

¹⁴⁵ *Archivum Franciscanum Historicum*, tomus IV, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1911), 138.

¹⁴⁶ *Archivum Franciscanum Historicum*, tomus XIII, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1920), 261.

¹⁴⁷ *Archivum Franciscanum Historicum*, tomus VII, 706.

¹⁴⁸ *Archivum Franciscanum Historicum*, tomus IV, 586.

¹⁴⁹ *Archivum Franciscanum Historicum*, tomus XVI, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1923), 223.

¹⁵⁰ *Archivum Franciscanum Historicum*, tomus VIII, 353.

¹⁵¹ *Ibidem*, 530.

¹⁵² *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus I, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1885), 48.

¹⁵³ Franciscus Gonzaga, *De origine seraphicae religionis franciscanae* (Venetiis: 1603.), 793.

¹⁵⁴ Gonzaga, *De origine seraphicae religionis franciscanae*, 603.

¹⁵⁵ *Ibidem*, 852.

¹⁵⁶ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 16.

severe punishment to take recourse to persons living outside of the Order to effect any change within the Order. The brethren must obey their Provincials; attend the Provincial Chapters; and accept the Guardians appointed over them by the Chapter.¹⁵⁷ The French Observants naturally therein a restriction of the privileges conceded them by the Council of Constance, and accordingly appealed Martin V to reconfirm the acts of the Council in their behalf. The Pope did so in his Bull *Romanum Pontificem*, May 7, 1420.¹⁵⁸ Despite this fact however, the General Chapter held in Forli¹⁵⁹ the following year 1421, pronounced excommunication, that was to take effect after two months, upon those that followed the Vicars rather than the Provincials.¹⁶⁰

Angelus Salvetti (1420-1423) of Siena which was elected General at 1420 worked on extirpation of the Fraticelli and Reform in Order. He was the first General that as Titular Abbot of Palganano in Italy wore an abbot's cape.¹⁶¹ The new General Anthony of Massa (1424-1430) was not favorably inclined towards the new Reform, as it is evident from the fact that he caused an excommunication against the Observants, who lived subject to Vicars, to be published in all the churches of the Order. His gentle disposition was the cause of many disorders in administration.¹⁶² In 1427 General convoked the Chapter at Casale.¹⁶³ It reminded brethren of the punishments mentioned in decree of John XXII *Quorumdam Exigit* from 1317 against those that attempted to change the style of the habit. The same Chapter also forbade under pain of excommunication the new Reform Brethren to add the words *De Observantia* to the title of the Order.¹⁶⁴

¹⁵⁷ *Ibidem*, 36.

¹⁵⁸ *Bullarium Franciscanum*, tomus VII, 534.

¹⁵⁹ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 274.

¹⁶⁰ *Ibidem*, 277.

¹⁶¹ Cf. Benoffi, *Compendio di storia minoritica*, 160.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 475.; Holzapfel, *History of the Franciscan Order*, 107; Michael Robson, *Franciscans in the Middle Ages*, 199-202.

¹⁶² Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 81.; *Bullarium Franciscanum*, tomus VII, 668.

¹⁶³ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 121.

¹⁶⁴ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 286; Michael Robson, *Franciscans in the Middle Ages*, 202.

Despite the excellent personal qualities of Anthony of Massa, his administration did not bring about a union between the Conventuals and the newly begun Reform movement, which at this time was little organized. On the contrary, the breach between two became wider from day to day.

Pope Martin V at the instigations of St. John Capistran, called together a General Chapter of both Conventuals and Observants to take place in Assisi, 1430. A special writing of the Pope to this effect was issued April 29, 1430,¹⁶⁵ and sent to the General, the Provincials, the Vicar of Observants and all brethren who enjoyed the right of being present. As head of the Chapter the Pope appointed John Cervantes, a Spanish Cardinal. He was to unite the separated, and reconcile the dissenting brethren.¹⁶⁶

The brethren assembled on the Feast of Corpus Christi, June 5, 1430 to the place appointed.¹⁶⁷ New General William of Casale was a friend of Observants and had several occasions through his kindness endeared himself to them.¹⁶⁸ In order to insure greater union, the Observant Vicars—the one great cause of dissension—were abolished at the Chapter. New Constitutions, a commentary on the original 12 Chapters of the Rule of St. Francis believed to have been compiled by St. John Capistran¹⁶⁹ and influenced by St. Bernardine of Siena, were framed. They were called the “Constitutiones Martiniannae” in honor of Martin V. St. John Capistran was appointed by the Cardinal Legate, Socius of the General.¹⁷⁰ The General indeed tried through personal zeal and assistance of Capistran to put effect of the Constitutions as he has promised.¹⁷¹ But he met with such opposition between Conventuals that in time his own zeal waned. He even requested to the Pope that the brethren be allowed to possess in common

¹⁶⁵ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 147.

¹⁶⁶ *Ibidem*, 148.

¹⁶⁷ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 289.

¹⁶⁸ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 149.

¹⁶⁹ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 290.

¹⁷⁰ Cf. Benoffi, *Compendio di storia minoritica*, 167; Michael Robson, *Franciscans in the Middle Ages*, 202.

¹⁷¹ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 161.

and in the name of the Holy See movable and immovable goods, to receive legacies, and seek through Syndicis annual revenues of incomes-privileges all formerly accorded the Order, but now denied it by virtue of new Constitutions. The Pope granted the petition in the bull *Pervigilis*, July 27, 1430.¹⁷² This naturally incensed the ire of the Observants against Casale. The Observants were vexed that the Pope had made these concessions.¹⁷³ They did not cease their complaints until in the following year they obtained from Eugene IV (1431-1447) permission to convoke at Bologna a special Chapter of Observants only for the purpose of adopting a new form of administration.

Pope Eugene IV was a great friend of the Reform movement.¹⁷⁴ Already before his elevation to the papacy he had been acquainted with St. John Capistran.¹⁷⁵ On the third day after conclave, Capistran visited and pleaded with the new Pope to exercise his paternal love and care to Observant family. He begged him to allow Observants once more to be governed by their own Vicars as before the Council of Assisi in 1430. Eugene IV promised to use his influence in their behalf.¹⁷⁶ In his Bull *Vinea Domini* March 15, 1431¹⁷⁷ the new Pope, influenced undoubtedly by Capistran, revoked the two pronouncements of his predecessor, *Pervigilis* and *Ad Statum* and thereby virtually annulled the declarations of the Chapter of Assisi and the dispensation from the vow and promise granted to William of Casale. The following year, however, he recalled his Bull; approved of modifications; and absolved anew the General of his oath.¹⁷⁸ In 1431 Eugene IV, as mentioned, gave the Observants permission to hold a Chapter of their own and distinct from the Conventuals at Bologna. Here the Provincial Vicars, as conceded by the Council of Constance, but abolished at the Chapter of Assisi 1430, were again introduced.¹⁷⁹

¹⁷² *Bullarium Franciscanum*, tomus VII, 737; Michael Robson, *Franciscans in the Middle Ages*, 216.

¹⁷³ *Ibidem*, 216.

¹⁷⁴ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 177.

¹⁷⁵ *Ibidem*, 177.

¹⁷⁶ *Ibidem*, 178.

¹⁷⁷ *Ibidem*, 178.

¹⁷⁸ *Ibidem*, 179.

¹⁷⁹ Cf. Benoffi, *Compendio di storia minoritica*, 173., 184.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 323; Michael Robson, *Franciscans in the Middle Ages*, 216.

In 1433, or 1434,¹⁸⁰ William of Casale called the friars to a General Chapter likewise at Bologna. The Conventuals accused the Observants of disobeying the statutes of the Chapter of Assisi, because they returned to the government under the Vicars. They complained especially against the Observants in France, Burgundy and Tours and call them *the authors of the division in the Order, and scoffers of the Constitutiones Martinianae*.¹⁸¹ In like manner they inveighed against the Observants in Hungary and Bosnia, who through the assistance of Emperor Sigismund had refused obedience to the Provincials; and against those in Spain who adhered to the French Observants. These complains however, were of the little moment; for the Observants, protected on the one hand by Eugene IV and the other secular princes, Emperor Sigismund in Hungary, Bohemia, Austria, Croatia, Poland and Bosnia, and King John and Queen Mary in Spain¹⁸² continually increased in prestige and numbers. Through their influence the Observants obtained from the Council of Basel, then in session, the confirmation of the privileges accorded them by the Council of Constance.¹⁸³

The Provincial Vicars were again restored. Eugene IV had already restored the Vicar in Bosnia immediately upon his accession to the papal throne.¹⁸⁴ Upon the request of Emperor Sigismund, Eugene IV confirmed his action by the Bull *Romanus Pontifex*, Sept. 30, 1433.¹⁸⁵ The Spanish Observants, through the intercession of Queen Mary regained their Vicar in 1434,¹⁸⁶ and

¹⁸⁰ Cf. Benoffi, *Compendio di storia minoritica*, 172; Michael Robson, *Franciscans in the Middle Ages*, 216-217.

¹⁸¹ *Divisionis auctores et constitutionum sub martino editarum contemptores*. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 212.

¹⁸² Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 225., 235.

¹⁸³ *Et pristinum regimen restitutum est Observantibus*. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 231.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 301., 306-307.; *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 298.

¹⁸⁴ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 178.

¹⁸⁵ *Ibidem*, 213.

¹⁸⁶ *Ibidem*, 225.

French in 1435.¹⁸⁷ Besides this, Eugene IV in 1443 confirmed by another Bull¹⁸⁸ the status of the French and Spanish Observants as they were immediately after the Council of Constance. Thus all endeavors of union as planned by the Chapter of Assisi were rendered null and void. The Coventuals would not, and felt they could not, resign their rights and privileges regarding property and revenues; the Observants on the other hand believed they could not lead life of strict observance according to the letter of the Rule as long as they lived under the Superiors of the Order and hence sought to regain the Vicars. Thus two old causes of dissent were again at hand and strong as ever. All hope of union was practically shattered.

In 1437 the General Chapter was held at Toulouse.¹⁸⁹ Various decrees were edited concerning rubrics and feast days; colleges of the Order, in which the degree of Magister could be confirmed, determined; and Inquisitors for the various provinces appointed. The same year Eugene IV ordered the General William of Casale, to come to the Ecumenical Council of Ferrara and to bring twelve Magistri of the Order with him.¹⁹⁰ Among them were four pillars of the Observants: St. Bernardine of Siena, St. John Capistran, Albert of Sartiano and St. James of the Marches. Of the six that led disputation against Greeks in the Council two were Franciscans: Fr. Aloysius of Forli, a Conventual, and Fr. Peter Perque-rius, Observant.¹⁹¹

In 1438 the general, having attended to some important affairs in Etruria for Eugene IV, became seriously sick in Siena. Being thus occupied in the large interests of the Church and hindered besides by his present illness, William of Casale believed in opportune to appoint Bernardine of Siena his Vicar over the large number of Observants. As Bernardine was man endeared and beloved by all, Casale hoped by his appointment of General

¹⁸⁷ *Ibidem*, 235.; Benoffi, *Compendio di storia minoritica*, 173; Michael Robson, *Franciscans in the Middle Ages*, 219.

¹⁸⁸ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 220.

¹⁸⁹ Luca Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1932), 15; Michael Robson, *Franciscans in the Middle Ages*, 219.

¹⁹⁰ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 2.

¹⁹¹ *Ibidem*, 30.

Vicar of the Observants to check all quarrels between the contending parties.¹⁹²

5. THE END OF UNITY (1438-1517)

During the years of Bernardins Vicariate the Observant Family increased rapidly both in adherents and in monasteries. He is said to have founded or reformed three hundred Convents of the friars and to have increased the number of Observants from 130 to 4000, and their houses from 20 to 230.¹⁹³ Owing to this fact St. Bernardine is often called the "Founder of Observants."¹⁹⁴ In 1440 the Bernardine of Siena afflicted with sickness and old age, tried to resign his difficult office of Vicar general but the Pope refused to accept his resignation. On the contrary Eugene IV urged and even commanded the Bernardine to continue in his official capacity. To facilitate matters however, he gave Bernardine permission to select Socius to whom he might confer such powers as he deemed useful to himself and expedient for the welfare of the Observant Family.¹⁹⁵ The Bernardine made use of the privilege by selecting 1441 St. John Capistran and making him Visitor and Commissary of the Observant brethren in the Province of Genoa, Milan and Bologna.¹⁹⁶ The Pope himself appointed Santius de Canales Visitor and Custos of the Provinces of all Reform houses in Castile and Leon.¹⁹⁷ After five years of faithful service, St. Bernardine wearied of his irksome office requested the Pope to absolve him from his position of Vicar General.¹⁹⁸ Eugene IV taking compassion on the feebleness

¹⁹² Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 31-32.; *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 300.

¹⁹³ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 300.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 314.

¹⁹⁴ Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 304-305.

¹⁹⁵ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 100.

¹⁹⁶ *Ibidem*, 127.

¹⁹⁷ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus X, 413.

¹⁹⁸ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 156.

of the aged and sickly man conceded his wish. He was appointed (Titular) Guardian of Bethlehem and Province of Holy Land.¹⁹⁹ New Apostolic Vicar Albert of Sartiano, Conventual who later joined the Observants, was appointed by Pope in 1442.²⁰⁰ Albert called upon St. John Capistran, the same as Berandine had done, to request his assistance in the administration in his charge. Following their meeting Albert appointed him Commissary, Visitor and Reformer in the Provinces of Tours, France, Burgundy, England, Ireland and other Transalpine places. Eugene IV approved the appointment.²⁰¹ On the General Chapter of Padua in 1443 for general was elected Anthony of Rusconi of Como.²⁰² The news that another than his own choice, Albert of Sartiano, had been elected naturally chagrined Eugene IV; yet not wishing to incur the disfavor of Philip, Duke of Milan, of whom Rusconi was subject, Eugene IV reluctantly gave his approval. He ordered, however that the Observant Family be governed by two Vicars, those on this side of the Alps by John Capistran; those beyond the Alps by John Maubert.²⁰³

At Siena the Congregation was called to determine the rights and powers of these Vicars. As judges in the case the four Cardinals of the neighboring dioceses were selected. Their decision was that the Vicar should enjoy the same rights over the Observants as the General over the Community. The convocation of an Observant Chapter in any Province was made dependent upon the permission of the General and Provincial of the Province. Just as the vicar General was to be approved by the General as also was the Vicar provincial to be approved by Provincial. Observants are not permitted to return to the Conventuals, although

¹⁹⁹ Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 314; Michael Robson, *Franciscans in the Middle Ages*, 219-221.

²⁰⁰ Cf. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 159.; *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 307.

²⁰¹ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 161.

²⁰² *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 308; Michael Robson, *Franciscans in the Middle Ages*, 219-220.

²⁰³ *Ibidem*. At this period of the History of the Order appear for the first time the terms "Cisalpine" and "Transalpine". Under the name of Cisalpine is meant the provinces of Italy, Austria, Hungary and Poland; the Transalpine, the provinces outside of Italy and beyond the Alps: Germany, France, Spain, England, Scotland, Ireland etc.

Conventuals may at any time join the Observants. Special provision permitting whole Convents to pass over the Observants, without even the knowledge and permission of the Holy See, were made. Anthony Rusconi accepted their decision and wrote to these effect two letters to his new general Vicars, one to St. John Capistran, the other to John Perioche of Maubert.²⁰⁴ To these Eugene IV added his own approbation.²⁰⁵ By virtue of these rescripts the two Vicars Generals received from General and the Pope plenary powers to govern the Observants. St. John Capistran at 1443 wrote for the brethren subject to his jurisdiction a commentary of the Rule in the form of the new Constitutions, known as *Constitutiones Joannis Capistrani*.²⁰⁶ Since Capistran's position of Vicar General was last but three years, Eugene IV announced a Chapter of the Observants to be held in 1446.²⁰⁷ The Chapter of the Observants was held at Rome. It was one of the most important of its kind as far as the relations of the Conventuals and the Observants is concerned. According to Wadding, it was now Capistran himself who suggested the Pope a separation of the Observants from the Conventuals, but in such a manner that the body of the Observants remains at least formally subject to the Minister General of the Order.²⁰⁸ The Bull of Eugene IV *Ut Sacra Ordinis Minorum Religio*, Jan. 11, 1446²⁰⁹ is one of the most vital and important in the history of the Order. By virtue of the Bull the Observants received permission to call a General Chapter of their Vicars Provincial and elect two Vicars general, one for this side of the Alps and the other for the Provinces beyond the Alps, both of whom were to be confirmed within three days by the General. The Observants could now make laws for themselves. The Vicar General is to have the same power over his brethren as the General himself. He can delegate to his subjects Provincial Vicars all powers and privileges that

²⁰⁴ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 176-179.

²⁰⁵ *Ibidem*, 179-180.

²⁰⁶ Cf. Gonzaga, *De origine seraphicae religionis franciscanae* 187.

²⁰⁷ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 235-236.

²⁰⁸ *Ibidem*, 251.

²⁰⁹ *Ibidem*, 251.

he himself may receive from the General.²¹⁰ The General of the Order, who now assumed the title: *Minister Generalis totius Ordinis Fratrum Minorum*, beyond the power of personal visitation, is not interfere in the governing of the Observants. Their separation from Conventuals was virtually complete.

The first general Chapter of the Observants took place Pentecost 1446, at the newly acquired Convent Ara Coeli²¹¹ Rome, in the presence of Eugene IV, the same time that Conventuals were holding their Chapter at the Convent of Montepellier.²¹² With the Bull of Eugene IV and first General Chapter of the Observants the final and afterwards often lamented division in the Order was a matter of time. The Observants get the decrees which confirmed their status form Pope's Nichols V, Pius II and Julius II.²¹³ Towards the end of the year 1446 Eugene IV entirely exempted the Convents that were in the hands of the Observants up to the time of the Chapter of that year from the jurisdiction of the General and made them subject in all things to the immediate supervision care of the Vicars General.²¹⁴ He edited similar decree in regard to the Convents of the Poor Claris.²¹⁵ The affection that Eugene IV had for the Observants can be deduced from the fact that in 1434 he gave the charge of Holly Land.²¹⁶

After death of Eugene IV the Conventuals on Chapter in Florence, 1449, tried to have the Bull *Ut Sacra* revoked.²¹⁷ But the influence of John Capistran prevailed with the Pope. He was encouraged by St. James of the Marches who 1449 wro-

²¹⁰ *Ibidem*, 257-258.; *Archivum Franciscanum Historicum*, tomus V, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1912), 85-88.

²¹¹ The Convent Ara Coeli was in possession of the order from 1251 and was given to the Observants by Eugene IV in 1445. Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 244., 470.; Esser, *Pregled povijesti Franjevačkog reda* 127-129; Michael Robson, *Franciscans in the Middle Ages*, 220.

²¹² *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 320.

²¹³ Benoffi, *Compendio di storia minoritica*, 183.

²¹⁴ Waddingus, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, tomus XI, 256.

²¹⁵ *Ibidem*, 227.

²¹⁶ Girolamo Golubovich, *Biblioteca bibliographica della terra Sancta e dell' Oriente Franciscana*, tomo V, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1927); *Archivum Franciscanum Historicum*, tomus XX, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1927), 432.

²¹⁷ Luca Waddingus, *Annales minorum*, tomus XII, 29.

te him a letter telling Capistran of his continuous efforts at the Roman Curia to keep the Bull in force and exhorting him to continue likewise his efforts in the cause of the observance.²¹⁸ When Nichols V had revoked the censures of his predecessor against those that passed from the Observants to the Conventual Capistran, through the intermediation of his friends Aeneas Sylvius Piccolomini, the Bishop of Siena (later Pope Pius II), Emperor Frederick III, and the Cardinals Firminus and Carvayalius wrote to the Nicholas V to protect the Observant Family.²¹⁹ Frederick III in his letter accused the Conventuals of having deserted their first fervor, praised the Observants, and begged Nicholas V to put into full effect the provisions of the *Bulla Eugeniana*.²²⁰ But Nicholas V died before being able to take action on this matter. During pontificate of his successor Calixt III (1455-1458) Conventuals renewed their demands. Calixt III was induced to convoke an Assembly in which the complaints of the both sides were to be heard. The place designated, was Assisi; the time, the Feast of All Saints, 1454. The Pope to remove all obstacles of peaceful union edited Bull *Regimini Universalis Ecclesiae*, Aug. 22, 1455, in which he absolutely forbade all invasions of Conventual Convents by the Observants, reiterating the punishments threatened for such offenses.²²¹ The Pope commanded St. James of the Marches to write the results of Assembly, but he esteemed by all, to settle the controversy. St. James wrote *Articles of Agreement*, but neither party was satisfied.²²² In the same year that Capistran died, 1456, Calixt III after consulting with the Cardinal Protector, Capranica, published the *Bulla Concordiae*, Feb. 2, 1456.²²³ In it he enjoins: 1) that all obey the Minister General; 2) that the vicars as well as Minister Provincials attend the General Chapter; 3) that in case a Vicar General die, the Observants shall chose three of their Family from which number the General shall select one as his Vicar; 4) the Custodes and the Vicars of the Observants shall have active voice, but they can elect only Conventual

²¹⁸ *Archivum Franciscanum Historicum*, tomus I, (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1908), 94-97.

²¹⁹ Waddingus, *Annales minorum*, tomus XII, 264.

²²⁰ *Ibidem*, 263.

²²¹ *Ibidem*, 269.

²²² Cf. *Miscellanea Franciscana*, 27 (1937), 106.

²²³ Waddingus, *Annales minorum*, tomus XII, 423.

as General.²²⁴ At the General Chapter held in Milan in the year 1457,²²⁵ the Vicars of the Observants also were present but when there was a question of official business the Observants, contrary to the express disposition of the above Constitution of Calixt III, were excluded.²²⁶ After having made a public protest of the denial of their rights before a Notary Public the Observant held Chapter in another monastery. The *Bulla Concordiae* only opens the road to the new dissensions and greater difficulties.

Pope Pius II (1458-1464), a friend of John Capistran, edited on the 20th of November 1458 his Bull *Pro nostra ad Beatum Franciscum devotione*.²²⁷ Complaining that the Conventuals had twice, with the convenience of his predecessor, Calixt III, refused to the Observants to use the ballot in the General Chapters as granted them by the Pope, Pius II ordered the Bull *Ut Sacra* of Eugene IV to be observed in full force.²²⁸ For the Pius II the Observants were essentially observing the Rule of St. Francis. Under Paul II (1464-1471) the old story of dissention referring especially to the acquisition of Conventual Convents by the Observants and carried on with impunity during the pontificate of his predecessors carried on. To compose the matters and finally to put the end to all controversies, Paul II edit Bull *Cum sacer Ordo Fratrum Minorum*, Feb. 28, 1466.²²⁹ But matters were gradually coming to a crisis so Paul II gave another Bull.²³⁰ Paul II died in 1471 and General of the Order Francis della Rovere was elected Pope. He assumed the name of Sixtus IV (1471-1484). Sixtus IV, although Conventual, had always shown himself even as General, friendly towards Observants. The Observant Family in second half of the 15th century increased in whole Europe, and Conventu-

²²⁴ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 358.

²²⁵ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 332; Michael Robson, *Franciscans in the Middle Ages*, 220.

²²⁶ Luca Waddingus, *Annales minorum*, tomus XIII, 30.

²²⁷ Waddingus, *Annales minorum*, tomus XIII, 65.

²²⁸ Cf. Holzapfel, *History of the Franciscan Order*, 132.

²²⁹ Waddingus, *Annales minorum*, tomus XIII, 402.; *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 418.

²³⁰ Cf. *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 418.

als began to decline.²³¹ As Ferdinand and Isabella expelled the Conventuals from Spain so also did Maximilian (1493-1519) in Germany²³² and Flanders, and Charles VIII (1483-1498) in France.²³³ At the beginning of 16th century there was more Reformed Communities in Order. On the Chapter at Ara Coeli in Rome, June 6, 1506,²³⁴ there were present: Conventuals, Observants, Amadeans, Clareni, Coletans, Martiniani, Lupini and Friars de Caputio of the Holy Gospel.²³⁵ On this Chapter Provincial of the Province of St. Bonaventure, Cataeinoctus, said, with approval of Conventuals and Observants, that both sides approve separation, and that union is not only difficult but impossible.²³⁶

The end of the union in Order started officially with Pope Leo X, which was very fond of the Observants.²³⁷ Despite repeated denunciations, declarations and suspensions fulminated by the Holy See, litigations, grievances and strifes of all kinds between Conventuals and Observants continued, until Leo X finally decide once for all put an end to these evils, by calling the Superiors of all Franciscan Communities to a *Capitulum Generalissimum* which he set for 1517.²³⁸ The immediate provocation for this action of Pope were the renewed strifes between Conventuals and, Reformed Conventuals (Coletans) and Observants, which had gone so far as to attract attention of the Emperor Maximilian and the Kings of France, Spain, Portugal, England, Denmark, Sweden, Norway and Poland.²³⁹ Many bishops and Communi-

²³¹ Luca Waddingus, *Annales minorum seu trium ordinum a S. Francisco institutorum*, tomus XV (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1933), 128.

²³² Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 375; Michael Robson, *Franciscans in the Middle Ages*, 220-22.

²³³ Cf. *Ibidem*, 409.

²³⁴ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 538.; Waddingus, *Annales minorum*, tomus XV, 313.

²³⁵ Cf. *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 538.

²³⁶ Waddingus, *Annales minorum*, tomus XV, 312.

²³⁷ Cf. Luca Waddingus, *Annales minorum seu trium ordinum a S. Francisco institutorum*, tomus XVI (Ad Claras Aquas (Quaracchi): PP. Collegii di S. Bonaventura, 1933), 43.; Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 392; Michael Robson, *Franciscans in the Middle Ages*, 220-221.

²³⁸ Waddingus, *Annales minorum*, tomus XVI, 23.

²³⁹ Cf. *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 542-543.

ties likewise wrote to Leo X asking him finally to put an end to the scandal. Although the contents of these writings are not as yet full known, the letters were placed before a Commission of Cardinals. Their opinion was that complete separation would be the only remedy.²⁴⁰ The time set for the *Capitulum Generalissimum* was Pentecost, 1517. Franciscans of every denomination met in Rome.²⁴¹

The Observants and the other reform Congregations assembled at Ara Coeli. They asked the Pope and three Cardinals who presided at the Chapter not to oblige them openly to associate with the Conventuals, who in their estimation had been violating the Rule of Seraphic Founder. When the question was agitated that according to the Rule all the brethren should be united under one head, the Observants responded that they willing do so on condition that the head of the Order all its members accept the Reform as *modus vivendi*. When the Conventuals were called to give their view they responded after long deliberation, that they would not approve of a union that would force them to accept the Reform and give up their rights and privileges conceded them by the Apostolic See. In virtue of these, they said, they could live with a safe conscience and observe the Rule sufficiently well to merit their eternal salvation.²⁴² When Leo X heard this he ordered the Conventuals to be excluded from the Chapter Hall and placed the election of the new General of the Order in hands of the Observants and the Reformed brethren.²⁴³ Three Cardinals declared through one of their assistants who had stood in a high place whence he could be seen and heard by all the henceforth all the Observant Vicars are true Provincials, all Discreti true Custodes, and according to the tenor of the Rule of the Friars Minor are to be known by such names in future.²⁴⁴ After ordering complete silence the Cardinals caused the *Bulla Uniounis (Ite et vos, May 29, 1517)*²⁴⁵ to be red. In virtue of it all mentioned Congregations including *Observantes de Familia, Reformati sub*

²⁴⁰ Cf. Holzapfel, *History of the Franciscan Order*, 153.; Waddingus, *Annales minorum*, tomus XVI, 25.

²⁴¹ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 406.; Waddingus, *Annales minorum*, tomus XVI, 41.

²⁴² Waddingus, *Annales minorum*, tomus XVI, 41.

²⁴³ *Ibidem*, 41.

²⁴⁴ *Ibidem*, 42.

²⁴⁵ *Ibidem*, 42.

*ministris, Amadei, Coletani, Clareni, Fratres de Sancto Evangelio seu Capucio, and Discalceati*²⁴⁶ were united to the Observants.²⁴⁷ The content of the Bull *Ite et vos*, known also as the *Bulla Unionis* are the following: all Reform Congregations are to be immediately subject to the General, who is to be elected by the Reform Congregations and must himself be a member of the Reform Movement. The election is to take place at Pentecost. The term office of the General is to last six years. The Order is to be divided in two sections, the *Familia cismontana*, and *Familia ultramontana*. The General is to be elected alternately from each Family. If the General is to be chosen from the Cisalpine Family, the Transalpine Family is to have a Vicar General, who can exercise as much judication over his subjects as the General Chapter allows him. He himself is subject of the General. Besides the Vicars (now raised to the dignity of Provincials) of the lesser Reform Congregations, two other electors from each Province are allowed for this time only to participate in the election of the General. Thus there were in all 142 electors. The formation of the future Reform Congregations is prohibited; likewise the additional or derisive appellation of any member of the Order as a *Privilegatum, Coletanum, Bullistam, Amadeitam, Clarenum, de Evangelio seu de Caputio, Bigotum* etc. All are to be comprehended under the name *Reformati*.²⁴⁸

When the Bull was read the election was said to be in order. Besides the election there were no other discussions; everything had been prepared beforehand. Outside of a few scattered votes the majority centered upon the two candidates. The Transalpine Vicar Gilbert Nicolai received 27 votes, and the Cisalpine Vicar Christopher Forli 73 votes. Christopher Forli was pronounced elected General.²⁴⁹ His election was solemnly proclaimed to have been canonical. Bernardine of Chieri, the former Conventual General of the whole Order, was absolved from his office by Leo X and Christopher Forli now declared to be the former's successor as Minister General of the whole order, and to be one

²⁴⁶ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 406.; Benoffi, *Compendio di storia minoritica*, 27.

²⁴⁷ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 42.

²⁴⁸ *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 558.

²⁴⁹ Cf. *Ibidem*, 557.

of the lineage of successors of St. Francis. In accordance with this declaration the seal of the Order was handed over to him. Pope ordered that henceforth the supreme head of the Observants be called *Minister Generalis*, that of the Conventuals *Magister Generalis*.²⁵⁰

The same time that Observants were holding their Chapter at Ara Coeli, the conventuals were assembled in Chapter at Sancti Apostoli. They elect as their General Anthony Marcellus of Cherso.²⁵¹ When however he was given title *Minister Generalis* and not *Magister Generalis*, as had been ordered. Leo X was angry and at first wished to annul the whole election. Later, however, he approved of the election of Anthony of Cherso, but only under the name of *Magister*.²⁵² Leo X dispensed for this time with the necessary approbation of the Conventual general by the Observants General as had been decreed in the Bull *Omnipotens Deus*, June 4, 1517.²⁵³

The tenor of this Bull, intended to avoid all future disputes and litigations between Conventuals and the Observants is as follows: The Reform Brethren of the united Congregations are to give up all distinctive signs of their respective Communities as regards shape of habit, capuche, sandals, etc. The General of the whole Order of Friars Minor of St. Francis is to be elected by and form the reformed Friars. The General of the Conventuals is to be elected by Conventuals and is to be called *Magister Generalis*. He is to receive his approbation in office from the Minister General of the Observants just as formerly Vicars general of the Observants were obliged to seek approbation from the Conventual General. Only for this time does Leo X dispense from the formality. Likewise were the *Magistri Provinciales* of the Conventuals to obtain their approbation from the government of the Observants must not meddle in the affairs of the government of the Conventuals nor of the Communities of nuns subject to them. The General may however, pay them a paternal visit, if he chances to be in the vicinity of their Houses. The Observants are

²⁵⁰ Waddingus, *Annales minorum*, tomus XVI, 49.

²⁵¹ Cf. *Analecta Franciscana sive, Chronica aliaque varia documenta ad historiam Fratrum Minorum spectantia*, tomus II, 559.

²⁵² Waddingus, *Annales minorum*, tomus XVI, 55. It may be noted that the Conventual Generals retained the title "Magister Generalis" only up to 1587; thereafter they were again known as "Ministri Generalis."

²⁵³ Waddingus, *Annales minorum*, tomus XVI, 51.

not to take possession of any of the Houses and Convents of the Conventuals, except where two-thirds of the brethren, if there are more of 20 members, agree; and three-fourths of the brethren, if there are more than 20 members in a Convent. Where there are less than ten brethren, even though all consent, the Observants dare not to take their Convent, but the Reform of such brethren is to be left to the General and Master Provincials of the Conventuals. All the Convents that were in the hands of the Conventuals before assemblage of the Observants at Ara Coeli, especially the Sacro Convento of Assisi, are to remain in the hands of the Conventuals.²⁵⁴ Individual Conventuals may at any time pass over to the Observants after asking, even though not obtaining, and permission from their lawful Superiors. The Observants are to have precedence over Conventuals in processions etc.,²⁵⁵ except in Padua on the Feast of St. Anthony and in Assisi on the Feast of Portiuncula.²⁵⁶

To render peace between Observants and the Conventuals all the more secure, although apparently sufficiently provided for in the Bull *Omnipotens Deus*, another platform of peace was agreed upon by both Communities in the form of articles expressing more explicitly the provisions of the above mentioned Bull.²⁵⁷ It is known as the *Instrumentum Concordiae inter Observantes and Conventuales*²⁵⁸ dated July 8, 1517.

CONCLUSION

With the events recording in this article the almost continuous strife's between the Observants and the Conventuals came to an end. The means devised by Leo X, total separation, was only logical course. All previous endeavors to effect peace and union had failed. Besides neither party could agree to the other's demands. The Observants opposed the union, because the Conventuals would not accept their view of observance of the Rule

²⁵⁴ Cf. *Ibidem*, 51.

²⁵⁵ Cf. Palomes, *Dei Frati minori e delle loro denominazioni. Illustrazioni e documenti*, 405., 427., 435.; Benoffi, *Compendio di storia minoritica*, 237.

²⁵⁶ Waddingus, *Annales minorum*, tomus XVI, 58.; Esser, *Pregled povijesti Franjevačkog reda*, 131-133.

²⁵⁷ Cf. Waddingus, *Annales minorum*, tomus XVI, 56.; *Archivum Franciscanum Historicum*, tomus XIII, 301.

²⁵⁸ Cf. *Sacra Rituum Congregatione Emmo. et Revmo. Cardinale Alteri Ponente Assisien Declarationis Dubiorum* (Romae: Typs Poliglotis Vaticanis, 1856), 30-33.

of St. Francis; the Conventuals on the contrary desired the union but only on condition that the privileges concerning property, real estate etc., granted then by the Apostolic See be retained. Matters were aggravated by unfriendly and unfraternal feeling that existed between two factions. The Observants did not even wish to mix with the Conventuals at the Chapter in 1517. The Conventuals on the other hand were still displeased with the Observants because the latter through influence of secular princes had obtained so many of their Convents and exiled their brethren. Complete separation was only means of permanent peace.

FRANJEVAČKI RED OD POČETKA REFORME FRA PAOLA OD
TRINCIA DO PODJELE REDA ZA PAPE LAVA X. (1517.)
U FRANJEVAČKIM IZVORIMA

Sažetak

Već u 14. stoljeću pojavljuje se pokreti u Franjevačkom redu koji nastoje vratiti Red k izvornijem opsluživanju Pravila sv. Franje. Svi ovi pokreti poznati su pod nazivom “opservancija,” a pripadnike tog reformskog pokreta od 15. stoljeća općenito se nazivalo opservantima. Opservantski pokret u Franjevačkom redu bio je od početak obilježen siromaštvom. Zbog toga se počeo pojavljivati uglavnom u eremitorijima u kojima se najbolje moglo živjeti izvorno siromaštvo. Za razliku od velikih samostanskih zajednica u gradovima (“conventus”) gdje su franjevci uživali brojne papinske povlastice koje su dobivali kroz stoljeća, iz čega se razvio i naziv “konventualci.” Tijekom 15. stoljeća opservantski pokret je sve više jačao i bio sve brojniji što je dovelo do sve oštrijih i otvorenijih sukoba između opservanata i konventualaca. Skandalozni sukobi naveli su svjetovne vladare i biskupe, osobito cara Maksimilijana, da se obrate papi Lavu X. Papa je sukob riješio tako da je na Generalnom kapitolu u Rimu 1517. dokumentom znanim kao “Bulla concordiae” odijelio konventualce i opservante, dajući prednost opservantima.

Ključne riječi: Reforma; Pravilo sv. Franje; opservanti; konventualci; Franjevački red; podjela Reda 1517.; Lav X.