

LESSON 1:

FRANCIS OF ASSISI: BIRTH, NAME AND FAMILY

There is a wealth of source material written about Francis of Assisi, the founder of the Franciscan movement. Much of this material tells of Francis' life from the time he fought in the civil war against Perugia until his death in 1226. This module is concerned with the Church at the time of Francis, but opens with the little that can be gleaned about his family, his own personal context, which has not been well documented.

FRANCIS' DATE OF BIRTH

There are no official records verifying the dates of Francis' birth or baptism. It is known that until the seventeenth century his date of birth was celebrated on September 26. Scholars have used the writings about Francis as the basis for calculating the year of his birth.

Thomas of Celano is the author of the first biography of Francis. Thomas came from Celano, a small city in the Abruzzi in the mountains south east of Rome. His family was the noble family of the Conti dei Marsi, Pope Gregory IX asked Thomas to write the life of Francis required for his canonisation in 1228 and it was approved in 1229. He produced some other works on Francis including the second life, commissioned by the General Minister of the Order at the Chapter of Genoa in 1244.¹

1C includes a particular reference to Francis' age at the beginning of his conversion, saying that Francis "...Squandered his time almost up to the twenty-fifth year of his life..."²³

Celano relates sections of Francis' early life. He took part in the civil war between Assisi and Perugia and was imprisoned (1202-1203) after the Battle of Collestrada and Ponte San Giovanni. After his subsequent convalescence he decided to become a knight and set out on a journey to train under Walter of Brienne (who died in 1205). He had not travelled far when he had a dream that caused him to go back to Assisi "Changed in mind but not in body, he now refused to go to Apulia and was anxious to direct his will to God's."⁴⁵ This marked the beginning of Francis' conversion according to Celano.

Celano refers to Francis' death, 1226, as occurring "in the twentieth year of his conversion."⁶⁷, the forty-fifth year of his life.

These extracts from the writings of Celano together with the known historical dates above have enabled scholars to reckon the year of Francis' birth to be 1181 or 1182.

FRANCIS' NAME

Francis was baptised John but he has come to be known by his nickname. It was not unusual for medieval men to be known by their nicknames rather than their baptismal name. One of the leaders of the First Crusade was baptised Mark but nicknamed Bohemond (after a legendary giant) by his father Robert Guiscard because he was such a large child. There are different theories about why Francis' father nicknamed him Francesco, each of which make it clear that the nickname of Francis stems from links with France. They can be summarised as:

¹ The book of the First Life is commonly abbreviated to "1 Cel" now 1C.

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³ C 1:2, ED, I, p183

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⁵ C III:6, ED, I, p187

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⁷ C 119, ED, I, p288

- a. The fact that as a cloth merchant Francis' father, Pietro, travelled regularly to France and may have been on his travels at the time of the birth.
- b. It is known that Francis had a great love for France
- c. It is possible that his mother was French.

In 1C 120⁵ Celano applied certain characteristics of Francis which made the nickname appropriate. The Early Documents use the adjective "France-ish" when translating this passage.

"He was truly France-ish whose heart was so frank and free. Those who experienced the greatness of his soul knew how free and freeing he was in everything, how intrepid and fearless in all circumstances, with great strength and bravery he trampled upon every worldly thing."

It was usual for contemporary biographers to find examples from the saints that were mirrored in the life of the person about whom they were writing.

Celano found a scriptural model to apply to Francis' baptismal name, John (2C 3 (Chapter 1)).⁶ Celano compared Francis with John the Baptist, recording that John meant "having grace" (the meaning given to the name John according to St Jerome). He wrote of Francis as a "more perfect" founder of a religious community and as a prophet, as John was.

FRANCIS' FAMILY

After his Baptism, Francis would have been known as Giovanni di Pietro di Bernardone – his father being Pietro whose father was Bernardone.

Scholars have tried to discover the family's roots. There is no archival evidence that Francis' family originated from Assisi. Pietro was undoubtedly a very wealthy merchant and a landowner whose details would have been recorded if the family were long-standing local citizens so it is highly unlikely that they were an Assisian family. Consequently scholars have developed certain hypotheses:

Nicola Papini developed the theory that the family name is Moriconi, a family from near to Lucca where there was a large Jewish population. Gemma Fortini believes that the family arrived in Assisi shortly before 1180. Whether or not Pietro came from a Jewish family he certainly became a Christian. At the time some Jews had converted to Christianity to obtain official recognition as there were strict anti-Jewish laws in Europe in the Middle Ages.

READING

The following short reading will expand on this theme.

1:1 Ralph Brown, Appendix C, A Jewish Ancestry Theory in *The Roots of St. Francis* (Chicago: Franciscan Herald Press, 1982), 187-188

It is certain that Pietro was successful as a cloth merchant. He is also thought to have been involved in usury.

Francis' mother was known as Pica which is not a common name of the time and again there are different theories about the derivation of her name. Abate believed that Pica was called this as a nickname – Pica means magpie - possibly because of her hair and skin colour. Pica might indicate that her family came from Picardy. No satisfactory evidence exists in support of these theories.

Francis had one brother Angelo whose name appears in the archives in 1215.

READING

The following short reading will expand on this theme.

1:2 Omer Englebert, Appendix III, The Family of St Francis in *St. Francis of Assisi*, (Quincy: Franciscan Press, 1965), 397-401

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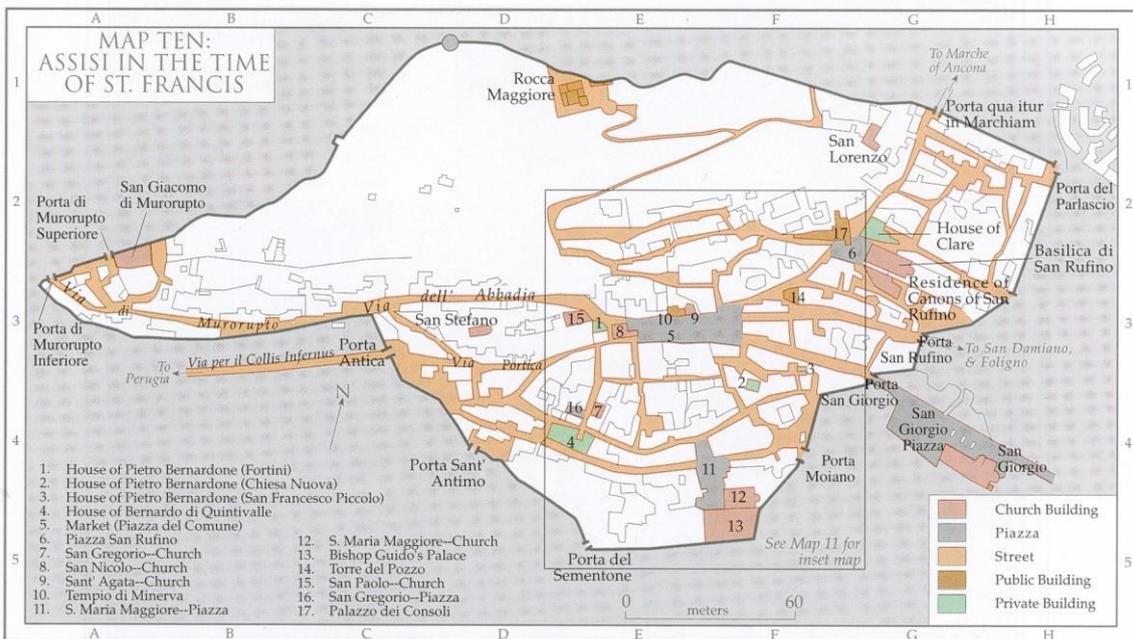
1C 120, ED, I, p290

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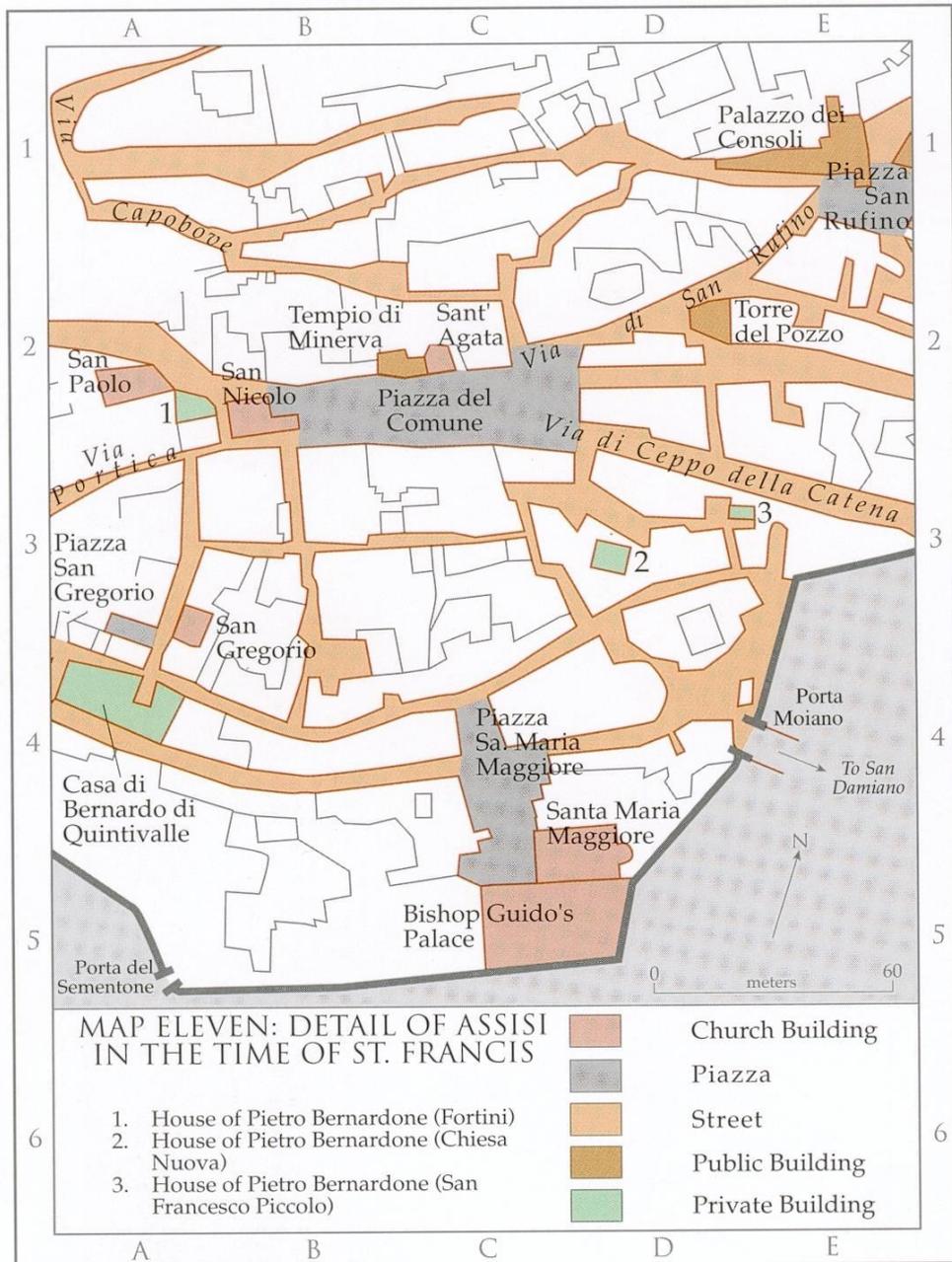
2C I:3, ED, II, p241-243

FRANCIS' HOME

As can be seen from the map (ED Map 10, there is a larger colour copy at the end of the readings section of this unit) there are three possible locations for the house of Pietro Bernardone, Francis' home. Fortini's argument is summarised below.



Map Ten



Map Eleven

(a larger colour copy can be found at the end of the readings section of this unit)

Maps ten and eleven show what the city of Assisi looked like at the time of Francis. The walls on this map are essentially the same as those built by the ancient Romans. The locations of the four most important social powers in Assisi are all shown on this map. The Rocca Maggiore was the symbol of Imperial authority, and it dominated the landscape until it was torn down by the Assisians in 1198. The bishop's palace was the seat of Church power, and it was in the Santa Maria Maggiore Piazza (plaza) that Francis shed his clothes, spurning his father and embracing his vocation in a deeper way. Trade and commerce had grown remarkably in the century before Francis's birth and the Market in the town's centre became increasingly important. With the emergence of the *commune*, the lesser nobility and merchants organized themselves and established the *Palazzo del Consoli*, or city hall, across from the Basilica of San Rufino. The *Palazzo del Consoli* moved in 1212 to the Tempio di Minerva.

Although Arnaldo Fortini confidently asserts that the paternal house of Francis lies in between the churches of San Paolo and San Nicolo (site #1), the evidence is circumstantial. Other scholars argue

that his family home lay on the site now occupied by the Chiesa Nuova (site #2), or the church of San Francesco Piccolo (site #3).

LESSON 2:

THE PROBLEMS FACED BY THE CHURCH IN THE MIDDLE AGES

In her book on Pope Innocent III, Jane Sayers outlines some of the difficulties that the Church faced in the 12th and 13th centuries.⁷ The Catholic Church was a seemingly all-powerful institution, dominating the religious life of Western Europe and parts of Eastern Europe and the Middle East. It was established as the official religion in every land in Western Europe and was supported by laws and taxes that ensured that the Church was one of the wealthiest and most powerful institutions in Christendom. The Pope was not just the head of the Church but he was also a secular ruler of territories in what is today Italy (the Papal States). He vied with the Holy Roman Emperor (whose lands were largely in what are today Germany and Italy) as political as well as spiritual leader of Western Europe. In this conflict, the reign of Pope Innocent III marks a high point in the secular power of the papacy.

The great English historian Maitland expressed an understanding of the nature of the medieval church and its place in society in this way:

Let us change our point of view, the medieval church was a state. Convenience may forbid us to call it a state very often, but we ought to do so from time to time, for we could frame no acceptable definition of a state which would not comprehend the church. What has it not that a state should have? It has laws, lawgivers, lawcourts, lawyers. It uses physical force to compel men to obey its laws. It keeps prisons. In the thirteenth century, though with squeamish phrases, it pronounces sentence of death. It is no voluntary society. If people are not born into it, they are baptized into it when they cannot help themselves. If they attempt to leave it, they are guilty of the *crimen laesae maiestatis* and are likely to be burnt. It is supported by involuntary contributions, by tithe and tax. That men believe it to have a supernatural origin does not alter the case. Kings have reigned by divine right and republics have been founded in the name of God-given liberty.⁸

Behind this facade of a powerful institution, however, the Church faced many problems. Some of these were the result of its own success which led critics to question the connection between the Church in the Middle Ages and the Church founded by Jesus Christ: If Jesus and the apostles lived a poor life and owned little or nothing, how could the Church of Christ be so wealthy? If Jesus rejected political power in the temptations in the desert, how could the Church of Christ be so politically powerful? Increasingly these questions were being asked by groups of Christians who sought to live a more authentically Christian life. Other problems that faced the Church were those that came from competing ideas and popular religion that perpetuated pagan customs and rituals, or introduced heresies from the East. Since Francis and the early Franciscans were part of a powerful reaction by the Church to these problems, it is worthwhile looking at them more closely, so that we can see how it was that Francis and the Franciscans had such a positive impact on medieval society.

THE RESILIENCE OF PAGANISM

It is difficult to know exactly how influential or widespread pagan practices were in Western Europe at this time. One can deduce that it was a problem that concerned Christian leaders from the fact that laws were passed against pagan practices. King Canute at the start of the 11th century condemned the heathen practices of idol worship and witchcraft. The statutes of Canterbury from 1213 legislated punishments for priests who sacrificed to demons or practised magic. Chroniclers of the time tell stories of witches, spirits and devil worship. In the life of St. Wulfstan of Worcester we find accounts of fairies. So it seems clear that pagan beliefs, superstitions and practices were by no means eliminated from medieval society at the time of Francis.⁹

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. Sayers, *Innocent III*, p. 125ff.

8

F.W. Maitland *Roman Canon Law in the Church of England*, 1898, 100, quoted in Sayer, *Innocent III*, 5. 9

Sayers, *Innocent III*, p. 127-129.

As is clear from the example of the statutes of Canterbury, not even the clergy was exempt from some very unorthodox beliefs and practices. This reflects in part the poor state of clergy education, with many priests barely able to read the Latin required to celebrate the liturgies and so unable to understand fully what it was they were doing. It is not surprising then, that the preaching of the Christian message was in crisis and renewal was needed. For where Christian doctrine was not taught, other beliefs and practices took its place.

CLERICALISATION AND ANTI-CLERICALISM

Another problem faced by the Church was that of anti-clericalism. In part this was a reaction against the stress laid on the centrality of clerics in the life of the Church. The reform that is named after Pope Gregory VII (the Gregorian Reform) that had been making progress in the Church since about the year 1000 had moved power in the Church from the laity to the clergy. The role of the clergy as the exclusive purveyors of the sacraments gave them a central place in the Church and also in what was a very religious society. Especially when the clergy did not live exemplary lives, their opponents questioned their centrality in the life of the Church and whether this centrality represented the will of Christ.

Also the Church was financed by great holdings of land and a system of taxes called tithes. Resentment against paying the Church for the land they needed to farm on and dislike of paying taxes, easily boiled over into anti-clericalism. Some people saw the fruits of their labours appear to finance a luxurious lifestyle for a section of the clergy. An anti-clerical poet Walter von der Vogelweide criticised the clergy for eating chicken and drinking wine, while the laity fasted and went hungry and Pope Innocent himself was criticised by one source as being interested only in worldly goods.⁸

Thus both the power and the wealth of some the clergy undermined the ability of the Church to preach the gospel to all the people in Western Europe.

This module will look at the way that the early Franciscan movement responded to the difficulties facing the Church in the Middle Ages and the way that earlier responses helped shape the Franciscan movement.

READING

The following reading will expand on this theme.

1:3 Sayers Jane E., *Innocent III Leader of Europe*, (London: Longman Group, 1994), Chapter 4, 125-163

BIBLIOGRAPHY

Sayers J., *Innocent III Leader of Europe*, (London: Longman, 1995).

LESSON 3:

⁸ Sayers, *Innocent III*, p. 134.

THE CHURCH'S RESPONSE TO THE PROBLEMS

The "Apostolic Way of Life" in the Centuries Prior to the Births of Francis and Clare

The urbanization of Europe in the eleventh, twelfth and thirteenth centuries was accompanied by an institutional and religious reform in the Church known to us as the Gregorian Reform. At the heart of the religious reform lay a quotation from the Acts of the Apostles:

"The whole community of believers were one in heart and mind. No one claimed any of their possessions as his own; but rather they shared all things in common. With great power the apostles bore witness to the resurrection of the Lord Jesus and they were living in a time of grace.

There was no needy person among them, for those who had acquired land or houses, sold them and brought the proceeds of the sale. And they laid it at the feet of the apostles who distributed it according to each one's need." (Acts of the Apostles 4:32-35;)

Monks and priests, penitents and lay groups of many types all took this statement as their starting point. These are the centuries of monastic reform (e.g. Cluny) and counter-reform (e.g. the Cistercians); of Canons Regular (e.g. Augustinians and Norbertines); and, eventually, of the mendicant friars (Franciscans, Dominicans, Friars of the Sack etc.) For the mendicants, another gospel text took them a step further than the previous one in that they interpreted it to imply the necessity of individual poverty in addition to the communal sharing of goods just mentioned:

"Foxes have holes, and birds of the air of the air have nests; but the Son of Man has nowhere to lay his head." (Mt. 8:20)

The laity were no less involved in the practical implementation of these texts than were the canons regular and monks. While some lay groups ended in schism and heresy, others remained faithful to the Church. Among them all, the penitents are particularly relevant to our study. The "Order of Penitents" was a generic name attached to people living strict ascetical lives. It took various forms as Fr. Seraphin Conley points out:

"Those who withdrew "to do penance" in solitude. These were the hermit penitents or anchorites.

"Those who lived in the vicinity of monasteries so as to participate in the monastic life to some extent.

"[Those who] continued to live at home with their families but accepting the obligations of a penitent, especially a life of continence.

"[Those who] from about the fourth century... united in fraternities, more or less homogeneous, serving in hospitals or leprosaria and dedicating themselves generally to works of charity. These groups of penitents very often also adopted a definite *propositum* of life."⁹

The concept of penitent also covered pilgrims and crusaders. This reinforced the idea that lay people could be religious without necessarily embracing the traditional forms of religious life. They were often called "religious" meaning "people of religion" as distinct from "people of the world".

READING

The following reading will expand on this theme.

1:4 Violante C., *Western Eremitism in the 11th and 12th Centuries*, in: *Franciscan Solitude*, ed. A. Cirino - J. Raischl, (St. Bonaventure: N.Y., The Franciscan Institute, 1995), 37-50.

⁹ Cf. *TOR Resource Manual*, p. 6.

The removal of perpetual continence as an obligation for married penitents was an important step forward in the history of the penitential movement. As a consequence, couples found it easier to adopt the penitential way of life either together or as individuals. "Leaving the world" was now understood as a struggle against sin in all its forms and did not necessarily require a vow or promise of celibacy. Marriage and involvement in economic activities, once viewed as obstacles to the spiritual life, were thus integrated into the framework of the spiritual life. That is, the way of Christian perfection was not restricted to clergy and religious.

The extraordinary variety of lay religious expression, flourishing at the time of Francis and Clare, represented a simultaneous response to the spiritual demands of urban society and a challenge to many of its values. The association of many of the penitential groups with the eremitical movement of those times is of particular relevance for the history of the Franciscan family. To cite Cinzio Violanti:

"In the eleventh and twelfth centuries the experiences of the eremitic life not only enkindled the reform of monastic or canonical communities or attempts to find new forms of religious life, but they often led directly to new forms of monastic or canonical community institutions or the creation of mendicant orders in which the common life could be in agreement with the commitment to absolute individual and collective poverty...

Converging with the popular religious movements and the reform of canonical life, the eremitical movement was the catalyst for many changes or new creations which occurred in the ecclesiastical structures or institutions during the 11th and 12th centuries under the impulse of new, varied, and even contrasting spiritual demands."¹⁰

The Franciscans were one of these "new creations"¹¹. St. Francis felt a deep attraction for the eremitical way of life as the following text from the Legend of the Three Companions illustrates:

"Therefore, Francis, the servant of God, stripped of all that is of the world, is free for divine justice... Returning to the church of San Damiano, joyful and eager, he made a hermit's habit for himself;"¹²

He often sought out places of solitude in which to discern his way of life and deepen his commitment and love for his Lord and the gospel way of life. For example:

"Now there was in the city of Assisi a man he loved more than all the rest. They were of the same age and the constant intimacy of their mutual love made him bold to share his secrets with him. He often brought him to remote places suitable for talking, asserting that he had found a great and valuable treasure."¹³

So great was Francis' love for the solitary life of contemplation that he eventually wrote a "Rule for Hermitages" for his friars.¹⁴ And Jacques de Vitry, writing in 1216, tells us of the friars minor (lesser brothers) and the sisters minor (lesser sisters):

"They live according to the form of the primitive Church, about whom it was written: *The community of believers were of one heart and one mind*. During the day they go into the cities and villages giving themselves over to the active life in order to gain others; at night they return to their hermitage or solitary places to devote themselves to contemplation."¹⁵

¹⁰ . Violante, *Western Eremitism in the 11th and 12th Centuries*, p. 49.

¹¹ . See Stewart Reading No. 1:3

¹² . L3C VII:21, ED, II, p. 81

¹³ . 1C III:6, ED, I, p. 187

¹⁴ . Cf. *A Rule for Hermitages*, in: ED, I, p. 61-62.

¹⁵ Jacques de Vitry, *Letter I (1216)*, in: ED, I, p. 579.

As was the case with so many of the "reformers" so, too, with Francis: he adapted his own "hermit's penitential way of life" for the laity. The sources mentioned as readings at the start of this lesson confirm this important aspect of the saint's spirituality.

Some "non-Franciscan" groups of penitents also adopted his way of life. Their decision to follow the way of Francis, may have been prompted by the fourth Lateran Council's ruling that religious groups, which desired to be recognized as such by the Church, were required to adopt one of the already existing rules. As we shall see, the Third Order was made up both of laity who owed their vocation directly to Francis or his friars and those who came to him from one of the other penitential fraternities.

A knowledge of the history of the penitential movement, stretching back to the early days of the Church, is essential for a proper understanding of the history and spirituality of the Franciscan family. We will return to the development of the Third Order and the continued growth of the penitential tradition in a later lesson.

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Third Order Regular of St. Francis of Penance Resource Manual, ed. S. Conley, Rome, 1994.

Violante C., Western Eremitism in the 11th and 12th Centuries, in: Franciscan Solitude, ed. A. Cirino - J. Raischl, St. Bonaventure: N.Y., The Franciscan Institute, 1995, p. 37-50.

LESSON 4: INTRODUCTION TO UNORTHODOX MOVEMENTS OF REFORM IN THE CENTURIES PRECEDING ST. FRANCIS.

The 12th century saw the development of dissident religious movements in the western Church. Many of these evangelical movements were eventually condemned as heretical, but there were others which remained faithful to the doctrine of the Church, and indeed developed into great movements of spirituality. Here we shall deal with those movements which were considered heretical, leaving the orthodox movements to the section dedicated to the penitential movements of the Middle Ages.

It is important to try to understand the reasons which gave rise to these movements during the 12th and 13th centuries. The reform of the Church which Gregory VII (1073-1085) had so tirelessly sought, was not being realised adequately for a variety of reasons, including the long controversies between papacy and empire, and the scandalous life of the clergy. The old ecclesiastical order which had been established during the reign of Charlemagne was now outdated. In this turn of events, new charismatic figures from among the laity were advocating an evangelical radicalism as a counterreaction to the official Church. These were also teaching that the validity of the sacraments depended upon the moral life of the ministers who were celebrating them. This was the typical

concept of the Patarines of Milan, as well as of the hermit monks of Tuscany in the years 1060-1070. Gregory VII himself was in favour of this teaching, but by the end of the 11th century Urban II affirmed that the validity of the sacraments did not depend in any way upon the moral or intellectual qualities of the celebrant, but only upon the regularity of his canonical status. From that moment the Patarines, who initially had been well-disposed towards the official Church, began to be regarded as heretics.

The Gregorian reform had tried to give importance to the sacred aspect of life as superior to the temporal order of things. In this it had greatly enhanced the role of the clergy. The laity began to feel it was time to affirm their role in the Church by returning to the model of the primitive Church, the Church of Jerusalem, as described in the Acts of the Apostles 2,42-47. During the 12th century this idealistic movement developed in the many itinerant preachers – the “Wanderprediger” - who gave great importance to a simple life of poverty, modelled upon that of Christ and the apostles. Their motto, taken from the writings of St. Jerome, was: “following in poverty the poor Christ”.

At the end of the 11th century some of these preachers started to appear in western France. They based their preaching upon condemnation of the immoral life of the clergy. Among them the most famous were Robert d’Ar

brissel, Bernard of Tiron and Vitalis of Savigny. These were clerics, but they had entered into close contact with the itinerant apostolate of the evangelical movements. Although initially not against the institutional Church, these movements developed an anti-clerical fundamentalism to such an extent that they organised open persecution of the clergy and refused to receive the sacraments. They advocated a spiritualistic religion which was against all sacred images, prayers of intercession for the dead and all liturgical rites. Some even destroyed crucifixes from the churches. Patarine doctrine taught there was no need of clergy to act as intermediary between Christians and God. For this reason it was superfluous to go to confession.

In Italy, during the same period, the most important reformer was Arnaldo da Brescia, who in 1138 publicly denounced the immoral life of the clergy and demanded that they embrace evangelical poverty. He was excommunicated by Innocent II and took refuge in Paris, where he was welcomed by his teacher, Abelard. But St. Bernard of Clairvaux managed to expel him from France in 1140. He journeyed to Switzerland and then to Bohemia. After some time he returned to Italy and submitted his obedience to pope Eugene III. While living in Rome Arnaldo joined the popular revolt against papal domination, and preached that the pope had to renounce all temporal power. Arnaldo was sent to Frederick I (Barbarossa), who came to Italy to be crowned emperor in 1155. The emperor sent him to the prefect of Rome, who condemned Arnaldo to be burnt at the stake.

THE CATHARS

This new heretical movement distinguished itself from the others in the years 1140-1150. In 1143 the Premonstratensian Ewerin of Steinfeld told Bernard of Clairvaux that he was aware of a new sect in Cologne. The members of this sect were refusing matrimony and all the sacraments, and pretending to return to the primitive Church of the era of the martyrs which, according to them, continued to exist in Greece under the direction of the apostles and bishops. These persons were refusing all type of personal or common property, and they were itinerant preachers, roaming about from city to city and preaching in the language of the common people. They practised a type of baptism of the Spirit, which they conferred by the laying on of hands. These ideas were also common among movements in Liège, Flanders and Champagne, as well as among the Bogomils of Bulgaria and Constantinople. The emperor Comnenus had persecuted them in Byzantium in 1140, and this explains why their ideas travelled west into Europe. At the beginning of the 13th century these new heretics began to be known by the name Albigensians, or even Bulgarians, because of their links with the Balkan regions from where their ideas came.

The communities of the Cathars, a term meaning “pure”, were modelled upon the apostolic community. Their only distinction from the other poverty movements of the time was that the Cathars did not accept any kind of union with the Catholic Church, and they had no intention of

reforming the Church at all. They practised a type of mystical cult which was appealing to the masses, and they soon started spreading from north-west France (Artois, Champagne), into the southern regions of Languedoc and into northern Italy. In these regions they were welcomed by the disciples of Arnaldo da Brescia. In 1160 the archbishop of Narbonne requested the council of Tours to condemn this new heresy which was spreading in the region of Toulouse. The sect was very strong in the region of Albi (hence the name Albigensians) and Toulouse. In 1174-76 the Cathars met in a “council” in Caraman, in which the representatives of the Cathar communities and the Cathar bishops of Languedoc, northern France and Lombardy took part. In this meeting there was also the presence of a high dignitary from Constantinople, the “papas” Niceta of the Cathar church of Byzantium, who preached a perfect dualistic principle – that of Good and Evil – which was against the Christian doctrine of a provident God. The Cathar heresy was a repetition of the Manicheist ideas of the first centuries of the Christian era. Niceta also consecrated new Cathar bishops.

The great appeal of the Cathar movement lay in the rigorous and ascetic life of its adherents, which was in striking contrast to the lax morals of some of the Catholic clergy. The Cathars accepted Christ as the angelic messenger of God, who left in his Gospel a revelation that could permit one to rediscover the purity of soul through prayer. For the Cathars the Catholic Church had betrayed the Gospel, and rendered itself a slave of the Evil principle, through political power and material wealth. The true Church of God was made up of a handful of good Christians and it was purely a spiritual Church. It was natural that the Cathars would be included in the ranks of these good Christians. The Cathars did not think of founding a new church. They insisted that they were simply returning to the purity of the primitive Christian community. The only sacramental sign they practised was that of the transmission of the Spirit through the laying on of hands. They called this rite the *consolamentum*.

THE WALDENSAINS

Round about the year 1170, together with the development of the Cathar movement, but without any relation to it, we find other religious movements which practised a type of evangelism through the right of all lay faithful to freely preach the Word of God. The most important among these movements was initiated by a rich merchant of Lyon, Valdesius or Waldo, who in 1173 converted to a more fervent religious life after having listened to the story of St. Alexius. Waldo asked to be instructed in the evangelical counsels, especially in poverty, and subsequently abandoned his profession as merchant and distributed all his goods to the poor. He translated the Gospels into the vernacular language, together with some books of the Old Testament and sections of the writings of the Church Fathers. He then separated himself from his wife, sent his sons and daughters into religious life, and began the life of an itinerant preacher. He soon attracted men and women to his ranks, whom he sent as itinerant preachers in the region around Lyon. They immediately were persecuted by the clergy, who reminded them of the Decretals of Gratian, which in 1140 prohibited the laity from preaching. In 1179 Waldo went to Rome to ask Alexander III to approve his *propositum vitae*, or rule of life. The pope gave him oral approval and allowed him to preach, always under the examination and control of the local clergy. However the commission entrusted with examining the teachings of the Waldensians proposed many reservations. Waldo was eventually asked to make a profession of faith in the hands of the Cistercian cardinal Henry of Marcy. The new bishop of Lyon tried to control the new movement and take it under his protection, but when he did not succeed, he refused to give the Waldensians permission to preach. Waldo rebelled against this decision, and the Waldensians were condemned as heretics by the pope in 1184. The movement, however, continued spreading, in Languedoc and in Lombardy, where it was often confused with the Cathars. Then it spread in the rest of France and in the Rhine valley. The Waldensians did not refuse the Church or the hierarchy, but they wanted to have a right to preach the Word of God in total freedom.

THE HUMILIATI

Another movement which was born in 1175 in the city of Milan was that of the Humiliati. They were described as persons who remained living in their houses with their families, while choosing a form of religious life. They did not take part in public processes, they dressed very simply and tried to advance in the Catholic faith. Many of them were artisans who tried to conform more fully to the Gospel. Like the Waldensians, the Humiliati of Lombardy refused to take oaths and defended their right to preach. They announced the Word of God in public. In 1184 in the city of Verona, Lucius III condemned all the religious movements which were menacing the authority of the ecclesiastical hierarchy, and the Humiliati were included with all the other groups. The movement continued to live in hiding until Innocent III in 1201 approved their *propositum vitae*, and declared that they were a Catholic movement. He even gave them the same privileges of regular communities of the monastic or canonical type, together with a third order in which the married couples could follow a way of life modelled upon poverty and prayer. Indeed, the Humiliati, are quite distinct from the other movements mentioned above, and provide the closest link to understand the evangelical movement of Francis of Assisi, who also acquired the oral approval of his *propositum vitae* by Innocent III in 1209.

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LESSON 5: POPE INNOCENT III (1198-1216)

The Cardinal Deacon Lotario dei Conti di Segni was elected pope on 8th January 1198, after the death of Celestine III. He chose the name of Innocent III. He was born at the castle of Gavignano in 1160-61, from the noble family of Segni. He studied in Rome and in Paris till 1187. Among his teachers at Paris was Peter de Corbeil, whom he later appointed Bishop of Cambrai and Archbishop of Sens. His companions included Stephen Langton and Robert de Courçon, whom Innocent III appointed as cardinals, and Eudes de Sully, whom he appointed as Bishop of Paris. In 1187 Lotario left Paris and continued studies in law at Bologna. In November 1187 he received the subdiaconate from Pope Gregory VIII. In 1189 Clement III, who was his maternal uncle, appointed him cardinal deacon of Santi Sergio e Bacco.

After being unanimously elected pope, Innocent III postponed his episcopal consecration and coronation until 22nd February, the feast of St. Peter's Chair. He was only 38 years old when he was elected pope. The four immediate concerns of the new pope were the political stability of the Papal States, the project of a new crusade, the overcoming of the heretical movements in the Church and, most important of all, the reform of the Church.

The great monastic orders, including the Benedictines and Cistercians, as well as the canons regular and Premonstratensians were in decline, and Innocent III was aware of the importance of giving new life to the Church with the help of religious orders. Innocent III did not envisage a totalitarian style of government in which spiritual power would be superior to political power. It is true that Innocent III was also a great statesman and politician, but this fact can only be explained within the context of the medieval frame of mind which saw all authority, ecclesiastical or secular, emanating directly from God. That is why Innocent III considered the papacy as the legitimate power of the "Patrimony of Peter", or the Papal States of central Italy. According to the same medieval frame of mind Innocent III considered the emperor and kings as having divine powers, as being outstanding members of the Church, and hence as falling directly under the pastoral care of the Pope.

Under Innocent III the Papal States regained importance and prestige, after the confusion created by Emperor Henry VI. The pope regained control over the Duchy of Spoleto and the Marches of Ancona. This fact is of paramount importance in early Franciscan history, since it marks the turn of events in Assisi during the youthful years of St. Francis. In his territory Innocent III regarded himself as sovereign lord, and never accepted any kind of submission to the Emperor.

Another fact of importance in Franciscan history is Innocent III's responsibility regarding the regency of Frederick II over the kingdom of Sicily. Innocent III even excommunicated the emperor Otto IV, when the latter moved to conquer the kingdom of Sicily in 1210. In this time Francis and his first brothers were living at Rivotorto, and the Franciscan Sources illustrate what happened on the road from which the royal procession was passing, when Francis sent one of the brothers to announce to Otto IV that his kingdom would be short-lived (1C 43).

Innocent III ascribed great importance to relations with the Holy Roman Empire. In 1197 Emperor Henry VI died. Two pretenders to the throne were elected in 1198: Philip of Swabia and Otto of Brunswick. Innocent III decided in favour of Otto of Brunswick in 1201, and personally crowned him on 4th October 1209 to show that the pope had the right to bestow the imperial crown on whom he deemed most fit for the office. However, Otto soon proved himself to be an enemy of Innocent III and attacked the kingdom of Sicily. Thus Innocent III excommunicated him on 18th November 1210. In September 1211 Innocent III recognised Frederick II of Sicily as emperor.

The greatest achievement of pope Innocent III was the Fourth Lateran Council. From the very outset of his pontificate Innocent III was corresponding with Byzantium, with the hope of organising a general Council with the aim of reuniting the Latin and Byzantine Churches under the authority of the See of Peter. The two churches had become separated in 1054 when the pope and the patriarch of Constantinople excommunicated and pronounced anathemas over each other. Both the Byzantine emperor and the patriarch of Constantinople were initially interested in Innocent's proposal, although their real aim might have been unifying the forces of western and eastern Christendom for the coming crusade. The events of 1204, when western forces sacked Constantinople and established a Latin Empire in the east, had very negative consequences for future diplomatic and ecumenical relations between Rome and Byzantium and between the Latin and Greek Churches.

The Council was also planned as a unique opportunity for the reform of the Church which Innocent III had at heart. On 19th April 1213 the pope announced the convocation of a general Council. The whole Church was convened at Rome on 1st November 1215, clergy and laity, bishops and princes, monasteries and chapters. The bull of convocation of the Council, *Vineam Domini Sabaoth*, outlined the programme of the Council. It would deal with the reform of the Church, through the strengthening of the faith and the elimination of heresy. It would assure peace among Christian princes, with the aim of mobilising all the forces of Christendom in assistance to the Holy Land. The abbots and general chapters of Cîteaux and Prémontré, as well as the grand masters of the Templars and Hospitallers were invited to attend.

The Fourth Lateran Council is the only one among the councils of the 13th century to be defined as a General Council by the canonists of the 13th century. The official list of the participants to the Council included 402 cardinals, patriarchs, archbishops and bishops, representing 80 ecclesiastical provinces, as well as 800 prelates (abbots, provosts and deans). The Eastern Churches were represented by the Primate of the Maronites, and by the Latin episcopate of Greece and the crusader states. The Emperor Frederick II and the kings of France, Hungary, Jerusalem, Cyprus and England, sent envoys, while other counts and princes came in person.

The Council began on 1st November 1215 and it completed its work in three solemn sessions, on 11th, 20th and 30th November. Hence it lasted one month. At the beginning of the Council Innocent III delivered a sermon on the gospel text of Luke 22,15: "I have greatly desired to eat this passover with you before I suffer". He stressed his dream of the reform of the Church and the organisation of a crusade. The Patriarch of Jerusalem commented on the need of a crusade to liberate the Holy Land, while Bishop Thedisius of Agde reported on the crusade against the Albigensian heresy. During the Council the pope also solemnly declared valid the election of Frederick II as emperor and abandoned Otto IV.

The constitution *Ad liberandam* contained the planning of the crusade. The pope induced the princes to agree to a four years' truce of God in preparation, and imposed a general three years' crusade tax, plus an embargo on commerce in war materials and the prohibition of all commerce

with the Islamic states. The departure date for the crusade was set for 1st June 1217. Everyone was to assemble at Brindisi, on the Adriatic coast of southern Italy, or at Messina in Sicily. Innocent III even had a wish to participate personally in the crusade, but he died in Perugia the following year, on 16th July 1216.

LESSON 6:

CHURCH REFORM AND THE FOURTH LATERAN COUNCIL

The reform of the Church envisaged by Innocent III included the struggle against heresy. There was urgent need for a reform in the life of the clergy. The crusaders had brought back with them oriental and Byzantine ideals to the West. The courtly love of the troubadours began to influence the morality of marriage and family life. Usury was rife in Europe. Some of the clergy were exposed to moral decay, especially to avarice, simony and immoral conduct regarding celibacy. They celebrated the liturgy with great carelessness and neglected the care of souls. The great monastic orders of Cluny, Cîteaux, Grandmont and Prémontré were in need of reform.

Innocent III began with the reform of the Roman Curia. The pope reserved for himself the appointment and transfer of bishops, as well as the establishment of the boundaries of diocesan territories. Innocent III also tried to simplify the standard of life at the Roman Curia. He tried to choose morally sound clerics as bishops.

A real danger for the Church lay in the heretical movements. Among them the most dangerous were the Cathars. They were to be found in Lombardy, Tuscany, the Marches of Ancona, Romagna, and in Provence, particularly in the County of Toulouse. In the French Midi they were also known by the name Albigensians, from the town of Albi. The bishops of Narbonne, Carcassone, Béziers did not lift a finger to fight this error which was wreaking havoc in the Church, and even in religious orders. Many members of the clergy were also contaminated by the doctrine of the Cathars, who considered themselves to be the pure and perfect elect, and who practised a life of mortification and poverty, in evident contrast with the opulent life of the higher clergy.

In the battle against heresy the Church, since the time of Lucius III in 1184, had considered her mission in close collaboration with the secular powers. Innocent III commissioned members of the Cistercian Order to preach against the heretics. They proceeded to organise public religious disputations as happened at Carcassone in 1204 with Bernard Simorre, one of the Cathar bishops, in the presence of king Peter II of Aragon. This method of the Cistercians drew criticism from Diego de Acebes, bishop of Osmá, and his canon Dominic Guzmán (St. Dominic, the founder of the Dominicans), who offered themselves to Innocent III in 1206 to help eradicate heresy from the Midi. They were of the view that it was necessary to make use of those means which the heretics themselves were successfully employing in their mission: popular preaching and a life of poverty modelled upon that of Christ and the apostles. Innocent III strongly supported the idea. Innocent III excommunicated Raymond VI, Count of Toulouse, in 1207, because he was favouring the Cathars. He thought that the time was ripe to organise a crusade against the Cathars. This crusade used the methods of persuasion through preaching, but often also resorted to military action, which left thousands massacred in Béziers and Carcassone.

Not all movements, however, were heretical in nature. In 1207 a group of Waldensians, or Poor Men of Lyons, returned to the Church under the leadership of Durandus of Huesca. Innocent III received them kindly and made them profess the faith. The Poor Catholics, as they were now known, spread in Languedoc, Lombardy and Aragon under the protection of the pope. Other lay movements in the Church formed part of the penitential movement of the 12th and 13th centuries.

The Fourth Lateran Council also developed a Catholic doctrine on the Eucharist and the official priesthood. For this first time it inserted the technical term “transubstantiation” coined by some scholastics to explain the doctrine of the Eucharist. The imposition of the obligation of annual confession and of Easter communion to all Christians is the best known regulation of the Council. It

also plays a significant role in understanding the “Eucharistic” writings of St. Francis of Assisi, particularly the Letters to the Custodes, Clerics and to the Order, since they are a genuine effort to translate the sacramental practices of the Fourth Lateran Council into the life of the young Order of Minors.

The Council also condemned the apocalyptic doctrine of Joachim of Fiore and dealt with many other issues concerning matters of faith, the administration of the church, reform of religious life, and the life of Christians in society.¹⁶

The decrees of the Fourth Lateran Council were a milestone in ecclesiastical discipline. Most of them were eventually included in the *Corpus Iuris Canonici* (the Body of Canon Law that governed the Church). The Council itself showed the great expertise of Pope Innocent III, revealing him to be one of the greatest popes of the middle ages, and it had lasting effects on ecclesiastical and political life in Europe. For us, it is interesting to note the effects of the Fourth Lateran Council upon the new mendicant Orders, particularly the Dominicans and Franciscans.

Regarding the eminence of the personality of Innocent III, the Franciscan Sources give us some insights, such as in 1 Celano 33: “Presiding over God’s Church at that time was the lord Pope Innocent the Third, a glorious man, prolific in learning, brilliant in speech, burning with zeal for justice in matters which the cause of the Christian faith demanded”.

The presence of Francis during the Fourth Lateran Council has been argued, with reference to the Franciscan Sources. The Legend of the Three Companions, 51, links the events of 1209 during Francis’ first visit to Innocent III in Rome, when he acquired the oral approval of his *Propositum vitae*, to of 1215 during the Fourth Lateran Council. “So he (Innocent III) embraced him (Francis) and approved the rule he had written. He also gave him and his brothers permission to preach penance everywhere, with the stipulation that the brothers who preach obtain permission from blessed Francis. Afterwards he approved this in a consistory”. The Latin word *consistorio* indicates an assembly of cardinals in the papal curia. In some manuscripts the word *consilio*, or council, is used, which some scholars believe refers to the Fourth Lateran Council. If the alternative manuscript tradition is correct and the text was approved at the Council, then Francis might have been present at the Fourth Lateran Council. Many historians have tried to show that Francis and Dominic even met during this unique event in the history of the Church, although there is not sufficient proof of this assertion. Indeed, Dominic’s Order of Preachers was approved by Innocent III at the end of the Fourth Lateran Council. However, Dominic had to accept the rule of St. Augustine, since the Council (canon 13) had prohibited new rules for the emerging mendicant orders. The only exception was Francis, whose *Propositum* had already been orally approved by Innocent III in 1210.

We have already mentioned the great influence which the Fourth Lateran Council exerted upon the Order of Friars Minor in the period 1215-1221. This fact is evident in the celebration of the

¹⁶ There were 70 documents issued by the council. These dealt with, among other matters: a solemn profession of faith, the general condemnation of heresy, the condemnation of the oriental clergy against the latin rite, the relationships between bishops and cathedral chapters, the canonical procedure regarding the processes against ecclesiastics, the formation of the clergy especially in view of preaching, the institution of schools of grammar and theology, the obligation for all monasteries to group together into provinces and celebrate a general chapter every three years, the interdiction of new religious Orders and rules (a very important aspect to consider in the case of the new mendicant Orders, particularly the Preachers and Minors). The Council also enacted laws regarding the attribution of benefices to ecclesiastics, the restriction of the impediments of matrimony in the case of consanguinity and affinity, the sanctions against clandestine marriages, the obligation of tithes, the abuses in the cult of relics and in the administration of the sacraments by simoniacal clergy. The concluding decrees dealt with usury, a practice which was associated with the Jews, who were compelled to wear a special dress. The seemingly racial grounds for this law should also be understood within the social framework of the times, in which the Church was trying to curb avarice, to prevent Christians from having contacts with other religions, including Islam and also heretical sects, and to prepare for the coming crusade.

chapters, the importance of which was one of the decisions taken during the Council. The effect of Lateran IV is also evident in the eucharistic discipline of the first fraternity, as is evident in many of the Letters of Francis. Moreover, the Rule of 1221 prescribes that the friars should pray the divine office “according to the custom of clerics of the Roman Church”. Now, under Innocent III, and probably in 1215 in connection with the Fourth Lateran Council, an abridged, comprehensive book of the canonical hours was compiled in one volume, namely, the Breviary. The Friars Minor adopted the “ordo” of the liturgy of the Papal Curia.

READING

The following short reading will expand on this theme.

2:9 The Canons of the Fourth Lateran Council, 1215, Canons 11-13

LESSON 7: THE PENITENTIAL MOVEMENT

The laity during the 12th and 13th centuries showed a growing interest in religious life. For this reason many tried to associate themselves with monasteries or religious communities in various ways. Lay people would normally conclude a pact of *fraternitas* with an abbey or collegiate church, in such a way that they would have the privilege of uniting their prayers (to become *consortes orationum*) to those of the monks or canons regular. In other cases whole rural communities would place themselves under the protection of a monastery, dedicating themselves to temporal occupations linked with the same monastery. Some Christians would become oblates, by dedicating their whole life as a service to an abbey or a priory, where they would live and work, although in quarters separated from those of the monks or canons. There are cases of nobles who chose this way of life as an act of penance, since it would imply renouncing to their noble rank to join other persons who were commoners.

Another phenomenon which is truly original for the 13th century is that of those men and women who tried to live a truly religious life outside the official institutional channels of monasticism. This phenomenon regarded, first and foremost, the aristocratic classes of the knights who, from 1120 onwards, following the appeal of St. Bernard of Clairvaux, joined one of the military orders: the Templars or Hospitallers or Teutonic Knights. Even kings and queens tried to lead an intense religious life within the spirituality of the crusades. Such is the case of Louis IV of Thuringia, husband of St. Elisabeth of Hungary, who died in the Holy Land in 1229, or also that of St. Louis IX of France, who died in Tunis in 1270 while on his way to a crusade.

The life in the hermitage was another choice leading to an authentic religious life open to lay people. The hermits or recluses were lay or clerics. They were normally encouraged by the Church to group themselves into religious communities and to adopt monastic or canonical ways of life. However many lay persons still lived in total solitude, undertaking extreme ascetical practices.

The confraternities are one of the most interesting developments of religious life among the laity in the 12th and 13th centuries. They were groups of persons who tried to live a type of religious life either in the same village or neighbourhood, or else united by the same profession or trade which they practised. They often had the aim to be of mutual help and to organise the funerals and prayers for the dead members of their own confraternity. Some confraternities were placed under the protection of a monastery or convent. Other confraternities were more autonomous in their composition and relation to the official Church. Some of these confraternities met with the opposition of the clergy, especially when they became a kind of parallel institution to parishes.

In the same period the classical ideal of religious consecration, as dependent solely upon a celibate life, was being changed into one which took into consideration the obedience to a rule. That

is why more and more lay people, even married couples, could begin to lead genuine religious lives under various forms. In Italy the most original among them was the third order of the Humiliati in Lombardy, whose rule or *Propositum* had been approved by Innocent III in 1210. This group gathered together married or celibate lay persons, who lived in the towns according to their own rule of life, which permitted them to associate work and family life with the practice of evangelical ideals. Innocent III also approved, between 1208 and 1210, the rules of life of the Poor Catholics of Durandus of Huesca and of the Poor Lombards of Bernard Prim.

Contemporary to these movements in Italy we find that of the Béguines in Flanders, Bavaria, Liège and Alsace. This was a female movement. The most famous among them was Marie d'Oignies (+ 1213), whose life was written by the bishop of St. Jean d'Acre, Jacques de Vitry, who obtained the approval of their rule of life from Honorius III. This same Jacques de Vitry wrote about the first Friars Minor and Poor Ladies of San Damiano in a letter written from Genoa in 1216. This is a valuable source of information for the early years of the Franciscan movement, which appears, as we shall see, essentially as a movement of penance.

In Italy the groups of lay people who tried to live a religious commitment in the secular state were known as the *Ordo Poenitentium*, or Order of Penitents. Their existence is found for the first time in a pontifical document of 1221, when Honorius III took the Penitents of Faenza under his protection. It is probable, however, that the Penitents existed well before 1215. The *propositum* of the Penitents resembled that of the third order of the Humiliati. They had to wear modest clothing, particularly grey wool. This was, in itself, a sign of consecration. They had to abstain from public spectacles, and to observe fasts and vigils. During certain periods during the year the married couples had to abstain from sexual relationships. This fact gave the name *continentes* to these Penitents. They had to recite the canonical hours every day, while those who were illiterate had to recite the office of the Our Fathers. They had to confess and receive communion on the three great feasts of Christmas, Easter and Pentecost, as well as to meet once a month in a church indicated by their "minister" or responsible official, to listen to a sermon given by a religious versed in the Word of God. The Penitents could not carry arms or take oaths, and they were admitted only after having paid all their debts and reconciled themselves with their enemies. The Penitents were well known for their charitable works. Their initiatives in favour of charitable institutions, like hospitals, gave rise to new religious orders, like that of the Hospitallers of Saint Anthony the Abbot, the Order of the Holy Spirit founded at the beginning of the 13th century by Guy of Montpellier, or the Hospitallers of St. Lazarus, who assisted lepers. Influenced by the eschatological prophecies of Joachim of Fiore, some Penitents dedicated themselves to rigid penitential exercises and corporal discipline. Such was the case of the Flagellanti, who were founded in Perugia in 1260. These organised long processions, during which they literally scourged one another while singing hymns of praise to Christ and the Virgin Mary. The female penitents were quite active during this time. Since the only way of living religious life was that of joining the rich Benedictine monasteries, it was not possible for many women to commit themselves to a life of penance. So what they did was to form small groups of Penitents, known as *mulieres religiosae* (religious women). Normally they would live in reclusion near a cemetery or near the walls of the cities, dedicating themselves to virginity and an intense life of prayer. Some of these women also served the leper hospitals, and the poor. They lived a type of community life without permanent vows, as was the case of the Béguines of Filles-Dieu. They were known as the *inclusae* or *incarceratae*, because they lived an enclosed life. The popes tried to regulate their way of life, and some of them passed on to become part of the female Cistercian monastic movement. Their models were Marie d'Oignies (+ 1213) and St. Elisabeth of Hungary¹⁷ (+ 1231) who was canonised by Pope Gregory IX in 1235. The Church saw importance in the fact that these holy women had promised obedience to their confessors, that is, respectively to Jacques de Vitry and Conrad of Marburg. Great female personages of eminent penitential life included two

¹⁷ *Elizabeth of Hungary* was the daughter of the King of Hungary and married to the Landgrave of Thuringia. After the death of her husband she retired to a house near a Franciscan church and took a friar as her spiritual director. She is patroness of the Secular Franciscan Order.

from the monastery of Hefta in Saxony, namely Gertrude of Hackeborn and St. Gertrude, as well as the Franciscan penitent St. Margaret of Cortona¹⁸ (+ 1297).

Lesson 8: The Franciscan Penitential Movement

Pope Innocent III approved the *Propositum* of Francis and the first brothers in 1209, and instructed them “to preach penance to all.”¹⁹²⁰ The vocation of the first brothers is presented as a commitment to evangelical conversion or penance: “Some people listened to them willingly; others, on the other hand, mocked them; and many tired them out with questions by saying to them: ‘Where do you come from?’ Others wanted to know which was their Order. Although it was tiresome, answering so many questions, they responded simply that they were penitents originally from the city of Assisi”²¹ The Anonymous of Perugia, 19, contains a similar expression: “We are penitents and were born in the city of Assisi”²²

The first friars were conscious that they belonged to the widespread movement of penitents which already existed in the Church. The beginnings of the Order could be considered as a link to the penitential movement, at least until the brothers were recognised as an independent Order of Friars Minor, particularly after 1209 when Innocent III approved their *Propositum*. The Sources show Francis who “went around the cities and villages proclaiming the kingdom of God, and preaching peace and penance for the remission of sins”²³²⁴ Thomas of Celano gives us the first picture of the Order of Penitents which developed around the charismatic figure of St. Francis:

“Many people, well-born and lowly, cleric and lay, driven by divine inspiration, began to come to Saint Francis, for they desired to serve under his constant training and leadership. All of these the holy one of God, like a fertile stream of heavenly grace, watered with showers of gifts and he adorned the field of their hearts with the flowers of perfection. He is without question an outstanding craftsman, for through his spreading message, the Church of Christ is being renewed in both sexes according to his form, rule and teaching, and there is victory for the triple army of those being saved. Furthermore, to all he gave a norm of life and to those of every rank he sincerely pointed out the way of salvation.”²⁵²⁶

Celano does not state that Francis founded an Order of Penitents or that he gave them a specific Rule. He simply mentions a “*norma vitae*”, a norm of life. Julian of Speyer, in his Rhythmical Office of St. Francis, speaks of the “*trina militia*” which Francis founded: “Three were the Orders he arrayed: The Friars Minor he called the first; And the Poor Ladies were next, becoming the middle order; Then thirdly came the Penitents, comprising men and women.”²⁷ Julian of Speyer also speaks about the Order of Penitents in his Life of St. Francis: “The Third, also an order of considerable perfection, is called the Order of Penitents, which profitably brings together clerics and laity, virgins, unmarried, and married persons of both sexes”²⁸.

¹⁸ *Margaret of Cortona* became a penitent after the death of the man with whom she had lived for nine years. She took a friar from Cortona as her spiritual director and was eventually granted the habit of the Third Order. She was renowned as a spiritual adviser of great insight and was a great contemplative.

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²⁰ C XIII:32-33, ED, I, p. 211-212

²¹ L3C X:37, ED, II, p. 90

²² AP V:19, ED, II, p. 43

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²⁴ C XV:36, ED, I, p. 214-215

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²⁶ C XV:37, ED, I, p. 216

²⁷ Off 18:III, ED, I, p. 338

²⁸ LJS IV:23, ED, I, p. 385

The Legend of the Three Companions states: “Similarly, both married men and women given in marriage, unable to separate because of the law of matrimony, committed themselves to more severe penance in their own homes on the wholesome advice of the brothers”.²⁹ The Anonymous of Perugia, 41, is even more explicit: “In the same way, many women, virgins and those without husbands, hearing their preaching, would come to them with contrite hearts, saying: ‘And we, what are we to do? We cannot stay with you. So tell us what we can do to save our souls.’ In response, they established, in every city they could, reclusive monasteries for doing penance. They also appointed one of the brothers their visitator and corrector. Similarly, married men said: ‘We have wives who will not permit us to send them away. Teach us, therefore, the way that we can take more securely.’ The brothers founded an order for them, called the Order of Penitents, and had it approved by the Supreme Pontiff”.³⁰ Interestingly, this author attributes the founding of the Order of Penitents to the friars generally, and not to Francis specifically.

The Assisi Compilation, 74, speaks about the penitents at Greccio: “For blessed Francis found the hermitage of the brothers at Greccio to be becoming and poor; and the inhabitants, although poor and simple, were more pleasing to him than those of the rest of the region. For this reason he rested and stayed there, especially because there was a poor cell, very isolated, in which the holy father would stay. Many of these people, with the grace of God, entered religion because of his example and preaching and that of his brothers. Many women preserved their virginity and, remaining in their own homes, dressed in the clothing of religion. And although each remained in her own home, each of them lived the common life decently, afflicting her body with fasting and prayer. Thus it seemed to the people and to the brothers that their manner of living was not among seculars and their relatives, but among holy and religious people who had served the Lord a long time, despite their youthful age and simplicity. That is why, with joy, blessed Francis often said to the brothers about the men and women of this town: ‘Even in a large city not as many people have been converted to penance as in Greccio, which is only a small town’.”³¹

St. Bonaventure speaks about the Order of Penitents in the Major Legend of Saint Francis IV,6: “For set on fire by the fervour of his preaching, a great number of people bound themselves by new laws of penance according to the rule which they received from the man of God. Christ’s servant decided to name this way of life the Order of the Brothers of Penance. As the road of penance is common to all who are striving toward heaven, so this way of life admits clerics and lay, virgins and married of both sexes. How meritorious it is before God is clear from the numerous miracles performed by some of its members”.³²

Robert Stewart, in his study upon the history of the Rule of the Secular Franciscan Order (the new name for the Third Order, or Franciscan Order of Penitents in the Roman Catholic Church), comments upon this text: “Bonaventure presents some very clear details: that the Order of Penitents resulted from Francis’ preaching, that Francis named the Order, and that he gave a Rule to the penitents. Bonaventure also offers an interesting theological note and an important pastoral observation. Theologically, Bonaventure notes that every Christian must live a life of penance to be saved. Pastorally, Bonaventure attests to the holiness of some penitents. Bonaventure’s claim indicates that by 1263 people must have recognized some penitents who, in living that life of penance under the guidance or inspiration of Francis, were truly outstanding in holiness”.³³

READING

The following reading will expand on this theme.

²⁹ L3C XV:60, ED, II, p.103

³⁰ AP IX:41, ED, II, p. 54-55

³¹ AC 74, ED, II, p. 177

³² LMj IV:6, ED, II, p. 553

³³ Stewart, *De illis*, p. 74.

1:5 Stewart Robert M., “*De illis qui faciunt penitentiam*” *The Rule of the Secular Franciscan Order: Origins, Development, Interpretation*, (Istituto Storico dei Cappuccini, Roma, 1991), 91-134

By the end of the 14th century, the attribution to Francis as the founder of the Order of Penitents, by that time known as the Third Order, was universally accepted. The Fioretti, 16, written by an anonymous friar of the late 14th century, records the origins of the Third Order thus: “And setting out with an eager spirit, without considering road or path, they came to a village called Cannara. And Saint Francis began to preach, and he first commanded the swallows to keep silent until he had finished preaching. And the swallows obeyed him. And he preached there with such fervour that in their devotion all the men and women of that town wanted to follow him and abandon the town. But Saint Francis did not allow them, saying, ‘Don’t be in a hurry, and don’t leave: I’ll arrange what you must do for the salvation of your souls’. And then he got the idea of starting the Third Order for the universal salvation of all. And thus he left them much consoled and well disposed towards penance”.³⁴

A simple reading of this texts suggests that the Order of Penitents was founded by St. Francis. Now we know that the Order of Penitents existed prior to St. Francis. So we have to understand how Francis enters the picture, when the Sources tell us that a great multitude of lay people joined the penitential movement which he and the first friars initiated. In this light we can speak of a Franciscan Order of Penitents which can be seen as an emanation from the already existing Order of Penitents. But, what rule of life did these first Franciscan penitents have?

Kajetan Esser studied a particular manuscript which had been found by Paul Sabatier in 1900 in the Codex 225 of the Guarnacci Library of Volterra. Sabatier had published it under the title “*Haec sunt verba vitae et salutis quae si quis legerit et fecerit inveniet vitam et auriem salutem a domino*” (These are the words of life and salvation, which if anyone reads them and puts them into practice, that one will find life and attain the salvation of the Lord). Sabatier believed that this document was a shorter version of the Letter to All the Faithful. When Esser published his critical edition of the Writings of St. Francis, he was of the opinion that the manuscript discovered by Sabatier was the first version of the Letter to All the Faithful and that it was not really addressed to all Christians, but to those living a more intense commitment to the evangelical life according to the ecclesiastical forms of penance. Hence Esser saw in this letter an Exhortation to the Brothers and Sisters of the Order of Penitents, and even suggests that it is the primitive rule or norm of life of the Franciscan Penitents which Celano speaks about.

Among the early norms of life for the Franciscan Penitents, the First Version of the Letter to the Faithful³⁵ is followed by the “*Memoriale propositi*” (1221). R.M. Stewart presents this important document in the early history of the Franciscan Penitential movement.

“While Francis presented an exhortation to penance, the *Memoriale propositi* presents juridical norms regulating the life of penance for these followers of Francis. Apparently the *Memoriale propositi* was the official Church’s response to the need for more organizational structure and control among these penitential groups. Prior to the approval of the *Memoriale propositi* for Franciscan penitents, other “rules” or the “Way of Life” of other penitential groups had received papal approval. In fact, the text of the *Memoriale propositi* for the Franciscan penitents evidences a dependence upon the *propositum* of the Humiliati (1201), of the Poor Catholics (1206) and their Penitents (1212), and of the Poor Lombards (1210, 1212). Thus, no serious scholar today would attribute the authorship of the *Memoriale propositi* to Francis. Most scholars assume that the text comes from the hand of Cardinal Hugolino or a group of jurists connected with Hugolino. However, the authorship

³⁴ LFI 16, ED, III, p. 592-593

³⁵ c.f. ED, I, p. 41-44.

remains uncertain; the only certain fact is that the *Memoriale propositi* became firmly established as a Rule for penitents during the early years of the pontificate of Gregory IX.³⁶

The contents of the *Memoriale propositi* are more juridical than the spiritual exhortation of the First Version of the Letter to the Faithful. The document re-echoes the other norms of life which the Church approved for the penitential movement in its various ramifications. The Franciscan Penitents thus had precise prescriptions regarding modesty in dress and appropriate entertainment; abstinence and fasts; the life of prayer, including confession and communion; reconciliation; the prohibition against bearing arms and taking oaths; the monthly meeting of the fraternity; the care of the sick and the dead; the role of the minister of the fraternity; admission and perseverance in the fraternity; the avoidance of heresy and dissension; the election of officers; the obligation of the norms. When Cardinal Hugolino became Pope Gregory IX in 1227 he was well aware of the importance of the Franciscan penitential movement. That is why he defended the penitents' right of exemption from military service, and sent to the local authorities of the Italian communes the Bull *Detestando* affirming the interventions of Pope Honorius III in favour of the penitents.

The next step in the development of the legislation of the Franciscan Order of Penitents came at the end of the 13th century. It does not really touch the topic of this section, which deals with the Church during the time of St. Francis, but it is important at least to arrive at the full development of the legislative documents pertaining to the way of life of the Franciscan penitents.

Nicholas IV became the first Franciscan pope on February 15, 1288. Shortly after his election to the papacy, he received requests from some local communities of penitents that he grant his official approval to their Rule. Thus, on August 18, 1289, he issued the Bull *Supra Montem*, which contained the Rule for Franciscan penitents. Edith Pásztor points out that the *Supra Montem* was registered among the common letters of Nicholas IV; it was not included within the curial letters, that is, as an ex officio document. The Bull was, therefore, in response to a specific request rather than at the initiative of the Roman curia. Thus, the *Supra Montem* was considered equivalent to other letters written at the request of certain groups, for example, dispensations, concessions, indulgences. However, not all the penitents were equally disposed to accept Nicholas IV's Bull "blindly". Some of the penitents refused to accept the changes introduced by Nicholas IV's Bull. For example, Nicholas IV declared that the visitor to the communities of penitents had to be chosen from among the Friars Minor. Obviously this innovation was not generally accepted because on August 8, 1290 Nicholas IV issued another Bull, *Unigenitus Dei Filius*, in which he reasserted that the visitors to this Order "begun by Francis" must be taken from the Friars Minor. Nonetheless, the text of the *Supra Montem*, the Rule of 1289, was eventually accepted universally, and in fact, remained in effect as the official Rule of the Secular Franciscan Order until 1883.³⁷

From the end of the 13th century, when Nicholas IV gave the new Rule to the Franciscan Order of Penitents, it was a universally accepted fact that St. Francis was the founder of the Order of Penitents, so much so, that the new name given to this Order was "Third Order of St. Francis" (TOF), a name which remained unchanged until 1978 when Paul VI gave a new Rule to what is now called the Secular Franciscan Order (OSF). About fifty years ago G. Meersseman propounded the theory that Francis was not, in fact, the founder of the Order of Penitents, and that this was already in existence and in full development when Francis was preaching penance and attracting many penitents to accept his way of evangelical life.³⁸ The conclusion of Meersseman is the following: "It is clear that in the expression 'St. Francis, founder of the Order of Penance', the words 'founder' and

³⁶ Stewart, *De illis*, p. 183-184.

³⁷ Stewart, *De illis*, p. 202.

³⁸ For a brief discussion of the various theories concerning Francis as "founder" of the Third Order, cf. Iriarte, *Franciscan History*, p. 477-485.

‘order’ do not mean the same thing as in the expression ‘St. Francis founder of the Order of Minors’.”³⁹

The juridical term Order implies a structural organisation, and thus we cannot envisage Francis being the founder of an “Order” whose structural organisation was not finalised before 1289, even though we cannot deny that it already possessed a type of organisation with the “*Memoriale propositi*” of 1221. In the case of the Order of Friars Minor we have a different case. In 1209 Francis had already acquired the oral approval of the *Propositum* he presented before Innocent III and the cardinals of the Roman Curia. In all Franciscan Sources Francis definitely appears as the founder of the Order of the Friars Minor and also as the instrumental figure who, with Clare of Assisi, founded the Order of the Poor Ladies of San Damiano. We cannot affirm the same in the case of the Order of Penitents. Francis never founded a fraternity of Penitents. The Sources only state that he preached penance to all people, and that when lay people asked to follow him, he promised to give them a norm of life. Whenever the Sources state that Francis was the “founder” of the Third Order, such as in the case of Bonaventure, they do so with a typological view in mind. Francis repairs three churches, and in the same way he is the “founder” of the “*trina militia*”. We cannot take such expressions as assertions of historical truth.

Francis and the first brothers did have a spiritual relationship with the Penitents. However, they did not adopt juridical responsibility for them. The Order of Penitents had its own visitors and ministers. The ministers were lay people and the visitors could be taken from any Order or even from the ranks of the diocesan clergy. It was only Nicholas IV in 1289 who stated that the visitors had to be taken from the Friars Minor, and we know that this decision was not universally accepted by the Penitents. The first years of existence of the Franciscan Penitents show them in perfect parallelism with the other Penitents regarding their obedience to the authority of the local bishops, who were, in fact, their immediate superiors. Robert M. Stewart concludes his reflection on Francis as the “founder” of the Order of Penitents with these words:

“We can agree with Meersseman that Francis did not invent the Order of Penance. Francis’ initiative and originality in rediscovering the true sense of Gospel “metanoia” became channelled within the existing canonical Order of Penance. But clearly, Francis’ life and preaching greatly affected his hearers and brought many of them to embrace the life of penance. In this sense and not in a juridical sense, Francis did indeed found the Secular Franciscan Order, an Order which developed progressively and only gradually became more structured and organized. Francis founded the Franciscan Order of Penitents in the sense that he engendered a new fervour, released new energies, and empowered the work of the Spirit, which then became channelled in the existent form of voluntary penance. Francis was, therefore, the “spiritual” founder of the Order; having spread the seed of the Gospel life he let it grow and develop along its way. Within this understanding of founder, we can affirm that Francis founded not *the* penitential movement but *this* penitential movement, not *the* Order of Penance but *an* Order of Penance, that which was eventually to be designated the Secular Franciscan Order.”⁴⁰

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³⁹ G. Meersseman, *Dossier*, p. 37. Cf. Ibid. *Documentation on the Order of Penance in the 13th Century*, in: *Analecta TOR XVI/137* (1983), p. 313.

⁴⁰ Stewart, *De illis*, p. 215.

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