

**To my family
for giving me life and love**

“THE LETTER KILLS, BUT THE SPIRIT GIVES LIFE.”:
THE RISE OF LEARNING IN THE FRANCISCAN ORDER, 1210-1310

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ABSTRACT

The historiography of medieval Franciscan education has been dominated by two general approaches that appear unjustifiable. The first has been to assume that the Franciscan educational organization was a later copy of the Dominican organization, and therefore to use Dominican evidence to fill in the gaps in the Franciscan picture. The second indefensible approach has been largely to ignore the fact that Franciscan educational organization went through an evolution. The foremost aim of this thesis is to present the story of the rise and institutionalization of learning in the Franciscan Order of the thirteenth and early fourteenth centuries, without taking refuge in the much fuller evidence that exists for the Dominican system, but with an emphasis on the chronological development both of the Franciscan educational system itself and of attitudes to it within the Order.

Included in this study are discussions of some controversial topics such as the intention of the founder with regard to education, the position of the Spirituales, and the problems that possession of books and libraries caused. In order to compensate for the absence of Dominican evidence, a wide range of sources has been employed in the research. The resulting picture of the Franciscan involvement in education appears to be quite different from that of the Dominicans in its organization, scope, speed of growth and in the effects on the internal harmony of the Order.

ÖZET

Ortaçağ Fransisken tarikatındaki eğitim faaliyetleri üstüne şimdiye dek yapılan çalışmalarda, doğruluğu tartışmalı olan iki genel yönelim göze çarpmaktadır. Bunlardan ilki, Fransisken tarikatındaki eğitim-öğretim organizasyonunun Dominican tarikatı örnek alınarak geliştirildiği, dolayısıyla Dominiken kaynaklarının Fransisken tablosundaki boşlukları doldurmak için kullanılabilmesi düşüncesidir. İkinci yönelim ise Fransisken organizasyonunun bir evrim sürecinden geçtiğini gözardı etmek yolundadır. Bu tezin asıl amacı, Fransisken tarikatının kuruluşundan ondördüncü yüzyılın başlarına dek geçen sürede öğrenimin tarikat içindeki yükselişinin ve kurumsallaşmasının öyküsünü, Dominiken kaynaklarına başvurmadan ve zaman içindeki değişimleri vurgulayarak anlatmaktır. Hem eğitim-öğretim sisteminin kendisi, hem de tarikat mensuplarının bu konudaki görüş ve düşünceleri belli bir evrim süreci geçirmiştir.

Bu çalışmada, tarikatın kurucusunun eğitim-öğretime yönelik görüşleri, Spiritüellerin bu konuda aldıkları tavır, tarikatta kitap kullanımı ve biriktirilmesinin yolaçtığı sorunlar gibi tartışmalı konular da ele alınmıştır. Dominiken kaynaklarına başvurulmamasının yolaçtığı kaynak sıkıntısını gidermek için, araştırma sırasında geniş bir yelpazeden Ortaçağ kaynakları kullanılmıştır. Sonuçta ortaya çıkan tabloda, Fransisken eğitim-öğretim sisteminin Dominiken organizasyonundan kapsam, gelişim hızı ve tarikatın içi uyuma yaptığı etkiler açısından çok farklı olduğu görülmektedir.

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ABBREVIATIONS

JOURNALS AND SERIES

<i>AF</i>	<i>Analecta Franciscana</i>
<i>AFH</i>	<i>Archivum Franciscanum Historicum</i>
<i>ALKG</i>	<i>Archiv für Literatur- und Kirchengeschichte</i> , 7 vols, (Berlin, 1885-1900).
<i>BF</i>	<i>Bullarium Franciscanum, Romanorum Pontificum, Constitutiones, Epistolas ac Diplomata continens Tribus Ordinis S.P.N. Francisci spectantia</i> , i-iv, ed. H. Sbaralea (Rome, 1759-1768)
<i>CF</i>	<i>Collectanea Franciscana</i>
<i>FS</i>	<i>Franciscan Studies</i>
<i>MF</i>	<i>Miscellanea Franciscana</i>

CHRONICLES

Celano I	<i>Fr. Thomae de Celano Vita Secunda S. Francisci</i> in <i>AF</i> , 10, pp. 127-268.
Celano II	<i>Fr. Thomae de Celano Vita Prima S. Francisci</i> in <i>AF</i> , 10, pp. 1-117.
Eccleston	<i>Fratris Thomae vulgo dicti de Eccleston Tractatus de Adventu Fratrum Minorum in Angliam</i> , ed. A.G. Little (Manchester, 1951)
Jordan	<i>Chronica Fratris Jordani</i> , ed. H. Boehmer (Paris, 1908)
Salimbene	Salimbene de Adam, <i>Cronica</i> , ed. O. Holder-Egger, in <i>Monumenta Germaniae Historica, Scriptores</i> , 32 (Hanover, 1888)

RULES, CONSTITUTIONS AND STATUTES IN CHRONOLOGICAL ORDER

- RNB “Regula Non Bullata Sancti Francisci Assisiensis.” in *Opuscula Sancti Patris Francisci Assisiensis*, ed. by Kajetan Esser (Rome, 1978), pp. 241-94.
- RB “Regula Bullata Sancti Francisci Assisiensis.” in *Opuscula Sancti Patris Francisci Assisiensis*, ed. by Kajetan Esser (Rome, 1978), pp. 226-38.
- Pre-Narbonne “Constitutiones Prenarbonenses”, ed. C. Cenci, *AFH*, 83 (1990), pp. 50-95.
- Memoriali “Memoriali, statuti ed atti di capitoli generali dei Frati Minori dei sec. XIII e XIV”, ed. G. Abate, *MF*, 33 (1933) pp. 15-74.
- Umbria “Costituzioni Provinciali inedite dell'Umbria del secolo XIV”, ed. G. Abate, *MF*, 31 (1931) pp. 126-34, 194-95, 263-67.
- Aquitaine and France “Statuta Provincialia Provinciarum Aquitaine et Franciae (saec. XIII-XIV)”, ed. M. Bihl, *AFH*, 7 (1914) pp. 466, 470-81, 484-501.
- Provence “Constitutiones Provinciae Provinciae (saec. XIII-XIV)”, ed. F. Delorme, *AFH*, 14 (1921), pp. 415, 420-34.
- Umbria I “Documenta saeculi XIV Provinciae S. Francisci Umbriae”, ed. F. Delorme, *AFH*, 5 (1912), pp. 520, 524-43.
- France and Marches of Treviso “Statuta Provincialia Provinciae Franciae et Marchiae Tervisinae”, ed. A.G. Little, *AFH*, 7 (1914), pp. 447, 449-53, 456-65.
- Definitiones “Definitiones Capitulum Generalium Ordinis Fratrum Minorum 1260-1282”, ed. A.G. Little, *AFH*, 7 (1914), pp. 676-82.
- Generalkonstitutionen “Die ältesten Redaktionen der Generalkonstitutionen des Franziskaner Ordens”, ed. F. Ehrle, *ALKG*, 6, pp. 1-138.

- Narbonne-Assisi-Paris “Statuta Generalia Ordinis edita in Capitulis generalibus celebratis Narbonae an. 1260, Assisii an. 1279 atque Parisiis an. 1292”, ed. M. Bihl, *AFH*, 34 (1941), pp. 13-94.
- Marches of Treviso “Statuta Provinciae Marchiae Tervisinae 1290”, ed. M. Bihl, *AFH*, 7 (1914), pp. 453-65.
- Strasbourg I “Definitiones Capituli Generalis Argentinae celebrati anno 1282”, ed. G. Fussenberger, *AFH*, 26 (1933), pp. 127-40.
- Milan “Acta Capituli Generalis Mediolani Celebrati an. 1285”, ed. A. Callebaut, *AFH*, 22 (1929), pp. 273-91.
- Tuscany (intro.) “Costituzioni della Provincia Toscana Tra I Secoli XIII e XIV”, ed. C. Cenci, *Studi Francescani*, 79 (1982), pp. 369-409.
- Tuscany (text) “Costituzioni della Provincia Toscana Tra I Secoli XIII e XIV”, ed. C. Cenci, *Studi Francescani*, 80 (1983) pp. 171-206.
- Umbria II “Ordinazioni dei Capitoli Provinciali Umbri dal 1300 al 1305”, ed. C. Cenci, *CF*, 55 (1985), pp. 5-31.
- Strasbourg II “Statuta Provinciae Alemanie superioris annis 1303, 1309 et 1341 condita”, ed. Geroldus Fussenegger, *AFH*, 53 (1960), pp. 233-75.
- Padua “Le Costituzioni Padovane del 1310”, ed. C. Cenci, *AFH*, 76 (1983), pp. 505-88.
- Umbria III “Constitutiones Provinciales Provinciae Umbriae anni 1316”, ed. C. Cenci, *AFH*, 56 (1963), pp. 12-39.
- Rome “Constitutiones Provinciae Romanae anni 1316” ed. A.G. Little, *AFH*, 18 (1925), pp. 356-73.

INTRODUCTION

The twelfth century was marked by a general enthusiasm for two phenomena: scholastic learning and voluntary poverty. The division of society into clergy and laymen maintained itself in response to these two enthusiasms. Both had lay and clerical followers. The pursuit of learning found more adherents among the clergy, who already comprised the most educated part of society. Poverty attracted the laity more, since it presented a route to salvation that was an alternative, or at least supplementary, to the sacraments of a Church, which, in all its riches, appeared to many to be corrupt.

Both learning and poverty performed a dangerous dance with heresy. Scholasticism at times was seen to exalt human reason excessively, challenging Christian doctrine, and the adherents of voluntary poverty sometimes despised and rejected the clergy. Yet, while learning remained more or less under papal control and continued its explosive growth, voluntary poverty could not escape the taint of heresy and came to be associated increasingly with disobedience to the Church.

The Franciscan Order was a unique product of its time, combining these two fashions, and hence acquiring an enormous popularity both among the clergy

* The quotation in the title of thesis, "The letter kills, but the spirit gives life" belongs originally to St. Paul (2 Cor. 3:6). It is cited by St. Francis in his Admonitions. See *St. Francis of Assisi: Writings and Early Biographies*, ed. M. A. Habig, 4th edn. (Quincy, 1972), p. 81.

and the laity. By uniting poverty with absolute obedience to the papacy under a Rule bearing the papal seal, St Francis of Assisi provided the means for a large number of clerics and lay people to embrace “evangelical poverty” without the fear of heresy. The acquisition of learning, on the other hand, was not at all a motivation present at the foundation of the order. Learning established itself only slowly and gradually, though also constantly, within the Order, as the passion for learning continued to grow in the world around it.

Voluntary poverty as a medieval movement did not just mean selling off all one’s property, rather it was a self-deprivation of any kind of earthly power, born as a reaction to the avarice of both secular and ecclesiastical authorities.¹ This was the true intention of Francis: to deny all earthly power by embracing humility, simplicity, and material poverty. Thus, it was impossible to reconcile it with scholastic learning, which was based on the bold assertion that the human mind was capable of understanding the divine mystery through the application of reason to the Gospel, therefore, stressing and exalting the intellectual power of man. One who truly sought to dispossess himself of all claims to power and strength, could not possibly boast of his powers of reasoning.

To the medieval onlooker watching Francis and his friends, who chose to live in poverty for the love of God, this was not powerlessness but a demonstration of an enormous spiritual power—the strength to refuse to satisfy what seemed to be human weaknesses. It was exactly this which astounded everyone. Poverty in itself was commonplace in the medieval world and too dull

¹ R.I. Moore, *The Formation of a Persecuting Society* (Oxford, 1992), p. 103.

to be considered an object of interest; the involuntary poor never managed to arouse any emotion more exciting than pity or disdain. It was the very fact that he was a rich merchant's son which made the young Francis of Assisi interesting.

Attractive as Francis's example was, more people were prone to be attracted by power than by the absence of it; the many people who joined the order rarely tried to imitate the selflessness of Francis. Poverty lost much of its original meaning, and came to be interpreted increasingly as the absence of material property. Even in this crippled form, it appeared holy enough. It was within this revised observance of poverty, that the pursuit of learning became possible.

From the death of Francis onwards, the poverty of the Order was constantly trimmed by the Order's constitutions and papal bulls, while study and the pursuit of knowledge expanded with the increasing number of scholars joining the Order. By the mid-thirteenth century, the order was an equal partnership of voluntary poverty and scholastic learning. However, subsequently, this equality was unbalanced at the expense of poverty, and learning came to dominate the Order to the distress of all who wanted to maintain the equilibrium. The present thesis attempts to tell the story of the rise and institutionalization of learning within the Franciscan Order in the period from the Order's foundation to around the year 1310.

Past historiography on this subject is marked by two common drawbacks. The first is the use of evidence from the Dominican Order to paper over the cracks in the historical reconstruction of the Franciscan educational system.

Following Hilarin Felder, the first, and until recently, the only comprehensive work on the subject, many historians have tended to treat the Franciscan and Dominican educational organizations in common, by virtue of the fact that they were both mendicant orders.² Since Dominican evidence is much more comprehensive when compared to the relative scarcity of surviving Franciscan constitutions, the Dominican system has been accepted as an exemplar of mendicant school systems in general.

This was the general approach at the 1976 conference on mendicant schools in Todi, and in subsequent collections of papers. As Giulia Barone asserted as recently as 1999: “D'altronde tutti quelli che sono passati alla storia come ordines studentes hanno imitato il modello domenicano nel campo dell'organizzazione scolastica.”³ Bert Roest's recent work on Franciscan educational organization between 1210 and 1517, which presents a concise and very useful summary of what has been written so far, also draws attention to this tendency.⁴ The students of Dominican educational organization likewise have suggested that the Franciscans merely copied the results of Dominican experience.⁵ The strength of historians' conviction that this assumption is true is surprising, since so far no study has been made which performs a thorough

² H. Felder, *Die Geschichte der wissenschaftlichen Studien im Franziskanerorden bis um Mitte des 13. Jahrhunderts* (Freiburg, 1904).

³ G. Barone, *Da frate Elia agli Spirituali* (Milano, 1999), p. 130. In the footnote to her argument, she writes that this was the impression given by the readings of the colloquium in Todi in 1976 on the subject of the mendicant schools. The papers presented at this colloquium are published in *Le scuole degli Ordini mendicanti (sec. XIII-XIV)*, Convegni del Centro di Studi sulla Spiritualità Medievale, 17, Todi 11-14 ottobre 1976 (Todi, 1978).

⁴ Bert Roest, *A History of Franciscan Education (1210-1517)* (Leiden, 2000), p. 1.

⁵ M. Michèle Mulchahey, “*First the Bow is Bent in study...*” *Dominican Education before 1350* (Toronto, 1998).

comparison of the educational organizations of the two orders. The question here is whether there is any real evidence at all to justify such an argument.

It is true that both orders had a lot in common: They both started around the same time, both aimed at the *cura animarum*, both preached, lived in towns and went to schools. However, although having these things in common, the two orders were quite distinct from each other in their *raison d'être*. Learning and education was one of the pillars, almost the strongest one, upon which the Dominican Order was founded, since the Order principally aimed at fighting heresy through preaching.

Already by 1228, the backbone of the educational organization of the Dominicans was established in the Order's constitutions. The Order responded much faster than the Franciscans to the new developments in the field of scholasticism; the first Dominican schools of Arts were open by 1259, while the first official Franciscan recognition of Arts schools came in 1292.⁶ The surviving Dominican constitutions devoted much more space to decrees concerning study, and went into much more detail than the Franciscan constitutions. The organization of studies occurred within quite a different context and background in the Dominican Order. There was no growth in the role of learning within the Dominican Order; it was there and prominent from the start, which is not true for the Franciscans. Nor, in the Dominicans, were there ever the elements of dissent which could slow down educational developments or put checks on the emphasis

⁶ Mulchahey, "First the Bow", p. 222.

given to education in the Order. The Dominicans, from the start were a clerical Order; there never were lay Dominican friars.

There are examples of other significant differences between the two Orders, which one would expect to affect the organization of their studies. By the end of the thirteenth century, the Dominicans had a total of only seven *studia generalia*, since constitutionally each Dominican province was allowed to have only a single one.⁷ At the same date, the Franciscans, on the other hand, had thirty-two provinces, and while some provinces had more than one *studium generale*, some did not have any until the late fourteenth century.

Another difference derived from the settlement policies and patterns of the Orders. Although the Dominican Order had an approved Rule by 1215 and swiftly moved on to the university cities, their general spread and settlement was much slower than Franciscans. For the Province of Germany, Freed's detailed study on the settlement of Franciscans and Dominicans in Germany points to three types of difference. The first difference was due to the number of convents founded. The number of Franciscan convents by 1300 was approximately 200, whereas the Dominicans had only 111. The comparison includes the sixteen Polish and one Italian Dominican priory which would have been considered German under the Franciscan provincial structure.⁸ Secondly, it seems that the Franciscans tried to reach any town they could find, without any criteria of

⁷ M. Mulchahey, "The Dominican Studium System and the Universities of Europe in the thirteenth Century" in *Manuels, Programmes de Cours et Techniques d'Enseignement dans les universités médiévales*, ed. J. Hamesse (Louvain-la-Neuve, 1994), p. 301, n. 70.

⁸ J.B. Freed, *The Friars and German Society in the Thirteenth Century* (Cambridge, Mass., 1977), p. 51.

selection, while the Dominicans merely chose the major urban centres.⁹ Thirdly, Freed observed that the Franciscans usually arrived in a city before the Dominicans: “By 1300 there were 71 cities which possessed both Dominican and Franciscan houses. The Franciscans definitely arrived first in 43 of these cities, the Dominicans only 25.”¹⁰ The difference in terms of the number of convents was likely to necessitate a different strategy in the organization of studies, as it did at the administrative level. While the Franciscans were holding a general chapter every three years—most likely since it was difficult to summon such a large number of ministers—as opposed to the annual General Chapter of Dominicans.

Admittedly, showing that there were such differences does not prove that Franciscans never borrowed nor adapted Dominican ideas. However, it does mean that it is really not a straightforward assumption to say that the Franciscans organized themselves on the lines of the Dominican school system. Even if the Franciscan leaders wanted to copy the Dominican system, the administrative structure of the Franciscan Order, the ideological background embodied perpetually in the spirit of Francis, and the Rule itself, would have made such an enterprise impossible without substantial modifications. It is not known to what extent the two orders were in contact, or if the administrators ever exchanged ideas on how to school their friars. Indeed, the unfriendliness that the members of the two Orders demonstrated to each other from time to time probably diminished

⁹ *ibid.*, pp. 51-2. Cf. Salimbene, 187, 333.

¹⁰ *ibid.* However, this ratio can go as to 52 Franciscan convents versus 14 Dominican convents if the alleged foundation dates of Franciscan convents are substituted for the first definite reference in a document or chronicle to a Franciscan friary.

contact. Rosalind Brooke's lines on Albert of Pisa, who was provincial minister of more than five significant provinces of the Order consecutively during the early years, points in the same direction:

“The little what we know about his attitude towards the Dominicans is instructive in view of the later approximation of the two institutes. He was appreciative but detached. He tried, as a Franciscan should, to encourage friendly feeling between the two, but he was far from regarding the Dominicans as a model that the Minors would do well to copy.”¹¹

Convinced that the Dominicans cannot be used as a model, without supporting Franciscan evidence, I have decided to disregard the Dominican evidence entirely, and to concentrate on the reconstruction of Franciscan educational developments solely from evidence concerning the Franciscans. There are certainly holes in this reconstruction. However, to fill them with Dominican evidence would not, in my opinion, be justified from a methodological point of view. I hope the present study will serve to allow in the future a sound comparison between the educational organizations of the two Orders, which will reveal their differences and similarities, and give a better answer to the question of whether it is reasonable to use a concept like “mendicant schools”.

A second drawback of existing histories of the Franciscan model of education has been largely to disregard its development or “evolution”. In the discussion of many phenomena, references have been given from constitutions over periods of 30 or 40 years, or even more, and therefore many changes have been ignored. For example the *studium philosophiae*, the first foundation of

which was ordered in the 1292 Paris constitutions, cannot be regarded as part of the medieval Franciscan *studium* system for the thirteenth century as a whole. It was the need to stress development over time that has given me the idea for the two fundamental approaches of this dissertation. The first is to give a chronological story of the development of studies both at the ideological and institutional level until the Narbonne constitutions. The second is to try to picture the system at a certain date, and avoid using the evidence coming from constitutions and sources of a different time. Taking snapshots at a single given time and interpreting whatever evidence for that date can be found seems more reliable, given the speed of change in the Order and the intellectual development of the medieval world in general.

The nature of the evidence presents another problem which should be discussed in relation to the historical evolution of Franciscan education. The majority of primary sources on this subject consists of the constitutions. The number of constitutions, discovered and edited, has shown a steady increase over the years. In 1904, when Felder wrote his *Geschichte*, only one in my list of edited constitutions, which now numbers twenty, was published. That was Ehrle's edition of the Narbonne constitutions together with a set of other disparate constitutional decrees. At the time of Brlek's publication, thirteen out of the twenty had come out.¹² Since then, seven more sets of constitutions have been discovered and published. Since 1982, Father Cenci has brought to light five set

¹¹ R. Brooke, *Early Franciscan Government. Elias to Bonaventure* (Cambridge, 1959), p. 192.

¹² M. Brlek, *De evolutione iuridica studiorum in Ordine Minorum (ab initio usque ad annum*

of constitutions including the 1239 Rome constitutions, which alone necessitated a rewriting of the history, since scholars had attributed so far all the credit for the changes in the Order to Bonaventura and the Narbonne constitutions of 1260. All these new publications, which contain hitherto unknown information on the educational organization and on the treatment of books in the Order, make a rough reconstruction of the educational organization of the medieval Franciscan order, as well as the delineation of its evolution possible.

With regard to the constitutions, a problematic approach which has so far dominated the historiography of Franciscan education concerns the treatment of the constitutions as historical evidence. Admittedly, there was, and in a way still is, a scarcity of primary sources for a faithful reconstruction of the network and operations of the Franciscan schools, and this has tempted historians to accept the constitutions at face value too easily. However, a certain constitutional item on its own cannot tell us if it was put into practice. Many decrees and decisions might remain dead letters for various reasons. The constitutions themselves are the proof of that.

Many prohibitions were repeated with different or increasing penalties, which shows that they were repeatedly disobeyed. There was no strict enforcement of the general constitutions, and there is considerable evidence that the historical reality was sometimes in clear contradiction to the constitutional decrees, as in the case of many under-age recruits even though the constitutions

1517) (Dubrovnik, 1942).

laid down fourteen as the official age of entry into the Order. Hence, it is not reasonable to assume that each declaration was fulfilled in reality.

The prelates of the Order—the provincial ministers, custodians and guardians— were given dispensing powers by the general and provincial chapters in the executions of the constitutions. Many decrees contain the phrase "except with the license (or consent) of the minister (or custodian, or *discreti*)". This fact makes it even more doubtful to what extent a decree was carried out. The personal attitude of the minister or guardian seems to have made quite a difference in practice.

Not only were constitutions imperfectly followed, but a constitution may in fact be evidence of exactly the contrary state of affairs to that which the constitution laid down. Many items in the constitutions, especially prohibitions and admonitions among them were made as a response to a certain practice within the Order, rather than simply directed towards introducing a novelty. This is indeed something of a general medieval phenomenon. Making future forecasts and adopting brand-new strategies as a result is a modern approach; medieval men generally tried to solve the problems at hand, and designed their legislation to overcome them. If, therefore, the general chapter prohibited the sale of books with a penalty, it was to stop the friars from selling their books when that is most likely what they were doing. It would be incorrect to interpret the prohibition as "Franciscans did not sell their books".

All these problems inevitably bring up the necessity of finding evidence that can support the constitutional information by showing the actual practice.

The chronicles serve to a degree to this purpose. The lives of the individual friars, as far as they can be reconstructed faithfully, also give evidence that can enable us to understand the steps of their education. In the second part of this thesis, I have used extensively Ubertino's *Declaratio* and *Responsio*, which contained his complaints about educational activities and which was presented to the Pope before the Council of Vienne in 1311.¹³ There is little reason to doubt the truth of Ubertino's laments. In fact, his complaints about lectors and the school system, when set alongside the constitutions, present quite a plausible picture of what the system looked like and what deficits and abuses were present at the time.

In addition to these fairly traditional sources of evidence, I have also realized that a potential source of evidence, which can be used particularly for the history of mendicant education and libraries, has not yet been exploited by historians. More than twenty years ago, Raoul Manselli, in his article on the convent libraries of the Franciscans in Florence and Padua, rightly argued that, although the study of the nature of acquisitions and donations to the mendicant libraries could serve as invaluable testimony for the establishment and evolution of the cultural milieu in the convents, it, nevertheless, had not received enough attention from the historians.¹⁴

What Manselli did not talk about, was the study of the manuscripts themselves—not just the works in them, as another significant source to shed

¹³ “Zur Vorgeschichte des Councils von Vienne no. 4 Vorarbeiten zur Constitution Exivi de Paradiso vom 6. Mai 1312.”, ed. F. Ehrle, *ALKG*, 3 (1887), pp.1-195

¹⁴ R. Manselli, “Due Biblioteche di “Studia” Minoritici: Santa Croce di Firenze e il Santo di Padova” in *Le scuole degli Ordini mendicanti (sec. XIII-XIV)*, ed. M. d’Alatri, pp. 355-6.

light on the educational system of the Order. A detailed catalogue of manuscripts in the convent libraries, where the paleographical and codicological analysis of the glosses, various marginal notes, notes of possession and use, and, above all, the colophons are given, offers much fresh information. Examples of this kind of catalogue are the catalogue of the library of the Sacred Convent in Assisi, and that of Napoli published by Padre Cesare Cenci, and the catalogue of the Biblioteca Antoniana in Padua prepared by G. Abate and G. Luisetto.¹⁵

The careful paleographical analysis of the manuscripts performed by such celebrated experts reveal the copy-source connection between the manuscripts, the hands identified in the marginal notes relays the information as to which friars studied which manuscripts, whereas the notes of possession and use clarify the borrowing system used in the Franciscan libraries. In the case of province of St. Anthony, when the evidence extracted from the manuscript descriptions of Abate is combined with the immense archival studies of Antonio Sartori,¹⁶ we have new information on the educational and intellectual activities of the famous convent of Padua, and of the province at large.¹⁷

To narrate both the rise, and the institutionalization best, I have thought it appropriate to divide the thesis into two parts. The first part, which consists of the

¹⁵ C. Cenci, *Manoscritti francescani nella Biblioteca di Napoli*, 2 vols (Rome, 1971), C. Cenci, *Bibliotheca Manuscripta ad Sacrum Conventum Assisiensem*, 2 vols (Assisi, 1981), G. Abate and G. Luisetto, *Codici e Manoscritti della Biblioteca Antoniana Col Catalogo delle Miniature*, 2 vols. (Vicenza, 1975).

¹⁶ A. Sartori, O.F.M., *Archivio Sartori-Documenti di Storia e Arte Francescana*, ed. G. Luisetto, 3 vols (Padova, 1988)

¹⁷ One study concerning the attribution of works, and the possession notes of the manuscripts in Abate and Luisetto's catalogue has been already published by Cesare Cenci, "Manoscritti e frati studiosi nella Biblioteca Antoniana di Padova", *AFH*, 69 (1976), pp. 496-520.

first four chapters, looks into the early days of the Order when evangelical poverty was the essential creed, and traces the rise of learning up until the time of “equality” between learning and poverty, that is, up to the time when an uneducated lay friar and a learned friar with material ambitions were equally despised. To be able to detect the changes over time, this part follows a chronological order. It is, therefore, natural to start from the beginning to look for the existence or absence of the basic elements which contributed to its growth. Hence, the thesis begins with tackling the inevitable question of whether Francis saw learning and organized study as part of the Franciscan vocation. This examination concentrates on a number of common problems and arguments in Franciscan historiography. It seems that the answer changes according to the choice of primary source on the life of the saint. Hence, the reliability of the sources is a subject of discussion. In connection with the examination of the Rule as the first piece of legislation to define the Franciscan vocation, emphasis is given to disputing the common tendency to interpret Francis’s emphasis on preaching as an indirect approval of studying theology.

After establishing the initial status of learning in the spiritual and constitutional milieu of the Order, I proceed to look into the actual developments, the stepping stones which signalled and facilitated the foundation of an educational system. Thus, the second chapter marks the transition from the absence of learning to its first firm introduction into the Order. For this early period, the significant events are the settlement of the Franciscans in the university towns and the recruitment of schoolmen, for which the chronicles of

the Order provide extensive material. Careful consideration has been given to the question whether the papacy had the deliberate intention of turning the Franciscans into a student order or rather just gave its approval to intellectual activities and ambitions already present within the Order. Also examined is the change of attitude towards lay friars and the decrees of the 1239 general Chapter, which marked the first known institutional attempt to clericalize the Order and to organize education within it. Concluding the chapter is a consideration of the first Rule commentary of the Order by the four university masters, which reveals the contemporary approach to study in the Order, how it was reconciled with the Rule, and where learning stood in the Franciscanism of these learned masters.

The third chapter also follows the chronological plan. However, it aims to look at a different wing of the Order, those who have been accepted as the forerunners of Spirituals. This chapter starts at the time of Crescentius of Jesi, the first Minister General to deal with internal dissent in the form of the *zelanti*. The primary aim of this group was to follow Francis and the early Franciscans. Thus, it is necessary to examine the nature and content of their knowledge on the early days of the Order, which was indeed quite different from our knowledge on that period today. The purpose is to establish whether the Francis they knew was against the intellectual occupations of the Order.

In connection with this group, the Joachites have also been investigated, as they represent a particularly interesting group. Renewing interest in the life of St Francis, Joachimism nevertheless spread through the written word, and therefore captured particularly the learned branch of the Order. It was around

1240's that the equilibrium between poverty and simplicity on the one hand, and learning on the other, came to form the image of the ideal Franciscan. As representative in some senses of both the *zelanti* and the Joachites, the Rule commentary of Hugh of Digne, who was generally accepted as a forerunner of the Spirituals, is discussed to see whether different wings of the order responded differently to the rise of learning, and whether there really was any dissent within the order concerning organized study. Following the dispute between the mendicant and secular masters in Paris, Joachimism, while leaving its mark on thought within the Order, was condemned as heretical, but under the minister general, Bonaventura, a retouched image of the ideal Franciscan as learned, but poor and humble, was, for the moment, maintained. Bonaventura's influential views on Franciscan involvement in the formal study of theology are examined.

The chronological story ends with an attempt to reconstruct the educational organization at the time of the Narbonne constitutions of 1260, concentrating particularly on the concept of *lector*. Thus, the topics discussed in the fourth chapter include the study of grammar and philosophy in the Order's curriculum, the definition of a Franciscan *studium generale*, the designation and assignment of lectors, the requirements for becoming a master, the special position of Paris and Oxford schools, and the advantages of being a friar-scholar.

The second part of the thesis, beginning with Chapter Five, and concerning the period in which learning became a more "defining" feature of the Order than poverty, does not follow a chronological order, but is concerned with the analysis of institutionalized learning. The attack on mendicancy by the

secular masters of Paris, which helped to formulate a “Franciscan theology” is investigated as an event which particularly involved the lectors and masters of the order, and thus began to give a new mission to learning within the Order—the defence of mendicancy. Chapter Five then passes on to a discussion of the attitude of the Spirituels towards study and learning, in order to discover whether their dissent was against study as such or against the form of the organization of studies and the abuses within the system. To assess the truth of the complaints and accusations of Ubertino of Casale with regard to the system, the various constitutional decrees are given in juxtaposition with his arguments. This helps further our understanding of how the school system functioned around 1310, when Ubertino’s *Rotulus* was written.

The sixth chapter undertakes a major reconstruction of the educational organization around 1310. The reason for the choice of the date is, as mentioned above, the date of composition of Ubertino’s *Rotulus*. I also wanted to avoid the period of Michael Cesena which was marked by a severe conflict with the papacy and by the accompanying theological discussions of poverty. By 1310, there are a good number of constitutions at hand as well, both general and provincial. This chapter aims to reconstruct the system depending mainly on the primary sources at hand by a careful reading of the constitutions, keeping in mind the ways the system may have fallen short of the ideals represented by normative evidence, and also the discretion given by the legislation to the prelates of the Order. The chapter also points out the differences that had evolved between 1260 and 1310.

The seventh and final chapter is about the organization of books and libraries. The discussion of this subject is indispensable, since it was an essential part of the educational organization. Particular attention has been paid to see how the books were procured and utilized within the order, and how the abuses and corruption in the book and library system led to the widening of the gap between the Spirituals and the administration of the order.

PART ONE: THE RISE OF LEARNING

CHAPTER I

THE MIND OF ST FRANCIS AND THE STUDY OF THEOLOGY

Writing the history of education in the Franciscan order in a way which takes account of its evolution necessitates a thorough consideration of the views of St Francis on this subject. Perhaps more than any other founder of a religious order, Francis became a subject of admiration and marvel, and thus a reference point for his friars, making his presence felt in the order throughout the centuries. This owed a great deal to the saint's immense popularity and legendary character in the Christian world in general, and even more to the fact that the Franciscan Rule was an original composition of the founder himself. This perpetual influence of Francis is also revealed in the divisions the order experienced; each time the conflicting groups of friars asserted that their observance was closest to the life and ideas of Francis.

Hence, the consideration of Francis's views on learning and study in relation to his vocation is significant, since it provides us with the initial context that learning found in the order. Views on this subject have varied considerably, stretching from Francis as a fervent opponent of studies, passing through

moderate assertions of his neutrality, or of his adaptation to changing times, to the other extreme—Francis as the active advocate of study.¹

This last position was vigorously defended by Hilarin Felder, the first scholar to look thoroughly into the intellectual activities of the order in his *Die Geschichte der wissenschaftliche Studien im Franziskanerorden*, published in 1904. In this, together with his *Die Ideale des hl. Franziskus* published in 1924, Felder asserted the argument that Francis himself could be considered as a learned person, since he had a basic knowledge of Latin and French, and knew something of the poetry and rhetoric of his time. Felder also argued that *idiota*—a word which Francis applied to himself—meant only a layman, not an illiterate person or a fool, and that Francis considered books indispensable.²

How did Felder come to this conclusion? The key lies in his understanding and evaluation of the primary sources of Francis's life and works. In the bibliography of *Die Ideale des hl. Franziskus*, the list of thirteenth-century biographies includes the *Vita Prima* and the *Vita Secunda* of Thomas Celano, the *Legenda Trium Sociorum*, Julian of Speyer's *Vita S. Francisci*, Bonaventura's *Legenda Maior*, Bernard of Bessa's *Liber de Laudibus Beati Francisci* and the anonymous *Legenda S. Francisci* of Perugia. However, he made a note that the *Legenda Trium Sociorum*, although it originated between 1244 and 1246, was not the work of Brothers Leo, Angelo and Rufino, except in fragments. Furthermore,

¹ A brief discussion of the various positions are given in P. Maranesi, "San Francesco e Gli Studi: Analisi del "Nescientes Litteras" del X Capitolo della Regola Bollata", *CF*, 69 (1999) p. 15.

² Celano II, p. 156; Hilarin Felder, *Die Ideale des hl. Franziskus* (Paderborn, 1924), pp. 357-8, 376-7.

he claimed that Julian of Speyer was almost totally based on Celano's *Vita Prima*, and that the anonymous Perugian *Legenda* was largely based on the *Legenda Trium Sociorum*. All fourteenth-century sources he labelled "Kompilationen aus Spiritualkreisen", listing the *Speculum Perfectionis*, the *Actus Beati Francisci et Sociorum Eius*—commonly known as the *Fioretti*—and the writings of Ubertino of Casale and Angelo Clareno. Interestingly, although agreeing that the *Speculum* and the *Actus* contained much historically correct data, he still regarded them "as poetic expressions for the 'Psyche' of St Francis written in the spirit of the Poverello of Assisi and his first brothers".³

Having dismissed, therefore, the contents of all fourteenth-century testimonies as such, Felder drew his evidence for the conformity of study with the founder's vision mainly from the *Vita Secunda* of Celano, and from Bonaventura, who even more than Felder himself was preoccupied in the *Legenda Major* with drawing a picture of Francis holding a quill and parchment in his hand.⁴ Felder was determined to deny that Francis was an opponent of learning, as alleged by the saint's earlier famous biographer, Paul Sabatier.⁵

³ Felder, *Die Ideale*, pp. xiii-iv.

⁴ The chapter "Die Franziskanische Wissenschaft" in *ibid.*, pp. 356-88, is the fullest statement of Felder's views, since the book is a later publication than *Die Geschichte* and attempts to answer criticisms of the latter. A great majority of the arguments in this chapter refer to Bonaventura's *Legenda Maior*, Rule commentary, and Letter to the Unknown Master, and to the Second Life of Celano.

⁵ Sabatier, although not writing explicitly, pictured Francis as frustrated by the vainglory of those involved in learning: P. Sabatier, *Un nouveau chapitre de la vie de S. François d'Assise* (Paris, 1896) p. 318. For more detail, see Sabatier's chapter titled "Les frères Mineurs et la science", pp. 311-29.

Sabatier's position also depended on his approach towards the sources. It is impossible, therefore, to look into Felder's or Sabatier's arguments without becoming entangled in the famous *Questio Francescana*.⁶ While making use of the *Vita Prima* of Celano, Sabatier was slightly critical of it as being written under the influence of Gregory IX and Brother Elias.⁷ However, he praised the *Legenda Trium Sociorum* as the only source which, from the historical point of view, deserved a place next to the Celano's *Vita Prima*.⁸ He was convinced that the *Legenda Trium Sociorum* was only a fragment of an original, bigger *Legenda*, parts of which had been suppressed or mutilated. It was that uncorrupted version which reflected the true Francis. Sabatier further suggested that the second part of the *Vita Secunda*, the writing of which had coincided with the period of the zealous minister general John of Parma, made use of unknown fragments of the *Legenda Trium Sociorum*.⁹

As the rest of Sabatier's fortunes and misfortunes are well-known to students of Franciscan history, we shall only look at the later developments in establishing the earliest sources of Francis's life.¹⁰ The most notable step was the publication of *Sources for the Life of S. Francis of Assisi*, where J.R.H. Moorman

⁶ For the discussion of all relevant developments see the introduction to *Scripta Leonis, Rufini et Angeli Sociorum S. Francisci The writings of Leo, Rufino and Angelo Companions of St. Francis*, ed. and trans. Rosalind B. Brooke (Oxford, 1970), pp. 3-78. One of the most recent works on the subject is Raoul Manselli, *Nos Qui Cum Eo Fuimus: Contributo alla Questione Francescana* (Roma, 1980).

⁷ Sabatier, *Un nouveau*, pp. lii-vi.

⁸ *ibid.*, p. lxii.

⁹ *ibid.*, pp. lxvii-xxviii.

¹⁰ For a detailed story of Sabatier's research see R. Manselli, "Paul Sabatier e la 'questione francescana'" in *La 'questione francescana' dal Sabatier ad oggi*, Atti del convegno internazionale, Assisi, 18-20 ottobre 1973 (Assisi, 1974), pp. 51-70.

attempted to show that the *Vita Prima* and the *Legenda Trium Sociorum* had both drawn on a common source which is now lost.¹¹ Moreover, he asserted that five significant sources, namely the *Speculum Perfectionis*, the *Vita Secunda* of Celano, two tracts from a manuscript in the library of the Collegio St. Isidore in Rome entitled *Verba S. Francisci* and *Intentio Regulae*,¹² the Perugia manuscript discovered by Delorme in 1921, and the manuscript of the *Actus Beati Francisci (Fioretti)* discovered by A.G. Little in 1919 were also all based on a common source.¹³ This source was, he argued, the actual writings of Leo and the other companions which were completed in 1246. Moorman tried, therefore, to reconstruct the original *Scripta Leonis et Sociorum Eius* by making use of internal and external evidence.¹⁴ What Moorman started in 1940, Brooke completed in 1970, by editing and translating into English the reconstructed text of the *Scripta Leonis*.¹⁵

Thus, it is sensible to believe that *Speculum Perfectionis* and *Actus Beati Francisci* were not just nostalgic, unfounded texts written by Spirituals as Felder was convinced, nor was the *Legenda Trium Sociorum* a fragment of the text written by Leo and the companions in 1246, as Sabatier came to believe. The

¹¹ John R. H. Moorman, *The Sources for the Life of S. Francis of Assisi* (Manchester, 1940).

¹² These were already published by L. Lemmens, *Documenta Antiqua Franciscana* (1901-1902).

¹³ Moorman, *Sources*, p. 90. For *Actus Beati Francisci et Sociorum Eius*, ed. P. Sabatier (Paris, 1902), p. 160. It was first edited and published by Sabatier.

¹⁴ *ibid.*, chapters 5 and 6, pp. 82-109, 110-35.

¹⁵ The MS I/73 in the Collegio San Isidoro, Rome, which contains the writings of Leo was compiled from four different sources according to Brooke. Two of them are commonly known as the *Intentio Regule* and the *Verba Sancti Francisci*. These circulated, because the *Intentio* is quoted at length by Ubertino da Casale and the *Verba* by Angelo Clareno. See *Scripta Leonis*, p. 51.

attribution of *Intentio Regule* and *Verba S. Francisci* to Leo's writings of 1246 has improved our understanding of the founder's desires and visions with regard to his *Ordo Fratrum Minorum*. Even before the publication of Moorman's work, Decima Douie had remarked that both Angelo da Clareno and Ubertino da Casale always quoted from the *Intentio* and the *Verba* and never from the later version of the *Speculum Perfectionis*.¹⁶

Any historiographical approach towards the earlier generation of great scholars should take into consideration the fact that they did not live to see the new manuscript discoveries, or the detailed studies of textual criticism on the historical sources of the life and intentions of Francis. Thus, their reading of the other well-established sources like the two Rules, the Testament and Celano's *Vitae* was influenced largely by their own version of the "true Francis."

Despite the new discoveries on the nature of the sources, recent scholarship on this controversial subject has pictured Francis as having a rather mild attitude towards the order's involvement in intellectual activities. For example, Lorenzo di Fonzo, O.F.M. Conv. argued that there was a shift over time in the attitude of St. Francis towards intellectual activities in the Order; that towards the end of his life Francis became more appreciative of the study of theology by friars.¹⁷

¹⁶ Decima Douie, *The Nature and Effect of the Heresy of the Fraticelli* (Manchester, 1932), p. 12n.

¹⁷ Lorenzo di Fonzo, "Apostolato intellettuale, componente essenziale del carisma francescano-conventuale", *MF*, 94 (1994), pp. 525-609.

A story recounted by Leo in the *Intentio Regule* contradicts di Fonzo's argument: A certain clerical friar called Richerius of the Marches of Ancona asked Francis what his intention was in beginning the Order, and what his purpose was now, concerning the question of whether clerical friars could keep books, as long as the books belonged to the Order. Francis replied that there had been no change in his intentions and if the friars would believe him, they should not have anything except a habit with a cord and breeches, as the Rule allowed.¹⁸

It seems that Francis was aware that the general inclination of the order was in conflict with his vocation. Leo wrote that although Francis believed that his Rule was given by God, and hence it was to be observed without compromises, he was aware that friars found it too severe and insupportable. "He did not wish to contend with them, since he feared most that he or the brothers would be induced to sin, but complied reluctantly with their wishes, excusing himself before God."¹⁹ Hence, Leo's evidence presents a Francis who did not experience a change of mind with regard to his friars' involvement in learning, but rather one who gave up arguing for the sake of preserving peace in the order.

¹⁸ "Frater Richerius de marchia Anconitana...visitavit beatum Franciscum. Qui inter alia verba que de facto religionis et observantia Regule loquutus est cum beato Francisco, de hoc quoque interrogavit ipsum dicens: 'Dic michi, pater, intentionem tuam quam habes modo et credis habere usque ad diem mortis tue, ut valeam cartificari de tua intentione et voluntate prima et ultima, utrum nos fratres clerici qui tot libros habemus, possimus habere, licet dicamus quod sint religionis.' Dixit ad eum beatus Franciscus: ' Dico tibi, frater, quod hec fuit et est prima et ultima mea intentio et voluntas, si fratres michi credidissent, quod nullus fratrum deberet habere nisi vestimentum, sicut Regula nostra concedit, cum cingulo et femoralibus": *Intentio Regule* in *Scripta Leonis*, p. 202.

¹⁹ 'Et quia plurimum timebat scandalum in se et in fratribus, nolebat cum ipsis contendere, sed condescendebat licet non voluntarie voluntati eorum et coram Domino se excusabat.": *ibid.*, p. 206-7.

Pietro Maranesi, O.F.M. investigated the problem from a different angle, concentrating on a single phrase in the Rule of 1223: “ne curent nescientes litteras, litteras discere”. He proposed that Francis did not actually oppose the intellectual development of the Order, but strongly “advised” a simple and lowly life, particularly for those who had not yet initiated studies.²⁰ In his analysis of Francis’s comments concerning learning and study, K. Esser, O.F.M. reached the conclusion that St. Francis was only against the type of study which did not help the improvement of the human soul, and did not lead to the spirit of Christ but was performed out of sheer curiosity and desire of fame and thus increased vanity and worldly profit..²¹ So, the problem, as Esser stated it, was not “was getan wird, sondern wie es getan wird.”²²

In the most recent work on Franciscan education Bert Roest, referring to the *Actus Beati Francisci* and *Legenda Trium Sociorum* as hagiographical collections, asserted that it was the later generations of Spirituals who drew an image of Francis as an enemy of learning. He argued that even a Spiritual like Ubertino would acknowledge that the historical Francis of the 1220s was “rather more nuanced if not ambivalent in his attitude towards learning”.²³ Both Roest and Esser based their arguments on the passage in the Testament, where Francis

²⁰ Maranesi, “San Francesco e Gli Studi”, approaches the phrase with a certain degree of textual criticism, concentrating on the notion of this being advice and not an order.

²¹ K. Esser, “Studium und Wissenschaft im Geiste des hl. Franziskus von Assisi”, *Wissenschaft und Weisheit*, 39 (1976), pp. 26-41. See also K. Esser, *Das Testament des heiligen Franziskus von Assisi: eine Untersuchung über seine Echtheit und seine Bedeutung* (Münster, 1949), p. 159.

²² Esser, “Studium..”, p. 41.

²³ Roest, *A History*, p. 4.

proclaimed his reverence for theologians. Indeed, Leo referred to the exact same passage to explain Francis's point of view on the study of theology:

“Not that he condemned or despised holy knowledge: on the contrary he venerated most warmly those who were wise in religion and wise men in general. He himself bore witness to this in his Testament when he said: “We ought to honour all theologians and the ministers of the divine word and to revere them as the dispensers to us of spirit and life.” But looking into the future he knew through the Holy Spirit, and even said many a time to the brothers, that ‘many other brothers on the ground of edifying others would put aside their vocation, that is to say pure and holy simplicity, holy prayer and our lady poverty.’”²⁴

Indeed, the Testament stands as a clear testimony that Francis held theologians in high esteem, and he would never oppose the study of theology in itself. This is quite natural since the saint was well aware that it was the theologians who shaped the doctrine of the Catholic Church to which he and his order were bound in absolute obedience. However, it was one thing to approve of the study of theology, it was another thing to see it as part of the Franciscan vocation. To prove that Francis was actually pleased to see *his own friars* in the pursuit of learning, one needs to look for evidence where Francis encouraged the brothers to study, or to demonstrate that the Rule was devised in such a way that it presented opportunities for those eager to attend the schools. For such a task, it is better suited to make first an analysis of Francis's own writings, and the later biographies by Thomas of Celano. Bonaventura's *Legenda Maior* is excluded

²⁴ “Non ut contempneret et despiceret sanctam scientiam, ymo eos qui erant sapientes in religione et omnes sapientes nimio venerabatur affectu, quemadmodum ipse testatur in Testamento suo dicens: ‘Omnes theologos et qui ministrant verba divina debemus honorare et venerari tamquam qui ministrant nobis spiritum et vitam.’ Sed futura prospiciens cognoscebat per Spiritum Sanctum et etiam multotiens fratribus dixit, quod ‘multi fratres sub occasione hedificandi alios dimittent vocationem suam, videlicet puram et sanctam simplicitatem, orationem sanctam et dominam nostram paupertatem.’”: *Scripta Leonis*, ch. 70, p. 210.

from this analysis both because of its later date of composition and for being clearly biased towards showing Francis's mind in line with the order's policy around 1260, which strengthened the position of learning as a part of the Franciscan vocation.

In reality, the only piece of text which is claimed to have been written by Francis, and which seems to show a positive regard for study within the order is a letter sent to St Anthony of Padua.²⁵ A detailed investigation on the authenticity of this letter has been most recently performed in 1952 by Ottokar Bonmann, who concluded that there was not enough evidence to accept the letter as authentic.²⁶ The existing manuscripts containing this letter are all from later compilations, and not from the collections made by the immediate companions of Francis. However, even if the letter were to be accepted as a historical evidence, its interpretation hardly leads to the conclusion that St. Francis wanted his friars to study, or was unconcerned with the idea of friars devoting themselves to learning. Depending on the Latin expression *placet mihi*, the letter simply expresses Francis' contentment at Anthony's teaching of theology to the friars in Bologna. Surprisingly, although there is no such indication, the letter has been regarded by

²⁵ According to Esser's edition, the latin text is as follows: "Fratri Antonio episcopo meo frater Franciscus salutem. Placet mihi quod sacram theologiam legas fratribus, dummodo inter huius studium orationis et devotionis spiritum non exstinguas, sicut in regula continetur." Esser, *Opuscula*, pp. 94-5.

²⁶ For a discussion of the authenticity of this letter see Habig, *St. Francis of Assisi*, pp. 162-4. See also Bonmann, O., "De authenticitate epistolae S. Francisci ad S. Antonium Patavinum", *AFH*, 45 (1952), pp. 474-92. Bonmann challenges Esser's argument on the absolute authenticity of the letter, and argues that the conclusions drawn from it should be ignored: "Usquequo enim de authentia epistolae non constant, omnes huiusmodi speculationes nullo modo possunt excedere vim argumenti pure negativi." *ibid.*, p. 492.

a few scholars as an invitation to teach, and thereby has been unjustly tied to the changing attitude of Francis towards studies.²⁷

An expression of contentment can hardly be proof that Francis envisaged this event as establishing a precedent. St Anthony of Padua was a renowned theologian before he joined the order. There would be no harm in his sharing his knowledge of the Scriptures with the friars. There is no reason to think that Francis thought of these friars as students of theology who would then spend all their spare time studying theology, nor could he foresee that the order would start raising proper theologians from scratch. It was one thing to have an existing theologian lecturing to the friars, it would be another thing altogether to establish a complicated network of schools within the order to raise such theologians.

Another explanation for the intention of Francis in writing this letter can be derived from his total inclination to thanksgiving and expressions of gratitude to those who offered help. An analogy can be constructed with Francis's disapproval of the consumption of well-prepared food in the order, as opposed to the decree in the second chapter of both Rules that, in obedience to the Gospel, they could eat any food put before them.²⁸

A serious attempt to analyze Francis's views on this subject necessitates also an important distinction: The distinction between the study of theology and the simple reading of Scripture. Since Francis certainly encouraged his friars to read the Scriptures, to disregard the difference leads inevitably to the conclusion

²⁷ For a discussion of this point see Roest, *A History*, p. 44.

²⁸ See ch.2 of RNB and RB.

that Francis encouraged the study of theology, as both Bonaventura and Felder argued. All the evidence they quote from Celano consists of anecdotes which convey the admonitions of Francis to his friars to read the Gospel.²⁹ Certainly, it is quite unthinkable that Francis ever opposed the reading of Scripture. It was precisely the Bible that told him about the life of Christ. However, the study of theology in the Middle Ages was much more complicated than simply reading the Bible. These complications were what made the study of theology an undertaking impossible without violating the fundamentals of Francis's view of the order's vocation, foremost of all, evangelical poverty.

The examination of the Rule of 1223 and the Testament from this perspective makes it impossible to think of Francis as in favor of schooling his friars. A number of items in the Rule makes it infeasible to pursue learning: most of all, the prohibitions on the acceptance of money, the possession of any books except breviary and Bible, and on having permanent convents.³⁰ It is clear that, when putting these items into the Rule, the saint could never have envisaged that the Order might fervently join the intellectual world, need money to buy books, establish permanent convents and keep libraries. Rather, he was regulating a body of wandering preachers, simple men like himself, who would depend strictly on divine providence for both their material and spiritual needs.³¹

²⁹ Bonaventura of Bagnoregio, *Epistola de Tribus Quaestionibus ad magistrum innominatum* in *Opera Omnia*, 8, p. 334. Felder, *Geschichte*, p. 65 3n, 4n.

³⁰ For prohibition on acceptance of money see RB, ch. 4, on possessions and convents see ch. 6.

³¹ R. Manselli, *Francesco e i suoi compagni* (Roma, 1995), p. 34. Manselli, a renowned scholar of Francis's spirituality argued that the faith in divine providence was fundamental to the religious attitude of Francis.

Francis's firm belief in divine providence also plays an important role in his conviction that a scholastic study of Bible was not at all necessary for a true interpretation. Clearly he had the faith in the medieval mystic belief that devout and constant praying would help a believer to receive the divine grace necessary to penetrate the real meaning of Scripture. The story given in the *Vita Secunda* of Celano which narrates Francis's encounter with a doctor of theology, is a fitting example of this. Upon hearing Francis's interpretation of a certain passage in the Bible, a Dominican theologian describes the saint's theology as superior to his own, by praising it as "grounded on purity and contemplation, and resembles a flying eagle" while his own knowledge is "crawling on its belly."³² This tradition of interpreting the Bible by means of divine illumination as opposed to logical study is in no way original to Francis, but is an element of the mainstream of medieval mysticism, best expressed by St Bernard of Clairvaux. Coulton, in his short but attractive book entitled *Two Saints: St. Francis and St. Bernard* points out the similarities of these two religious, writing that "what most offended the saint (St. Bernard) was the idea that there should be a philosophy of religion at all".³³

Celano's *Vita Secunda* contains another story which clearly exhibits Francis's discontentment at the idea of establishing schools in the order. The minister of Bologna, Peter of Stracchia established a new house in Bologna without St. Francis's permission and against his will. The saint immediately went

³² Celano II, p. 191.

³³ G.G. Coulton, *Two Saints: St Bernard and St. Francis* (Cambridge, 1932), p. 2

there in fury and ordered the friars to evacuate the house immediately.³⁴ The same story is narrated by the author of the *Actus Beati Francisci* in a different way. Peter (John) of Strachia had built the new house with the intention of founding a school, and Francis reproved the minister, saying: “You want to destroy my Order! For I want my friars to pray more than to read, according to the example of my Lord Jesus Christ.”³⁵

Another argument that historians brought forward to indicate Francis’s awareness of the necessity of the formal study of theology, was the mission of preaching. Thus, when it came to explain why the friars turned into a student order, historians have put forward preaching as the main cause.³⁶ It has been argued that since St. Francis wanted his friars to preach—and it was impossible to preach without knowing the basics of theology—there was need to give the friars formal instruction in theology. Felder argued that Francis urged the preachers to acquire the necessary knowledge of the Scriptures after he realized that many of the missionaries failed due to sheer ignorance. This, he argued by referring to Bonaventura’s writings, who is known to be a fervent supporter of schooling, and to the bull *Exiit qui seminat* which was promulgated years after the death of Francis.³⁷

³⁴ Celano II, p. 166.

³⁵ The author of *Actus* who used a common source with Celano says that the house was meant to include a school inside. *Actus b. Francisci*, ed. Sabatier, p. 61

³⁶ See Felder, *Die Geschichte*, pp. 64-5. G. Odoardi, “Un Geniale Figlio di San Francesco Frate Elia di Assisi nel Settimo Centenario della Sua Morte”, *MF*, 54 (1954), p. 100.

³⁷ Felder, *Die Geschichte*, p. 65 1n.

However, in arguing this, Felder seems to ignore both of the Rules completely, which, by any standards, are the most authentic writings of Francis, and which admonish, above all, preaching by example, and if by words, simply and briefly. For Francis, preaching with words was never a priority. It was preaching by works—by example—that would transform every friar into an animated image of Christ, and would remind the people constantly of the perfection of evangelical life simply by living among them, and calling them to follow in virtue: *Omnes tamen fratres operibus praedicent*.³⁸

The lives and legends relating the story of Francis and of the early Franciscan order are full of accounts where *example* is used as the primary means of preaching to people. According to the writings of Leo, Francis used to say that “a man has only as much learning as he can work with, and a religious is as good an orator as he is a worker”, and “a good tree is known only by its fruits.”³⁹ The *Fioretti* contain an account of the visit to Bologna by Brother Bernard, one of the closest companions of Francis, where for days he patiently endured in the town-square the insults and harassments of townspeople, until he was finally judged to be holy.⁴⁰ In the *Vita Secunda*, Thomas of Celano wrote that although Francis

³⁸ This particular issue of preaching by works was investigated by Raoul Manselli in depth, where he placed this attitude within the general medieval inclination to symbolism, and oratory techniques in his two recent books. See the chapter entitled “Il Gesto come Predicazione per San Francesco d’Assisi” in Manselli, *San Francisco e i suoi*, pp. 287-301. For the bibliography of the related works on the exemplarity of Francis, see R. Manselli, “*Nos qui cum eo fuimus*”. *Contributo alla questione francescana* (Rome, 1980); RNB, Caput XVII, p. 271.

³⁹ “Tantum scit homo de scientia quantum operatur, et tantum est religiosus bonus orator quantum ipse operatur....Bona arbor non in alio quam in fructu cognoscitur.”: *Scripta Leonis*, ch. 74, p. 216.

⁴⁰ Habig, *Little Flowers of St. Francis*, p. 1313.

preached to simple people by means of visible and simple things, he knew that deeds were more virtuous than words.⁴¹ Preaching by works finds its most fervent adherent in Brother Giles, whose writings present an excellent picture of the early Franciscan ideal. “The word of God belongs not to those who hear or say it, it belongs to those who perform it.”⁴² Elsewhere, Giles wrote “Summa sapientia est bona opera facere, bene custodire se et iudicia Dei considerare.”⁴³ He recounted a story where Francis talked to some friars who wanted to go to school. Francis told them that all knowledge was to fear and love God, and these two were enough for them.⁴⁴

While, therefore, preaching by example was to be the artillery of the Franciscan vocation, verbal preaching was also accepted as serving towards the salvation of souls. However, distinct from the contemporary clerical preaching which dwelled on doctrinal issues in the scholastic fashion, or even from homiletic preaching which drew on the Church Fathers, Francis admonished lay preaching, which simply consisted of reading passages from the Bible, calling people to virtue, love of God and repentance. Particularly, he stressed that the sermons should be short and simple:

⁴¹ Celano II, p. 193.

⁴² “Verbum Dei non est audientis vel dicentis, sed operantis illud. ”: *Dicta Beati Aegidii Assisiensis*, ed. PP. Collegii S. Bonaventurae (Florence, 1905), p. 56. For more of Brother Giles on the same lines, see *ibid.*, pp. 55-7.

⁴³ *ibid.*, p. 55.

⁴⁴ “Dixit semel cuidam volenti ire ad scholas causa discendi: “Cur vis ire ad scholas? Summa totius scientiae est timere et amare Deum; haec duo sufficiunt tibi. Tantam sapientiam habet homo, quantum boni operatur, et non plus. Ergo noli confidere in sapientia tua, sed operari cum omni sollicitudine stude et in operibus illis penitus confide; unde apostolus: *Non diligamus verbo neque lingua, sed opere et veritate.* (John 3,18)”: *ibid.*, p. 55-6.

“Moneo quoque et exhortor eosdem fratres, ut in praedicatione, quam faciunt, sint *examinata* et *casta* eorum *eloquia* (cfr. Ps 11,7; 17,31), ad utilitatem et aedificationem populi, annuntiando eis vitia et virtutes, poenam et gloriam cum brevitate sermonis; *quia verbum* abbreviatum fecit *Dominus super terram* (cf Rom 9,28).”⁴⁵

Neither type of preaching, by words or by deeds, really necessitated a formal instruction in theology.

By the time Francis knocked on the door of the Lateran church in 1210 to ask approval for his little fraternity, the Church was making provisions and regulations to allow lay preaching, which hitherto had been associated solely with heretical groups. After the Third Lateran Council in 1179, lay fraternities that had embraced the apostolic life, like the Waldensians and the Humiliati, had broken with the Church because of its refusal to authorize preaching unconditionally.⁴⁶ The Church regarded their preaching as the main instrument for the diffusion of heresy, and Lucius III in 1184 prohibited any unauthorized preaching in public places.⁴⁷ The right to issue a licence to preach laid strictly with the local bishops. The decree made the disobedient groups heretical, but they continued preaching as it was an inevitable part of biblical imitation.⁴⁸ Yet, the prohibition backfired on the Church. It did not have enough preachers of its own to respond to the

⁴⁵ RB, cap. IX, p. 234.

⁴⁶ For the discussion of the authorization to preach as the pivotal problem concerning the twelfth-century forerunners of mendicancy, see the discussion of Laurentino C. Landini, *The Causes of the Clericalization of the Order of Friars Minor 1209-1260 in the light of early Franciscan Sources* (Chicago, 1968), pp. 4-23.

⁴⁷ “Et quoniam nonnulli sub specie pietatis, virtutem eius, iuxta quod ait Apostolus, denegantes, auctoritatem sibi vindicant praedicandi, cum idem Apostolus dicat: Quomodo praedicabunt, nisi mittantur? Omnes qui vel prohibiti, vel non missi, praeter auctoritatem ab Apostolica Sede, vel episcopo loci susceptam, publice vel privatim praedicare praesumpserint.”: *Bullarium Diplomatum et Privilegium Sanctorum Romanorum Pontificum*, ed. R.P.D. Aloysii Tomassetti Atist. Dom. Pontif., Tomus III-A Lucio III (MCLXXXI) ad Clementium IV (an. MCCLXVIII) 1858. No: 8 Decretum contra haereticos, p. 21

⁴⁸ See Luke 24:45-49.

growing effect of these groups; neither the monks nor the secular clergy were sufficiently involved in preaching.⁴⁹

It was probably Innocent III who first realized fully that a compromise was necessary. In 1201, the Church, anxious to win apostolic movements as allies against more threatening heresies like the Cathars or Patarenes, made for the first time in its history a definite move to draw a line between lay and clerical preaching.⁵⁰ While approving the *propositum* of the Humiliati, Innocent allowed them to “*proponere verbum exhortationis, monentes et inducentes ad mores honestos et opera pietatis*”, but prohibited them to talk “*de articulis fidei et sacramentis ecclesie*.”⁵¹ Lay preaching, which was to consist of a call to penance for the remission of the sins, and of moral edification, was allowed in public. Preaching on the articles of faith and sacraments of the church, which clearly necessitated theological education, was reserved to clergy.

It was the authorization for exactly this kind of preaching that Innocent had conferred on Francis and his twelve companions in 1210, who at that time were exclusively a lay fraternity.⁵² Whether, in addition to that, Innocent had

⁴⁹ G.G. Coulton, *Five Centuries of Religion, Vol. II: The Friars and the Dead Weight of Tradition 1200-1400 A.D.* (Cambridge, 1927), p. 111

⁵⁰ On the efforts of Innocent III to win over the heretical groups see Jane Sayers, *Innocent III: leader of Europe, 1198-1216* (London, 1994). On the distinctive approach of Innocent III, see also M. Lambert, *Medieval Heresy-Popular Movements from Bogomil to Hus* (Birkenhead, 1977) pp. 95-6

⁵¹ “*Vestri quoque de cetero moris erit, singulis diebus dominicis ad audiendum Dei verbum in loco idoneo convenire, ubi aliquis vel aliqui fratrum probate fidei et experte religionis, qui ‘potentes sint in opere ac sermone’ (Luc. 24, 19), licentia diocesani episcopi verbum exhortationis proponent his qui convenerint ad audiendum verbum Dei, monentes et inducentes eos ad mores honestos et opera pietatis, ita quod de articulis fidei et sacramentis ecclesie non loquantur*”: Landini, *Causes*, p. 22n. See also Yves M.J. Congar, *Lay People in the Church: A Study for a Theology of Laity*, trans. Donald Attwater (London, 1959), p. 287.

⁵² Innocent’s reply to Francis was noted by Celano: “*Ite cum Dominus, fratres, et prout Dominus vobis inspirare dignabitur, omnibus poenitentiam praedicate*”: Celano I, pp. 26-7.

warned them about avoiding touching dogmatic questions is not known, since the evidence only comes from Franciscan writers, and not from the Roman Curia. According to Bonaventura, Innocent ordered the lay brothers in the group to receive a tonsure so that they could preach repentance freely.⁵³

Brooke argued it was this oral approval of the pope that enabled Franciscans to grow, for without papal sanction the Franciscans could not have spread.⁵⁴ However, it is hard to explain how this oral sanction could pass for formal support by the papacy. After all, the early Franciscans had nothing to prove this sanction to the local bishops when they wandered from town to town and preached, unless the bishops had the knowledge of canonical permission to the preachers of penance or the tonsure that Bonaventura mentions as being regarded as a sign of papal approval.

From this perspective, Innocent's oral approval seems to have been a clever move. If Francis and his followers were not to divert from preaching solely penance and moral exhortation, then they would encounter little opposition from the local clergy, and this would be a proof of their religious orthodoxy. If however, they were to preach something heretical, they could be brought in front of the ecclesiastical authorities. Therefore, leaving them free to preach without a written, canonical sanction would be the best way to test the orthodoxy of the

⁵³ "Approbavit regulam, dedit 'de poenitentia praedicatum' et laicis fratribus omnibus, qui servum Dei fuerant comitati, fecit coronas parvulas fieri, ut verbum Dei libere praedicerent.": Bonaventura, *Legenda Maior*, p. 571. Exactly what this "corona parvula" means, has been discussed by Landini, *Causes*, pp. 30-1. It is possible that this was a special tonsure worn by laymen who had undertaken religious life.

⁵⁴ Brooke, *Early Franciscan*, p. 60.

group. In any case, probably 1209 was too early for a written approval, and for sending a circular letter to all clergy, since there was no certainty that Francis would gather more followers.

It seems that even before he sought the approval of the pope, Francis had embraced an orthodox mode of lay preaching, urging peace and penance for the remission of sins.⁵⁵ This might be the reason why Guido, Bishop of Assisi never opposed Francis's and the friars' preaching before they received papal approval in 1210.⁵⁶ Landini draws our attention to the *Anonymi Perusini Legenda S. Francisci*, where the author of the *legenda* writes that at this time Francis was not preaching, but exhorting men and women to fear and love the Creator of the heaven and sky and to do penance for their sins.⁵⁷ It should be noted, that both *Legenda Perusini* and Celano's *Vita Prima* do not even use the word *praedicatio* while referring to the preaching done by Francis. Similarly, Innocent III also avoids the use of the term when he approves the *propositum* of the lay wing of Humiliati.⁵⁸ The fact that from the time of oral approval, until the official letter of papal recognition, *Cum dilecti filii* in 1219, friars were never charged with heresy

⁵⁵ In the very early years, when the friars only numbered eight, Francis sent them away to preach with the following words: "Ite, charissimi, bini et bini per diversas partes orbis, annuntiantes hominibus pacem et poenitentiam in remissionem peccatorum": Celano I, p. 24. For the preaching of Francis concentrating on peace, repentance and praise to God, see Carlo Delcorno, "Predicazione Francescana" in *Francesco d'Assisi e Francescanesimo dal 1216 al 1226*, Atti del IV Convegno Internazionale, Assisi, 15-17 ottobre 1976 (Assisi, 1977), pp. 125-60.

⁵⁶ The argument that Guido did not oppose Francis is deduced from the fact that no historical source mentions such an occasion, and Guido helped Francis to see the Pope when he arrived Rome in 1210.

⁵⁷ Landini, *Causes*, p. 28. "Adhuc non praedicabat populo vir Dei. Quando tamen per civitates et castellas transitum faciebat, hortabatur viros et mulieres ut timerent et amarent Creatorem caeli et terrae et poenitentiam agerent de peccatis suis. Frater vero Aegidius respondebat dicens: Optime dicit; credatis ei": "Legenda S. Francisci Anonymi Perusini", ed. Fr. van Ortroy, *MF*, 9 (1902), p. 35.

⁵⁸ See footnote 51

friars might be due to the fact that lay Franciscans, following the example of Francis, were involved only in preaching repentance as permitted by the papacy.

Besides, the decree of the Fourth Lateran Council on preachers makes it further possible that Francis and his companions were suited to the needs of the Church as lay preachers. The council stressed the necessity of preaching for *cura animarum* and agreed that unless the Church responded properly to the spiritual needs of the society, still largely illiterate and therefore apt to be influenced orally, heresy would continue to spread.⁵⁹ Attention must be paid to the wording of the Council where the decree orders that bishops should ordain *viros idoneos*, able in works and sermons to assume *officium praedicationis*. The decree does not necessarily say that these “suitable men” should be clerics. There is an obvious open hole for lay preachers in this particular decree.

As we shall see in the next chapter, lay preaching only became unpopular again with the Church around 1230. During the lifetime of Francis, it was quite acceptable, and both Francis and his companions preached without having a formal instruction in theology. Whenever they encountered opposition from local bishops, they simply gave in. This was a demonstration of their humility, which

⁵⁹ Cap. X De praedicatoribus instituendis: “.per se ipsos non sufficiunt ministrare populo verbum Dei, maxime per amplas dioceses & diffusas: generali constitutione sancimus, ut episcopi *viros idoneos* ad sanctae praedicationis officium salubriter exsequendum assumant, potentes in opere & sermone, qui plebes sibi commissas, vice ipsorum, cum per se idem nequiverint, solícite visitantes, eas verbo aedificent et exemplo: quibus ipsi, cum indiguerint, et congrue necessaria ministrent, ne pro necessariorum defectu compellantur desistere ab incepto. Unde praecipimus tam in cathedralibus, quam in aliis conventualibus ecclesiis *viros idoneos* ordinari, quos episcopi possint coadjutores et cooperatores habere; non solum in praedicationibus, et poenitentiis injungendis, ac ceteris quae ad salutem pertinent animarum. Si quis autem hoc neglexerit adimplere, districtae subiaceat ultioni.”: Hardouin, *Acta conciliorum et epistolae decretales ac constitutiones summorum pontificum*, Vol. 7 (1714), pp. 27-30.

Francis also put into the Rule: No one was to preach in a town if the bishop opposed it.⁶⁰ To avoid any possibility of unorthodox preaching; rather than admonishing friars to study theology, Francis simply made all preachers subject to examination by the minister general himself.⁶¹ Thus, preaching did not present a dilemma to Francis. The type of preaching he had in mind and that he actually performed in his lifetime, did not necessitate attendance at theology lectures.

It is not reasonable, therefore, to make a comparison between the preaching of early Franciscans and of the Dominicans, as the Dominicans embraced from the beginning clerical preaching, indeed the most complex type of it.⁶² Dominican preaching was directed towards the explicit purpose of combating heresy. Hence, all subtle doctrinal points had to be learned well, and the preacher had to be able to defend the orthodoxy of the Church, and therefore had to have knowledge, not only of the Bible, but also of all doctrinal regulations made by the Church Fathers, councils and popes over the centuries. In this case, the study of theology in a detailed fashion was a necessity. In the recent study by Mulchahey, this point has been made clear:

“As he assumed the mantle of founder to a new religious brotherhood, Dominic Guzmán’s personal battle against heresy was transformed into the dream of creating a permanent corps of theologically-informed preachers, able to represent the teachings of the Church from a position of intellectual and ecclesiastical authority. This led Dominic and the

⁶⁰ “Fratres non praedicent in episcopatu alicuius episcopi, cum ab eo illis fuerit contradictum.” RB, cap. IX, p. 234.

⁶¹ “Et nullus fratrum populo penitus audeat praedicare, nisi a ministro generali huius fraternitatis fuerit examinatus et approbatus, et ab eo officium sibi praedicationis concessum.”: *ibid.*

⁶² Carlo Delcorno attempts to make such a comparison where the result naturally reveals a divergence of topics preached. Delcorno, “Predicazione Francescana”, pp.136-7

first friars to take steps towards making education as institutional reality for the young Order of Preachers.”⁶³

Obviously, the purposes of the foundation of the two orders, and the vision of the two founders, whose orders became so similar in later years, were drastically different from each other. Francis did not constitute an order to fight against heresy. He did not even once mention heretics, let alone opposing them, although as Manselli points out, the valley of Spoleto was rich in Cathars at the time of Francis. Manselli explains the reason for this silence as Francis’s belief in love in Christ as a means of unification for all Christians, and his refusal to judge and condemn others.⁶⁴

It is reasonable to conclude that, when looked at through the eyes of St Francis, there was neither need nor room for study by the Friars Minor, nor for their schooling. He respected learning and the study of theology as long as it served to spiritual edification. However, the key point is that he did not wish to see it taken up by his own brothers. Studying was not a part of the vocation of Francis and his first followers. Nor did any part of their vocation necessitate indirectly their involvement in the formal study of theology. A friar minor was to be the perfect imitator of Christ, and Christ was not a scholar—he did not need to

⁶³ M. Michèle Mulchahey, “*First the Bow is Bent in study...*”: *Dominican Education before 1350* (Toronto, 1998), p. 132.

⁶⁴ Manselli, *Francesco e i suoi*, pp. 235-6.

be. This attitude of Francis towards studying has been best understood and expressed by Etienne Gilson, who wrote:

“It is clear that he never condemned learning for itself, but he had no desire to see it developed in his order. In his eyes, it was not in itself an evil, but its pursuit appeared to him unnecessary and dangerous. Unnecessary, since a man may save his soul and win others to save theirs without it: dangerous because it is an endless source of pride.”⁶⁵

⁶⁵ Etienne Gilson, *The Philosophy of Saint Bonaventure*, trans. Iltyd Trethowan and F.J. Sheed (London, 1938), p. 45.

CHAPTER II

HOW DID FRIARS MINOR BECOME SCHOOLMEN?

Once it is argued that Francis was more than reluctant for his friars to become involved in learning, and that the Rule practically made it impossible, it becomes problematic to explain why and how Franciscans penetrated into the world of learning so quickly and with such enthusiasm. In the case of Franciscans, the clash between the founder's will and the actual practice was more evident because of the Rule written by Francis himself. All other orders until that time, including the Dominicans, adapted either the Rule of St. Benedict or of St. Augustine. This prevented the express identification of the Rule with the founder's vision, unlike the case of Franciscans where in every sentence of the Rule the spirit of the founder was exposed.

The Rule of 1223 stood not just theoretically but also canonically between the Franciscans and the schools. The Franciscan vow meant denial of all property, rejection of a permanent residence, strict refusal of money. Yet, how could one attend a school if one was not allowed to have books, to stay somewhere more than a few days, or to accept money to buy parchment and quill? The problem presents a particular difficulty to Franciscan historians for it inevitably involves

personal sentiments. Since Franciscans did indeed become schoolmen, and quite successfully so, without exception all Franciscan historians have preferred to argue for the neutrality or encouragement of Francis in the matter of studying.

However, even if one accepts Francis' attitude as negative, there is no need to try and reconcile the course his order followed with the founder's intention. The practical observances in the establishment and development of a religious order had little to do with the intentions of its founder. A founder had a vision, and tried to fit it to reality as much as possible, but an order in the Middle Ages grew independently from the imagination of its founder from its very first member onwards, and became vulnerable to many external sources of influence. An attempt to explain *why* and *how* involves not only debates on human psychology, but also a thorough understanding of the historical background in which the order flourished. The present chapter attempts to put the rise of learning in the order into its medieval historical context.

In his first visit to the Roman *curia*, Francis had apparently presented a short Rule to the pope.¹ This first Rule was approved verbally by Innocent III.² The official recognition of the order and of the Rule, however, seems to have taken place in 1215 at the Lateran Council.³ Between 1209 and 1215 there is no

¹ Celano, *Vita Prima*, ch. 32

² *ibid.*, ch. 33

³ *Scripta Leonis*, ch. 67, p. 205. The evidence for the recognition of the order at the time of Innocent III comes also from the bull *Solet annuere* of Honorius III: 'a bonae memorie Innocentio Papa praedecessore nostro'. Whether the Rule was approved at the Fourth Lateran Council is not certain. James Powell does not mention it, and argues that Honorius was only referring to the oral approval in 1209/1210. See J. M. Powell, "The Papacy and the Early Franciscans", *FS*, 36 (1976), pp. 254-5. However, the extent to which an oral approval can be regarded as canonical is debateable. The appointment of the Cardinal Protector around 1218-9 supports the thesis that

reference in the sources to any type of scholarly activities. There were at least two general meetings in this period in 1210 and 1212.⁴ The beginning of more formal legislative activity seem to have started after the official approval in 1215, since Jacques Vitry wrote in 1216 that the friars were holding annual meetings, and that decrees were sent to the pope for ratification. Indeed, Francis ordered around this time that there should be two chapters a year, one at Pentecost and the other at the Feast of S. Michael.⁵ Hence, 1215 can be accepted as the beginning of Franciscan legislation. Any constitutional development concerning intellectual activities should be sought after this date.

Probably at the chapter of Pentecost 1217, the first provincial divisions were made, and provincial ministers were appointed to organize the settlements.⁶ There is one important question here, which the sources unfortunately do not answer: Was there a settlement policy? There is no evidence that the course to be followed in the expansion was determined at the general chapters. All there is known for sure is that both mendicant orders favored the towns and urban centers, which were emerging and developing swiftly as a result of the expansion of monetary economy.⁷ However, beyond this general principle, it is very difficult to imagine Francis taking an overly controlling role on this issue, and actually making

Francis's order had official recognition before the confirmation of the Rule in 1223. From the time of Innocent III's approval of the foundation of the order in 1215 until the confirmation of the Rule 1223, there is a period when the canonical position of the Rule is not clear.

⁴ J.R.H. Moorman, *A History of the Franciscan Order* (Oxford, 1968), p. 28

⁵ "Legenda Anonymi Perusini", p. 45.

⁶ Moorman, *A History*, p. 31.

⁷ C.H.Lawrence, *The Friars: The Impact of the Early Mendicant Movement on Western Society*, (New York, 1994), p. 102.

decisions about where to go first in each province and how to proceed thence. To start with, there were too many unknowns for serious policy-making, such as the level of hospitality they would receive, or the political and social conditions of the towns and villages the pioneering friars would reach. It seems more likely that this kind of decision-making was left to the discretion of the provincial ministers, depending on the conditions they found once they made the move to a certain province. Although this seems a trivial point, it bears immense importance from the point of view of educational organization: The freedom of provincial ministers to determine the route of settlement was the main factor which placed Franciscans in a short time into the major university cities.

The settlement of Franciscans in Paris is one such political decision worth reflecting on. It was quite early, sometime between 1217 and 1219 that the friars stepped into the surroundings of this university town, then the most famous of its kind.⁸ The opposition of the Bishop of Paris was lifted when the bishop examined the friars' Rule, and consulted the Pope on its authenticity.⁹ Honorius replied to this request with the bull *Cum dilecti filii*, addressed to all prelates, where he

⁸ See Andre Callebaut, "Les Provinciaux de la Province de France au XIII siecle", *AFH*, 10 (1917), pp. 290-94 and L. Beaumont-Maillet, *Le Grand Couvent des Cordeliers de Paris- Etude historique et archéologique du XIIIe siècle à nos jours* (Paris, 1975), pp. 6-10. When Francis was held back by Ugolino in Florence, he commissioned Brother Pacifico to set up the province of France. Moorman, however, prefers the later dates 1218 or 1219, even if the first friars arrived in France after September 1217. Depending on Jordan of Giano's chronicle, he argues that it is more plausible to date the Paris expedition to 1219.

⁹ Jordan, ch. 4, p. 4. It is expected that the bishop of Paris acted in this way towards friars who had attempted to preach, because of one of the decrees passed in the episcopal synod of Paris 1198. "Nullus recipiatur ad praedicandum, nisi sit authentica persona, vel ab episcopo vel archidiacono missus": J. Hardouin, *Acta conciliorum et epistolae decretales ac constitutiones summorum pontificum*, 7, (1714) p. 16.

pronounced the Franciscans to be faithful and catholic, their way of life approved by the Church.¹⁰ For the first years, they had a house outside of the city walls and only later did they move to a place on the Hill of St. Genevieve in the English quarter, in the very neighbourhood of the university schools.¹¹ This swift settlement within the walls of Paris was no straightforward affair. Northern France was not the obvious place for an Italian movement to move to quickly, particularly given the fact that the first evidence for the settlement in Southern France is from 1221, two or three years after the Parisian settlement.¹² It can be argued that the attraction of Paris was the large crowds of young students inhabiting the town, but then young people were to be found also in the cities of Southern France, for example, Toulouse and Montpellier.

Almost in direct proportion to Francis's gradual withdrawal from active administration, the penetration of learning into the order started. After the chapter of 1219, Francis headed to Egypt to meet the Sultan, Mamluk al-Kamil, and to spread the Gospel, leaving behind two vicars in charge, Matthew of Narni and Gregory of Naples.¹³ It is difficult to know on what criteria these friars were chosen. However, this period of vicariate turned out to be a period of tribulation, with newly imposed regulations on fasting and the setting up of permanent convents, such that a lay friar travelled to Syria to warn Francis.¹⁴ The most

¹⁰ *BF*, vol. I, No. II, p.2

¹¹ John Harding, *Agnellus of Pisa 1194-1236: The First Franciscan Provincial in England (1224-1236)* [pre manuscript: Franciscan Study Centre] (Canterbury, 1977-8), p. 3.

¹² Moorman, *A History*, pp. 65-66.

¹³ *Jordan*, ch. 11, pp. 10-11.

¹⁴ *ibid.*, ch. 12, pp. 11-12

significant development for our purposes was the establishment of a permanent convent in Bologna by Peter Strachia with the intention of founding a school. The reaction of Francis did not contradict the picture of him drawn in the previous chapter. Upon hearing the news, he came back to Italy, and set about destroying the house in Bologna until Cardinal Ugolino claimed it as his own.¹⁵ This event marked the beginning of a series of disappointments Francis experienced before his death.¹⁶ The result was Francis's almost total withdrawal from the leadership, and the appointment of Peter Catani as Vicar General at the next General Chapter of 1220.¹⁷ This chapter was also remarkable for the two decrees it announced: that friars were not to have books, and that the novices were not to keep a psalter.¹⁸ Even before the writing of the Rule, Francis was trying to delineate the order he envisaged.

Despite these decrees, and the founder's open opposition to the foundation of schools in the convents, the number of friars eager to pursue intellectual careers was in continuation. The only card Francis had in hand to provide the continuum of his vision in practice was in devising the Rule in the way he believed right. Hence, after appointing Elias as vicar, he retreated to write what is known as the

¹⁵ Celano II, p. 58. This event might have set the precedent for the invention of *usus* by Hugolino himself when, as Pope Gregory IX, he declared the papacy to be the owner of all Franciscan goods.

¹⁶ *Scripta Leonis*, ch. 68, p. 207. See also Brooke, *Early Franciscan Government*, p. 76

¹⁷ "Amodo sum mortuus vobis; sed ecce frater Petrus Cathanii, cui ego et vos omnes obediamus": *Scripta Leonis*, p. 272.

¹⁸ "Capitulum generale Assissii. Anno 1220. Petrus Cataneus. Leges. Item I. Fratres non habeant libros 2. Novitii non retineant apud se Psalterium, nec emittant professionem ante annum. 3. Novitiorum bona non serventur quocumque praetextu": *Codex Redactus Legum Fratrum Minorum in Synopsis Cum Indice Copioso. Ex literis Joannis Cervantes Cardinalis S. Petri ad Vincula legati a latere ad XXXVI. Capitulum generale Assissii habito lectis anno MCDXXX. die XXI. Junii in eodem capitulo* (Rome, 1796), p. 1.

Regula Non Bullata. It was probably at the chapter of Mats of 1221 that this inner conflict became clearer. These recruits from the intellectual world had realized that the Rule, as it was being written by Francis at the time, was going to be a major hindrance to their further pursuit of study. The prohibition of the possession of books was alone sufficient to destroy any forthcoming career plans.¹⁹ Hence, they sought Cardinal Ugolino's help in convincing Francis to adopt one of the existing Rules.²⁰ After all, Ugolino had the experience of being present at the approval of the Dominican Order in 1216, the Rule of which was based on the Rule of S. Augustine.²¹ According to the testimony of Leo, Francis rejected the offer in a fury:

“The lord said to me that he wished that I should be a new-born simpleton in the world. God did not want to lead us by another way than by this kind of learning, but God will confound you through your learning and your wisdom. I have faith in God's constables, that through them he will punish you and you will return to your condition, to your shame whether you like it or not.”²²

A close look into this Rule reveals that the eleven-years-long experience of founding a religious order had made little change in Francis' understanding of his

¹⁹ Leo tells us that the discussion about the Rule took place at the Chapter of Mats. However, Chapter of Mats, when a large number of friars gathered in Assisi, probably took place in or after 1221. Jordan of Giano gives us a lively account of this chapter. Yet he also mentions that Francis was feeble and that Brother Elias spoke for him. It is not reasonable to think that Francis himself could have reacted in such a harsh manner to the friars if he were ill to a degree that he could not talk. Again, after 1220 the administration of the Order was not in Francis' hands, and the appeal to change the Rule would have gone through the vicars, that is Peter Cateni or Elias. Therefore, I suggest that it was at the Chapter of 1219 when the learned friars came up with the suggestion of adopting a new Rule. For the discussion of the dating of chapter of Mats, see Brooke, *Early Franciscan Government*, pp. 286-291. According to Moorman, 1219 was the year of this chapter: Moorman, *A History*, p. 48.

²⁰ *Scripta Leonis*, pp. 286-288. See also “Legenda Anonymi Perusini”, p. 45.

²¹ *Bullarium Diplomatum et Privilegiorum Sanctorum Eomanorum Pontificum*, ed. Francisco Gaude, 3, (Torino, 1858), pp.309-310.

²² *Scripta Leonis*, p. 289.

vocation. The Rule of 1221 is full of quotes from the Bible, demonstrating the Rule's evangelical nature. Although at this point, Francis was well aware of some friars' intention to be involved in intellectual careers, there is yet no mention of studying at all, nor of lectors. "Let us refrain ourselves from the wisdom of this world." writes Francis in the chapter about preaching.²³ The Rule strictly prohibits accepting money, even for the purpose of buying clothes or books.²⁴ The possession of books, along with other goods, is also prohibited.

The Rule of 1221 was strict, and there was no room in it for an intellectual career. The following Rule of 1223, known as *Regula Bullata*, was no different with regard to the pursuit of studies, although it was partly removed from the zeal of Francis and the earliest Franciscans. It was more compromising to the crowds joining the order. The sale of the all material possessions prior to entry to the Order was now only an admonition, rather than a prerequisite.²⁵ However, the ban on the prohibition of accepting money continued. The issue of the second Rule, which did not satisfy the dissenting friars, was an alarming event for those who opposed its strictness. For once the Rule was confirmed, their vow to observe it would be treated under canon law. In fact, a few days after the confirmation of the Rule, Honorius III issued a bull announcing that no friar after making his profession could leave the order; otherwise he would be considered an

²³ "Custodiamus nos multum a sapientia huius mundi et prudentia carnis": RNB, ch. 17.

²⁴ RNB, ch. 8.

²⁵ "(ministri) dicant illis verbum sancti Evangelii (cfr. Mt 19, 21 par), quod vadant et vendant omnia sua et ea studeant pauperibus erogare. Quod si facere non potuerint, sufficit eis bona voluntas": RB, ch. 2.

excommunicate.²⁶ The Rule of 1223 which constitutionalized strict poverty, and effectively left no space for study and learning made those who found it too austere, canonically liable. Until the issue of *Quo Elongati* in 1230, the liability continued. However, the spiritual liability the Rule put on the shoulders of the friars proved a much stronger and more dynamic force, which could not be annulled by papal bulls. It was this which, within a century's time, led the order into an irrecoverable split.

While the year 1223 was marked by the issue and the approval of the Rule, 1224 stands as the year which gave the first solid testimony to the involvement of friars in the world of learning. It was in this year that a certain Barthelemy de Bruyeres donated ten books to the Paris convent.²⁷ Unless these books were all breviaries and psalters, such a donation can be accepted as the evidence of study in the convent. Otherwise it would be an oddity on Barthelemy's part to make such a donation, since the friars could not sell the books. The Paris convent was after all the most natural place for study, as the town hosted innumerable students and masters in theology with whom the friars would have had contact, since probably long before 1224. Besides, the provincial minister of France was a man with a history of partiality towards the education of friars. He was Gregory of Naples, under whose vicariate Peter Straccia had attempted to found the Bologna *studium*. Gregory probably took every opportunity to preach to the scholars of

²⁶ *BF*, 1, p. 19

²⁷ Beaumont-Maillet, *Le Grand Couvent*, p. 12. Scholars generally choose to acknowledge the teaching of Anthony of Padua in Bologna as the initiation of learning activities. However, due to doubtful nature of the evidence regarding this event as discussed in the previous chapter, it seems better to dismiss it until new evidence emerges. See Roest, *A History*, p. 44.

Paris with the possible prospect of gaining recruits. Eccleston tells us that he was quite a famous preacher and prelate in the Parisian circles.²⁸ Exactly what he told the potential recruits regarding the destiny awaiting them in the Order, we do not know. It is very unlikely that he told them that they had to sell everything, and give up the life of a scholar completely, to wander about in absolute poverty, and preach. It might be through the sermons of Gregory that in 1225 four masters of Paris University joined the Order. Two of the four are known to us through Eccleston: Haymo of Faversham and Simon of Sandwich.²⁹ This was a crucial moment in the history of studies in the order, since Haymo of Faversham was later to exert his influence in promoting the ideal of the friar-scholar.

Around the same time, Gregory of Naples undertook another big enterprise, again immensely significant for the history of education in the order: the English settlement. As mentioned before, the house of the friars in Paris was located in the English quarter. Hence the English students and masters were the first to be drawn into the magnetic field of attraction created by the friars. It was always a great advantage to have natives in the pioneering group for a regional expedition. Probably, when the convent had attracted a good number of English clerics, the provincial minister Gregory of Naples nominated the guardian of the Parisian convent, Agnellus of Pisa, as the provincial minister of England. He was to organize the English settlement, and received approval from Francis.

The settlement policy Agnellus and his group pursued in England is

²⁸ “Quis enim Gregorio (de Neapoli) in praedicatione vel praelatione in universitate Parisius vel clero totius Franciae comparabilis?": Eccleston, p. 29.

²⁹ *ibid.*, p. 27.

interesting. The first cities in which the pioneering group chose to settle seem to be, in the chronological order, Canterbury, London, Oxford, Northampton and Cambridge. Canterbury was the ecclesiastical capital, and London by far the greatest and most crowded city of England. However, the choice of Oxford as the third place seems less straightforward since the town did not have any great population; its real importance laid in hosting a university.³⁰ Similar to Oxford, Northampton was a town renowned for its schools, which had almost achieved the status of a *studium generale* in the twelfth century.³¹ Cambridge and the settlements following it also favored towns where a decent level of intellectual activity was present.³²

Back in Umbria, the health of Francis was worsening. It is not easy to tell to what extent he was aware what was going on in the Paris convent, or in which towns the friars were settling in England. The order's administration was not in his hands, it lay with the provincial ministers who certainly rejoiced in attracting intellectuals to the order. In the spring of 1226, Francis was moved to the Bishop's Palace in Assisi, awaiting the slow approach of death. Here, he wrote his final work, the Testament, a collection of admonitions and advice to the friars, which he thought would be a complement to the Rule.³³ He intended the Testament as a guide to understanding the Rule.

Francis died 3rd October 1226.

³⁰ N. Senocak, *Aspects of Thirteenth Century Franciscan Education with Special Regard to the Province of Anglia*, MA Thesis Bilkent University (Ankara, 1997), p. 8.

³¹ *ibid.*, p. 10.

³² *ibid.*, p. 16-7.

³³ *Testamentum*, pp. 305-317.

Five months later, 19th March 1227, Cardinal Ugolino was elected Pope Gregory IX. In May, the first chapter after the loss of the founder was summoned to elect a Minister General. Elias had a good chance of election, but judging by the fact that only custodians and provincial ministers were called to the chapter, each provincial minister also would have a good chance of being elected. At that time, Gregory of Naples was the provincial minister of France, Albert of Pisa of Germany,³⁴ John of Parenti of Spain³⁵ and Agnellus of Pisa of England.³⁶ The provincial ministers in Italy at the time cannot be recovered from the surviving evidence. In the end, the chapter chose John Parenti, a lawyer of Roman citizenship, who had joined the Order in the early years.³⁷

The minister generalship of John Parenti struck the first sparks of organized education in the Order. As soon as he was elected, the provincial minister of France, Gregory of Naples, advised him to send Simon Anglicus, probably identical with Simon of Sandwich who joined the order in 1224 at the Parisian convent, to Germany.³⁸ First, John Parenti appointed Simon as the provincial minister of Germany, but in 1228, hearing that there was no lector of theology in Germany, released him from the office of ministry and appointed him as lector to the Magdeburg convent, where friars had been settled since 1225, and had good relation with the secular clergy.³⁹ 1228 is the first date that the term lector is

³⁴ Jordan, ch.51

³⁵ *Chronica XXIV Generalium*, p. 210.

³⁶ Eccleston, ch. 1

³⁷ Jordan, ch. 51

³⁸ *ibid.*, c. 52

³⁹ “Eodem anno frater Johannes Parens minister audiens, quod Theutonia lectorem in theologia non haberet, absolvit fratrem Symonem a ministerio Theutonie et lectorem instituit et fratrem Johannem de Plano Carpinis ministrum Theutonie destinavit.”: *ibid.*, c.54, p.47; *Gesta*

mentioned as an office in the order like ‘custodian’ or ‘preacher’.

From Jordan of Giano’s evidence, some other historical facts can be gathered. In Germany, the first convent with a lector was Magdeburg, then the capital convent of Saxony. When Simon died in 1230, the ministers of the two German provinces of Saxony and Rhineland demanded a new lector from the minister general. The provider of the new lector was again the French Province. The Minister General asked the provincial minister of France to send yet another Englishman, Bartholomeo Anglicus, as lector to Germany. The story of this appointment is significant since it gives us some means of reconstructing the history of the first constitutional attempt to organize studies in the order. First of all, how was this idea and practice of commissioning lectors formed? The little we know about the decrees of the chapter of 1227 does not mention anything about the creation of the office of *lectio*.⁴⁰ This cannot be a personal decision of a minister general; it must have been discussed and decreed at a general chapter. It is very improbable that such an office was created in the lifetime of Francis. One expects that if such a decision were ever made in the 1222 or 1224 chapters, it would have been recorded by Leo or Celano. Therefore, we are left only with the General Chapter of 1227 under the ministry of John Parenti. Even if the formal step was taken in 1227, it is possible that teaching of theology started before that; as early as 1225 four masters joined the order in Paris. Presumably Haymo of Faversham started to teach to friars right after his entry to the order. Anthony of

Archiepiscoporum Magdeburgensium (14th century) in *Monumenta Germaniae Historica*, SS, Tom XIV, p. 418.

⁴⁰ See *Chronica XXIV Generalium*, p. 211.

Padua was recorded as teaching in the convents of Arles, Montpellier and Toulouse.⁴¹ However, this was probably done informally, without assuming a certain office pertaining to this activity. This thesis is also supported by the fact that Haymo of Faversham was appointed first as the custodian not the lector of the Paris convent, and only after 1228 took the post of lector at Tours, Bologna, and Padua.⁴²

Therefore, it is most probable that in the General Chapter of 1227, a decree was made for the creation of the office of lector. Every province was to have one lector of theology, and the lector was to be appointed by the Minister General in consultation with the provincial ministers. There must be also a certain requirement for eligibility to the office; probably the candidate was expected to have attended theology lectures in a theology faculty. Judging by all the complaint of provincial ministers of Germany, we are compelled to think that already in 1228 there was at least one lector in each province. Since at this date only the university of Paris had a full-blown theology faculty, the province of France served as the main source of lectors. It should be also noted that there is as yet no mention of the term *studium* in the chronicles.

In these early years, the recruits from the Paris university were the only source for the provision of theology lectors. However, the number of provinces and custodies were multiplying after 1225, and doubtless the Paris convent had

⁴¹ Moorman, p. 66.

⁴² Brooke also marks that such a transition from an administrative to an academic post seems surprising; however she fails to explain it satisfactorily. *Early Franciscan Government*, p. 199. Eccleston, ch. 6,

difficulties in supplying the lectors. The situation worsened in 1229, since Paris University entered a period of turmoil. A great number of masters and students left Paris as a result of a dispute with the townspeople, and dispersed throughout Europe.⁴³ Quite a few went to England upon the invitation of the king, Henry III, some to Oxford University and some others to Cambridge. Paris University almost ceased to exist until the beginning of 1231. One would expect that the recruitment to the Paris convent from among the ranks of the theology masters and students in this period would have gone down, if not stopped altogether. For these years therefore, there must have been a particular shortage in the provision of lectors. This crisis constitutes a good reason why in 1229 Agnellus of Pisa, the Provincial Minister of England, asked Robert Grosseteste, a famous regent master in theology and ex-chancellor of the University of Oxford, to teach in the Franciscan convent of Oxford, instead of requesting a suitable lector from the Parisian convent.⁴⁴ Grosseteste accepted the invitation, probably to much amazement from his students, and started to teach the Franciscans in their convent.⁴⁵ The practice of employing a secular lector continued in the Oxford convent for almost fifteen years until the assignment of the first home-grown lector, Adam of Marsh.

⁴³ H. Rashdall, *The Universities of Europe in the Middle Ages*, ed. M. Powicke & A.B. Emden (Oxford, 1936), vol.1, p. 335-8.

⁴⁴ “Ampliato loco, ubi principale studium florebat in Anglia, et ubi universitas scholarium convenire consuevit, fecit frater Agnellus scholam satis honestam aedificari in loco fratrum, et impetravit a sanctae memoriae magistro Roberto Grosseteste, ut legeret ibi fratribus.”: Eccleston, p. 48.

⁴⁵ According to Southern, Grosseteste started to teach the Franciscans around 1230-1231: R.W. Southern, *Robert Grosseteste: The Growth of an English Mind in Medieval Europe*, 2nd. edn. (Oxford, 1992), p. 75.

A common argument in Franciscan historiography is that the papacy deliberately interfered with the development of the order to be able to “use” it for its own purposes.⁴⁶ In one of the most recent studies on the Spiritual controversy, Nimmo suggested that the change in the order in the thirteenth century, which led the friars into involvement in the study of theology, was the policy of Cardinal Ugolino, who later ascended to the papal throne as Gregory IX.⁴⁷ It is generally accepted that Francis and Cardinal Ugolino first met after 1217 in Florence. However, probably at the time of the Fourth Lateran Council in Rome, Ugolino and Francis had already become quite close. It would be too early to think at this stage that Ugolino would have seen the potential to manipulate the Order’s growth to serve to the interests of the Church. What placed Ugolino in the middle of the affairs concerning the order was his appointment as the cardinal protector in 1218 upon the express wish of Francis.⁴⁸ It was an ancient custom for kings and nations to have a cardinal protector in the *curia*. However, it is first with the Franciscans that a special juridical office of cardinal protector was assigned to a

⁴⁶ For once at least Sabatier and Felder agree. Felder argues that the popes showed a zeal to attract the mendicant orders to the universities, that the pope himself assigned a “scientific mission” to the mendicant orders: Felder, *Geschichte*, p. 113. This might be the case for the Dominican order, but not, or at least not so quickly, for the Franciscans. Concerning the bull of privileges on 22 March 1222 and the Franciscan’s involvement in the papal mission to Lisbon with the bull *Ex Parte* of 29 March 1222, Sabatier argues that “la papauté activant de toutes ses forces ces transformations.... Le fait que le pape donnait aux frères le soin de choisir eux-mêmes les mesures à prendre, prouve combien on était pressé à Rome d’oublier le but dans lequel ils avaient été créés, pour les transformer en chargés d’affaires du Saint-Siège”: Sabatier, *Un nouveau chapitre*, pp. 312-3. Following them, Etienne Gilson also argued that Cardinal Ugolino made Elias an instrument of the Papal Curia, and promoted university studies: Gilson, *The Philosophy of Saint Bonaventure*, p. 47.

⁴⁷ Nimmo, *Reform and Division*, p. 53.

⁴⁸ Moorman, *A History*, p. 47. The first bull addressed to Ugolino about the funds for building the houses of Poor Clares is dated 27 August 1218.

religious order.⁴⁹ No other order until that time had a cardinal protector. It is also worth noting that the powers and the limits of authority of the cardinal protectors were never defined juridically.⁵⁰ Hence, Ugolino's assignment to this post does not automatically mean that he interfered with the internal administration of the order to his own liking.

In these early years, the Church had little reason to imagine that this Order, which started off as a lay movement with a strict evangelical Rule, could actually grow so quickly. It was quite unpredictable that the Franciscan Rule would attract so many clerics, particularly university masters, or that it would attain such a high level of popularity among the people. There were too many question marks to make plans about the potential uses of the order to the Church. Besides—and even more important—the existing corpus of canon law was unable to define the position of the mendicant orders.⁵¹ The bulls, which according to Sabatier were issued to pervert the initial purpose of the Franciscans, were, according to Landini, simply making up for this gap in canon law.⁵² Mendicants were not like monks or canons regular who lived outside the city walls and in relative seclusion. Neither were they hermits who lived in the wilderness. The only groups who led a

⁴⁹ S. L. Forte, *The Cardinal-Protector of the Dominican Order*, *Dissertationes Historicae*, Fasc. XV, Institutum Historicum FF. Praedicatorum (Rome, 1959), p. 9.

⁵⁰ Forte, *The Cardinal Protector*, p. 15.

⁵¹ Landini, *Causes of Clericalization*, p. 115.

⁵² For Sabatier, *Un nouveau chapitre*, pp. 313-4. "It is not correct to state that the papacy single-handedly brought about the clericalization of the Minors by giving them such privileges and tasks as necessitated their involvement in study and the *cura animarum*.... Papal bulls and privileges given to the Order were either supplements to the canon law of the time or concrete applications of that law to cases involving the new Order...there is no evidence that the bulls were issued to hasten its clericalization. Rather, the papacy's role in the clericalization of the Order seems to have been synchronized with the internal clerical development of the Order itself": Landini, *Causes of Clericalization*, p. 116.

similar life were heretics.

In the face of all these unknowns, until the late 1230s when the backbone of the order's educational organization was constructed, there was no initiative of the Church to create from the Franciscan order an army of prelates, preachers and inquisitors to realize the objectives of the Fourth Lateran Council. There is no evidence of a plan for the order. Indeed the Church did not issue any bull, nor send any circular letter, unless it was asked to do so by the governing body of the order. Similarly, the appointment of a cardinal protector was through the request of Francis, not enforced.

The issue of the bull *Quo Elongati* in 1230 took place in a similar manner. After the death of Francis and the succession of John Parenti, the voices of dissent against the strictness of the Rule got louder.⁵³ Apostolic poverty, which looked quite attractive from the outside, had proved for many too austere to put into practice. During the process of expansion and settlement after 1223, the violation of some of the items in the Rule put many friars into an awkward position. First of all, the acceptance of the convent buildings in the face of the prohibition to acquire property was a major problem. If one thinks of all that building and enlargement process going on in Paris and Oxford, or settlements in Germany, the open conflicts with the Rule would become more evident. Concerns were expressed in the general chapter of 1230. Then there was the problem of university masters joining the Order. Did they really have to give up their books,

⁵³ “Tempore istius Generalis, ut dicit frater Bonaventura de Balnoregio in quodam sermone, insurrexit inter fratres multiplex dubitatio de his quae in regula continentur”: *Chronica XXIV Generalium*, p. 213.

or stop acquiring new ones, even if they would serve the teaching of theology to friars? John Parenti, as a minister general, had no jurisdiction to change, even to interpret the Rule. In the Testament, Francis had expressed clearly that the friars were not to interpret the Rule.⁵⁴ If there was anyone or any institution who could interpret it lawfully, it was the Church. Therefore, in accordance with his profession as a lawyer, John Parenti appointed formal delegates to go and ask the pope to settle these problematic points in the Rule.⁵⁵

It is worth noting that the delegation to the pope included Haymo of Faversham. His inclusion is quite significant, for it testifies to the active participation of the scholars in the affairs of the order. Haymo had only entered the order in 1225. He had not met Francis, nor was he present in the previous discussions about the Rule. His first information on Francis and the Rule must have been given him by Gregory of Naples who accepted him to the Order. His appointment as one of the delegates is actually one of the first signs of a shift of mentality in the order, the start of a gradual filling of all administrative and decision-making posts by learned clerics, if possible by theologians. As will be seen later, only after nine years would this shift of mentality be perfected.

Gregory IX, being a canon lawyer, handled the problems that the delegation presented to him as canonically as possible. Whatever he had in mind or felt towards the complaints of the friars is not possible to reconstruct. One can best

⁵⁴ *Testamentum*, p. 316.

⁵⁵ “Sane constitutis nuper in praesentia nostra Nunciis, quos vos filii Ministri misistis, qui eratis in Capitulo generali congregati et te, fili Generalis Minister, personaliter comparante, fuit nobis expositum, quod in regula vestra quaedam dubia et obscura quaedam intellectu difficilia continentur”: Eccleston, p. 66. Also *BF*, 1, LVI, p. 68.

judge *Quo Elongati* from the canonical point of view. First, Gregory asserted that the Testament had no binding power on the friars. Canonically, it was only the Rule which was approved and thereby regarded as an official Church decree. The Testament was not officially confirmed as a part of the Rule, because it really was not a part of it. Hence, Gregory stated that, from the Church's point of view, the observance of the Testament was a matter of conscience.⁵⁶

The main problem on the agenda that concerns us was whether the university recruits could keep their books. After all, a majority of these were theology books used to teach to friars. In all his respect for Francis, the pope was not likely to discourage the friars' interest in studying and teaching theology. Gregory IX had spent a considerable time at the court of Innocent III, and later Honorius III, and had had his fair share of all the discussions about heresy. He thought differently from Innocent III whose approach to theology education in the universities was not particularly positive.⁵⁷ Gregory, like his predecessor Honorius III, saw a potential weapon in the concept of the university for the battle against heresy, especially if the papacy could manage to have full control over what was taught in the theology faculties. He was aware that the heresies like Catharism and Waldensianism were rooted in the lay interest in the Bible. However, although in Italy the number of literate laymen was increasing, the

⁵⁶ *ibid.*

⁵⁷ It is not evident whether there was any initiative by Innocent to make use of the "university" in the fight of heresy. Instead, he tried to educate the clergy through old-fashioned cathedral schools. The reason might be that universities themselves were not that secure from heresy, as in 1210 a synod held in Paris condemned books of Aristotle upon Natural Philosophy and his commentaries were declared heretical and forbidden to be read publicly and privately.: Rashdall, *The Universities*, p. 357.

majority was still unable to read the Bible in Latin. This brought with it the necessity of translating the Bible into the vernacular, which the Church opposed strenuously for a variety of reasons. The laity was to be prevented from taking the initiative in reading Bible. Instead, lay interest was to be satisfied through the preaching of clerics who were well-educated for the task. For these reasons, at the end of the Albigensian crusade, the papal legate Romain Frangipani published forty-five decrees in Toulouse. Among these was the prohibition of the possession of the New and Old Testament by the laity; only the possession of the Psalter, Breviary and the Hours of the Holy Virgin was allowed. It was also prohibited to have these books translated into the vernacular.⁵⁸ To compensate for these prohibitions, the pope founded in 1229 the first papal university in Toulouse with a theological faculty, in the heartlands of the Albigensian heresy.⁵⁹ In 1231, during the dispersion of Paris University, he supported the cause of the masters despite the dissent of the papal legate.⁶⁰

It is quite possible that Gregory feared also that this ever-growing order—and now its saintly founder was dead as well—could fall into the pit of heresy if not protected. If heresy started to spread among Franciscans, who were becoming more dispersed everyday, that would be a disaster. This was no vain fear if one thinks of the future heretics - the Fraticelli. After all, there were many uneducated, simple-minded laymen in the order who could be convinced of heretical opinions

⁵⁸ Hefele and Leclercq, *Historie des Conciles*, p. 1498.

⁵⁹ For the championship of universities by Honorius III and Gregory IX see Rashdall, *The Universities*, 2, p. 163.

⁶⁰ *ibid.*, 1, p. 337-8.

easily. There were close links between medieval heresies and the pursuit of evangelical life. The pope probably thought it therefore a safe thing to do to let the friars receive a proper theological training. He did nothing to encourage it, yet he would not do anything to discourage it either. Hence, while repeating the sentence in the Rule about the prohibition of communal and private property, he allowed the “use” of necessary things, among which he put the books.⁶¹

Another question of the Franciscan delegation to the pope was about the examination of preachers. Now that the new recruits included friars who had received a formal education in theology or clerics who were already holding the office of preacher, would it not be strange if they too had to be examined by the Minister General before they could preach? Gregory replied that those friars who were already educated in theology or the office of preaching did not require any further examination provided that the Minister General did not have a particular objection. However, the rest were to be examined in the general chapter.⁶² This can be interpreted in various ways. For one thing, it was a privilege given to clerics with a formal theology education. In this respect it fuelled the mentality which regarded educated clerics in the order as superior to the lay brothers. Second, it emphasized the importance of the study of theology for the fulfillment of the office of preacher. Third, it necessitated, almost as a matter of fact, that the

⁶¹ “Dicimus itaque, quod nec in communi, nec in speciali debeant proprietatem habere; sed utensilium, ac librorum et eorum mobilia, quae licet habere, eorum usum habeant.”: *BF*, 1, p. 69.

⁶² “Quod hoc Generalis minister nulli potest absenti committere, sed qui examinatione indigere creduntur, mittantur ad ipsum, ut cum Ministris Provincialibus conveniat super hoc in Capitulo Generali. Si qui vero examinari non egent pro eo, quod in Theologica facultate et predicationis officio sunt instructi, si aetatis maturitas, et alia, quae requiruntur in talibus, conveniant in eisdem; possunt, nisi quibus Minister Generalis contradixerit, eo modo, quod dictum est, Populo praedicare”: *ibid.*, p. 69-70.

minister general had to be well-educated in theology in order to perform an accurate examination.

Up to this point, there was still little development or decision in the order which would signify a distinction between the clerics and laity to the disadvantage of the latter. The order was still far from the shift of mentality which produced the spectacularly anti-lay air in Salimbene, or in the 1239 constitutions. There was, however, a clear tendency to appoint learned clerics to administrative posts as provincial ministers and custodians. The *Regula Bullata* did not make a distinction in the status of the clerical versus lay brothers. However, Landini contrasts Celano's equal regard for clerical and lay brothers with Salimbene's rude hostility towards the lay friars in the order, and writes that "a prejudice in favor of the learned cleric as the most fit superior was bound to come about."⁶³ Although it might sound straightforward, the reasons for this change are of great interest to our subject.

For example, the English settlement started with four clerics and five lay brothers. Among the clerics, the degree of the orders taken does not seem to have created a hierarchy, as Agnellus of Pisa, only a deacon, became the provincial minister and the superior of priests and preachers like Richard Ingeworth.⁶⁴

⁶³ Landini, *Causes of Clericalization*, p. 125

⁶⁴ Eccleston, ch. 1, p. 4

Similarly, in the German settlement, Jordan of Giano speaks about the involvement of many laymen in the settlements and administration.⁶⁵ However, this sympathetic approach to lay brothers was not to continue for long. This change of attitude has actually close links with the increasingly reluctant attitude of the Church towards lay preaching, which has been discussed in the previous chapter. The period which started with the ministry of Elias brought to surface these internal tensions in the order, and the perhaps concealed indignation of clerical friars at having the same status as lay friars.

Elias assumed the office of minister general in the General Chapter in 1232. He was deposed by Pope Gregory IX in the Chapter General of 1239. He is probably the most controversial figure in early Franciscan history, yet the developments of his period are difficult to pin down. During his seven years in office, he seems to have summoned only one General Chapter, in 1233, from which no decrees have survived.⁶⁶ He was grossly unpopular for his visitations which offended even friars of moderate temper like Albert of Pisa.⁶⁷

So far, Salimbene's chronicle has been treated as the main material on Elias. However, it is quite uncertain to what extent Salimbene's account can constitute fair evidence for the character of Elias. After all, Salimbene clearly despises laymen, considering himself distinguished and noble, emphasizing at every opportunity his familiarity with learned and famous friars in the order.⁶⁸

⁶⁵ See for example, Jordan, ch. 25, 37, 40, 44, 45.

⁶⁶ Moorman, *A History of*, p. 98

⁶⁷ Brooke, *Early Franciscan Government*, p. 193.

⁶⁸ "Porro secundus defectus fratris Helye fuit, quia multos inutiles recepit ad ordinem. Habitavi in conventu Senensi duobus annis, et vidi ibi XXV fratres laycos habitantes. Et forte hoc a Domino

According to the chronicler, one of the greatest evils of the disgraced Minister General was his appointment of lay brothers to high administrative posts. Brooke writes that the ministers were not pleased with Elias's egalitarian approach to lay and clerics, and preferred to see Friars Minor in line with the older orders which were predominantly clerical.⁶⁹ However, the provincial ministers had not pursued a particularly anti-lay policy up to that point, as illustrated by the German and English settlements. Was then the opposition to Elias rooted in the desire of the learned band to pursue a clerical policy, or in their desire to become the policy-makers of the order?

Elias did not actually upset the line-up in the major administrative posts. Gregory of Naples had been minister of France since 1223. Albert of Pisa, with an extraordinary record of mobility, had been provincial minister of Tuscany (1217-1221), of the province of St. Francis (1221-1223), of Germany (1223-1227), possibly of Spain (1227-1230), of Lombardy (1230-1232). Subsequently, Albert was minister of Hungary (1232-1236) and of England (1236-1239). John of Piancarpino had been minister of Germany (1228-1230), and of Spain (1230-1232). Agnellus of Pisa had been minister of England since 1224. When Elias was elected, Agnellus of Pisa remained as provincial minister of England, John of Piancarpino became minister of Saxony, Albert of Pisa took the ministry of Hungary. Only Gregory of Naples was removed from the office of provincial minister, and a certain friar Bonaventura was assigned, who held the office until

factum fuit multiplici ratione": Salimbene, pp. 99-100.

⁶⁹ Brooke, *Early Franciscan Government*, p. 161.

1238.⁷⁰ When Agnellus died in 1236, apparently not allowing the provincial chapter to choose its own candidate, Brother Elias appointed Albert of Pisa to England.⁷¹ One would think that the presence of such a core group of provincial ministers provided a certain continuity in the Order, and in a way helped to stabilize the order, and reduce the regional diversities to a great extent.

Apart from Salimbene's remarks, one other event has induced historians to think that there was negative sentiment between Elias and the learned clerics. The general chapter which deposed Elias was marked by the speech delivered by Haymo of Faversham, by then probably quite a famous figure in the Order, and a fair representative of the clerical band. Haymo had rebuked Elias for his self-indulgence.⁷² There might have been even a personal dislike between the two men as Elias appointed him lector of newly-created small province of Tours rather than to one of the more established convent schools. Eccleston writes that Haymo of Faversham was custodian of Paris, and later lector of Bologna, Padua and Tours. Bologna after Paris was one of the most important study-convents, located in a university city. It is probable that after 1227, Haymo was assigned here as lector under Anthony of Padua, then the provincial minister of Lombardy. In 1230, he was in the delegation sent by John Parenti to Gregory IX. Under the ministry of John Parenti, the province of Lombardy was divided into three as Bologna, the

⁷⁰ According to a papal bull *Cum ordinem* dating to 28 June 1233, Gregory of Naples is referred as *olim quidam Minister in Francia, videlicet Fr. Gregorius*: A. de Sérent, "Bulla Inedita Gregorii IX contra Fr. Gregorium Neapolitanum Quondam Provinciae Franciae Ministrum Data 28 Iunii 1233", *AFH*, 26 (1933), p. 6. The accession of Bonaventura to the ministry of France is known again from his surviving letters from the years 1234 and 1238: *ibid.*, pp.23-4.

⁷¹ Eccleston, ch. 14. The date of the Agnellus's death is not exactly known.

⁷² *ibid.*, p. 67-8.

Marches of Treviso (St. Anthony), and Genoa.⁷³ Padua would then have been the usual choice of study-convent for the province of the Marches of Treviso, since the city hosted a growing university. If the order kept its rule of assigning a lector for each province, sometime after 1230 Haymo might have been sent to Padua. It was only under the ministry of Elias after 1232 that the province of Tours was established. It was a small province consisting of a few convents formerly divided between the larger provinces of France and Provence.⁷⁴ The appointment of Haymo as lector to Tours can only have taken place under the ministry of Elias after Haymo's return from the Eastern mission around 1234. The appointment is very odd considering that Haymo was a Paris-read, prominent lector and Tours did not have a university, and probably hosted quite a small number of friars. Therefore, it is a possibility that the appointment of Haymo to such a post was a deliberate move of Elias to keep him out of Italy, and in a province where his influence in government affairs would be the least. Only after the succession of Albert of Pisa in 1239 did Haymo of Faversham become the Provincial Minister of England for a year before he was elected minister general.⁷⁵

If Elias were genuinely anti-clerical, one would expect that he would have discouraged the study of theology. There is, however, no evidence from the period

⁷³ Golubovich, *Biblioteca bio-bibliografica*, 2, p. 228.

⁷⁴ *ibid.*, p. 229.

⁷⁵ Eccleston, ch. 14, pp. 86-7. This scheme depends on the hypothesis that each province was assigned a lector. Haymo was commissioned by the pope for an Eastern visit around 1233-4. On this mission, see *ibid.*, pp. 200-1. Thus, it might have been on his return that he was appointed lector of Tours. Roest, on the other hand, argues that Haymo was lector in Bologna between 1233-1238 and that he was appointed to Padua before he was elected Minister General: Roest, *A History of*, p. 45, 58n. However, before his election as Minister general, Haymo of Faversham was Provincial Minister of England. See Eccleston, p. 85-6.

of Elias indicating a change in the Order's involvement in learning. The little information we have from Salimbene confirms that Elias continued the support and progress of the study of theology in the Order.⁷⁶ He did not neglect to appoint a lector in the provinces he had created. Elias appointed to Parma Samson the Englishman (yet another Englishman), and in Fano, Salimbene studied with a lector called Humilis of Milan, who had studied in Bologna under Haymo of Faversham.⁷⁷ Parma could be, by then, the convent of study for the province of Genoa which was created under Elias's ministry.⁷⁸ It could also be a second convent of study for the province of Bologna. Fano was probably one of the convents of study for the province of the Marches of Ancona. Eccleston tells us that Elias appointed Philip of Wales and Adam of York as lectors to Lyon.⁷⁹ Lyon was most probably the designated convent of study for the Province of Burgundy, another province which had been created by Elias himself.⁸⁰

Again it is possible that around this time, one lector for each province was no longer sufficient, and the appointment of lectors to more than one custody in a province was undertaken. According to Eccleston, Albert of Pisa *in adventu suo* appointed lectors to London and Canterbury. The date of Albert's "advent" was generally understood to have been 1236 when Albert of Pisa was appointed by

⁷⁶ "Nam hoc solum habuit bonum frater Helyas, quia ordinem fratrum Minorum ad studium theologie promovit": Salimbene, p. 104.

⁷⁷ *ibid.*, p. 277.

⁷⁸ Golubovich, *Biblioteca bio-bibliografica*, p. 228-229.

⁷⁹ Probably these lectors were appointed at different times. As there was a shortage of lectors at these times, it is not reasonable that one convent should have two lectors.

⁸⁰ *ibid.* Eccleston also mentions that Brother Albert appointed a number of lectors to the various English custodies. Roest suggests that these lectors were appointed when Albert of Pisa was the provincial minister of England. However, it is more probable that these appointments were made when Albert of Pisa was Minister General, probably in the Chapter General of 1239.

Elias as the provincial minister of England.⁸¹ In this case, sometime between 1227 and 1236, a decree must have been made about appointing more than one lector to the provinces, probably to the most crowded and significant custodies. Apparently, the appointment was to be made by the provincial minister.

Whether or not Elias was anti-clerical seems difficult to prove. Despite his unpopular visitations, his reliance on the same provincial ministers for regional administration is a sign that nothing substantial was altered in the way the educational organization was formed. Elias personally played his part in the promotion of the study of theology by appointing lectors to many provinces.

The friars' popularity in intellectual circles steadily increased during the time of Elias. The number of students and masters taking up the Franciscan habit was rising so rapidly as to arouse the jealousy of other orders. The Cistercian doctor of theology, Stephen Lexington, in a letter addressed to the abbot of Pontigny—another doctor of theology—complained that for thirteen years, no one learned in theology had joined their order.⁸² Considering that the letter was written around 1233, the time when the Cistercians had lost their appeal to theology faculty was around 1220, exactly the time when the mendicant orders settled in Paris, and when they started to attract scholars. Even more to the dislike of other orders, Franciscans were attracting not just secular students, but also those who already belonged to an order. In 1233, the Cistercians decreed that any of their monks transferring to the Dominican or Franciscan friars was to be

⁸¹ Eccleston, p. 49.

⁸² "Registrum epistolarum Stephani de Lexinton abbatis de Stanlegia et de Savisniaco", ed. B. Griesser, in *Analecta Sacri Ordinis Cisterciensis*, vol. 2, 1946, p. 117.

considered an apostate.⁸³ In the same year, two Augustinian canons of Dunstable Priory in Bedfordshire, acting without permission, left their priory through a broken window, scaled the walls and went to Oxford to join the Franciscans, taking with them books and cloth fabric.⁸⁴ It is possible that the canons were drawn to the fame of Grosseteste, who was teaching at that time to the Oxford Franciscans.

In 1236, Franciscan involvement in the university circles took another giant step with the entrance of Alexander of Hales into the Order as regent master in the faculty of theology in Paris. No doubt, Alexander, already an old man, was also influenced by the popularity of the mendicant orders. His entrance induced, in turn, many young students and bachelors to enter the order like John de la Rochelle, who followed his master into the Order of Friars Minors.

The year 1239 has great significance in Franciscan history both for the deposition of a Minister General for the first time in a scandalous way, and for the issue of a substantial set of constitutions. It also marked a new period in the history of Franciscan education. Until 1990, in which year Father Cenci discovered some manuscripts in Rome containing the Pre-Narbonne constitutions, scholars of Franciscan history had tried to guess the content of the 1239 constitutions—which as Salimbene tells us were “many in number”—by looking into the later documents and chronicles.⁸⁵ In the Chapter of 1239, when Elias was

⁸³ F.D. Logan, *Runaway Religious in Medieval England c. 1240-1540* (Cambridge, 1996), p. 44

⁸⁴ *ibid.*, p. 47

⁸⁵ See for example the chapter IX titled “Constitutions of 1239-1260” Brooke, *Early Franciscan*, pp. 210-46.

deposed, the governing body of the order, which included well-known names like Gregory of Naples, Haymo of Faversham, Alexander of Hales and Albert of Pisa, made a number constitutions.⁸⁶ The purpose behind publishing a high number of decrees was to find plausible solutions to problems occurring at every level of Franciscan life, which had surfaced particularly during the generalate of Elias. Among these were the problems encountered in the process of establishing a self-sufficient educational organization. For example, for the provision of lectors, the order was still depending largely on external sources, that is, on recruits who were already well-instructed in theology. There was a need to establish the means of maintaining a constant supply of lectors from within. Second, it was essential to make sure that all clerical friars had a decent knowledge of Latin so that they could profit from theology lectures.

The regulation concerning educational organization constituted, therefore, a substantial part of the 1239 constitutions. The governing body of the order, being in favor of studies, thought it necessary to promote study of theology at all levels and to provide continuity to the lector system. By this time, having one lector in a province was definitely not sufficient, since the population of the order was constantly increasing. The aim was probably to have at least one lector for each custody. However, at that date there were thirty-two provinces, and at least over a hundred custodies.⁸⁷ It was clear that the order could no more rely on

⁸⁶ Pre-Narbonne constitutions are edited by Cesare Cenci. See Abbreviations for full reference. There is substantial difficulty in dating these constitutions, which do not constitute a single body, but a compilation from various dates prior to 1260.

⁸⁷ Golubovich, *Biblioteca bio-bibliografica*, 2, p. 239-40.

recruits to fill this rather high number of lectors required. Some friars had to be trained in order to take up the offices of lectors. The Parisian convent was the ideal place for producing lectors, now that it had secured the services of two renowned theologians, Alexander of Hales and John de la Rochelle. It was decided, therefore, that two students from each province should be sent to Paris to study theology proper, with the intention of serving as lectors on their return to the provinces.⁸⁸ It was due to this decree that Salimbene was chosen to go to Paris on behalf of the province of Bologna in 1249.⁸⁹

About the problem of sufficient knowledge of Latin, the General Chapter made a striking decree restricting reception into the order, though it might be interpreted as less striking than is usually thought. It was decided that only clerics who were sufficiently instructed in one of the disciplines of grammar, logic, medicine, canon law, civil law or theology, were to be admitted into the Order.⁹⁰ At the clerical level, therefore, only those who were already well-instructed in Latin could enter the order. Although this is in great discord with the order's initial ideals, it was practically inevitable since the curriculum designed for the friars could be only fulfilled by those sufficiently educated. The offices of the order available to a friar in those days were those of a lector, preacher, confessor,

⁸⁸ “Statuimus quod pro qualibet provintia possint esse duo studentes Parisius. Provideatur autem missis ad studium pro lectoribus a provintiis suis in libris et necessariis scriptis; quorum usum habeant si de una ministracione in aliam transferantur”: Pre-Narbonne, p. 93.

⁸⁹ Salimbene was chosen to study in Paris for the province of Bologna. “Et dixit mihi frater Rufinus minister (Bononie): ‘Ego te misi in Franciam, ut studeret pro provincia mea, et tu ivisti ad conventum Ianuensem, ut habitares ibi?’”: Salimbene, p. 322.

⁹⁰ “Nullus recipiatur in ordine nostro nisi sit talis clericus qui sit competenter in gramatica instructus vel loica vel medicina vel decretis vel legibus vel theologia, aut nisi sit talis clericus vel laicus, de cuius ingressu esset valde famosa et celebris edificatio in populo et in clero”: Pre-Narbonne, p. 75.

inquisitor, missionary or representatives of the Church against Saracens or the Greek Church, all of which necessitated the following of this curriculum.

As for the recruitment of the lay people, the wording used in the relevant decree is interesting: “*talis clericus et laicus, de cuius ingressu esset valde famosa et celebris edificatio in populo et in clero.*” Historians tended to translate this as laymen whose entry would greatly edify the people.⁹¹ What this clause meant in reality was that only the laymen who had a great degree of popularity within society, from wealth, nobility, social position or sanctity, were to be allowed in, so that others would be inspired by their example. At least, this is how Bonaventura explained the same clause which was also included in the 1260 Narbonne constitutions.⁹² The constitutions of 1239 did not strictly forbid the entrance of lay brothers into the order. After all, the item was open to interpretation and therefore provided a degree of flexibility. However, the problem regarding the lay brothers was one of changing mentality. In the Franciscan order of the 1240s, lay brothers were being made redundant, this inducing clerics like Salimbene to designate them as *inutiles*. This concept of usefulness to the order was something expressed also by the pope Gregory IX.:

⁹¹ Roest, *A History of*, p. 269. Freed, *The Friars and German Society*, p. 127.

⁹² Explaining why useless people were being accepted into the order, Bonaventura asserts that the order considered four aspects: “*Una est compassio perditionis eorum qui vix extra Ordinem in saeculo salvarentur, sicut qui de igne vel aqua periclitantem rapit vel de alio discrimine. -Secunda, propter profectum Ordinis, qui ex scientia et industria, morum honestate et reverentia quorundam futurus praesumitur.-Tertia, propter aliorum aedificationem, ut multi de talium conversione, qui aliquo modo sunt famosi in saeculo, emendentur et eorum incidentur exemplo.--Quarta, propter precum instantiam, quam ipsi faciunt pro se et alii pro eis, nimia importunitate obtinent, aliquos recipi, quibus denegari non potest*”: Bonaventura di Bagnoregio, *Determinationes Quaestionum Circa Regulam Fratrum Minorum*, in *Opera Omnia*, 5, ed. PP. Collegii S. Bonaventurae (Florence, 1898), p. 347, Quaestio XV.

“Ita tamen, ut non passim admittantur converti volentes, sed illi soli, qui et Ordini utiles, et alii aedificari valeant suae conversationis exemplo.”⁹³ As mentioned before, since lay preaching was losing its place in the Church’s pastoral mission, lay brothers were also gradually becoming *inutiles* within the order. By 1240, lay preaching of penance was a thing of the past. Innocent’s tolerance was replaced by Gregory’s scepticism. In a letter written in 1240 to the archbishop of Milan, Pope Gregory IX asked him to prohibit the lay brothers of any order from preaching.⁹⁴

Another decree from Pre-Narbonne constitutions mentions the term *studium* for the first time, and further informs us that it was by now a part of the convent buildings. The relevant statute requires silence from both residents and visitors, when they are in cloister, choir, *studium*, dormitory or refectory.⁹⁵ The *studium* was then meant to be the room where the lector delivered his *lectio*. Providing a system of continuous education necessitated inevitably a series of regulations on the buying, selling and protection of books. The Pre-Narbonne constitutions tried to fill this gap to a degree with a number of decrees. These, however, will be discussed in the final chapter.

By 1240, therefore, what we see is an order completely absorbed in the running of its life. Franciscans were serving as papal penitentiaries in Rome, as missionaries in the Holy land, watchful of Saracen advances, as regent masters in

⁹³ *BF*, I, no. CCCLIV, p. 298.

⁹⁴ “...interdicis laicis universis cuiuscunque ordinis censeantur, usurpare officium praedicandi..” Landini, *Causes of Clericalization*, p. 111 quoted from Potthast 9675.

⁹⁵ Pre-Narbonne, p. 83, no. 52.

Paris trying to cope with the growing sophistication of theology, as inquisitors in Provence and Lombardy in endless interrogations of heretics. They were everywhere, active, busy, and deservedly fashionable. Indeed, the word which best describes the spectacular popularity of the Franciscans in these years is *fashion*. One suspects that the reason why so many nobles wanted to be buried in the Franciscan cemeteries—some even wearing the Franciscan habit—was no different from the reason why so many scholars chose to enter the Franciscans in the university towns. If an order were to be considered successful, based on criteria such as the number from the elites joining it⁹⁶, the number of papal privileges, and of lay donations, then the Franciscans were hugely successful. However, although they were now somewhat removed from the order envisaged in the Rule, it was only those who had been around Francis and the twentieth century historians who have studied Francis, who saw a change. People in general did not realize the change or the diversion of aims and objectives. They identified Franciscanism with the Franciscans coming and settling down in their city. For this reason, lay perception of early Franciscanism was shaped by the provincial ministers rather than by St Francis or his companions. What difference it would have made if Leo, Masseo, Rufino, Giles and Angelo had served for long years as the provincial ministers, we will never know. Similarly, it is also doubtful how

⁹⁶ The influx into the order was so great that pope issued a further dispensation to the Rule to ease reception. “Ex vestrae siquidem devotionis insinuatione percipimus, quod in diversis Mundi partibus et praecipue locis, ad quae Ecclesiastici seculares et laici diversarum nationum conveniunt scientiae litteralis obtentu, multi Sancti Spiritus inspiratione compuncti ad vestrae anhelant Religionis habitum, ut sub illo mereri valeant gloriam Supernorum. Sed cum in vestra statutum sit Regula, quod vos soli personas e seculo fugientes in Fratres recipere valeatis; contingit aliquando, quod hi, qui Ordinem intrare desiderant, dum vestri copiam habere nequeunt, a concepti prosecutione propositi revocantur”: *BF*, I, no. CCCLIV, p. 298.

much even the theology doctors like Alexander of Hales were aware of the initial purposes of the foundation of the Order, and of the ideals and life of Francis himself.

Albert of Pisa stayed only a few months in charge. He died in Rome on 23 January 1240. Gregory IX summoned the General Chapter on 1 November 1240 which resulted in the election of Haymo of Faversham. He was the first minister general from the northern side of Alps. A practical reason for the minister generals to be predominantly from Italy was the fact that half of the provinces were Italian, and Italy was represented by a clear majority in the general chapters. However, the election of Haymo is not that surprising for several reasons. He had served as lector in Bologna and Padua, and by this time probably some of his former students were serving as ministers and custodians in Italy. The pope had a high opinion of him, having sent him back in 1233 to the East for negotiations with the Eastern Church.

However, Haymo was also the first minister, who had not had a personal contact with Francis, and who clearly represented the intellectual wing in the order. Yet, he was not the type of self-absorbed, proud scholar that Francis had so disapproved of. He was a model of the moderate, faithful and consistent observance that was particular to the English Franciscans. At the center of his Franciscanism lay humility and the idea of evangelical poverty. Eccleston describes him sitting at the far end of the refectory in provincial chapters, wearing

always a very poor and patched habit.⁹⁷

As for his approach towards the heavy involvement of the order in learning, it would, indeed, be very difficult for Haymo to understand that any evil could come out of the study of theology. That theology was something good, approved, even encouraged by the papacy, was a tautology. Whether he actually knew the wishes of Francis on this particular matter is also doubtful. The only official texts current about Francis was the *Vita Prima* of Celano, the Testament and the Rule, none of which, after all, condemned the study of theology in itself. The prohibitions in the Rule with regard to the possession of books had been annulled by the papacy years before. Haymo surely heard the stories of the early companions which circulated in the order orally, but to what extent he believed them is difficult to know.

The position of lay brothers in the order was increasingly being undermined, particularly after the ministry of Elias. Although sticking to Francis's love of poverty, Haymo of Faversham shared little else with the early Franciscans. One of his first acts was to remove the lay brothers from the offices they had acquired at the time of Elias.⁹⁸ This approach, together with the 1239 constitution item which restricted the reception of laymen into the order, finalised the statutory basis of the clericalization of the order. The lay brothers, who according to Francis, had the potential of performing the greatest good through their prayers, were now in danger of being regarded as idle and unemployed.⁹⁹ The lay brothers

⁹⁷ Eccleston, p. 86.

⁹⁸ *Chronica XXIV Generalium*, p. 251.

⁹⁹ In the *Intentio Regulae*, Francis reproaches learned preachers in his order, proud of converting

were now made redundant; more, they had become an endangered species.

Another important event of Haymo's time was the issue of a circular mandate which asked all provinces to list the doubtful points in the Rule. Probably, the intention of Haymo was to reconcile the Rule with the contradictions in the friars' lives. Eccleston tells us a lively story on this subject:

“In his days [the ministry of Haymo of Faversham] a mandate was issued by the Chapter ordering that friars chosen from each province were to write down any doubtful points in the Rule and send them to the minister general. For the English province, brother Adam of Marsh, brother Peter the Custodian of Oxford, brother Henry of Boreford and some others were elected. However, on that night, St Francis appeared to John Bannister and showed him a deep well. When he said to him: ‘Father, the fathers want us to comment on the rule; now you can expound the Rule to us’, Francis replied: ‘My son, go to the lay brothers; they shall explain your Rule to you’”.¹⁰⁰

This account signifies two important points. First, the chosen group included prelates well-instructed in theology like Adam Marsh, and second, Francis' reply which implied that lay brothers would have a better understanding of the Rule than the theologians. The story shows that the early attitude which exalted laity in its simplicity, despite the resistance from the administration, had not disappeared. Eccleston also informs us that the reply of the English province to this mandate was sending a simple note asserting that the Rule was dictated to Francis by the Holy Spirit, and that it should not be changed.¹⁰¹

people through their preaching. “For those whom they believe they have edified or converted to penitence by their words, God has edified and converted through the prayers of saintly brothers, though they do not know it themselves.” *Scripta Leonis*, pp. 211-3.

¹⁰⁰ In Little's edition of Eccleston's *Tractatus* there are actually two such episodes about Francis's attitude towards lay brothers and learning on p.51, and one on p. 71. However, the story on p. 71 appears in all manuscripts, but that on p. 51 only appears in a 14th century manuscript. I have, therefore, chosen to leave it out on the ground that the MS might have been written much later, influenced by later controversies. However, it is still worth bearing in mind.

¹⁰¹ Eccleston, p. 71

However, not all provinces shared the opinion of the English on the infallibility of the Rule. The province of France responded to the same mandate with famous names like Alexander of Hales, John de la Rochelle, Brother Gaufrido, the custodian of Paris, Robert of Bastia, another famous theologian, and possibly Odo Rigaldo.¹⁰² Although they were only expected to reflect on the doubtful points, the Parisian group treated the Rule like any other scholastic text. They wrote a full commentary on it, with questions followed by arguments. The only things lacking from this scholastic commentary were references to Aristotle and St Augustine.¹⁰³ It was even entitled like a scholastic commentary: *Expositio Quattuor Magistrorum Super Regulam Fratrum Minorum*.¹⁰⁴ Ironically, by naming it in such a way, the masters had at the very start violated a previous constitution decreed under John Parenti: that no friar was to be called “master”.¹⁰⁵ The fact that they had written a commentary on the Rule at all was a violation of Francis’s teaching, since it was against the will of Francis, as clearly expressed in the Testament. However, Gregory IX had declared that the Testament was not binding on the friars under canon law.

In the *Expositio* of the Paris masters, poverty seems to be again the prime preoccupation. It looks almost as if, among all the orders and exhortations of the

¹⁰² *Chronica XXIV Generalium*, p. 247

¹⁰³ An exemplary quote will be sufficient. “Sequitur: Finito vero anno probationis, recipiantur ad obediandiam. Hic quaeritur an guardiani et custodes possint recipere fratres ad obediandiam. Et videtur quod sic, quia licitum est, quod nulla lege prohibetur. Cum ergo eis non sit prohibita receptio ad professionem ex regula, videtur eis esse concessa”: *Expositio Quattuor Magistrorum Super Regulam Fratrum Minorum (1241-1242)*, ed. Livarius Oliger (Rome, 1950), p. 132.

¹⁰⁴ Oliger, the editor of the text analyzes the name given to the text, and marks that the choice of *Quattuor Magistrorum* had its predecessors in the medieval literature: *ibid.*, pp. 15-6.

¹⁰⁵ “Statuit etiam, nullum fratrem magistrum vel dominum vocari:” a statute of the Chapter General of 1227, *Chronica XXIV Generalium*, p. 211.

Rule, poverty alone was being equated with being faithful to Francis. The Paris masters had much in common with Haymo: their unbreakable conviction of the excellence of scholastic theology, their remoteness from Italy, particularly Umbria where the spirit of Francis was kept alive, their late entry into the order, at a point when the order was already involved in studies, their not having met Francis nor his early companions, and their ignorance of the saint's life. It is absolutely no wonder that the *Expositio* does not even touch the matter of studies, except in a matter-of-fact acceptance of the necessity of books. If Pope Gregory IX, as someone who had known Francis very closely, had thought of books as necessary, why should they suspect that Francis disapproved of their possession? A crucial question was, of course, the problem of accepting money. Without money, there would be no buying of parchment, ink, quills or even payment to the universities to get Franciscan students their degrees. The four masters, indeed, dedicated their longest answer to a single sentence in the Rule. They based their solution on *Quo Elongati* and on the 1239 constitutions, explaining that the friars could accept anything which was only intended to be used, not possessed.¹⁰⁶ It was only the appropriation which was prohibited, not the use.¹⁰⁷

The masters treated the items in the Rule as individual arguments which could be elaborated and applied accordingly in similar cases, rather than trying to see it as a consistent declaration regulating the friar's life in the spirit of Francis's ideals. For example, to justify the buying of parchment for the purpose of writing

¹⁰⁶ "Receptio vero rerum aliquarum ad usum conceditur": *Expositio Quattuor*, p. 143.

¹⁰⁷ "Constant enim...omnis rei proprietatis interdicatur, sed non usus": *ibid.*, p. 142.

books, they pointed to the fifth chapter of the Rule of 1223, which allowed artisan friars to receive tools necessary to their profession.¹⁰⁸ Francis always encouraged the friars to do manual labor to earn their daily bread, and it was for this purpose that he had allowed the tools to be used in labor. However, obviously, friars who were writing books were not doing so for the purpose of earning bread.

The *Expositio* was sent to the Chapter of Bologna in 1242, and the document seems to have been approved there, thereby enjoying a great authority in succeeding years.¹⁰⁹ Later on, Hugh of Digne and Peter John Olivi referred to this text in their Rule commentaries. The fact that this text was readily accepted by the official body of the order is in itself a sign of the completion of the change in mentality which accepted the superiority of the theologians in understanding and interpreting the mission and vocation of the order.

The course of the growth of the order following the death of Francis until the early 1240's led to the birth of a brand-new ideal, an ideal which had nothing to do with Francis or the first Franciscans. The exemplary Franciscan was no more Francis, but a Paris-educated theologian, dressed in a patched habit and a revised spirit of humility and poverty. A perfect groom had been found to *Domina*

¹⁰⁸ "Circa partem istam quaeritur an, sicut fratres recipiunt libros et alia, quibus licet uti, possunt recipere materiam iuxta suum artificium, et ex ea operari aliquid quod postmodum darent pro corporalis necessitatibus acquirendis, ut pergamenum de quo faciunt libros, et corium de quo faciunt sotilares, et huiusmodi?": *ibid.*, pp. 149-50.

¹⁰⁹ On the text's authority, see *ibid.*, pp. 35-6.

Paupertas: Magister Studium. The Franciscan habit, similar to the tunic of a medieval peasant, was to represent the lowliness and simplicity of the person inside. The followers kept the habit, but replaced the peasant with the learned priest. The minister generals of the Order took an active part in supporting the new image of the ideal friar. In Haymo of Faversham, it was embodied. To quote the words of the beloved future minister general John Parenti, the order was now rising on two pillars: good behaviour and knowledge.¹¹⁰

¹¹⁰ “Dixit autem idem pater, quod cum ex duobus parietibus construatur aedificium ordinis, scilicet moribus bonis et scientia”: Eccleston, p. 74.

CHAPTER III

FROM *ZELANTI* TO BONAVENTURA

Today, if we would like to make up our minds about who actually St Francis was and how his mind was formed, we can consult his own writings, edited most recently by Kajetan Esser. These form a reasonable corpus including letters, numerous admonitions, the Rules of 1221 and 1223, and his Testament.¹ To find out about the early days of the Order, and the life of Francis we have the *Omnibus of Sources of St Francis* edited in many languages.² But what did an ordinary Franciscan friar in the middle of thirteenth century know, or what could he know about Francis, his intentions and the early Franciscan way of life? The question is of no little significance, if we think about the growing tensions after the 1240s, which brought the Order to the point of division in the fourteenth century. It has been satisfactorily addressed by Duncan Nimmo in his *Reform and Division in the Franciscan Order* and it will suffice here to give a brief summary of his conclusions.

Nimmo observes a break in the transmission of Francis's message between the first brothers and the later recruits.³ Personal access to Francis and

¹ *Opuscula Sancti Patris Francisci Assisiensis*, ed. K. Esser (Rome, 1978).

² *St. Francis of Assisi: Writings and Early Biographies*, ed. M. A. Habig, 4th edn. (Quincy, 1972).

³ Nimmo, *Reform and Division*, p. 70.

later on, to his companions, was restricted to a small group in Italy. Francis's writings could have been utilized to understand the mind of the founder, but the evidence points rather towards the fact that this did not happen. From the thirteenth century, only four manuscripts have survived which contain Francis's writings other than the Rule of 1223, and none of these contain the entire corpus, although, as Nimmo remarks, Francis had increasingly resorted to the written word in his last years and requested that the friars preserve and copy his writings.⁴ Thirteenth-century Franciscan authors hardly ever refer to the writings of Francis, except by means of occasional quotations from the Testament. As an example, we can refer to the preaching aids written by Thomas of Pavia, who served as lector in Bologna, Parma and Ferrara. Thomas cites only the *Vita Prima* and *Vita Secunda* of Celano, Julian of Speyer and the Rule of 1223, whenever he needed to refer to Francis.⁵ There is no sign of the Testament, the Admonitions or the letters of Francis. This lack of interest in the writings of Francis is quite difficult to explain in any way other than suggesting that there was a "act of calculated suppression" of the saint's writings.⁶

As for the biographies, until 1248, when Celano compiled his *Vita Secunda*, the only sources available were the *Vita Prima* of Celano, and the *Tractatus de Miraculis* by Julian of Speyer, which was almost totally based on the *Vita Prima*. Neither of these works say much about Francis's vision of a Franciscan friar, but emphasize his miracles and holiness. Since the general

⁴ *ibid.*, pp. 71-2.

⁵ E. Longpré, "Les 'Distinctiones' de Fr. Thomas de Pavie, O.F.M.," *AFH*, 14 (1923), pp. 28-33.

⁶ Nimmo, *Reform and Division*, pp. 72-3.

chapter of 1263 ordered the destruction of all previous biographies it is difficult to know how many convents had possessed Celano's *Vita Prima* after 1228. It would not be very wrong to say, therefore, that today we have a better idea about the intentions of Francis than most of the medieval friars had. We owe a great deal to the writings of Leo and other companions, which were composed only in 1246, and these were not circulated within the order. These writings were utilized in Celano's *Vita Secunda*, but only with considerable modifications. From 1248 until the composition of Bonaventura's *Legenda Major*, the Rule and the two *Vitae* seem to have been the only sources available to the majority of friars for the purpose of understanding the Franciscan vocation.

The friars who would have had the most realistic idea of the primitive Franciscan vocation seem to have been those who were either eye-witnesses to the life of Francis and his companions, or those who had listened to their stories. Most of the companions lived long enough in the hermitages of Umbria and the Marches of Ancona to be visited by recruits and to spread their memories of Francis. Brother Bernard died in 1242, Giles in 1261, Angelo in 1258, Rufino and Leo in 1278.⁷ In time, some friars living in the neighbourhood of these pioneers, probably influenced by the stories of the early days, started to favor a stricter observance of the Rule. The term applied to these friars in Franciscan historiography is *zelanti*.⁸ These historians have tended to label as the early

⁷ For these dates see *ibid.*, pp. 78-9.

⁸ Thaddeus MacVicar, *Franciscan Spirituals and the Capuchin Reform* (New York, 1986), p. 11.

forerunners of the “Spiritual party” as opposed to the “Conventual” party.⁹ The Spiritual party was against relaxations of the Rule, and represented the desire to return the primitive days of the order. They were at odds with the “Conventual party” who had relaxed the Rule, had sought privileges from the papacy and had abandoned the primitive ideas.¹⁰

The first open dissent of this *zelanti* group with the Order’s administration took place at the time of Crescentius of Jesi in 1247. The author of the *Chronica XXIV Generalium* calls this group a “sect”, who were frowning on the decrees of the order, and wearing shorter habits as a sign of their observance of strict poverty.¹¹ Convinced that the relaxations introduced into the Rule contradicted their vocation, some seventy-two friars among these *zelanti* decided to appeal the pope. As Nimmo states:

“the way in which St. Francis’s message was transmitted to his followers compelled them, if only by default, to take a stand as between the canonical authority of the Rule and the moral authority of what have been termed the ‘alternative sources’; and further, that different stands on the issue could give rise to substantially, even radically differing conceptions of the Franciscan vocation”.¹²

It was this different stand which led these friars to Rome to seek the help of the pope.

The foremost item on the agenda of the dissenters was the new minister

⁹ Moorman, *A History of*, p. 108. Likewise in Douie, *The Nature and the Effect*, p. 2. The Spirituals and the Community are the labels used by Nimmo.

¹⁰ For a full discussion, see Chapter 1, “The origin and development of the Spiritual Party in the Franciscan Order”, in Douie, *The Nature and the Effect*, pp.1-21.

¹¹ *Chronica XXIV Generalium*, p. 263; Eccleston, p. 72. The chronicles do not use the word *zelanti* at this stage. Eccleston describes them as *fratres zelatores*, “zealous brothers”.

¹² Nimmo, *Reform and Division*, p. 33. For a general discussion, the reader is advised to read the Introduction of this work.

general's indifference to the violation of apostolic poverty. On both sides of the Alps, among all the items which constituted the Franciscan vocation, it was above all the observance of strict poverty which really mattered. It was mainly Elias's neglect of poverty which made him unpopular and brought about his downfall. Although he showed favor to the lay brothers, and was a favorite of Francis, he could not escape the blacklist of Angelo Clareno. However, minister generals like Albert of Pisa, who passed the 1239 constitutions dealing with the schooling of friars, or someone like Haymo of Faversham, a Parisian master, who denied offices to lay brothers, were not criticized at all, for they were known to be zealous in their observance of poverty. Nor were they reproached later on by the ardent Spirituals such as Angelo Clareno or Ubertino di Casale. However, Crescentius of Jesi, the man who had accepted the papal bull *Ordinem Vestrum*, which had introduced even more relaxations on poverty, was just too much for the zealous group in Italy.

An equally great evil for the dissenters was the study of philosophy.¹³ It was at the time of Crescentius that the teaching of philosophy in the Franciscan schools began.¹⁴ As far as we can gather from Clareno, this teaching consisted of

¹³ *Chronica XXIV Generalium*, p. 262.

¹⁴ "Ex infidelitate et praesumptione et confidentia et irreverentia Christi sensus et inobedientia fundatoris orta est persecutio prima; ex iis subsequenter falsitas, fraus, ira, impatientia et crudelitas germinaverunt in persecutione secunda; e quibus omnis tempore huius fratris Crescentii, qui praedecessoris sui fratris Eliae sectatus est affectus et mores, quaedam insatiabilis cupiditas sciendi, apparenti, habendi, acquirendi, mutandi loca solitaria, paupercula, et aedificandi sumptuosa, procurandi legata et sepulturas, et clericorum iura subripiendi, addiscendi scientias saeculares, et in iis scholas multiplicandi suborta crevit in tantum, praesertim in Italiae partibus, ut non erubescerent fratres, pro suis votis implendis, palam pecuniam procurare et recipere, et litigia in curiis contra quascumque personas aliquid eis debentes facere et movere": Angelo Clareno, *Historia Septem Tribulationum*, ed. Alberto Ghinato (Rome, 1959), p. 89. Although Clareno should be approached with caution, since he was a fervent spiritual and his

the works of Aristotle, the study of logic and natural philosophy, and was seen as not directly related to theology.¹⁵ This development should be understood in connection with the introduction of philosophy into the Arts curriculum in the universities around this time. The order's first regent master in theology, Alexander of Hales, was known as the first Parisian scholar to use the whole Aristotelian corpus in writings of theology.¹⁶

The introduction of logic and natural philosophy into the Franciscan curriculum was by all means a very important development. For one thing, up until the introduction of Arts into the Franciscan curriculum, the study of theology did not encounter any known opposition within the order. However, with the introduction of disciplines like logic or natural philosophy, the dissenters probably detected an open violation, of not only Francis's intentions, but also of Christian values, since the friars were now reading the books of "pagans" like Aristotle. Certainly this resistance was in no way peculiar to the Franciscans. The legitimacy of the application of logic and of the use of Aristotle's books in theological works was one of the hottest debates in the medieval religious world. However, it was through this dissent that study and learning became for the first time a subject of conflict in the order.

work can be considered a relatively late source, there is little reason for him to be wrong on the factual information of the opening of the art schools under Crescentius.

¹⁵ "Videntes igitur, se nihil proficere et considerantes, quod ex verbis eorum peiores fiebant, et quod pro vera et pura observantia regulari introducebantur quaestus enormes, mutationes locorum et aedificationes intra civitates et castra cum scandalo cleri et populi, quod oratione relicta Aristotelis curiosam et sterilem scientiam divinae sapientiae praeferabant, et naturales et dialecticos magistros audire avidius sitiebant, et scholas scientiarum harum habere et multiplicare ardentem procurabant; et quod haec et iis similia, quasi pro nova inspiratione et perfectiori": *ibid.*, p. 90.

¹⁶ Rashdall, *The Universities*, 1, pp. 363-4.

Another significant event of this time was Crescentius's decision to commission a new biography of Francis. Crescentius was probably well-aware of the dissent in Umbria, since prior to his election he had served there as provincial minister, and he could see that the source of this dissent was a different perception of Francis's life. Thus, he saw a need to reconstruct the life-story of Francis. Perhaps, the clearly positive attitude in Celano's *Vita Prima* towards Elias, who had subsequently become a disgrace to the Order, also prompted the revision.¹⁷ To realize this new biography, Crescentius called on all friars to write down and send to him whatever they knew concerning Francis. To this call, Leo, Rufino and Angelo replied by writing down their own memories and also what they had heard from other companions of Francis like Philip, Illuminatus and Maseo.¹⁸ It is quite probable that Leo and his group considered this as an excellent opportunity to respond to the changes in the order by picturing the true intentions and life of the saint. They explained their aim in the introductory letter to their compilation finished in 1246:

“We were not only content simply to narrate miracles, which do not create, but only demonstrate holiness; we wished to make known the striking examples of his discourse and his holy will and pleasure, to the praise and glory of God and of our holy father Francis, and for the instruction of those who follow in his footsteps.”¹⁹

¹⁷ This reasonable point was made in Sabatier, *Un Nouveau Chapitre*, p. lx.

¹⁸ *Chronica XXIV Generalium*, p. 262. The result was *Legenda Trium Sociorum*, however the absence of any thirteenth century manuscripts cast doubt on the authenticity of these writings and gave rise to much discussion in Franciscan historiography. The most recent and perhaps definitive contribution to this discussion belongs to Rosalind B. Brooke who edited the *Scripta Leonis*, which includes the parts of the *Legenda Trium Sociorum* and the *Speculum Perfectionis* that she attributed, from internal and external evidence, to the original writings of Leo.

¹⁹ *Scripta Leonis*, p. 87.

Leo and his friends' decision to narrate the events of Francis's life, as well as the miracles, as demonstrated in the first chapter, has contributed immensely to our understanding of Francis's mind. However, the miracles of Francis particularly were a source of immense interest to a majority of the friars in the 1240s. Hence, the reason why the general chapter of 1244 decided to commission a new biography of Francis could have been both the confusion in the order about the intentions and deeds of Francis, and the desire to satisfy interest in Francis's miracles and holiness.

This renewed interest was rooted in a very significant and widespread movement within the order: Joachimism. It was exactly around this time, in the 1240s, that the Joachimist prophecies were diffused throughout the order, with striking impact. Although scholars have remarked on the effect of Joachimism on the Spirituals, its lasting effect on the conventuals and the learned group in the Order has been largely ignored. This aspect has only been studied in the context of the Parisian conflict with the seculars.²⁰

Joachim of Fiore (1135-1202) was a Cistercian abbot who founded a new order at Fiore in Calabria. He was known to have written a series of commentaries on the books of Bible—some of which were falsely attributed to him—and particularly one on the Apocalypse where he made a series of

²⁰ For a bibliography of the works of Franciscan and Joachimism, see M. Bloomfield and M. Reeves, "The Penetration of Joachimism into Northern Europe" in *Joachim of Fiore in Christian Thought: Essays on the Influence of the Calabrian Prophet*, ed. Delno C. West, 1 (New York, 1975) p. 107, n. 2-3. The general histories of the order treat the subject under the secular-mendicant controversies in Paris: P. Gratien, *Historie de la fondation et de l'évolution de l'Ordre des frères mineurs au XIII siècle* (Paris, 1928), p. 200; and Moorman, *A History of*, pp. 127-128.

prophesies, and designed a new world history depending on the Bible. Joachim was certainly not the first in the medieval monastic apocalyptic tradition which stretched to 600 A.D.²¹ His significance and later fame lay with the “applicability of his hopes for the coming *virii spirituales* to the great orders of mendicants”.²² In his three-phase classification of human history into the ages of the Father, the Son and the Holy Spirit, he had prophesied that in this third era of the Holy Spirit, a new order was to emerge, which would be endowed with the evangelical spirit. This would be the age of the *Evangelium Aeternum* when the pagans, Jews and Greeks would be converted.²³ Although Joachim’s trinitarian theology was found to be in conflict with that of Peter Lombard and was condemned at the Fourth Lateran Council in 1215, owing to his reputation for piety and his close ties with the papacy, his other works were allowed to stand and these maintained their popularity.²⁴

The reason why Joachimism became so influential in the history of the Franciscan Order was the fact that some of these prophesies seemed to contemporaries to refer to the history of Francis and the order. The *alter Christus* who would carry the *signum Dei* was too easy to identify with Francis and his stigmata, as was Joachim’s evangelical Order of spiritual men with the

²¹ Bernard McGinn, “Apocalyptic Traditions and Spiritual Identity in the Thirteenth Century Religious Life” in *Apocalypticism in the Western Tradition* (Norfolk, 1994), p. 2.

²² *ibid.*, p. 6.

²³ For a detailed discussion of the prophesies of Joachim of Fiore, see M. Reeves, *The Influence of Prophecy in the Later Middle Ages: A Study in Joachimism* (Oxford, 1969); Bernard McGinn, *The Calabrian Abbot: Joachim of Fiore in the History of Western Thought* (London, 1985).

²⁴ Hefele and Leclercq, *Historie des Conciles*, 5, pt. 2 (Paris, 1913), Canon 2, p.1327; Reeves, *The Influence of Prophecy*, p. 37

Franciscans.²⁵ Most of all, Francis had stated several times that his Rule had been written under the guidance of the Holy Spirit, the identifying “person” of the Joachim’s third era. To Franciscans with Joachite interests, the Rule was no different to the Bible, in that it was not to be changed in the slightest particular, and was to be observed *ad litteram*.

What is interesting in the order’s engagement with Joachimism is the fact that it spread primarily through the clerical and learned branch. The interest in Joachimist ideas seems to have originated exclusively among those who were occupied with the study of theology. There was a simple reason for this. The prophecies of Joachim were not spread through public preaching, like Waldensian heresies for example. The prophecies were buried in a set of Joachim’s writings, which were essentially sophisticated commentaries on various parts of the Bible. Therefore, they could only be read and understood by those who were sufficiently educated. Given the nature of Joachimist writings, which were highly symbolic and required a subtle knowledge of theology to understand and interpret, for someone with lesser abilities, the study of these works would not be possible.

Noting that the two new religious orders, the Dominicans and Franciscans, were natural adherents of these prophecies, Douie argued that the Franciscans were more enthusiastic than the Dominicans, because in their early days they were a far less learned order than their rivals, and therefore were far

²⁵ For the early identification of the Franciscans with the prophesied order of Joachim, see F. Russo “Gioachinismo e Francescanesimo” in *Joachim of Fiore in Christian Thought*, pp. 129-141. See also the chapter entitled “Early Franciscans” in Reeves, *Prophecy in the Later Middle Ages*.

more liable to be influenced by imaginative speculations.²⁶ However, it would not have been possible in the first place for Franciscans to be attracted to these ideals at all, if the order had refused to allow the possession of books, and had restricted study exclusively to the reading of the Bible. Francis had certainly made a more successful prophesy than Joachim in his belief that books would lead friars into curiosity.

It is difficult to pin down the first Franciscan interest in the writings of Joachim of Fiore. For the early development and diffusion of the Joachite ideas in the order, Salimbene is our main source. Although the first recorded instance in Salimbene's chronicle is from around 1245, the date can be taken as far back as 1235. The first known instance is the *Commentary on the Apocalypse* by a German Franciscan called Alexander of Bremen, which was written in installments between 1235 and 1250, making use of a spurious Joachite work, the *Expositio Super Jeremiam*.²⁷ It is today generally acknowledged that the *Expositio Super Jeremiam* was written thirty years after the death of the Calabrian Abbot, yet was accepted as a genuine work of Joachim in the Middle Ages. Scholars have even considered a Franciscan authorship for the work.²⁸ There is however a dispute about when exactly the Joachite writings were brought to Germany.

²⁶ Douie, *The Nature and Effect*, p. 27

²⁷ Bloomfield and Reeves, "The Penetration of Joachism", p. 124. See also Russo, "Gioachinismo e Francescanesimo", p. 134 for the argument that Alexander was writing around 1242.

²⁸ For a critical survey of Joachim's writings see M. Bloomfield, "Joachim of Flora: A Critical Survey of his Canon, teachings, Sources, Biography and Influence" in *Joachim of Fiore in Christian Thought*, pp. 29-91. For the claim of Franciscan authorship, see *ibid.*, p. 32.

Sometime between 1243 and 1247, while Salimbene was in the convent of Pisa, an abbot from Fiore—described by Salimbene as *vetulus* and *sanctus*—fearing that his monastery might be destroyed by Frederick II, brought all the manuscripts of Joachim’s writings that had been in his monastery to the Franciscan convent of Pisa. The lector of the convent, Rodolph of Saxony, who was known as a great logician, theologian and *disputator*, gave up the study of theology and dedicated himself to reading these manuscripts. He became a “*maximus Joachita*” in Salimbene’s words.²⁹ Salimbene, who had an obvious admiration for all the learned and high clerical group in the order, demonstrates a clear partiality for Joachimism³⁰ in his account. It is further bizarre that the Pisa convent accepted so readily into its custody the writings of a man whose views on trinitarian theology had been condemned. It is worth considering the extent to which Rodolph’s interest in, and study of, Joachite prophecies affected his lectures on the Bible. Probably, the student friars in the convent of Pisa were influenced in their understanding and interpretation of some parts of Bible, particularly the Apocalypse, by the inclinations of their lector.

Another incident, which again involves lectors, comes from 1247-8, when

²⁹ “*Nam prius eram edoctus et hanc doctrinam audieram, cum habitarem Pisis, a quodam abbate de ordine Floris, qui erat vetulus et sanctus homo, et omnes libros suos a Joachim editos in conventu Pisano sub custodia collocaverat, timens, ne imperator Fridericus monasterium suum destrueret, quod erat inter Lucam et civitatem Pisanam, per viam que vadit ad civitatem Lunensem...Frater vero Rodulfus de Saxonia, lector Pisanus, magnus logicus et magnus theologus et magnus disputator, dimisso studio theologie, occasione illorum librorum abbatis Joachim, qui in domo nostra repositi erant, factus est maximus Joachita*”: Salimbene, p. 236.

³⁰ Latin sources like Salimbene’s chronicle refer to people who are influenced by the teachings of Joachim as “*Joachite*”. The related movement has been named by the historians as Joachimism.

Salimbene was residing in the convent of Provins.³¹ Here he meets two Joachite Franciscans, Bartholomeus Guisculus of Parma and Gerard of Burgo di San Donino. These men were teaching Latin grammar before they joined the order, and had a thorough knowledge of Joachimist writings, and of Latin grammar. They had with them a Joachimist commentary, the *Expositio Super Ieremiam*, and many other books.³² Their unchecked possession of Joachite books suggests a flaw in the logic of the relaxation on the possession of books through the bull *Quo Elongati*. The friars were supposed to have only the books necessary for their studies. Finally, we learn from Salimbene that Bartholomeo went on to the convent of Siena, and Friar Gerard was sent to Paris to study theology on behalf of the province of Sicily where he had been brought up.³³

Both of the anecdotes above point to an important deficiency in the early system of education in the order: the lack of control over the activities, teachings and the possession of books of the lectors. This lack of control continued until the publication of the notorious Joachimist work, the *Introduction to the Evangelical Gospel*, by the aforementioned Gerard of San Donino in 1254, the effects of which will be discussed below. This unrestricted freedom of the lectors was a result of the shift in mentality within the Order which has been discussed in the previous chapter, towards an attitude that regarded the study of theology as something almost unconditionally good, and which therefore exalted the

³¹ It is worth noting is that Provins (lat. Pruviniensis) is very close to Paris, in the custody of Champagne, France: *ibid.*, p. 236.

³² *ibid.*

³³ *ibid.*, p. 237

theologians. In the Franciscan order of the 1240s, there was little concern that learning could diverge from its purpose.

The Joachimist ideas were diffused within the order through the mobility of lectors and students. One of the most influential and famous figures in the Order around late 1240's and early 1250's, Hugh of Digne was, in Salimbene's words, a *magnus Joachita*, disseminating Joachite ideas and teachings in the convent of Hyeres, where a great number of notaries, judges, doctors and other learned people came to listen to him. He possessed all the Joachim's books, written in big letters.³⁴ It was here that two Franciscans, Iohannes Gallicus and Iohanninus Pigulinus de Parma from the convent of Naples, came to listen to Hugh's Joachite teachings.³⁵ It is possible that John of Parma, who served as lector in the convent of Naples, was influenced by Joachimism through these two friars. John's subsequent appointment to the office of lector in Paris suggests again the probability that Joachimism was diffused throughout the order by lectors.

Before 1250, the effect of Joachimist ideas had spread to England. Again the leading figures studying the Joachimist prophesies were lectors such as Adam Marsh. In a letter of unknown date to Robert Grosseteste, he sent a selection of Joachimist writings and demanded Grosseteste's opinion of them.³⁶ Moreover, Hugh of Digne had a longstanding friendship with both Robert Grosseteste and

³⁴ "Erat enim magnus Joachita et omnes libros abbatis Iochim de grossa littera habebat.": *ibid.*, p. 236.

³⁵ *ibid.*, p. 239.

³⁶ Adam de Marisco, *Epistolae in Monumenta Franciscana*, ed. T. Brewer, 1 (London, 1859), no. xliii, pp. 146-7.

Adam Marsh; they were accustomed to exchange works and ideas.³⁷ The diffusion of Joachimist ideas, therefore, provides us with a further indication of the swift exchange of ideas and the flow of books among the lectors of the Order. It was probably through the chapters and church councils that the lectors came together, conversing in the common language of Latin, and informing each other about their new intellectual acquisitions and activities.

From this angle, an interchange of ideas between the companions of Francis and the Joachites in the order was possible. It is certain that one of the most influential Joachites Hugh of Digne was in touch with the immediate circle of Francis and listened to their stories of Francis.³⁸ H.R. Patch argued that the vision of the other world in the Fioretti was taken from the *Visio de Gloria Paradisi* which apparently was written by Joachim. If this vision belonged to the original writings of Leo and his circle, then one can talk of Joachite influence on these famous companions of Francis.³⁹ Therefore, there is also the probability that the *zelanti* who rebelled against Crescentius were influenced by Joachite ideas through their verbal exchange with friars like Hugh of Digne or John of

³⁷ Salimbene writes that one of the greatest friends of Hugh was Grosseteste: Salimbene, p. 233. Southern suggests that Grosseteste had sent a copy of his new translation of Nicomachean Ethics of Aristotle to Hugh of Digne, whom he probably met at the Council of Lyon. For this and the influence of Joachimism on Grosseteste, see R.W. Southern, *Robert Grosseteste: the growth of an English mind in Medieval Europe* (Oxford, 1986), p. 290.

³⁸ We learn this from the prologue Hugh wrote to his Rule commentary: "Led by my commission, I will recall happenings to defend the rule and even plead the attention it deserves. In doing so, I draw especially on what I have learned from or found passed down by the close companions of Francis as well as other friars outstanding for their holiness and wisdom, who with great devotion have told us about him in their words and writings": D. Flood, *Hugh of Digne's Rule Commentary* (Rome, 1979), p. 57.

³⁹ Bloomfield and Reeves, "The Penetration of Joachism", p. 107 n. 3; H.R. Patch, "The Bridge of Judgement in the Fioretti", *Speculum*, 21 (1946) pp. 343-4.

Parma. This thesis is further supported by their joy at the election of John of Parma as the minister general in 1247.⁴⁰ As mentioned already, John of Parma was a Parisian bachelor, a convinced Joachimite, and a stern supporter of primitive Franciscan poverty.

With the election of John of Parma, the dissemination of Joachimist ideas within the order accelerated. This situation continued until 1255, when the apocalyptic writings of Joachim and Gerard of San Donino's book, the *Introduction to the Evangelical Gospel*, were condemned. Even then, the self-identification of many Franciscans with the Joachim's spiritual men had a lasting impact on the friars' view of their vocation. Although this self-perception fostered the vanity which Francis had feared and loathed, it probably also motivated these learned friars to follow a strict observance of the Rule, thereby protecting the position of poverty in the face of the rise of learning within the order. The document which best reflects this new union of learning and zeal is the Rule Commentary of Hugh of Digne. Indeed, Hugh's great importance in Franciscan history resulted mainly from this commentary and its effect on the figureheads of later Spiritual group, such as Angelo Clareno and Ubertino of Casale.

Before proceeding to examine the content of Hugh's *Expositio*, it is useful to discuss the question of its dating. Its date of composition has not yet been firmly established. Brooke suggested a date as early as 1243, a time when it is

⁴⁰ Angelo Clareno, *Historia*, p. 93.

believed that Hugh was not yet familiar with the work of Joachim. On the other hand, the editor of the commentary, David Flood, argued for 1252.⁴¹ Indeed, 1243 does seem too early a date for the commentary. Given the fact that Hugh of Digne was actually “commissioned” to write this *Expositio*, it is difficult to believe that Haymo of Faversham, who was the minister general in 1243, commissioned it.⁴² There was already the Commentary of Four Masters at this time, and it is not likely that Haymo would have asked Hugh to write another one so soon. Besides, there is no known relationship between the two men. It is also very improbable that Crescentius of Jesi would commission someone like Hugh, who was close to the group that rebelled against him. Historical narrative suggests that the most probable general minister to commission Hugh to write such a work would have been John of Parma. Hugh and John of Parma are known to have been good friends, and they both had strong Joachite sympathies. I see, therefore, no reason to reject Flood’s dating of 1252.

Once the composition can be dated to a time when Hugh of Digne had already become a well-known Joachite, the necessity to investigate Joachimist influence on the commentary arises, if only with regard to the terminology

⁴¹ Brooke does not explain why she chose that date, except by asserting that there is “an indication that the Exposition was written in the long vacancy of the Holy See which ended in 1243”: Brooke, *Early Franciscan*, p. 221. Flood gives a better argument for his dating: Flood, *Hugh of Digne’s Rule Commentary*, p. 54.

⁴² Hugh makes it clear in the Prologue of his commentary that he was commissioned to write it: “Propositum regulae iuxta sententias antiquorum, dispensationibus per quas ipsam evacuasse iam et quasi alterasse infamamur omissis, me iuxta obedientiam iniunctam retexere proprius ad hoc defectus et quae nulli parcat oblocutorum calumnia prohibet.”: *ibid.*, p. 91.

used.⁴³ However, surprisingly enough, while discussing Hugh's politics, Flood does not even once mention his Joachimism. We cannot establish exactly when Hugh became entangled in Joachimist ideas, but his commentary cannot easily be acquitted of Joachimist traces.

Although, so far, no comprehensive study on this particular subject has been carried out, the related historiography is not totally devoid of arguments that suggest strong connections between the commentary and Joachimism. For example, Reeves argued that "when the Spirituals spoke of evangelical perfection or evangelical poverty, they meant much more than mere righteous living, and in the phrase *status evangelicae perfectionis* we catch the echo of Joachim's third status."⁴⁴ Indeed, one of the main differences between the Commentary of the Four Masters and Hugh's, is the emphasis on evangelical perfection in the latter. Hugh discusses the evangelical nature of the Rule at considerable length.⁴⁵ Reeves calls Hugh "a first-phase Joachimist", who lacked the full conviction of the later Spiritual Joachites.⁴⁶

Hugh devoted a good part of his commentary to the discussion of studies. Although he has been considered an early Spiritual and a Joachite, his attitude, in this respect, is no different from that of any Parisian master; in particular, it is no different from that of Bonaventura. Hugh defended study by Franciscans

⁴³ Historians who have accepted Brooke's date have argued that the lack of Joachite influences on the commentary support it: E.R. Daniel, "A Re-Examination of the origins of Franciscan Joachimism" in *Joachim of Fiore in Christian Thought*, p. 147.

⁴⁴ Reeves, *The Influence of Prophecy*, p. 176.

⁴⁵ Flood, *Hugh of Digne's Rule Commentary*, pp. 93-6.

⁴⁶ Reeves, *The Influence of Prophecy*, p. 185.

vigorously. He saw no conflict with the Franciscan vocation; indeed he liked the idea that friars should assume the chairs of masters. According to Hugh, Francis had prohibited studying only to the lay and illiterate.⁴⁷ Who was, after all, more suited to teaching the Gospel, or to having magisterial authority to teach the Gospel, than the friars minor who actually lived the Gospel?⁴⁸

Hugh was so convinced of the appropriateness of Franciscan involvement in the universities, he did not even attempt to reconcile it with the Rule. While discussing the abdication from property, he mentions books very briefly just to say that there is nothing wrong with having books to preach and to read.⁴⁹ In this sense, Hugh of Digne was in line with the ministerial attitude. His Joachimism had convinced him on the exalted position of the Friars Minor as the observants of evangelical perfection, but he was far removed from the longing of the later Spirituals for the early days of the order. His analytical approach to the Rule is no different than that of the four masters. Rather than looking at what was in the Rule and concentrating on its implications, he looked at what was not forbidden by the Rule, and took it for granted that these things were allowed, without considering any contradictions. That was his attitude to study, that was also his attitude to property. The Rule prohibited property, but did not mention any

⁴⁷ “Numquid fratres studium litterarum et maxime cathedram magisterii possunt assumere? Possunt utique. Non sanctus regulae conditor litteratis sed laicis et illiteratis studium vetat..scientes litteras in litteris proficere non veluit”: Flood, *Hugh of Digne’s Rule Commentary*, pp.186-7.

⁴⁸ “Quod enim magis decet evangelium docere, sive docendi evangelii auctoritatem quae in magisterio datur habere, quam fratres minores qui evangelium profitentur et servant?”: *ibid.*, p. 187.

⁴⁹ “Idem intelligo de scriptis necessariis vel ad praedicandi officium vel legendi cum in impositione regulae sit doctrina sive officium praedicandi”: *ibid.*, p. 154.

prohibition regarding its use. So the use of material goods was to be allowed.⁵⁰

Up to this point therefore, there was no opposition from any branch of the Order towards the intellectual activities in the Order. The reason for this seems to have been a severe lack of knowledge of Francis and the early Franciscan ideals. The problem with regard to the relaxation of Franciscan life was centred on the observance of strict poverty, not on any of the other intentions of Francis. Those like John of Parma or Hugh of Digne, who severely violated the primitive Franciscan ideals by turning their attention to books other than the Bible, were hailed by both contemporary zealots and later Spirituals. Hugh of Digne insisted on the importance of studying and teaching, and in his commentary it is obvious that his Joachimist interests had made him proud of his Franciscanism, when he boasted that no one could teach the Gospel better than Franciscans who were living according to the Gospel. Nor did this increased self-importance that was injected into the order through Joachimist ideas seem to contemporaries in contradiction with the ideal of humility.

Although the Joachite group had close connection with the Franciscan residents of the Marches of Ancona and Umbria, it is not possible to know to what extent Leo and the other companions transmitted to them Francis's views on learning, which the companions had clearly exhibited in the *Intentio Regule* and the *Verba S. Francisci*. Nor it is possible to understand how the Joachites interpreted such works. In the early 1250s, the study of theology and the

⁵⁰ "Proprietatem itaque rerum tibi prohibet sed non usum cum dicit: Fratres nihil approprient nec domum nec locum nec aliquam rem. Non dicit quod rebus vel domibus non utantur.": *ibid.*, p. 155.

intellectual movements within the Order had no obstacle in their way, and all lectors enjoyed an unchecked freedom in their activities.

One of the important events of John of Parma's ministry was the publication of the Celano's *Vita Secunda*, where—compared to the *Vita Prima*—a more focused picture of Francis was given. However, Celano had been careful in handling the writings of Leo. Some parts were altogether suppressed, and some were changed in order to make sure that the friars' current life was not greatly in contradiction with the intentions of Francis. The first part of the *Vita Secunda* had been prepared under the ministry of Crescentius; in this, only the deeds and words of Francis were included. John of Parma, most probably under the influence of his Joachite ideas, ordered Celano to write of the saint's miracles to confirm his status as the *Alter Christus* of Franciscan Joachite belief.⁵¹

The harmony that the whole order seemed to enjoy under the long administration of John of Parma came to an end in 1254, when the young Sicilian lector Gerard of San Donino—whom Salimbene had met in Provins—decided to go public with his Joachimist convictions. Gerard published during his study at Paris, the *Introductio ad Evangelium Aeternum*, where, against the secular masters, he exalted the position of the mendicants as the spiritual men of Joachim's third era.⁵² This event had significant and long-lasting results which will be discussed in depth in the next chapter. Not only did it initiate a vicious battle between the mendicants and the seculars, but it also led to the resignation

⁵¹ *Chronica XXIV Generalium*, p. 276.

⁵² The best account of the publication of the *Introductio as Evangelium Aeternum* is given by Reeves, *The Influence of Prophecy*, pp. 59-70.

of John of Parma. A papal commission, summoned in 1255 in Anagni, examined the orthodoxy of both Gerard's work and the original writings of Joachim, particularly the *Liber Concordie*, to which Gerard had referred most.⁵³ In the end, Joachim's prophetic works and Gerardo's work were found heretical, and condemned.⁵⁴ The papal condemnation of a Franciscan as a heretic was a serious blow to the order. In the shadow of heresy, it was not possible to keep another Joachite as minister general, no matter how popular he was. At the next Chapter General in 1257, John of Parma resigned, and he named the then regent master in Paris, Bonaventura di Balnoreggio, as his successor.

St. Bonaventura's tenure of the office of Minister General stands as a highpoint in the history of Franciscan intellectual achievements. Although the basis of the educational organization had been established before his period of office, intellectually he formulated "Franciscanism" in his own image. He wrote about every single aspect of Franciscan life, making use of all his scholastic learning and skills to construct and defend the "Franciscan theology, and way of life." The edition of his works by the Quaracchi Fathers, including his works of theology and spirituality, fill eleven sizeable volumes.⁵⁵ Since both as a minister

⁵³ The report of the Anagni commission has been edited by Heinrich Denifle, "Protocoll der Commission zu Anagni", in *ALKG*, 1, pp. 99-142.

⁵⁴ "Huc usque verba Joachim et fratris Girardi. Ex prenotatis videtur, quod iste novas et falsas opiniones confingat, et hoc maxime vane glorie causa, id est, ut exaltet huiusmodi ordinem incredibiliter et intempestive super alios ordines, immo super totam ecclesiam. Et ideo diligenter conferenda est hec difinitio Augustini de heretico in primo libro de utilitate credendi, ubi dicit: 'hereticus est qui alicuius temporalis commodi et maxime vane glorie principatusque sui gratia falsas ac novas opiniones vel gignit vel sequitur.': Denifle, "Protocoll der Commission zu Anagni", p. 115.

⁵⁵ *Doctoris seraphici S. Bonaventurae, S.R.E. Episcopi Cardinalis Opera Omnia*, ed. PP. Collegii a S. Bonaventura, 11 vols (Florence, 1882-1902).

general and as a Parisian theologian, Bonaventura acquired great fame and popularity, his writings have been one of the most studied subjects in Franciscan historiography.⁵⁶ It is, therefore, very difficult to say anything about him without citing a considerable bibliography. In a way, this is what has made Bonaventura such a central personality in the history of the Order of Friars Minor. He personified the archetypal Franciscan, which before him Haymo of Faversham, Alexander of Hales and John of Parma had embodied: a man with all the world's wisdom yet humble enough to condescend to poverty.

Bonaventura's life story provides us with a good example of the educational life of Franciscans in the 1240s. Two dates have been suggested for his birth, 1217⁵⁷ and 1221⁵⁸. Bourgerol surprisingly writes that between 1225-1235 he was a *puer oblatus* at the Franciscan monastery in Bagnoregio and received his religious education and elementary instruction there.⁵⁹ However, the only evidence he cites for this is a letter of Pope Sixtus IV from 1482.⁶⁰ It is highly unlikely that Bonaventura spent 10 years of his youth with the Franciscans, receiving his Latin instruction from them. Rather, he is believed to have entered the Order only around 1243 in Paris, probably as a graduate of

⁵⁶ Interested reader might refer to the five volumes produced in 1972-4 by the Quaracchi fathers on the seventh centenary of his death: *S. Bonaventura 1274-1974. Volumen Commemorative anni septies centenarii a morte s. Bonaventurae doctoris seraphici*, ed. Comminisio Internationalis Bonaventuriana 5 vols. (Grottaferrata, 1972-74). The last volume of this remarkable compilation consists of a bibliography on Bonaventura.

⁵⁷ This is the date accepted by J. Guy Bougerol, *Introduction to the Works of Bonaventure*, trans. by José de Vinck (Paterson, N.J., 1964), p. 171.

⁵⁸ Gilson, *The Philosophy of Saint Bonaventure*, p. 2; Moorman, *A History*, p. 140.

⁵⁹ Bougerol, *Introduction to the Works of Bonaventure*, pp. xiv, 172.

⁶⁰ *ibid.*, p. 232.

Arts.⁶¹ Although he was originally from a small town in the Roman province, it seems likely that he never left Paris for Italy from the time of his profession until his appointment as minister general. This isolation from Italy could, as we have seen, make a great difference to a friar's attitude towards his Franciscanism. After his entry to the Order, he stayed on in Paris, and studied first under Alexander of Hales and later under John de la Rochelle until 1248. In 1248, he became a biblical Bachelor, and around 1250-51, he became a Bachelor of Sentences. He incepted as a master of theology in 1253 and became the regent master of the Franciscans in Paris.⁶²

Hence, in Bonaventura, we have a perfect Parisian doctor of theology. One would not expect to any shortcomings in his theology, or any consciousness of the contradiction of his career with the Franciscan vocation. He was trained by Franciscan doctors of theology, and probably never met the *zelanti* of Umbria, nor would he have had the chance of reading many of the writings of Francis. Therefore, his writings on Franciscan involvement in the study of theology, and of philosophy, represent the mainstream position which had been handed down by the previous minister generals.

Particularly two writings of Bonaventura stand out to give us a clear idea on this subject. First comes his letter on the three questions addressed to an unnamed master.⁶³ As the letter is addressed to a master, it has the purpose of

⁶¹ G. Abate, "Storia e Cronologia di S. Bonaventura", *MF*, 49 (1949), p. 556.

⁶² *ibid.*, p. 563.

⁶³ Bonaventura, *Epistola de Tribus Quaestionibus ad magistrum innominatum* in *Opera Omnia*, 8, pp. 331-6.

explaining the Order's position with regard to the issues of poverty, manual labor, and the study of philosophy. He starts by reconciling intellectual activities with the Franciscan Rule, asserting, just like Hugh of Digne, that the Rule forbade study only to the illiterate, but that there was no such prohibition to those who already knew letters.⁶⁴ He makes no distinction between the reading of the Bible and the formal study of theology in the universities. For example, to prove that Francis was not against the study of theology, he gave the example of how Francis had distributed the pages of Bible to the brothers around him.⁶⁵ He also added that Francis had revered clerics, whom he accepted into the Order, and that at his deathbed he ordered all friars to show much respect to doctors of theology, as those from whom they could learn the word of life.⁶⁶

As for the study of philosophy, Bonaventura kept to the traditional path of regarding it as an auxiliary discipline necessary for the understanding of theology. Disapproving of the study of philosophy⁶⁷ in itself, he argued that "if one studies the books of the heretics so that he can understand the truth better by avoiding their arguments, then this is neither curiosity, nor heresy, but

⁶⁴ "Dico ego, quod regula non vetat studium litteratis, sed illitteratis et laicis.": *ibid.*, p. 334.

⁶⁵ "Unde ut scias, quantum sibi placuerit studium Sacrae Scripturae, audivi ego a Fratre, qui vivit, quod, cum novum testamentum venit ad manus eius, et plures Fratres non possent simul totum habere, dividebat per folia et singulis communicabat, ut mones studerent, nec unus alterum impediret.": *ibid.*

⁶⁶ What Bonaventura means is, of course, the Testament of Francis. "Clericos etiam, quos ipse recipiebat ad Ordinem, in summa reverentia habebat et in morte mandavit Fratribus, quod doctores Sacrae scripturae in summa veneratione haberent tanquam illos, a quibus perciperent verba vitae.": *ibid.*, p. 335.

⁶⁷ "Fateor, displicent tibi curiositates, displicent et mihi, displicent et Fratribus bonis, displicent et Deo et Angelis eius.": *ibid.*

catholic.”⁶⁸ Yet certainly, the reason he turned to philosophy was not just to avoid the mistakes of pagans. Smalley suggested that Bonaventura set an example by “making the widest possible use of the *Libri naturales*” of Aristotle in his writings.⁶⁹ Bonaventura also reminded his correspondent of Augustine’s argument in *De Doctrina Christiana*, that the Sacred Scripture could not be understood without the help of the practical sciences. To him therefore, the study of philosophy was only useful inasmuch as it served the understanding of revelation. Philosophy alone could not achieve the truth, and all philosophy was doomed to fall into error unless enlightened by faith.⁷⁰

About books, and other necessary things, he employed the simple syllogism on the necessity of having books for preaching. He argued that the Rule conferred the authority and office of preaching on the friars. When friars preached, they would not tell fables; but expound the Bible. They could not know the Bible, if they did not read it. They could not read, if they did not have books. So it very much belonged to the perfection of the Rule to have books.⁷¹ Of course, one must not forget that by the time Bonaventura entered the order, lay preaching, or the type of preaching Francis and his companions had undertaken,

⁶⁸ “Si quis enim studeret in dictis haeticorum, ut eorum sententias declinando magis initelligeret veritatem; nec curiosus, nec haeticus, sed catholicus esset”: *ibid.*

⁶⁹ Smalley, *The Study of the Bible*, p. 312.

⁷⁰ Gilson, *The Philosophy of St. Bonaventure*, p. 102. For a fuller treatment of Bonaventura’s attitude towards philosophy, the reader might read the chapter, “The Critique of Natural Philosophy”, *ibid.*, pp. 87-116.

⁷¹ “De libris et utensilibus qui sentiam, audi. Clamat Regula expresse imponens Fratibus auctoritatem et officium praedicandi, quod non credo in aliqua Regula alii reperiri. Si igitur praedicare non debent fabulas, sed verba divina; et haec scire non possunt, nisi legant; nec legere, nisi habeant scripta: plurissimum est, quod de perfectione Regulae est libros habere sicut et praedicare.”: Bonaventura, *Epistola de Tribus*, pp. 332-3.

was once more unpopular with the Church.

The second work which further reveals Bonaventura's position is his explanations on questions about the Rule, which gives us invaluable, solid evidence that allows us to capture the minister general's mind on his own perception of Franciscan vocation.⁷² Here, Bonaventura listed the study of the Sacred Scripture as one of the four ornaments of the Franciscan Order.⁷³ He answered the question why friars were engaged in study: in order to be able to preach and hear confessions. "We need masters and study of theology" he concluded," because theology is not only useful to the instruction of others, but also to the instruction of the self, so that the servant of God can learn how to rule himself, and how to discern virtue from vice."⁷⁴ One of the qualities needed by those who were to assume the office of preacher or confessor was that he should have been sufficiently instructed in Latin grammar and the Bible, so that he knew without error and confusion in front of the people and clergy, and gave the right counsel and imposed the right penance in confessions.⁷⁵

⁷² Bonaventura, *Determinationes Quaestionum Circa Regulam Fratrum Minorum in Opera Omnia*, 8, pp. 337-74.

⁷³ "Cum inter alios Ordines Religiosorum Ordo Fratrum Minorum datus sit Ecclesiae ad aedificationem fidelium in fide et moribus per verba doctrinae et exempla bonae conversationis...ut eadem aedificatio afferat fructum ampliorem, necesse est, Ordinem ipsum quatuor ornamentis esse praeditum, sine quibus minus proficeret in aliis, licet forte quoad se aliquo illorum posset carere. Primum est vita irreprehensibilis, quae maxime sibimet prodest et alios aedificat. Secundum est scientia sacrae Scripturae, sine qua nec secure nec utiliter posset alios docere. Tertium est auctoritas praedicandi et confessiones audiendi, in quibus maxime prosunt fidelibus fratres. Quartum est ratio satisfactoria super quibusdam dubiis apud alios...": *ibid.*, p. 337

⁷⁴ "Haec enim scientia non solum utilis est ad aliorum eruditionem, sed etiam ad propriam instructionem, ut servus Dei sciat se ipsum bene regere, virtutes a vitiis discernere...": *ibid.*, p. 339.

⁷⁵ "Sexto, quod sit saltem in grammatica et sacra Scriptura tam sufficienter instructus, quod sine errore vel confusione sciat coram populo et clero proponere veritatem et in consiliis competenter

A third work of Bonaventura, which indirectly contributes to our understanding of his perception of the true Franciscan vocation is without doubt his biography of Francis, the *Legenda Maior*.⁷⁶ What Aquinas did with Aristotle and Christian theology in his *Summae*, Bonaventura did with poverty and learning in the *Legenda Maior*. Since the major cause of dissent in the order lay in the different understandings of Francis and the early Franciscan life, it was necessary to establish a consensus on this subject with a new biography. Hence, Bonaventura pictured a Francis who would appeal to all factions within the Order. Moorman expresses this attempt in the following words:

“When we examine Bonaventura’s work we see how able it is. But we see also how inadequate. Homely little touches are suppressed; Francis becomes less unconventional; strange inexplicable traits in his character are passed over, and incidents which might appear undignified are omitted. The dirty, patched tunic of St. Francis is washed and ironed, and a saint is turned out worthy to take his place in even the most fastidious company. It is a very nice saint whom he produces; but, unfortunately, it is not St. Francis.”⁷⁷

With Bonaventura, therefore we have the finalized picture of the order’s involvement in learning. The necessity of study was absolutely in no doubt. All friars destined to take clerical offices in the order—confessors, preachers, and naturally lectors—were sent to studia. They were given a formal theology education before they could take up their offices. The ministry of Bonaventura lasted seventeen years from 1257 to 1274, providing thereby a degree of stability

satisfecere requirentibus de causis necessariis et in confessione depoenitentiis iniungendis imponendis.”: *ibid.*, p. 360.

⁷⁶ Bonaventura di Bagnoregio, *Legenda Maior S. Francisci* in *Analecta Franciscana*, 10, pp. 555-626.

⁷⁷ J.R.H. Moorman, “Early Franciscan Art and Literature”, *Bulletin of John Rylands Library*, 27 (1943), p. 351-352.

in the order in a period full of challenges, particularly to the educational system and to lectors. It was his well-formulated opinions which strengthened the place of learning and education in the order, and made them indisputably a major part of the Franciscan vocation.

CHAPTER IV

EDUCATIONAL ORGANIZATION AROUND 1260: A RECONSTRUCTION AT THE TIME OF NARBONNE CONSTITUTIONS

The fifty years which passed from the foundation of the order in 1210 until the Narbonne constitutions in 1260 had witnessed a fast development. The rapid increase of the number of friars and convents, combined with the equally rapid change in theology education in the universities had constituted a severe challenge to the growing educational organization of the order, calling for a higher degree of sophistication with the passing of time.

Bonaventura, as a Parisian theologian with a strong Franciscan vocation, was naturally eager to address the problems encountered in the order in all spheres of life. Thus, in the first general chapter after his election, that is in 1260, he issued a sizeable body of statutes, which included regulations for the educational organization. Although before, these constitutions were accepted as decisive in the development of the Franciscan organization, today, thanks to Father Cenci's discovery of the pre-Narbonne constitutions, it is known that the 1260 constitutions borrowed a good deal from the 1239 constitutions. Even so, the Narbonne constitutions specified conditions in greater detail, and at the same

time marked out firmly the path that the Order had resolved to follow. Bonaventura's explanations of some of the statutes constitute also invaluable assistance to our understanding of the Order's standpoint around 1260.

The purpose of this chapter is, however, not to offer an analysis of these constitutions, since that would present not what happened, but only what was aimed at. The purpose is rather to make an attempt to recapture the essential points in the educational organization of the Friars Minor around 1260, combining constitutional data coming from pre-Narbonne and Narbonne constitutions with other circumstantial evidence distilled from other sources, such as letters and chronicles. Unfortunately, even such a pooling of evidence is not sufficient to lay down the complete structure. Thus I have resolved to choose a single central element in the educational organization, and to look at the framework as it revolved around it.

For this early period of educational organization, no element can be more worthwhile studying than the lectors, since the evidence coming from non-constitutional sources usually conveys information about people rather than concepts, and also since a great deal can be understood by investigating their responsibilities, provision, and assignment. It is useful therefore to look at this particular entity more in depth, and to elucidate the connotations it had for the world of medieval Franciscans.

Literally, the Latin word *lector* signifies one who performs the *lectio*, that is the "one who reads." *Lectio* itself was not at all a novel concept in the life of

the religious, since a central aspect of medieval monastic life was the *lectio divina*. *Lectio* in the Middle Ages meant essentially “the reading aloud of a text”. Silent reading—which in today’s world is what “reading” usually stands for—was unusual to medieval religious, and to differentiate it from *legere* was termed as *tacite legere* or *legere sibi*.¹ The *lectio divina* was, therefore, the reading of a sacred text, that is, either the Bible or the writings of Church Fathers. The monastic *meditatio* was based on the *lectio divina*. As Leclercq explains:

“For the ancients, to meditate is to read a text and to learn it “by heart” in the fullest sense of this expression, that is, with one’s whole being: with the body, since the mouth pronounced it, with the memory which fixes it, with the intelligence which understands its meaning, and with the will which desires to put it into practice.”²

The similarity between these sentences, and what St Francis stated in numerous places about the reading of Bible is remarkable: there was no point at all in hearing or performing the *lectio*, if one was not to put it into practice. Hence, the *lectio divina* was not absent from Franciscan spirituality. The paragraph below is taken from the first part of the *Speculum Disciplinae*, written by the *socius* and student of Bonaventura, Bernardo of Bessa. It provides an interesting insight to the Franciscan attitude to *lectio divina*:

“Lectioibus quoque divinis est anima nutrienda; idcirco illis qui primo circa divinum officium addiscendum, prout infra dicetur, exstiterint diligenter per instructorem imbuendi, scriptura est aliqua ex sacra Pagina ad morum informationem conveniens providenda, potius spiritualis consolationis habendae quam studii gratia. Novorum studium Fratrum in orationis instantia, in divini exercitio officii et Fratrum obsequiis maxime debet esse. In lectione itaque, si qua sibi permitti contigerit, non magis quaerant quod sensum acuat, quam quod mores instruat, “non

¹ Jean Leclercq, *The Love of Learning and the Desire for God* (New York, 1985), p. 15.

² *ibid.*, p. 17.

magis quaerant scientiam quam saporem.”³

However, the office of *lectio* in the medieval Franciscan order was distinct from the *lectio divina*, just as the term *lectio* acquired a different meaning, once one steps outside of the monastic world, and moves into the twelfth-century scholastic world of the cathedral schools. It loses its connection to *lectio divina*, but acquires the meaning of a *lettura commentata* of a text, done in a designated place, at a certain time of day by a teacher who divided the text according to a prescribed convention.⁴ Thirteenth-century terms like *lectio de theologia* or *lectio de sacris canonibus* meant the reading of a text of theology (e.g. Lombard’s Sentences) or canon law in this new sense. In this new *lectio*, both the objective and the procedure was different. The objective was to analyze and attempt to understand what the text meant, in order to be able to use it as an input to further deductions concerning a broader theological topic, not to put the information acquired into practice, as was the aim of *lectio divina*. Instead, the procedure was a cross-examination of the text by the reader, similar to the other scholastic methods of *quaestio* and *disputatio*.⁵ In this sense, *lectio* evolved into the *lectio scholastica* and perhaps it can be argued that scholasticism was a

³ The Quaracchi fathers state that for centuries the *Speculum Disciplinae* was thought to have been written by Bonaventura, but now it is almost certain that it was written by Bernard of Bessa, who was *socius* to Bonaventura. Therefore the ideas in this work can fairly safely be thought of as shared by Bonaventura himself: *Selecta pro Instruendis Fratribus Ord. Min. Scripta S. Bonaventurae una cum libello Speculum Disciplinae*, ed. PP. Collegii S. Bonaventurae, 2nd edn. (Florence, 1923), p. 285, n. 1.

⁴ “Nel medioevo la lezione consiste nella lettura commentata d'un testo. Essa comporta: un luogo in cui si svolge, un tempo della giornata e dell'anno, un docente che la impartisce seguendo le prescritte modalità, un testo sul quale viene impartita”: A. Maieru, “Gli atti scolastici nelle università italiane” in *Luoghi e Metodi di Insegnamento nell'Italia Medioevale* (sec. XII-XIV) (Lecce, 1989), p. 255.

⁵ Leclercq, *The Love of Learning*, p. 72. O. Weijers, *Terminologie des Universités au XIIIe Siecle* (Rome, 1987), pp. 324-5.

product of this new *lectio*.

Thus, when the mendicant orders referred to the office of *lectio*, they used it in this new sense of the word, in the sense of a *lectio scholastica*. This office was not mentioned at all in the Rule. The first Franciscan source to mention the term lector in the Order is Jordan of Giano's chronicle for the year of 1228.⁶ By then, it was already used to denote an office to which an assignment was made by the minister general. The 1239 constitutions present the first constitutional evidence for the presence of this office, yet without mentioning its responsibilities and requirements.

It can be safely assumed that the office was primarily introduced to give the friars the necessary theological training for the fulfillment of the offices of confessor and preacher. Hence, a Franciscan lector, unless stated otherwise, was a lector in theology, and until the introduction of Arts into the educational curriculum, a typical *lectio* meant in practice the reading of the Bible, while in the advanced schools the Sentences would also be read by the bachelors. The Franciscan lectors, with the exception of those in *studia generalia*, who would also lecture on the Sentences, and would read and comment almost line by line on various parts of the Bible. Salimbene, for example, attended the *lectiones* of Humilis of Milan on the Book of Isaiah and Gospel of Matthew.⁷ Some lectors were making use of the lectures of other famous lectors in the Order. For

⁶ Tradition gives the first lectorship to Anthony of Padua, but, as demonstrated in the first chapter, there is serious historical uncertainty concerning this subject.

⁷ "Et audivi primo anno, quo intravi ordinem, in scolis theologie Ysaia et Matheum, sicut frater Humilis legebat ibidem": Salimbene, p. 277.

example, Salimbene writes about an English lector, Stephen, who had the *Lectura super Genesim* of Adam Marsh with him, and was reading this text, which Salimbene had the chance to hear.⁸

In the early years of the Order, the office of *lectio* was conferred on recruits by the provincial ministers, if they were judged sufficient to teach theology. As has been discussed in the second chapter, the recruits of the Paris convent—Bartholomeo Anglicus, Simon Sandwich, and Haymo of Faversham—served as lector before the educational organization was formed. However, depending solely on educated recruits for the teaching of theology was impossible, and soon the order started to construct the backbone of a framework which would produce the order's home-grown lectors. Lectorship developed into a long career, starting from the noviciate and stretching on to the schools of Paris and Oxford.

It is known that in the first decades of the Order a great number of recruits were adults with an established profession. However, once the Order became settled in the provinces, a lot of young men came to be attracted to the Order. Under canon law, Innocent III had established the earliest age of entry into a religious order as fourteen years.⁹ In the 1239 constitutions there were no items, or perhaps no surviving items, regarding the age at which the noviciate could begin. Therefore until the 1260 constitutions, the Order probably accepted young

⁸ “Habebat optima scripta, scilicet fratris Adae de Marisco, cuius lectura super Genesim audivi ab eo”: *ibid.*, p. 296.

⁹ L. Oliger, “De pueris oblati in ordine minorum (cum textu hucusque inedito fr. Ioannis Pecham)”, *AFH*, 8 (1915), p. 393.

people of fourteen years or older.

The ministers gathering at the Chapter of Narbonne declared that no one younger than eighteen should be taken into the Order. This was perhaps the result of complaints coming from the secular masters in the universities, that parents were now afraid to send their children to the schools because of the fear that they might become friars. However, the Order could not afford to lose the students of the Arts faculty who were already well-educated in grammar and logic. Therefore, an exception was made for those who had an excellent education or physical constitution so that they could be accepted once they were fifteen years old.¹⁰ It would perhaps be rash to assume that much was changed with the introduction of eighteen-years limit, since the decision about reception was left in the end to the initiative of the provincial ministers.

As education in the Middle Ages was almost exclusively in Latin, the knowledge of Latin was a prerequisite for following the lectures. This was the first problem that the Order had to face: ensuring an adequate level of Latin. However, teaching Latin in the convent schools was probably thought not very appropriate, since the Rule forbade the lay friars to learn Latin.¹¹ Thus, the Order chose to recruit those who already knew Latin, and it was they who were destined for the clerical offices. Both the 1239, and later, the 1260 constitutions came up with the same decree, which sought knowledge of grammar or logic (both

¹⁰ “Ordinamus etiam, ut nullus recipiatur citra XVIII annum, nisi per robur corporis vel industriam sensus seu per excellentem aedificationem, a XV anno et supra, aetas secundum prudentium iudicium supleatur”: Narbonne-Assisi-Paris, p. 39.

¹¹ “Non curent nescientes litteras litteras discere”: RB, cap. X, p. 235.

necessarily implying some facility in Latin) as a condition for recruitment: “quod nullus recipiatur in Ordine nostro, nisi sit talis clericus qui sit competenter instructus in grammatica vel logica.”¹²

Considering the age of entry was between fourteen and eighteen, one might wonder whether this age was old enough to acquire a sufficient level of Latin, or whether it was easy to find many young men so well-instructed in Latin. Although fourteen or fifteen seems a young age to be competent in Latin grammar, this was the age when the normal Latin education of a medieval pupil was completed. The normal age to start Latin grammar education in the Middle Ages was between seven and nine.¹³ The episcopal schools founded to teach Latin grammar only accepted pupils older than nine and younger than sixteen.¹⁴ From the 1210s onwards, there was generally an increasing opportunity to learn Latin grammar. There were coming to be many grammar schools in throughout Europe at this time.

For pupils from poorer families, the Church offered a means of education. This was first initiated at the Third Lateran Council of 1179, when every cathedral church was assigned a benefice to hire a master to teach the clergy and the poor pupils.¹⁵ Canon 11 of the next Lateran Council in 1215,

¹² Narbonne-Assisi-Paris, p. 39, No.3.

¹³ L. Thorndike, “Elementary and Secondary Education in the Middle Ages”, *Speculum* 15 (1940) p. 405.

¹⁴ The statutes of the episcopal school founded in 1245 in Reims includes this condition. *Metropolis Remensis Historia*, p. 534.

¹⁵ “Ne pauperibus, qui parentum opibus juvari non possunt, legendi et proficiendi opportunitas subtrahatur, per unamquamque ecclesiam cathedralem magistro, qui clericos ejusdem ecclesiae, et scholares pauperes gratis doceat, competens aliquod beneficium assignetur, quo docentis necessitas subleuetur, et discipulis via pateat ad doctrinam”: Hefele and Leclercq, *Historie des Conciles*, p. 1101. Canon 18.

regretting that this previous decree had been only observed “minime” in many churches, asked that not only the cathedral churches, but also other churches which had sufficient means, should hire a schoolmaster who would instruct in grammar.¹⁶ In Italy, many communes were starting to hire a schoolmaster to teach Latin to the citizens of the town. Already in 1226, this practice was observed in the commune of Parma.¹⁷ Similarly, big towns like Viterbo attracted scholars from neighbouring towns.¹⁸

In England, at all of the towns where Franciscans had their first study-convents, there was already at least a grammar school. Before 1259, around which date Eccleston wrote his chronicle, lectors were assigned to the Franciscan convents in Oxford, Cambridge, London, Canterbury, Hereford, Leicester, and Bristol.¹⁹ In Canterbury, there was a grammar school since 1077-1087, in Hereford since 1240-1268, in Leicester since 1229, and in Bristol since 1243.²⁰ In these grammar schools, pupils would study the Psalter and Donatus.²¹

It seems, therefore, realistic to expect that around the age of fifteen, a novice would have sufficient knowledge of Latin to enter the Order. Roest suggests that there was grammatical instruction at different levels in the

¹⁶ “Nos praedictum roborantes statutum, adjicimus, ut non solum in qualibet cathedrali ecclesia, sed etiam in aliis, quarum sufficere poterunt facultates, constituatur magister idoneus a praelato cum capitulo...qui clericos ecclesiarum ipsarum et aliarum, gratis in grammaticae facultate ac aliis instruat juxta posse”: *ibid.*, p. 1341. Canon 11.

¹⁷ “Capitulum quod Potestas teneatur scholares qui morantur in civitate Parmae eos et eorum bona fide manutenere et rationem eis facere et eorum res recuperare si fuerint ablatae in episcopatu Parmae.” Et hoc capitulum fuit factum in M.CC.XXVI.: *Monumenta Historica Ad Provincias Parmensem et Placentiam Pertinentia, Statuta Communis Parmae*, 1, (Parma, 1855), p. 43)

¹⁸ *Statuti della Provincia Romana*, ed. R. Morghen et al, (Roma, 1930), p. 173.

¹⁹ Eccleston, p. 50.

²⁰ N. Orme, *English Schools in the Middle Ages* (London, 1973), pp. 297-8, 305, 307.

²¹ Thorndike, “Elementary and Secondary”, p. 406

Franciscan Order.²² However, his evidence is from fourteenth century and I have not been able to find any evidence for the instruction of grammar from the early thirteenth century.

How much Latin then was necessary to enter the order? The answer comes again from Bonaventura's explanations of the Narbonne constitutions. The minister general suggests that the candidate should have an accurate grammatical knowledge, and the fluency in Latin that was necessary to become a lector, confessor or preacher.²³ Judging by this, we can roughly say that those who already had a certain degree of Latin through cathedral or town schools were usually accepted into the order. Since the illiterate brothers were not to learn letters, it can be safely assumed that there was no organized study of basic Latin in the Order. Those who wanted to improve their Latin were probably to do so on their own initiative.

Those who were destined for the office of lector, or to study higher theology, probably had to have very high level of Latin to follow complex scholastic arguments, not to mention the complex system of abbreviations that we come across in scholastic manuscripts.²⁴ It was probably for this reason that the

²² Roest, *A History of*, p. 138.

²³ "Item, ibidem dicitur in eadem rubrica: Ordinamus quod nullus recipiatur in ordine nostro, nisi sit talis clericus, qui sit competenter instructus in grammatica etc. Queritur quantum de grammatica sufficiat ad illam competentem instructionem, utrum scilicet scire loqui expedite grammaticae et intelligere grammaticam vel etiam scire regulas et artem grammaticae, cum multi expedite habent usum loquendi, qui obliti sunt regularum et artis?- Respondeo, quod sufficit, si per grammaticam tantum habitatus est, quod possit fieri confessor et predicator vel lector, ita quod ad aliquod istorum assequendum non impediatur per defectum grammaticae.": "Explanations Constitutionum Generalium Narbonensium", ed. F. Delorme, *AFH*, 18 (1925), p. 2.

²⁴ On the difficulty of scholastic Latin see Thorndike, "Elementary and Secondary", p. 406.

Narbonne constitutions decreed that friars should not be sent to the Paris *studium* before having exercised for three or four years in their provinces after the novitiate. An exception was made for those who were already sufficiently learned; they could be sent right after the novitiate.²⁵ For this reason, it seems that in the early years, it was the schoolmasters, or masters and student of Arts who were sent Paris for advanced study of theology. Gerard of San Donino and his Joachite friend were both grammar teachers before they joined the Order.²⁶ John of Parma was a renowned logician before he took the habit. The early regent masters like Adam of Marsh, Thomas of York and Bonaventura were all students in the Arts faculty when they joined the Order.²⁷

Hence, a clerical friar who had completed his novitiate was expected to have a sufficient knowledge of Latin. Probably, the friars were immediately initiated to the study of theology. It is difficult to argue at this point that the friars were given a preparatory training in logic or philosophy. The only evidence on the existence of philosophy schools comes from Angelo Clareno, and the nature of these schools is not well-defined. There is nothing in the constitutions which indicates a formal instruction in any of such auxiliary disciplines. Thus, it is reasonable to assume that the study of logic and philosophy was not yet institutionalized, but left to the discretion of experienced lectors and, as will be

²⁵ “Item mittendi Parisius ad studentum, primo exerceantur tribus vel duobus annis post novitiatum in aliquo Studio suae provinciae vel vicinae, nisi adeo fuerint litterati, quod post novitiatum continuo possint mitti. Non mittantur tamen nisi de auctoritate Ministri, cum consilio et assensu capituli provincialis.”: Narbonne-Assisi-Paris, pp. 12, 72.

²⁶ “Revera magister Iohanninus dicebatur frater Iohannes, cum in secula docebat in loyca.”: Salimbene, p. 297.

²⁷ *ibid.*, p. 237.

discussed below, to the interest of Oxford and Paris masters.

The usual practice then, following the noviciate, was to study theology in one of the convent schools. These years in a convent school in the province shaped the career of a friar. While friars with a merely satisfactory performance might be chosen for the office of preacher, the brighter students were elected for higher study, leading towards a doctorate. This decision was made either by the provincial chapter or the provincial minister. For convenience, we might call this stage in the conferral of the office of lector “designatio”. It is known that the provincial minister William of Nottingham was assigning students *in universitatibus* as lectors for each convent, who would replace the existing lectors on the occasion of death or removal.²⁸ The Narbonne constitutions describe how a designated friar should be able, eloquent, morally strong, kind and peaceful. The provinces were warned not to send those who did not meet these conditions, or otherwise face three days of bread-and-water penance, together with those they had sent.²⁹ (One cannot help thinking that the General Chapter had in mind the scandal of Gerard of San Donino, who had got the order into trouble while he was a student for the lectorship in Paris.)

The way that the students were designated for offices is best observed from a letter of Adam of Marsh written to the provincial minister.³⁰ Adam

²⁸ Eccleston, p. 50

²⁹ “Circa mittendos autem attendatur, quod sint ad proficiendum habiles, fortes corpore, eloquentiae bonae et conversationis honestae, non contentiosi, sed “mites et pacifici” inter fratres. 15. Teneantur autem fratres mittere illos quos iudicaverint magis idoneos secundum condiciones praemissas. Si autem aliquem miserint, qui propter defectus notabiles sit indignus, tribus diebus tantum in pane et aqua ieiunent, illi scilicet quorum consilio est transmissus.”: Narbonne-Assisi-Paris, p. 72. 14.

³⁰ Adam de Marisco, *Epistolae*, no. clxxiv, pp. 314-16.

expresses his regret at the assignment of Adam of Hereford as his *socius*, since this friar had been forced to quit his studies upon this assignment. Adam of Marsh thought of him very highly, and believed that he could successfully proceed to the office of preacher, if he were given the opportunity to continue his studies. He lamented the fact that students inferior to Adam of Hereford had been designated to teach theology, and requested that another friar be assigned to him as secretary, and that Adam of Hereford should be sent back to London to study.³¹ As Adam Marsh notes, the decision was made by the “de discretorum consilio”. Little translates this once as the counsel of the discreet, and later he simply substitutes it with the provincial chapter.³² It can be further deduced from this that, for those who were designated for the office of preaching, study in a provincial *studium*, such as London was sufficient.

The students who were designated for the office of lector were sent to the *studium generale* upon the completion of their preliminary training in a school in their home province. Provision for these friars was accomplished in two ways. The expenses of the students who were sent *de debito* were paid for by the convent to which they were transferred. Students who were sent *de gratia* were provided for by the province from which they were sent. As will be seen in the next chapter, friars who had their own financial resources could arrange to be

³¹ “Etiam nonnulli longe inferiores ad officium eruditionis impendendae, ut opinor, in Sacra Scriptura sunt designati de discretorum consilio”: *ibid.*, p. 314. A.G. Little translates “designati” as those who are appointed; however, the usual word for this seems to be “ordinatio”: Eccleston, p. 33; “Remittere dignemini praefatum fratrem A. Londinum ad studentum.”: Adam de Marisco, *Epistolae*, p. 315.

³² *Ibid.*, p. 314; Little, *The Grey Friars in Oxford*, pp. 33, 186.

sent to a *studium*, probably after procuring a licence from the provincial minister.

The defining step for a candidate lector, at least in many provinces, was to go to the Parisian *studium*. Before analysing the constitutional evidence, let us first consider a story involving two such friars elected to become lectors. These friars, Gerard of Prato and Benedictus de Colle were both from the province of Tuscany. Their account is left to us by Salimbene who met them in 1248 in the convent of Arles. These friars had studied many years in the convent of Pisa, and were on their way to the *studium* of Toulouse. They had been sent there by their provincial minister, so that later they could go to Paris.³³ Thus, Toulouse appears to have been a *studium* which, in some cases at least, provided preparatory training for the Parisian *studium generale*. Clearly, both of the friars had joined the Order in the Province of Tuscany. Prato was in the custody of Florence, and Colle was in the custody of Siena.³⁴ However, the friars had both studied in Pisa prior to 1248, and therefore Pisa seems to have been the main *studium* for the province at that time.

The reason why they were sent to Toulouse, rather than to any other *studium* is not easy to establish. We already know that the papacy had founded a university in Toulouse in 1229, and in 1233 the university was given the privilege of issuing the *ius ubique docendi*.³⁵ We have no evidence whether the Franciscan

³³ “Tunc supervenerunt duo fratres de Tuscia, qui ibant Tolosam ad studium, scilicet Gerardus de Prato, germanus fratris Arlotti, et frater Benedictus de Colle. Hi tunc temporis diacones et iuvenes et boni scolares erant, et mecum studuerant pluribus annis in Pisano conventu.[....] Verum est, quod veniunt a ministro suo, qui cognoscit eos, et quia cognoscit eos bonos, ideo mittit eos ad studium Tolosanum, ut postea Parisius vadant”: Salimbene, pp. 311-12.

³⁴ *Provinciale Ordinis Fratrum Minorum Vetustissimum secundum Codicem Vaticanum Nr. 1960*, ed. C. Eubel (Florence, 1898), pp. 58-9.

³⁵ Rashdall, *The Universities of Europe*, 2/1, p. 162.

studium here was incorporated into the university. However, despite the efforts of papacy, Toulouse remained principally a university of law rather than of theology, and it seems that it was not until 1360 that the university had a recognized theology faculty with the authorization to confer theological degrees.³⁶ The key point in this story is that around 1248, studying at the Toulouse *studium* was not sufficient to enable a friar become a lector; it only served as an intermediary step between the provincial *studium* of Pisa and the ultimate objective, Paris.

The constitutional evidence concerning the requirements for the office of *lectio* is not very clear. According to the Narbonne constitutions, in order to be eligible for the office of *lectio*, a student had to study first two or three years in a *studium* in his province or nearby. Afterwards, he had to stay in Paris for a minimum of four years, unless he was judged adequate to be ordained as lector before that time.³⁷ The decree did not make any stipulation concerning the quality or nature of this provincial *studium*, which makes it difficult to make sense of the story narrated above. Perhaps, by 1260, provincial *studia* like that of Pisa were thought to be sufficient for preliminary training, but in 1248, Pisa had not yet reached such a level and attendance at a better-developed *studium* like Toulouse was still necessary. What can certainly be deduced from the constitution is that

³⁶ *ibid.*, pp. 163-64.

³⁷ “Taliter autem missi studeant quattuor annis ad minus, nisi adeo fuerint provecti, quod merito iudicentur idonei ad lectoris officium exsequendum.”: Narbonne-Assisi-Paris, p. 72, no. 13. The practice of four years studying probably existed before 1260, as Gerard of San Donino had studied four years in Paris to become a lector on behalf of the province of Sicily. “Frater Ghirardinus Parisius missus fuit, ut studeret pro provincia Sicilie, pro qua receptus fuerat; et studuit ibi IIII⁰¹ annis”: Salimbene, p. 239.

the Paris convent was a *studium* to which all provinces could send two students to be trained as lectors without any provision, that is, *de debito*.³⁸

Although the Paris *studium* was given this special status, it was not the only convent school to provide training for the office of *lectio*. The Narbonne constitutions mention other *studia generalia*, to which students could be sent from other provinces.³⁹ Assuming that the term *studium generale* in the Narbonne constitutions was employed in the sense of “convent schools which provided the advanced training required for the office of *lectio*”, the surviving evidence presents only one convent-school of this type with absolute certainty, and a few others with high probability.

Thanks to the chronicle of Eccleston, it is known for sure that the Oxford convent was able to produce lectors. This fact is evident from the life-story of Adam Marsh, who was trained in the Oxford convent and later on became the first friar-lector of the Oxford Franciscans, as well as a regent master in Oxford University, thus providing the integration of the Franciscan school into the university.⁴⁰ Thus, the friars who received their theological training in the Oxford convent could be judged sufficient to become lectors without having to attend the Parisian *studium*.

Although Oxford was capable of producing lectors, Paris still seems to

³⁸ “Possit autem quaelibet provincia habere duos studentes Parisius sine aliqua provisione; quibus provideatur in libris secundum arbitrium provlis capituli et Ministri.”: Narbonne-Assisi-Paris, p. 72, 19.

³⁹ “Idem modus teneatur circa illos qui ad alia generalia Studia transmittuntur”: *ibid.*, p. 72, no. 16.

⁴⁰ Eccleston, pp. 48-9.

have enjoyed a unique situation within the order. Neither the 1239 nor the 1260 constitutions mention an alternative post for the potential lectors. The Paris convent was able to accommodate a high number of friars, and it was allocated special resources to provide for the candidate lectors. The choice of Paris might be purely geographical. It was certainly easier for all friars on the Continent. England seems to have been considered at the edge of medieval Franciscan world, as John of Parma's words indicate: "If only this province were in the middle of the world, what an example it would be to everyone!"⁴¹

Yet, we still come across foreign students in England, although less so in the thirteenth century than in the fourteenth century.⁴² It was quite unusual for a Italian friar to be sent to England for study. However, as Moorman argues, England was probably much more convenient for German friars.⁴³ We have the example of two German friars sent by the minister general from the upper province of Germany to study in England.⁴⁴

The case of N. de Anvers also presents interesting evidence.⁴⁵ He was an apparently successful student of theology in the province of France. Adam of Marsh, after talking to him, asked William of Nottingham if he could continue his studies "*gratia*" in England, either in Oxford, Cambridge or London. He could study for one or two years, until his minister found him sufficient to ordain.⁴⁶

⁴¹ *ibid.*, p. 98.

⁴² The reader might refer to J.R.H. Moorman, 'The Foreign Element among the English Franciscans', *English Historical Review*, 62 (1947), pp. 289-303.

⁴³ *ibid.*, p. 291.

⁴⁴ Adam de Marisco, *Epistolae*, p. 314.

⁴⁵ The provenance of the friar is not exactly clear, as Brewer has four readings: Anilyeres, Anivers, Ambers and Aynelers: *ibid.*, pp. 314, 379-80. The most likely place seems to be Anvers.

⁴⁶ "Videtur denique, si vestro sederit beneplacito, opportunum fore, aut ut Oxonie, aut

Next we find Adam of Marsh writing to the minister of France, asking his permission to let N. de Anvers, whom the minister general had sent to France for his instruction, to continue his studies in England. “For”, Adam Marsh says, “in present times he cannot do so in anywhere other than England.”⁴⁷ It is possible that what Adam Marsh means with the last sentence is that the only *studia generalia* which instructed the friars towards the office of lector were those in France and England. The last letter of Adam Marsh concerning Friar N. was again addressed to the Minister of France who seems to have given permission to N. to study in England. Adam Marsh states that already a year and some months had passed, but he thought that it would be very useful if friar N. could stay until the coming Pentecost.⁴⁸ This was probably because an academic year in the Middle Ages generally continued until Pentecost.

Apart from Oxford, it is not possible to be sure whether any other *studium* was judged as sufficient to produce lectors as there is no known example of a friar who became lector after studying in a convent school other than Paris or

Cantebrugae, aut Londini dictus frater studendi gratia collocetur, usque ad tempus unius aut duorum annorum, secundum quod minister suus viderit ordinandum”: *ibid.*, p. 317.

⁴⁷ The letter is addressed to *frater G. Minister Franciae*, who is not Gregory of Naples as it is suggested in Callebaut, “Les Provinciaux de la Province”, p. 311. Gregory of Naples was deposed in 1233. It was most probably Friar Gaufridus, who was certainly Minister of France in 1252: see M. Bihl, “De Capitulo Generali O.M. Metensi anno 1254 Adsignando deque antiquo sigillo ministri glis”, *AFH*, 4 (1911), p. 428. Callebaut also gives him as provincial minister between 1243-1257: Callebaut, “Les Provinciaux de la Province”, p. 315. The context of Adam Marsh’s words is: “Caterum cum carissimo fratre N. de Anivers...competentis litteraturae, quem reverendissimus pater Minister Generalis vestrae disciplinae filiis aggregandum designavit, piam benevolentiam vestrae discretionis humiliter rogo, supplicans obnixius quatenus ei devotissimo vestro licentiam concedere velitis, ut in administratione Angliae solito sollicitus per instantis anni spatium divinatorum studiis valeat invigilare. Nempe memoratus frater in hac parte consiliis spiritualibus acquiescens, pro eo quod alibi quam in Anglia ad profectum studii litteralis nequaquam ei putantur in praesentiarum accessura, quae requiruntur ”: Adam de Marisco, *Epistolae*, p. 379.

⁴⁸ *ibid.*, p. 380

Oxford. Thus, at this point, arises the question of the nature of a *studium generale*. What exactly did a Franciscan *studium generale* mean around this time? Even outside of the Franciscan Order, the term is not easy to define. A number of possible features have been suggested for a *studium generale*.⁴⁹ According to Rashdall, a *studium generale* had three defining characteristics: first, it hosted students from various regions; second, it had at least one of the superior faculties (i.e. law, theology, medicine); third, it had a considerable number of professors.⁵⁰ Moreover, judging by foundation charters, a *studium generale* had the right to issue the *licentia ubique docendi*, but then again, in practice, this had little effect on a place being considered as a *studium generale*, since even Paris university got its right to issue the licence to teach as late as 1292, although it was clearly generally accepted as a *studium generale* long before this date.⁵¹

While it is difficult to define clearly what a *studium generale* was, it is even more difficult to decide exactly what it stood for in the Franciscan system. What can certainly be deduced from the Narbonne constitutions is that a *studium generale* accepted students from other provinces, and in this sense it bears the first one of Rashdall's characteristics. As for the second, the Franciscan *studium generale* at this time only taught theology. The third one, that is, the qualifications and number of the lecturers, is a characteristic that it is not possible to determine.

⁴⁹ For the discussion of the various views, see Weijers, *Terminologie*, pp.34-40.

⁵⁰ Rashdall, *The Universities*, 1, p. 7.

⁵¹ For the dates for other universities, see Weijers, *Terminologie*, pp. 38-9.

Was there a certain requirement to teach in a Franciscan *studium generale* such as having to incept in theology, and therefore it was only masters of theology who taught? For Paris and Oxford, this was certainly so. But both of these schools, and only these schools, had the peculiarity of being incorporated into the existing theology faculty of a university; they had to follow the requirements of the university administration. What about Bologna, for example, a possible *studium generale*, where there was no theology faculty in the existing university? It is known that John of Parma, who had taught for years in Bologna and Naples was never referred to as a master in theology. This is also supported by the fact that, later on, in Paris he read only the Sentences there as a bachelor.⁵² Similarly, Thomas of Pavia, who taught in Bologna did not seem to have any degree. However, it is possible that both John and Thomas had considerable lecturing experience, before being assigned to their post in Bologna.⁵³

In the evolution of the organization of studies, the papal bull of 1257 *Exultante spiritu* is significant. According to the contents of this bull, Franciscans who held the office of lector were allowed to teach theology in their schools without any further licence. However, those teaching in places where there was a *studium generale*, had to solemnly incept in the theology faculty, which in practice at this date meant incepting in the theology faculty of either Paris or Oxford.⁵⁴ Interpretation of this is not straightforward. Did the bull refer only to

⁵² Salimbene, pp. 297-8.

⁵³ For John of Parma and Thomas of Pavia see *Chartularium Studii Bononiensis S. Francisci*, ed. C. Piana in *AF*, 11 (1970), p. 4.

⁵⁴ "Hinc est, quod Nos devotioni vestrae praesentium auctoritate concedimus; ut singuli Fratres de Ordine vestro, quos secundum Constitutiones ipsius Ordinis Conventibus vestris deputandos

studia generalia with a theology faculty, that is, to Paris and Oxford only, or to any generally recognized *studium generale* like Bologna or perhaps Cambridge, or to any Franciscan schools recognized as *studia generalia* within the Order?

The first option seems reasonable, and it is clear that those who taught in Paris and Oxford were always masters. The second option could well be valid if the papacy had the idea of utilizing the Franciscan schools of theology to fill the gap at universities formerly without a theology faculty. The third is also plausible: perhaps the papacy was concerned that Franciscan lectors should receive a sound education under a solemnly incepted master from Paris or Oxford. The last two options in practice come to the same thing, since all probable *studia generalia* within the Order in 1257, i.e. Paris, Oxford, Cambridge and Bologna, were located in the towns where there was already a university. Was it perhaps after this bull that masters started to teach in convent schools such as Bologna or Cambridge?

Another question, analogous to the subject of the *ius ubique docendi*, is whether study in a *studium generale* other than Oxford and Paris was enough to become a lector. This is also difficult to establish. If, however, Oxford and Paris were the only *studia* which prepared future lectors, then the other *studia generalia* of the Order at this time were called so only because they served as superior schools of theology, like Toulouse, as opposed to provincial *studia*

duxeritis in Lectores, sine cuiusdam alterius licentia libere in Domibus praedicti Ordinis legere, ac docere valeant in Theologica facultate; illis locis exceptis, in quibus viget studium generale; ac etiam quilibet in facultate ipsa docturus solemniter incipere consuevit.”: *BF*, 2, no. cccxvii, p. 208.

which probably offered only an elementary education in theology. Alternatively, perhaps a *studium generale* was a *studium* where a master in theology lectured; then perhaps it could be deduced that a friar had to study under an incepted master to receive the office of lector.

Whatever the case may be, Cambridge was one of the probable *studia generalia* that might have achieved that status in the 1250s. In 1253-4, we have Eustace of Normanville, who had probably incepted in Oxford, at Cambridge as regent master.⁵⁵ It was exactly around this time, that is, after 1250, that we hear of a theology faculty in Cambridge for the first time.⁵⁶ There is, however, no evidence about the nature of relationship between the friars' school and the theology faculty, nor is there any further evidence to suggest anything regarding the status of Cambridge with certainty.

Similar to the case for Cambridge, the evidence to suggest that Bologna had the status of a *studium generale* comes from its lector assignments. As mentioned in the second chapter, Haymo of Faversham and John of Parma were assigned here to teach, which certainly indicates that Bologna was a major *studium* in the Order. However, the solid evidence for its status as Franciscan *studium generale* is still missing.⁵⁷

⁵⁵ Little, *The Grey Friars in Oxford*, p. 140.

⁵⁶ J.R.H. Moorman, *The Grey Friars in Cambridge* (Cambridge, 1952), pp. 29-30.

⁵⁷ Roest suggests that the *studium* must have become a *studium generale* around 1249, since the Pope issued a bull to inform the provincial minister of Bologna that the secular clergy attending the school of the Franciscans were to receive their benefices, similarly to those attending Paris. This decree does not, however, suggest that the Bologna *studium* of the Franciscans was of a particular nature. The same decree was issued in 1246 for the secular clergy attending the schools of friars in Dijon. For further information regarding secular clergy attending the Franciscan schools, see the last section of chapter 6.

The students who were sent to Paris to study on behalf of a province, that is those who were designated for the office of lector, were normally expected to return to teach in the province from which they had been sent. Once the student had completed the required studies, he would usually go back to his province, and was appointed to a particular convent in that province by the decision of the provincial chapter and with the counsel of the provincial definitors.⁵⁸ However, at the death or removal of a lector, the decision for his replacement lay with the provincial minister. It has been already mentioned that Albert of Pisa, the provincial minister of England, appointed lectors to English custodies.⁵⁹ Also, the provincial minister, William of Nottingham, was assigning for each convent one of the friars studying in the universities, in case of the removal or death of the lector of that convent.⁶⁰

The assignment of the lectors to teach in the *studia generalia* was generally done by the general chapters.⁶¹ Irregular cases were again reserved to the discretion of the minister general. Probably, the minister general used this

⁵⁸ Under Chapter X titled *De Capitulo Provinciali*, the duties of provincial definitors are explained as follows: “Quae sunt haec: Collatio super transmissis ad capitulum, correctio eorum quae provli capitulo corrigenda notificabuntur; ordinatio eorum quae ad necessitatem vel honestatem morum provinciae videbuntur pertinere, cum diversae provinciae diversis consuetudinibus varientur; divisio custodiarum, ordinatio lectorum, receptio, mutatio vel dimissio locorum, assignatio librorum notabilium fratrum decedentium vel ab Ordine recedentium. Et dicimus librum notabilem valentem dimidiam marcam argenti et supra.-Definitoribus vero tempore suae definitionis nihil de huiusmodi libris erogetur”: Narbonne-Assisi-Paris, p. 303.

⁵⁹ Eccleston, p. 49.

⁶⁰ “Assignaverat enim in universitatis pro singulis locis studentes”: *ibid.*, p. 50.

⁶¹ The first actual item about this arrangement comes from Narbonne 1260 constitutions. However, given the nature of 1239 constitutions where the powers of Minister General were largely transferred to, or checked by, the General Chapter, it may well have originated earlier. See Chapter XI, entitled *De Capitulo generali*: “Provideatur de lectoribus, predicatoribus, de mittendis “Inter Saracenos et alios infideles”, de mittendis de una provincia in aliam ad manendum, de novis provinciis capiendis et ministrationibus distinguendis et huiusmodi”: Narbonne-Assisi-Paris, p. 313

discretion rather frequently, since the general chapters were only summoned once in three years. For example, Ralph de Colebruge had entered the order in 1250 while a regent master in Paris. The same year he was appointed to Oxford by the minister general to teach theology as regent master.

In the case of a shortage of lectors, they could be assigned to provinces other than their own. According to Salimbene, Thomas of Pavia served as lector in Parma, Bologna and Ferrara, all of which after the time of Elias belonged to the province of Bologna.⁶² However, Thomas of Pavia also served in Lucca, which belonged to the neighbouring province of Tuscany.⁶³ In Salimbene's chronicle, we meet an English lector called Stephen in the year 1248. When John of Parma visited England, he promised to send Stephen to study in Rome, but then when two friars of Genoa convent appealed to him for a good lector, and he assigned Stephen there as lector.⁶⁴

Until the time of Elias, there were not many lectors and the effort was to secure a lector for each province. However, with the rapid expansion of the Order, and the increasing number of friars and convents, the ambition subsequently was for a lector at least in each custody, and later for a lector for every two or three convents. Although earlier chronicles talk about lectors in a casual manner, there is no constitutional item which would express a requirement for the office of lector until the Narbonne constitutions.

⁶² Salimbene, p. 429.

⁶³ "Actum ad domum fratrum Minorum de Luca in posteriori claustro propeque dormitorium, coram fratre Thomasio de Papia lectore dicti loci et ...": *Le Pergamene del convento di S. Francesco in Lucca (secc. XII-XIX)*, ed. V. Tirelli and M.T. Carli, (Roma, 1993), p. 110.

⁶⁴ Salimbene, p. 296.

Thomas Eccleston says that, when William of Nottingham died in 1254, there were 30 lectors who gave public disputations, and three or four who lectured without public disputation.⁶⁵ Around 1263-1270, there were seven custodies in England and 56 convents.⁶⁶ If there is no exaggeration in this number and provided that between 1254 and 1263 the number of convents had not increased drastically, more than half of the convents in England had a lector just after the middle of the thirteenth century. However, the province of England—and that of France for the same reason—might have been exceptional, since they contained, respectively, the universities of Oxford and Paris, which probably contributed to a relatively high number of lectors.

It is highly unlikely that, around 1260, there was a lector for every convent. The manuscript used by Golubovich, which lists the number of custodies and convents for each province, gives a total of 17 provinces, 104 custodies and 651 convents in Ultramontana.⁶⁷ From 17 Cismontane provinces only 9 are listed with a total of 33 custodies and 173 convents. However, those which are missing are the provinces of Rome, St Francis, Tuscany, Genoa, the Marches of Treviso, the Marches of Ancona, Bologna and Milan, that is, the oldest and possibly most crowded provinces of the Order. To make a very rough guess at these missing provinces, we might look at Golubovich's data for the year

⁶⁵ Eccleston, p. 50; for William of Nottingham, provincial minister of England 1240-1254, see A.G. Little, *Franciscan Papers, Lists, and Documents* (Manchester, 1943), p. 190.

⁶⁶ Golubovich, *Biblioteca bio-bibliografica*, 2, p. 241. Moorman suggests that the number of convents known to us were around 40. See Moorman, *Grey Friars of Cambridge*, p. 21. However, 40 seems an underestimate. If the number of convents was 56 around 1263, it is unlikely that it was 40 in 1254. Golubovich's information comes from an MS British Museum No. 24,641, foll. 113-14.

⁶⁷ Golubovich, *Biblioteca bio-bibliografica*, p. 241, same manuscript.

1282.⁶⁸ Here, the missing provinces in our previous list contain 396 convents in total. If we roughly assume that only two-thirds of this number were present around 1263, we are left with 264 convents. Thus a rough estimate for the period 1263-70 gives us 1088 convents. It is surely impossible that the Order had more than a thousand lectors around 1260.

The brightest students in the educational network would continue their career at Paris or Oxford for the master's degree in theology. The procedure was rather complicated since jurisdiction over inception lay with the university authorities, rather than with the Order.⁶⁹ It is not certain which requirements the mendicants fulfilled for graduation. What is known clearly is that, just like their secular counterparts, any Franciscan who wished to become a master had to serve first as a bachelor of Sentences.⁷⁰ Only after lecturing on Sentences, could the candidate proceed to the final stage of inception. The story of Richard of Cornwall, who was the fifth regent master at Oxford in 1255, constitutes a good example concerning the quest of Franciscan students to become regent masters.

Richard was believed to have taken the Franciscan habit in 1238 in Paris, probably when he was a student of Arts.⁷¹ He was sent to the English province to spend his noviciate. Probably after his noviciate, Richard started his studies in theology with the intention of becoming a lector. After some ten years, he

⁶⁸ *ibid.*, p. 243. This data comes from MS Vindobon. Palatino n. 4349, f.10v-11r.

⁶⁹ For the relation of mendicant schools to the universities, for Paris see Rashdall, *The Universities*, 1, pp. 376-8; for Oxford, *ibid.*, 2, pp. 66-8.

⁷⁰ Roest, *A History*, pp. 97-108.

⁷¹ There has been a dispute on the date of entry of Richard into the Order. For this dispute and the latest conclusion on this issue see P. Raedts, *Richard Rufus of Cornwall and the Tradition of Oxford Theology* (Oxford, 1987), pp. 2-4.

received permission to go to Paris, probably in 1248 during John of Parma's visit to England.⁷² John of Parma was reading the Sentences in Paris at the time he was elected as minister general. It might have been his intention to send Richard of Cornwall to Paris to read the Sentences to fill the gap that arose with his election. However, for some reason not known to us, Richard stayed on in England. This is interesting, since Paris was the most renowned university at the time for the study of theology. However, it is also true that in order to become a regent master in theology, one had to incept either in Oxford or Paris. In both of the universities, there was room only for one regent master at a time. The chances of becoming a regent master in Paris probably seemed small to Richard. A very short time before, in May 1248, William of Meliton had succeeded Eudes Rigaud as the fourth regent master in Paris.⁷³ The reason why Richard chose to stay in Oxford might be because he had seen his chances of incepting and becoming a regent master higher there, since the competition was much less in Oxford.

In 1250 therefore, Richard was reading Sentences in the Oxford convent. However, he failed to achieve his ambition of becoming a regent master, since the Oxford convent promoted Thomas of York for inception. In 1253, Thomas of York became regent master in Oxford.⁷⁴ On this occasion, Richard decided to make use of his permission to go to Paris. Raedts suggests that his irreversible

⁷² We have the letter of Adam Marsh to Provincial minister William of Nottingham, concerning the letter of concession by the Minister General to Richard. See Adam de Marisco, *Epistolae*, pp. 365-66. Cf. Raedts, *Richard Rufus*, p. 5.

⁷³ P. Glorieux, "D'Alexandre de Hales a Pierre Auriol: La Suite des Maitres Franciscains de Paris", *AFH*, 26 (1933), p. 268

⁷⁴ For the carrier of Thomas of York see Little, *The Grey Friars in Oxford*, p. 141.

decision to go to Paris stemmed from disappointment and jealousy.⁷⁵ It might have practically stemmed from the fact that in 1253, Oxford university passed a decree not to incept anyone in theology unless he had graduated first from Arts.⁷⁶ In 1254 we find Richard once again in Paris, reading the Sentences under the regent master Bonaventura, by making use of Bonaventura's commentary on the Sentences. He did not however incept in Paris, but finally became a regent master in Oxford in 1256, when Thomas of York switched to the lectorship of Cambridge.⁷⁷

Although the sources do not make any mention of inceptation, Richard must have incepted in theology in Oxford. Otherwise he could not have become the regent master. All Franciscans teaching in Oxford as regent master before him had incepted in theology. The first Franciscan lector, Adam Marsh, had incepted in Oxford around 1247, Ralph de Colebruge had incepted in theology in Paris before he joined the order, Eustace of Normanville was about to incept in Oxford when he joined the order and probably did so after he joined, and Thomas of York had incepted in 1256.

Angelo Clareno had written in his *Historia* that, at the time of Crescentius of Jesi, some of the zealous friars were concerned that some friars were attracted to natural philosophy and the "curious science of Aristotle", which was now taught in the schools and which seemed to be preferred to theology. Thus they had decided to appeal to the pope for action against this along with some other

⁷⁵ Raedts, *Richard Rufus of Cornwall*, p. 8.

⁷⁶ Little, *The Grey Friars in Oxford*, p. 141.

⁷⁷ Raedts, *Richard Rufus of Cornwall*, p. 9

changes in the Order.⁷⁸ Roughly, the foundation of such schools would have been around 1244-5.

If the study of philosophy had been in any way included in the curriculum of Franciscan education, the time seems just about right, since before the 1240s there was a great deal of suspicion concerning philosophy. The physical and metaphysical books of Aristotle were forbidden in Paris in 1215.⁷⁹ In 1231, Gregory IX ordered the masters of Arts in Paris not to use the books of natural philosophy which had been condemned in the Council of Paris, unless they were examined and purged of all heretical errors. The masters and scholars of theology were asked not to adopt philosophical attitudes.⁸⁰ However, around 1240, the prohibitions seem to have been relaxed, since the bishop of Paris, writing in 1248, makes use of these books.⁸¹ Gilson argues, however, without any reference, that before 1243 Aristotle's *Physics* and *Metaphysics* were studied in the Arts faculty.⁸² However, it was as late as 1254-5, that the faculty of Arts in the University of Paris officially announced its revised curriculum. The books they listed included many works of Aristotle such as the *Physica*, *Metaphysica* and the *Liber de Animalibus*.⁸³ In a way, this statute must have effected the mendicants

⁷⁸ Angelo Clarenò, *Historia*, p. 90.

⁷⁹ Rashdall, *The Universities of Europe*, 1, pp. 357-358.

⁸⁰ "Et libris naturalibus, qui in concilio provinciali ex certa causa prohibiti fuere, Parisiis non utuntur, quosque examinati fuerint, ab omni errorum suspicione purgati. Magistri vero et scholares theologiae, in facultate, quam profitentur, se studeant laudabiliter exercere, nec philosophos se ostendent": *Bullarium Romanorum*, 3, mdccclviii, p. 457. See also Rashdall, *The Universities of Europe*, 1, p. 358.

⁸¹ *ibid.*

⁸² Gilson, *The Philosophy of Saint Bonaventure*, p. 4.

⁸³ "Statutum facultatis artium de modo docendi et regendi in artibus, deque libris qui legendi esserit.": *Chartularium Universitatis Parisiensis*, ed. H. Denifle & E. Chatelain, 1 (Paris, 1889-97), pp. 277-9.

too, as they could not diverge from the curriculum of university, if they wanted to get some of their lectors incepted.

The Narbonne constitutions of 1260 do not make any mention of the study of philosophy and natural sciences; the terms *studium artium* and *studium philosophiae* appear only in much later constitutions to the great vexation of the famous English Franciscan, Roger Bacon. In his *Compendium Studii Philosophiae* written in 1271-72, Bacon complains about the lack of philosophical knowledge among novices.⁸⁴ He argued that the young novices who entered the Order started immediately with the study of theology, without having a proper knowledge of philosophy first. He emphasized particularly that the study of philosophy was done by the students themselves and “sine doctore”.⁸⁵ Yet, any evidence from Roger Bacon should be treated carefully, since he certainly had a propensity for exaggeration.

The attitude of some of the early lectors towards the study of philosophy seems to clash with that of Bacon. Thomas of Pavia lector of Bologna, Ferrara and Parma writes in his *Distinctiones*, which was probably written around 1254,

⁸⁴ For the dating of the work, I have relied on one of the most recent studies published on Bacon: J. Hackett, “Roger Bacon: His Life, Career and Works” in *Roger Bacon and the Sciences Commemorative Essays*, ed. by J. Hackett (Leiden, 1997), p. 22.

⁸⁵ “Unde plura millia intrant qui nesciunt legere Psalterium nec Donatum; sed statim post professionem ponuntur ad studium theologiae. Et a principio ordinis, scilicet a tempore quo primo floruit studium in ordinibus, primi studentes fuerunt tales, sicut posteriores. Et dederunt se illi studio theologiae, quod omnem sapientiam desiderat humanam. Et ideo oportuit quod non proficerent ullo modo, paecipue cum non procuraverunt se instrui ab aliis in philosophia, postquam ingressi sunt. Et maxime quia praesumpserunt in ordinibus investigare philosophiam per se sine doctore; ita quod facti sunt magistri in theologia et philosophia antequam fuerunt discipuli; et ideo regnat apud eos error infinitus, licet non appareat propter causas certas, Deo permittente et diabolo procurante”: Roger Bacon, *Compendium Studii Philosophiae* in *Opera Hactenus Inedita*, ed. J.S. Brewer, (London, 1859), p. 426.

that in order to comment on the Scriptures, which had to do with faith, one did not have to know anything philosophical.⁸⁶ Thomas further reproaches those whom he calls the “modern preachers”, since they tried to reinforce their sermons from the sayings of philosophers rather than by quoting the Bible. Longpré hints that these opinions reflect the same ones in the *Collationes in Hexaëmeron* of Bonaventura.⁸⁷

It is possible that in Oxford the tradition of the study of philosophy was established swifter and deeper than in Paris. The seventeenth-century historian, Anthony Wood, although not a reliable authority, mentions a philosophy school around 1243-7 at the time of Crescentius:

“But at the time Wesenham and Thomas Wallensis read⁸⁸, this their little schoole was translated to others within the new mansion of these Fryers, distinguished by the names of “Theologicall” and “Philosophical”. The former were in the church at the lower end, where the Vespers of these brethren that proceeded were sometimes solemnized. The other were in their cloister, wherein some of these following read when they proceeded “Masters”, and some read as “Bachelors”.”⁸⁹

Thomas of York was the first Franciscan to compose a commentary on

⁸⁶ “Vinum philosophiae maxime cavere debemus in intelligentia divinae Scripturae; et ideo Lev. X 9, praecipitur Aaron et filiis eius ut non bibant vinum quando intrant tabernaculum testimonii, quia in exponendo Scripturam, quae fidei est, non debemus sapere quidquam philosophicum”: Ephrem Longpré, “Les ‘Distinctiones’ de Fr. Thomas de Pavie, O.F.M.”, *AFH*, 16 (1923), pp. 22. This work is not edited, and it is found only in seven manuscripts now in possession of the Biblioteca Laurenziana in Florence. It was once in possession of the Franciscan convent of S. Croce in Florence. The quotation is from MS S. Crucis, Plut. XXVIII sin., cod. 6, fol. 86r.

⁸⁷ “Haec omnia [verba Domini] oportet acuere contra peccatores, sed tempus malum quando Israelitae vadunt ad acuendum huiusmodi ad Philisthiim, quod fit quando moderni praedicatores nituntur roborare verba sua non secundum sacram Scripturam sed secundum verba philosophorum.”: Longpré, “Les ‘Distinctiones’ de Fr. Thomas de Pavie”, pp. 21-2.

⁸⁸ Roger Wesenham (or Wesham) was the third lector to the Franciscans in Oxford, probably reading sometime before 1245, and Thomas of Wales, the fourth lector, read around 1245-7: Little, *The Grey Friars in Oxford*, p. 30.

⁸⁹ *Anthony Wood’s Survey of the Antiquities of the City of Oxford, 2: Churches and Religious Orders*, ed. Andrew Clark (Oxford, 1890), p. 364

metaphysics. It was as early as 1245, that he was reading the *Metaphysica* and *De Natura Rerum* of Rabanus Maurus.⁹⁰ It might be the case that he had studied metaphysics before he joined the order. However, even if it was so, he must have done quite a bit of advanced study on metaphysics and on the books of Aristotle on Natural Philosophy to be able to write such a grand work as the *Sapientiale*, which is described as a *summa metaphysica*.⁹¹ It is difficult to guess when the work was written; it was probably sometime after 1251. With a letter around that time, Adam Marsh sent Thomas the four books of the *Matres Philosophiae* which Thomas had asked for.⁹² In fact, the table of contents of the *Sapientiale* is a clear proof that Thomas was engaged heavily in the study of philosophy, as he hints in the third chapter of his first book:

“In ostendendo quod philosophi, quamvis multa falsa, tamen multa vera dixerunt et unde haec et unde illa et in ponendo utilitates quas providit Deus hominibus ex scientiis philosophicis et de moventibus as philosophiae studium, ex quibus infertur huius operis aggressio et nihilominus declaratur eius difficultas.”⁹³

Similar to Thomas, Richard Rufus of Cornwall, the fifth master of the Oxford Franciscans, has been credited with the authorship of a commentary on *Liber Meteororum*.⁹⁴ The sixth lector of the Oxford convent, John of Wales, who was regent master before 1260, has left a number of works which are of a

⁹⁰ Ephrem Longpré, “Fr. Thomas d’York, O.F.M., La première somme métaphysique du XIIIe siècle”, *AFH*, 19 (1926), pp. 876. The manuscript of Rabanus Maurus, read by Thomas of York is now in the Oxford, Bodleian Library, Laud misc. 746. It has been identified as in the possession of Oxford Franciscans. See *Medieval Libraries of Great Britain- A list of Surviving Books*, N.R.Ker (London, 1964), p. 142.

⁹¹ Longpré calls it “somme metaphysique”, he has also edited Table des Matières of *Sapientiale* in that article. See Longpré, “Fr. Thomas d’York”, pp. 906-30.

⁹² Adam de Marisco, *Epistolae*, p. 394-6; No. 227.

⁹³ Longpré, “Fr. Thomas d’York”, p. 906.

⁹⁴ *AFH*, XXI, pp. 403-6.

“philosophical” nature.⁹⁵ The most important one was the *Floriloquium philosophorum*, a work which is dedicated to exaltation of philosophy and philosophers, where John wrote that the two places where philosophy was most honored were Paris and Oxford. He also wrote a work entitled the *Breviloquium de virtutibus antiquorum principum et philosophorum*.⁹⁶

Although philosophy was cherished by the grand masters in Paris and Oxford, on the southern side of the Alps the situation was different around 1260. For example, somewhere like Padua, where a university was flourishing from 1221 onwards, Aristotelian philosophy did not receive a warm welcome from the lecturers of the Franciscan convent, who seemed to favor “the thought and fervor of St Francis and St Antony.”⁹⁷

The purpose of the Narbonne constitutions which tried to regulate the educational activity in the order certainly was not just giving the friars an opportunity for intellectual career. Rather the foremost target of this work-in-progress framework was to provide the friars with the necessary theological formation required in pastoral care, mainly to hold the offices of preaching and confession. However, for those with sufficient intelligence and desire to pursue intellectual studies in depth, the system provided various opportunities.

Reflecting on the dislike of the secular doctors of theology at Paris for the mendicants, Douie argued that:

“doctors of theology, who had always prided themselves on being the

⁹⁵ Little, *Grey Friars in Oxford*, p. 143-151.

⁹⁶ *ibid.*, p. 146.

⁹⁷ P. Marangon, *Ad Cognitionem Festinare: Gli Studi nell'Università e nei Conventi di Padova nei secoli XIII e XIV* (Padua, 1997), p. 154.

teachers of the future bishops of the Church, now saw many of their ablest pupils renounce all future ecclesiastical preferment to enter orders, whose way of life seemed to the holders of rich canonries and benefices precarious and hardly respectable. A modern analogy would be for a brilliant scholar with first class honors and every prospect of a successful academic career to be hippy.”⁹⁸

However, there is no evidence to support the assumption that by entering a mendicant order a successful student renounced all future ecclesiastical preferment. In fact, the contrary seems to have been the case. Franciscans were not only popular among townspeople, but also with the royal households, and above all the papacy. From the 1230s onwards, popes employed Franciscans for a variety of prestigious offices such as chaplains, penitentiaries, legates, inquisitors and, above all, as bishops and archbishops.⁹⁹ Thomson’s extensive research on the Franciscan bishops before 1261 lists more than forty bishops, with a dozen marginal possibilities.¹⁰⁰ Thus, a clerical student aiming for a high career could hardly do anything better than joining the order of the Friars Minor.

If we look at the subject from the point of view of an intellectual career, for a secular student or a master of Arts who was keen on studying theology and philosophy, there were quite a few practical advantages in becoming a mendicant—that is, if one would choose to look at the practical reasons rather than the spiritual attractions.

⁹⁸ D.L.Douie, “St. Bonaventura’s Part in the Conflict between seculars and mendicants at Paris”, in *S. Bonaventura 1274-1974. Volumen Commemorativeum anni septies centenarii a morte s. Bonaventurae doctoris seraphici, cura et studio Commissionis Internationalis Bonaventuriana, 2: Studia de Vita, Mente, Fontibus et Operibus Sancti Bonaventurae* (Rome, Grottaferrata, 1973), pp. 585-626.

⁹⁹ Willliell R. Thomson, *Friars in the Cathedral: The First Franciscan Bishops 1226-1261* (Toronto, 1975), p. 16

¹⁰⁰ *ibid.*, p. 20.

The first one was economic. In the big universities of Europe in the 1220s, like Paris, Oxford and Bologna, before the advent of friars we see mainly two types of students: lay or clerical students who were financed by their family, or any other protector, and the clerical students who were provided for by benefices. Since university education was considerably expensive, with the costs of lodgings, payment of masters and acquisition of books, both of these student groups suffered greatly from financial difficulties. Theology education was the most expensive of all, since a theology master's fee was higher than that in other faculties.

The evidence about the fees comes from the Treaty of Paris witnessed by the Raymond VII, count of Toulouse, and Louis IX, king of France, in 1229 dealing with the foundation of the Toulouse *studium*. According to the treaty, Raymond had to pay the salaries of the fourteen professors, four masters of theology, each receiving 50 marks of silver, two masters of canon law at 30 marks each, six masters of Arts at 20 marks and two grammarians at 10 marks.¹⁰¹

While this was the case, it is plausible to think that students who were sent by their families to acquire professional education were discouraged from attending theology courses. The student letters surviving from the thirteenth century illustrate the difficulties concerning the study of theology. Around 1250, a student from Orleans wrote to his father to request money for a Bible.¹⁰² The father, having praised the good intentions of his son, declined the request on the

¹⁰¹ *Morale Scholarium of John of Garland- A Professor in the Universities of Paris and Toulouse in the thirteenth century*, ed. L. J. Paetow (Berkeley, 1927), p. 89.

¹⁰² C.H. Haskins, *Studies in Medieval Culture* (Oxford, 1929), p. 25.

ground that the theological course required a great sum, as he was told, and that the son should turn to more practical sciences.¹⁰³ It seems like the study of theology was regarded practically as a virtuous path which would bring but little money. It is important here to consider the fact that the majority of the students financed by their families in the medieval universities were of intermediate social status, coming from artisan or merchant families.¹⁰⁴ A letter from the fourteenth century advised a young master to quit studying the Decretals, the aim of which was to make money, and to turn to theology which would not bring temporal gain but virtue.¹⁰⁵ In another letter dating to the second half of the fourteenth century, the student asked his father's permission to quit theological studies, which he was not apt to understand, but to follow other sciences which would bring him temporal gain.¹⁰⁶ In his reply, the father emphasized the honor of studying the theology and the difficulty of working as a merchant or a mechanic.¹⁰⁷

For clerical students financed by benefices, there were also considerable financial difficulties.¹⁰⁸ Even when these benefices were paid to clerical students, they were usually paid only for a year or two, for the intention was usually to make the clerk educated in the basics of theology, not to get him a degree. A

¹⁰³ *ibid.*, p. 25n. The evidence comes from a collection of letters dedicated to the students of Orleans which is attached to a *Summa de dictamine* by Ponce de Provence. There are two redactions, dated 1249 and 1252. According to Haskins the best text is in the Arundel MS. 514, f. 73v.

¹⁰⁴ A.C.Cobban, *The Medieval Universities: their development and organisation* (London, 1975), p. 198

¹⁰⁵ K. Burdach, *Schlesisch-Böhmische Briefmuster aus der Wende des vierzehnten Jahrhunderts*, (Berlin, 1926), pp. 89-90, no. 57.

¹⁰⁶ W. Wattenbach, *Das Formelbuch des Domherrn Arnold von Protzan* (Breslau, 1862), p. 318.

¹⁰⁷ *ibid.* p. 319.

¹⁰⁸ P. Kibre, *Scholarly Privileges in the Middle Ages- The Rights, Privileges, and Immunities of Scholars and Universities at Bologna, Padua, Paris, and Oxford* (London, 1961), p. 227.

number of popes in the thirteenth century like Honorius III, Innocent III and Innocent IV tried to secure such benefices, or, in cases where the clerk was already a holder, to make sure that they continued to receive the money *in absentia*. On the whole, however, Kibre has concluded that the popes accomplished little in providing for the clerks in Paris.¹⁰⁹

On the other hand, a Franciscan student of theology did not have to worry about any such financial matters at all. His books were provided by the Order; he had free lodgings. If he proved himself apt and hardworking for the office of lector, he had the chance of spending four years in Paris, perhaps even to get his degree and to join the ruling class of Parisian masters. Most important of all, he did not have to pay any money to his master, who was, like himself, a Franciscan and the student could even enjoy access to him outside of lecture hours.

A second reason to embrace the mendicant life was purely intellectual. For someone like Roger Bacon or Duns Scotus, who wished to dedicate their whole lives to the pursuit of the divine truth, there could be no profession better than taking up the office of lector in one of the mendicant orders. A secular theology student, on the contrary, sooner or later had to go back to his prebend, and would be thrown into various administrative works which would hardly leave time for any intellectual matters. Once a friar had been given the office of lector, he would be teaching in various convents almost until the end of his life, unless he was called on by his superiors or by the papacy to perform other offices such

¹⁰⁹ *ibid.*, p. 228-9.

as the provincial ministry, or take part in the negotiations with the Eastern Church or missionary activities. The lectors were showered with considerable privileges and dispensations so that they could dedicate all of their time to study.

One of the most useful privileges of the lectorship was having a *socius*—or sometimes more than one—a younger friar who would help the lector with administrative and practical matters, similar to a private secretary.¹¹⁰ The *socii* would also undertake the copying of books. Little directs our attention to two letters of Adam of Marsh, which present valuable evidence.¹¹¹ In one of them, noted above, he asks the provincial minister to assign him a *socius* other than Adam of Hereford who he thought should continue his studies instead.¹¹² In the second one, he tried to attract the attention of the provincial minister to the case of the lector, Walter de Maddele, who, unlike the other lectors, did not have books and the assistance of a *socius* to help him.¹¹³

Again, while the Narbonne constitutions prohibited meat to all friars, the lectors, along with the feeble and the sick, were exempted from this, on the ground that they were performing a very hard, continuous and useful work.¹¹⁴

¹¹⁰ Little, *Grey Friars of Oxford*, p. 33-4.

¹¹¹ On the subject of the *socius* see *ibid.*, pp. 33-4.

¹¹² See the letter of Adam Marsh in Adam de Marisco, *Epistolae*, pp. 314-16.

¹¹³ “Et quid est quod caeteris fratribus officio legendi deputatis, praesertim quibus successit, in magnis provisum est voluminibus, et in sociorum subventuum adjutoriis, iste solus videtur non curari.”: *ibid.*, no. cxcvii, p. 355.

¹¹⁴ “In locis fratrum fratres carnes non comedant ullo tempore, exceptis debilibus et infirmis.” In the Explanations of Bonaventura, we learn that a previous chapter had exempted the lectors from this prohibition. Bonaventura agrees with that decision: “Explanaciones Constitutionum Generalium Narbonensium”, p. 519 no. 27; for the Narbonne edict itself -“Querimus hic, utrum hec prohibitio ad lectores et fratres artifices in edificiorum structura laborantes se extendat et pro quanto debilitas ad esum carniū sufficiat, utrum scilicet debilitas capitis, etas tenella, etas decrepita? – Respondeo, quod ad lectores nolo, quod se extendat, dum sunt in actu legendi, et hoc propter laborem eorum magnum, utilem et continuum, propter quem ipsi excepti fuerunt in capitulo generali”: Narbonne-Assisi-Paris, p. 55, no. 4.

Again, while all the friars had to perform manual labor in the convent, the lectors were exempted from it on the ground that they were reading with their hands.¹¹⁵ For the lectors in the *studia generalia*, the situation was even better, since they also enjoyed the luxury of having a room of their own.¹¹⁶ It seems like the privilege continued even after their death. The *definitiones* of the 1260 Narbonne constitutions order that one divine office was to be celebrated for each of the following friars: William of Meliton, Adam of Marsh, Friar Bertamo and other friars who were named in the chapter.¹¹⁷ William of Meliton was the regent master

¹¹⁵ “Omnes fratres, tam clerici quam laici et forenses, post recreationem acceptam secundum exigentiam itineris et laboris, veniant ad completorium”: Narbonne-Assisi-Paris, p. 58 18; “Item, utrum lectores, qui mane lecturi sunt, debeant singulis diebus licentiam remanendi petere, cum causam habeant legitimam remanendi? –Respondeo, quod, cum mane debeant legere, non obligantur ad completorium conventus; debent tamen servare silentium”: “Explanationes Constitutionum Generalium Narbonensium”, p. 521, no. 42

¹¹⁶ “Nullus frater habeat cameram clausam [vel a dormitorio sequestratam, Ministris exceptis et lectoribus in generalibus Studiis constitutis]”: Narbonne-Assisi-Paris, p. 57, 16.

¹¹⁷ “Pro fratre Wilhelmo de Melitona, pro fratre Berchtramo, pro fratre Adam de Marisco, adiunctis eis aliis fratribus in capitulo nominatis, fiat semel officium sicut pro uno fratre”: “Definitiones Capituli Generalis OFM Narbonensis 1260”, ed. F. Delorme, *AFH*, 3 (1910), p. 504.

in Paris between 1248-1253,¹¹⁸ and Adam of Marsh was the regent master of Oxford from 1247-1252. He died in 1258.¹¹⁹

The developing libraries of the convents, and the easy access to books, was another significant advantage of being a friar compared to being a secular cleric. The access to books was restricted for secular clergy since the medieval universities did not have any common libraries. The college libraries made their appearances only in the late thirteenth century. Those living in the mendicant convents enjoyed therefore the great opportunity of having at their disposal the main sources regarding theology and philosophy, which enabled the friars to produce their masterpieces.

The Franciscan educational organization in 1260 was scrambling to keep up with the phenomenal growth in the Order, and with the scholastic ambitions of the Order and its members. The constitutional framework revealed by the Narbonne constitutions was scanty, and no doubt much was discretionary or ad hoc, as the constitutions themselves allowed. But if the constitutions leave us with a threadbare picture, the lives, careers and works of the lectors around that time can still give us an impression of how far things had come, and how and why they had come so far.

¹¹⁸ P. Glorieux, "D'Alexandre de Hales a Pierre Auriol: La Suite des Maitres Franciscains de Paris", *AFH*, 26 (1933), p. 268.

¹¹⁹ Little, *Grey Friars in Oxford*, pp. 136, 139.

PART TWO: THE INSTITUTIONALIZATION OF LEARNING

CHAPTER V

THE SPIRITUALS AND LEARNING: WAS THERE REALLY A CLASH?

From the late 1240s onwards, that is, from the time when the mendicants first firmly established themselves at Paris University, a number of conflicts took place between the secular masters and the mendicants.¹ At first this conflict was expressed in the university statutes issued against the friars, and in the appeals by the secular masters to the papacy to stop the friars' independent course of action. Until 1254, no secular master published a treatise which attacked mendicant principles and their way of life. With Gerard of San Donino's infamous publication in 1254 of the *Liber Introductorius ad Evangelium Eternum* the conflict in Paris took a different turn. The publication did not only result in Gerard's own lifetime imprisonment, and the fall of the Minister General, John of Parma, but it opened a new front in the battle over power and independence between the seculars and the regulars: public attack and defense through the written word.

The publication of *Questiones disputatae* by William St. Amour in 1255

¹ For the account of these early controversies see Roest, *A History of*, pp. 53-4.

was the first move of the seculars on this new front. The conflict in question was no longer simply about the status of the friars with regard to the university administration, but it was a direct attack on the mendicant way of life. Bonaventura, who was at that time only a bachelor, took up the defense with *Questiones de Paupertate evangelica*. Both of these works were in the nature of academic exercises, where the parties tried to refute each other's arguments, sometimes citing the same authorities to indicate misinterpretation.²

In March 1256, William of St Amour's new tract *De periculis novissimorum temporum* found its way into Parisian circles. As Traner observed, basically, William confronted the mendicants on "the legitimacy of the more controversial aspects of the mendicants and focused on three issues: the friars' right to observe a life of complete renunciation of temporal goods both in private and in common; the friars' obligation, as religious, to perform manual labor; and the friars' claim to the alms of the faithful."³

Later that same year, Thomas of York entered the dispute with *Manus quae contra Omnipotentem tenditur*, while the Dominican, Thomas Aquinas, composed *Contra impugnantes Dei cultum*.⁴ Both works made use of the scholastic method of refutation of the arguments that had been put forward in the treatises of William St Amour. Thomas of York's *Manus* was a fine example of scholastic dispute, making use of syllogisms and Aristotle. Traner has argued

² Douie, "St. Bonaventura's Part", pp. 589-90.

³ Andrew G. Traner, "Thomas of York's Role in the Conflict between Mendicants and Seculars at Paris", *FS*, 57 (1999), p. 180-1.

⁴ Moorman, *A History of*, p. 129.

that, although previously historians have claimed the *Manus* to be an official response of the Franciscan Order to the Parisian masters, the work shows little familiarity with *De Periculis* and served to back up Bonaventura's points in justification of mendicancy.⁵ The publication of *Manus* altered the course of dispute, in the sense that "the issues of begging and manual labor had become peripheral while the secular theologians sought to balance papal authority with diocesan jurisdiction, and tried to demonstrate that the administration of ecclesiastical wealth, rather than the renunciation of it, corresponded better to the paradigm left by Christ and the Apostles."⁶

The study of theology in the Franciscan order had now a brand-new justification for its existence. Franciscan masters were now doing a great service to the Order by defending through publication the mendicant way of life against its attackers. The intentions and guidelines of the founder-saint were now to be expressed through the complex methods of scholasticism; they were being asserted, justified and defended by drawing on all valid authority. Franciscanism, with its emphasis on evangelical poverty, had become a topic of theology in its own right. In this battle of quills which concerned the whole order, the order relied on the masters of the *studia generalia*, as they alone were equipped with the necessary sophisticated knowledge of theology as well as the art and techniques of argument.

This new call became even clearer when another secular master, Gerard of

⁵ Traner, "Thomas of York's", p. 201.

⁶ *ibid.*, pp. 201-202.

Abbeville, wrote his *Contra adversarium perfectionis christianae*. The book not only refuted the points made by Thomas of York, but also dealt theologically with the question of poverty. After this, the treatises from both sides tackled the theological questions about the poverty of Christ, as well as the legal standing of the concept of having the use of things rather than the possession of them. From this point onwards, the defense through the written word of evangelical poverty and the mendicant way of life became an almost inevitable part of the Franciscan intellectual activities. It gave friars a justification for being involved in university studies, and for the advanced study of logic and philosophy.

It was probably Bonaventura's *Apologia Pauperum*, written in 1269, which made Bonaventura a sympathetic character for the later Angelo Clareno, despite their apparent difference of position in the spectrum of the Order.⁷ And the theological defence of Franciscanism continued in full flood. Between 1269 and 1271, the famous Franciscan master and archbishop of Canterbury, John Peckham, wrote three treatises: the *Tractatus Pauperis*; the *Utrum perfectio evangelica consistat in renuntiando vel carendo divitiis*, and the *De pueris oblatiis*. This torrent of treatises thrown into the theological battle over mendicancy increased the interest towards learning and education in the Franciscan Order, by demonstrating the utility of a good theological training in the successful refutation of attacks on the Order.

⁷ Clareno always mentions Bonaventura with praise. For example, "Fratre Bonaventura propter famam scientiae et eloquentiae ac sanctitatis ad cardinalatum contra suam voluntatem assumpto": Clareno, *Historia*, p. 131.

Yet from another angle, this theological duel also placed more strain on the Order, since the treatises had to be completely devoid of theological errors, and to be inoffensive to the papacy and to the Church at large. It was like walking on slippery ground: Franciscan masters had to defend the imitation of the poverty of Christ as an inseparable part of the evangelical life, without offending the Church prelates who lived in a state far away from this ideal. Gerard of San Donino's example had made the order necessarily more cautious. Hence, the Narbonne constitutions included precautions against potentially dangerous publications. No new writing was to be published outside of the Order unless it had been first examined by either the Minister General or the provincial minister and the definitors of the provincial chapter.⁸ Moreover, no friar should dare to assert or approve any opinion, which had been reprovved by the masters of the Order in common. Nor should friars defend anyone's suspicious opinion against faith and tradition. Any friar who acted otherwise would be deprived of all his offices in the Order.⁹

As the Franciscans survived the attacks of the secular masters successfully, learning strengthened its position within the Order. John Peckham, who was in the forefront of the battle against the seculars, regarded the study of theology as a natural part of the mendicant vocation. Although he himself was a

⁸ "Item inhibemus, ne de cetero aliquod scriptum novum extra ordinem publicetur, nisi prius examinatum fuerit diligenter per glem Ministrum vel provlem et definiores in capitulo provli": Narbonne-Assisi-Paris, p. 73. no. 21.

⁹ "Nullus frater audeat aliquam opinionem asserere vel approbare scienter, quae a magistris nostris communiter reprobatur, nec opinionem singularem cuiuscumque, suspectam vel calumniabilem, maxima contra fidem vel mores audeat defensare. Et qui contrafecerit, nisi, admonitus per Ministrum, resipuerit, ab omni doctrinae officio sit suspensus": *ibid.*, no. 22.

doctor of theology, he was quite appalled to hear that the Benedictine chapter general of 1277 had decided to found a school in Oxford and ask the provinces for contributions. He reproached the Benedictines severely.¹⁰ Peckham did not see the study of theology as an appropriate activity for monks. The Franciscans were involved in pastoral care, and as Bonaventura had stated, good pastoral care was only possible through a good education in theology. Monks were involved in pastoral care; there was no real need for them to spend their resources on sponsoring schools in Oxford.¹¹ For Franciscan friars, who were holding the offices of confessor or preacher, study was necessary, and even inevitable. Similarly, in his *Declarationes super Regulam*,¹² Peckham paid much attention to showing the differences between the monks and the friars.¹³

¹⁰ We have the letter of Peckham, dated 16 September 1280, written to the abbot of Abbyndon and to the prior of St. Neoti of the diocese of Lincoln: “A vestra non credimus effluxisse memoria, qualiter ordinatio circa detruncacionem divini officii et contribucionem quarundam scolarum facta per presidentes ordinis sancti Benedicti in capitulo generali, de nostro et confratrum nostrorum omnium consilio, in prima congregacione nostra London’ postquam de ordinacione huiusmodi innotuit, certis ex causis extitit revocata, tanquam contra Deum, et in fraudem consuetudinis approbate ac institute a sanctis patribus, voluntarie attemptata; lata nichilominus per nos et ceteros confratres nostros excommunicacionis sententia in omnes illos, qui ordinacioni huiusmodi adhererent, vel alios ad hoc compellere conarentur.” *Documents Illustrating the Activities of the General and Provincial Chapters of the English Black Monks 1215-1540*, ed. W.A. Pantin, 3 (London, 1931), pp. 274-5.

¹¹ Similarly, Smith suggested that Peckham would have thought that the place of a monk was his monastery, not the university. J.J. Smith, *The Attitude of John Peckham toward monastic houses under his jurisdiction* (Washington D.C., 1949), p. 59.

¹² For a long time, the authorship of the *Expositio Super Regulam*, which was edited in Bonaventura, *Opera Omnia*, 8, pp. 391-437, was attributed to John Peckham. However, most recent scholarship favors the view that the author of that *Expositio* was indeed Bonaventura. Concerning this debate over attribution, see Sophronius Clasen, “Bonaventura’s *Expositio Super Regulam Fratrum Minorum*” in *S. Bonaventura*, 2, pp. 531-70. John Peckham’s *Declarationes Super Regulam*, which contains strong internal evidence for the authorship of Peckham, judging from the subjects handled, has been published in *Firmamenta Trium Ordinum Beatissimi Francisci* (Venice, 1512) ff. xciv-xcix. For a brief summary of Peckham’s declaration, see Charles T. Martin, *Registrum Epistolarum Fratrum Minorum*, (London, 1885), 3, pp. c-cii.

¹³ “Quod si queratur an fratres minores dici generaliter monachi vel monastici possint. Distinguo de nomine monachorum. Nomen enim monachorum imponitur a monade .i. unitate. Potest igitur nomine monachi trahi a monade .i. unitate solitudinis vel unitate mistica multitudinis. Si primo

Advancing from the justification and firm establishment of intellectual activities, the newly exalted status of learning severely upset the balance between learning and poverty. The redirection of the order's material and intellectual resources to the pursuit of learning resulted in further violations of the primitive Franciscan principles, which were kept alive by a growing number of friars known as Spirituals. As the adherents of this party came to form a significant faction of the Order in the late thirteenth century, particularly in Italy, their approach towards study and learning needs to be considered in a history of Franciscan education.

Generally, the Spirituals have been believed opponents of organized study, because of their numerous criticisms concerning related topics such as the accumulation of books or the study of philosophy.¹⁴ The evidence, however, shows that this is not exactly true. First of all, it is quite difficult to talk of a single "Spiritual" standpoint. The positions of three of the best-known spokesmen of the Spiritual cause, Peter John Olivi, Angelo Clareno and Ubertino of Casale, were quite distinct from each other. The unifying point between them was their strict defense of poverty.

Olivi elaborated the doctrine of *usus pauper* and the others followed him in this. Poverty was their common friend, but study was not a common enemy. Despite the difference of opinions, a careful reading of these friars leads to one

modo intelligatur sive dicatur solitudo hominis solitudinem inhabitantis sive sibi soli intendentis. dico nomen monachi ipsis minime convenire iuxta quod canitur de beato Francisco: quia non sibi soli vivere sed aliis proficere vult dei zelo ductus. Hic nolebat Fratres in heremo manere sed inter homines eorum salutem procurando": John Peckham, *Declarationes*, f. xc v r.

¹⁴ See for example, MacVicar, *The Franciscan Spirituals*, pp. 38-42.

general point. What Esser or Maranesi suggested as Francis's attitude to study coincides with the attitude of the Spirituals to study: they were not against study and learning as long as it served towards the understanding of God, and as long as the scholar remained humble and virtuous. They were not really against organized study at all as such, but against the abuses and defects in the system.

What, for example, Olivi says about study is no different at all from the opinion of Bonaventura. Relevant here is the question he discussed in scholastic format "whether studying is a perfect activity in itself".¹⁵ After stating the pros and cons, Olivi formulated the question by defining a perfect work as that which contributed to the perfection of man.¹⁶ After a long line of argument, he reached the conclusion that study leads to perfection if it keeps one's mind away from worldly things. It only harms perfection if a scholar studies, not for the love of God or for his own edification or the edification of others, but out of curiosity.¹⁷ In the end, Olivi comes to the usual argument that studying the Sacred Scripture, and those sciences which were useful and necessary for theology, leads to perfection. However, extensive study of these auxiliary sciences was harmful and

¹⁵ Olivi's discussion of this question "an studere sit opus de genere suo perfectum" is edited at pp.141-159 in A. Emmen and F. Simoncioli, "La dottrina dell'Olivi sulla contemplazione, la vita attiva e mista", *Studi Francescani*, 61, (1964) pp. 108-167.

¹⁶ "Quid vocetur opus ex genere suo perfectum, et quid imperfectum; et quod opus sit concedens virum perfectum, et quod non. Sic enim poterimus videre, an studium competat viro perfecto vel non, et quomodo sic et quomodo non": Olivi, "An studere", p. 147.

¹⁷ "Cum etiam studium valde mentem abstrahat a mundanis et a negotiationum tumultibus, et hoc summe expediat viro perfecto et ad perfectionum tendenti, optimum est, et valde expediens, ab istis per studium se abstrahere, saltem ei qui per alia vel non novit, vel non potest. Studere autem in quocumque, non referendo illud totaliter ad Dei amorem vel ad sui et aliorum aedificationem, sed potius propter sciendi curiositatem, aut propter popularis gloriae vanitatem, aut propter quaestus cupiditatem, est perfectioni nocivum et viro perfecto nullo modo competens": *ibid.*, p. 150.

superfluous.¹⁸ In all these words, there is nothing even slightly contradictory to what had been written before as Bonaventura's opinion. Besides, it should be remembered that Olivi himself was a lector, a bachelor of theology, who taught in Paris and elsewhere.

The later Spiritual dissent headed by Angelo and Ubertino did not follow a radically different theoretical line from Olivi, yet they found much to lament and accuse in the existing system of schools and lectors. According to them, these defects and errors were standing between the Order and primitive Franciscan ideals. In their agenda, the possession and, in effect, private ownership of books was top of the list of complaints. After that, their concern was with the exalted status, and misconduct, of the lectors, and also the extensive (excessive) study of philosophy, particularly by young friars.

Although in today's world, books are generally considered an everyday item; in the Middle Ages, they were luxury goods because of the high cost of production. When in 1230, the papal bull *Quo Elongati* had categorized books as "necessary items" for Franciscans, the usual set of books were thought to be the Bible and the breviary. However, the wholesale pursuit of university-level study had brought with it the necessity of maintaining a greater number of books, not only of theology but also concerning philosophy and logic.¹⁹ Because of the system of assignation and concession of books to individual friars, perhaps even

¹⁸ "Studere ergo in Sacra Scriptura est perfectivum et viro perfecto competens, informatum conditionibus et circumstantiis supradictis; et etiam studere in aliis scientiis, quantum est necessarium et utile ad praedicta. Amplius autem in ipsis studere, superfluum est et novicum": *ibid.*, p. 151.

¹⁹ For more details, see Chapter VII.

for a lifetime, there was a need to make many duplicates of the same book. This was a major source of expense. It was also a blow struck at the very heart of the Franciscan life, evangelical poverty.

One of the most frequent Spiritual complaints was the number of books held by the Order. The most influential papal bull of the late thirteenth century, *Exivi qui seminat*, in 1279, dealt therefore expressly with the topic. Books were made an item for which express provisions were to be made.²⁰ Further, the papacy declared itself the sole possessor of all books used within the Order, conceding however the authority to sell or exchange books to the ministers of the Order, so that they could provide for other goods.²¹

The account of the dispute before the Council of Vienne in 1312 between the Spirituals led by Ubertino, and the Conventuals led by the Minister General, Raymond of Gaufredi, is invaluable evidence for understanding the Spiritual dissent on this controversial topic. Both parties agreed that books were necessary for preaching. However, the Conventuals defended the individual assignment of books, arguing that the friars had only the use of the books and not propriety

²⁰ “Et quia oportet, and expedit Fratrum necessitatibus non solum pro quibus iam esset solutio seu satisfactio facienda; ut supra proxime dictum est; sed et imminentibus, sive tales necessitates ingruentes immineant quae brevi tempore expediri valeant, sive tales licet paucae comparative, quarum provisio necessario tractum temporis habeat, ut in libris scribendis, Ecclesiis, seu aedificiis ad usum habitationis eorum construendis, libris et pannis in locis remotis emendis et aliis similibus, si quae occurrerint, cum moderamine supradicto salubriter provideri”: *BF*, 3, p. 410-11.

²¹ “Quia vero dominium librorum et aliorum mobilium, quibus tam Ordo, quam Fratres utuntur, quae tamen non sint domini aliorum, ad praefatam Ecclesiam specialiter spectare dignoscitur, quae libros et mobilia interdum contingit seu expedit vendi, vel etiam commutari; Fratrum utilitatibus, vel eorum conscientis providere volentes eadem auctoritate concedimus, ut commutatio talium rerum, et ad eas res quarum usum Fratribus licet habere, de Generalis et Provincialium Ministrorum in suis administrationibus conjunctim, vel divisim auctoritate procedat; quibus etiam de dispositione usus talium rerum concedimus ordinare”: *ibid.*, p. 412.

rights over them.²² Ubertino, on the other hand, opposed book assignments as leading to the multiplication of books, arguing that all books should be used in common, as had happened among Francis and his companions.²³

Concerning the acquisition and maintenance of books, the heart of Spiritual dissent was the question of abuses in the system, not the system itself. According to Ubertino, friars were collecting books as a kind of pension for their old age.²⁴ It should be remembered that books were the only precious item which could be traded lawfully within the Order. Therefore, a friar with material ambitions could do nothing better than to invest in books.

If one remembers the episode in the *Intentio Regule* where Francis spoke to a certain master, called Richard of Ancona, about his intention that a friar should only have a habit and cord, Ubertino's complaint seems mild and a mere matter of detail, considering he claimed directly the heritage of Francis. It was Angelo Clareno who represented, in this respect, the more fervent attitude by

²² "Et ideo cum secundum regulam fratres debeant populo predicare et eis imminet secundum regulam hec necessitas; si non predicare fabulas debeant, sed divinam scripturam, et hanc scire non possunt sine aliarum scientiarum peritia nisi cum multis libris; restat, quod sicut de perfectione regule est predicare, sic et multos habere libros, in quibus studeat, quid debeat predicare, precipue cum eos nullus frater habeat ut proprios, sed nec ut perpetuos, quod ad licentiam servatur per totum ordinem, ut libros unusquisque reputet se habere ad usum tantum simplicem studii, et non ad proprietatem nec in perpetuum. Quod patet, quia ministri cotidie auferunt eos fratribus et aliis dant usum, quod non possent, si essent proprii fratrum vel etiam ad perpetuum concessi": "Zur Vorgeschichte des Councils von Vienne no. 4 Vorarbeiten zur Constitution Exivi de Paradiso vom 6. Mai 1312.", ed. F. Ehrle, *ALKG*, 3 (1887), p. 148.

²³ "Licet igitur officium divinum supponat usum breviarium et predicatio scientiam et scientia studium et studium usum librorum, non tamen propter hoc sequitur librorum appropriatio et sic in tanto excessu multiplicatorum per singulos fratres, sed solum usum talium in locis fratrum pro communitate conservatorum, quod a principio fuit per beatum Franciscum et totius observatum, qui in libris communi usui deputatis dicebant officium et studebant": Ubertino di Casale, *Declaratio*, p. 176.

²⁴ "Et multi de eis faciunt thesaurum dicentes: "Si ego infirmabor, ego michi providerem de libris meis"; et vendunt et emunt ea intus ordinem et extra, melius quam possunt, et multi suis fratribus carius quam emant, more mercatorum": Ubertino, *Responsio*, p. 73.

reminding us of this very episode concerning Richard of Ancona. Angelo Clareno considered the multiplication of books as an evil in itself which was holding the friars back from sanctity.²⁵ The reason for the difference in the attitude of two Spirituals might be the fact that Ubertino had a career as a high-flying scholar, having been sent to Paris soon after his entry into the Order.²⁶ For Angelo, however, we have no evidence as to what sort of a scholarly career he had pursued, if any at all. Although the fact that he wrote a commentary on the Rule, and the *Historia Septem Tribulationum* certainly indicates some considerable formal education, it is also known that he was not a priest, but had remained a deacon.²⁷

Ubertino's remarks on books' having become a commercial entity in the Order are supported by the constitutional evidence. In the late thirteenth-century constitutions, almost all provincial or general constitutions had regulations on the trade in books under a section entitled *De observantia paupertatis*. Although the system of book acquisition and maintenance will be examined in more depth in the seventh chapter of this thesis, it is worth mentioning here the most striking constitutional regulations that prove Ubertino's complaints to be, indeed, not unfounded.

In 1285, the provincial chapter of Aquitaine decreed that custodians and

²⁵ "Et seductus libris multiplicandis insudat, qui sanctitatis et virtutis exercitium non multiplicat.": Angelo Clareno, *Expositio Regulae Fratrum Minorum*, ed. Livarius Oligier (Florence, Ad Claras Aquas, 1912), p. 54. See also p. 65 where he refers to the episode on the books in the *Intentio Regule*.

²⁶ Moorman, *A History*, pp. 190-1.

²⁷ *ALKG*, 2, pp. 143-4.

guardians had to compel friars who were in debt, to other friars and to secular people, to pay their debts. If the friars did not pay, then their books and other things were to be taken away and sold within the order, so that the debt could be paid and great scandals avoided.²⁸ Very similar to this, the thirteenth-century provincial constitutions of Provence decreed that if a friar, who was in debt to his convent, was transferred to another convent, then the guardian or vicar of the original convent was to keep the friar's books as a pledge to his creditors. The friar would be deprived of his books and other things in return for his accumulated debts.²⁹ These decrees leave us in no doubt that friars were not just assigned books, but actually in effect "owned" books, and just as Ubertino said, books constituted the substitute for material wealth among the friars.

Turning now to the question of lectors, there were two centers of gravity in the Spiritual complaints on this subject. One was the general domination of the administration of the Order by the lectors; the second—connected with the first—was the lax conduct of lectors in the observance of poverty and humility. Ubertino argued that most of the conflicts in the provinces stemmed from the ambition to be sent to a *studium* in order to become lectors and thereby to dominate others. He observed that this ambition had little to do with the love of knowledge,

²⁸ "Item custodes et gardiani fratres sibi subditos compellant ad solutionem debitorum, que debent fratribus vel aliis personis, assignato ad solvendum termino competenti. Post quem, si solutum non fuerit, accipiant libros et res alias fratrum non solventium eo modo quo dictum est, et inpignorent vel vendant intra ordinem, ut sic debita persolvantur, cum ex huiusmodi magna scandala oriantur. Qui vero solvere non poterunt, graviter puniantur": Aquitaine and France, p. 478.

²⁹ "Item, si frater debitis obligatus ad conventum transferatur aliquem, gardianus conventus, unde recesserit est, seu eius vicarius libros eius et suppellectilem aut pignus habundans retineat, unde possit plenarie satisfieri creditoribus; et omnis viciosus in contrahendis debitis, custodis iudicio, libris et rebus privetur aliis, donec sufficienter apparuerit emendatus": Provence, p. 422.

because these friars were unwilling to lecture once they were actually in charge. “Once they come back from Paris, they care little of studying, and whether they lecture or not, a great many Parisian lectors dominate the Order’s administration in the provinces of Italy and elsewhere.”³⁰ Ubertino wrote that the Order was, in effect, administered by the lectors, since they formed the majority in the provincial and general chapters.³¹

The constitutions again justify the complaints of Ubertino. Lectors and masters of theology played a considerable part in the government of the Order, frequently serving as provincial ministers, guardians and definitors in the chapters. Already, before the Narbonne constitutions, the majority of the governing body of the Order consisted of educated friars. However, at that time this had not been stipulated by the constitutions, nor was there a total exclusion of uneducated friars from decision-making, as came to be the case in the late thirteenth century. This made Spirituals like Ubertino furious.

In the 1292 Paris constitutions, it was decreed that lectors reading, and students studying, outside of their provinces, should have an active voice in the election of the *descreti*, both in provincial and general chapters.³² The chronicle

³⁰“Et omnes dissensiones quasi, que sunt in provinciis multis ordinis, sunt propter ambicionem promocionis ad studia, ut sint lectores et prelati et aliis dominantur. Quod autem hiis moveantur potius quam amore scientie, patet, quia de facto videmus eos invite legere, quando possunt preesse; et postquam habent nomen, quod fuerint lectores, et de Parisiis redeunt, parum curant postea de studio, sed sive legant sive non, in provinciis Ytalie et eciam alibi, ut plurimum soli lectores Parisienses dominantur”: Ubertino, *Responsio*, p. 73.

³¹“Et quia a talibus [lectoribus] ordo regitur, cum quasi semper sint de corporibus capitulorum provincialium et postea generalium”: *ibid.*, p. 74

³² “Lectores etiam extra suam provinciam legentes et similiter fratres extra suam provinciam studentes, in electionibus discretorum tam ad gle quam ad prole capitulum vocem tantum activam habeant, non passivam.”: Narbonne-Assisi-Paris, p. 306.

of the province of Strasbourg presents invaluable evidence demonstrating how the prelates of the Order were chosen among the lectors: the late thirteenth-century provincial ministers of the province of Strasbourg were all, without exception, lectors.

In 1271, Konrad Probus, who had previously served as the lector of Constance, was elected provincial minister and kept the post until 1279.³³ In 1279, Konrad became bishop of Toul. That year, the provincial chapter was summoned to Rutlingen, where Friar Thidericus (Dietrich) Golinus (Goellin), who at that time was lector of Basel, and had been previously custodian of the Rhine custody, was elected as the provincial minister. When Thidericus died in 1289, the lector of Constance at that time, Bertold de Columbaria, was elected provincial minister. Berthold served until 1297, at which time he died at Constance. The provincial chapter was summoned to Strasbourg and elected this time the lector of Speyer, Henricus de Otendorf. He was a Master of Arts and of Canon law. In 1302, the office of provincial minister passed for a third time to the lector of Constance, now Henricus de Ravensburg, who had drawn up the provincial constitutions of 1303. In 1309 the visitators of the province sent by the General Minister made constitutions for the reformation of the province. In this provincial chapter, Henry of Ravensburg was absolved from the ministry, and

³³“Chronicon Provinciae Argentinensis O.F.M. Circa An. 1310-1327 a Quodam Fratре Minore Basileae Conscriptum (1206-1325)”, ed. L. Lemmens, *AFH*, 4 (1911), p. 677. It has been suggested that Konradus Probus studied theology in Siena and received a doctor’s degree before his entry to the Order. However, this is highly unlikely since there was no theology faculty in Siena in the thirteenth century: “Der Franziskusorden: Die Franziskaner, die Klarissen und die Regulierten Franziskanerterziarinnen in der Schweiz”, ed. K. Arnold and others, *Helvetia Sacra*, Part V, 1 (Bern, 1978), p. 59.

Petrus Anglicus, a magister in theology, was made provincial minister and served until 1316. Petrus Anglicus had been a regent master in Paris from 1303 to 1306.³⁴

As has been stated in the previous chapter, up to and including the time of Bonaventura, the prevalent ideal amongst the lectors was the image of a Franciscan theologian, stripped of pride and richness, dedicated to the pursuit and teaching of divine truth in evangelical poverty, thus combining intellectual and spiritual power. The Order's government had been dominated by the examples of Haymo of Faversham, John of Parma and Bonaventura. Franciscan involvement in the world of learning had been encouraged even by the Spirituals's hero, Hugh of Digne, who in turn had championed Alexander of Hales, a Parisian master who had chosen poverty, as the exemplar of the Franciscan vocation.³⁵ Bonaventura, as indicated in his writings, was convinced of the high status of lectors, who deserved esteem as the ministers of the Scriptures. He took the matter one step further by giving many privileges and dispensations to the lectors, as he firmly believed that an accurate knowledge of Scripture was the lifeblood of the Order which would enable it to complete the tasks before it.

These exalted status of the lectors, and the privileges that had been given

³⁴ "Chronicon Provinciae Argentinensis", pp. 678-81; *Helvetia Sacra*, V, 1, pp. 61-2.

³⁵ "Nam cum evangelium dicat: Qui...fecerit et docuerit hic magnus vocabitur in regno coelorum (Mt. 5, 19), quis sanae mentis dicat ut magister et frater Alexander de Alis dives debuerit praedicare et docere: Beati pauperes spiritu (Mt. 5,3), et pauper effectus debuerit reticere? Certe si fratres decet addiscere et ruminare tamquam munda animalia (Lev. 11,3; Deut. 14,6) verba divina et ipsi sibi sufficiunt in docendo, quis tam stultus est ut dicat quod doctrinam quam eos decet facere et docere debeant a non facientibus mendicare? In magisterio ergo pompa damnatur, sed officium et studium commendatur": Hugh of Digne, *Expositio*, p. 187.

them, no doubt triggered ambition in the order. Ubertino wrote that many who were not suitable for the task wanted to be sent to schools, and to be called lector, just to be revered. He lamented that the privilege of lectors in being allowed to keep a *socius* was abused, lectors treating their *socii* as servants.³⁶ He further accused the lectors of being the major opponents of the observation of evangelical poverty. He alleged that, since the constitutions declared that no friar was to carry a purse, but should beg for his necessities when he was on a journey, the prelates, lectors, preachers and confessors took boys with them who would carry the money their behalf. Further, he said that these friars were ashamed of begging.³⁷ “It is not a miracle, therefore,” writes Ubertino “that such lectors, masters and prelates hate the doctrine of *usus pauper*, since it is a great disturbance to their lives.”³⁸

Once again, Ubertino was stating the truth, as the 1309 provincial statutes of Strasbourg attempted to correct this mode of behavior. The decree ordered that lectors and other prelates were to hold food, drink and clothing in common with others; exercising their offices in humility; they had to be an example to other

³⁶ “ Et quia non multi sunt ingeniosi et apti ad subtilia et tamen, ut honorentur, volunt mitti ad studia et habere nomen lectoris, licet parum sciant, ideo postea fastiditi de studio efficiuntur ociosi et vagi et aridi et indevoti nec curant chorum sequi, sed uno socio habito servitore discurrunt, ut volunt, et stant in terris propriis ceteris fratribus dominantes”: Ubertino, *Responsio*, p. 73-4.

³⁷ “Item dicebant constitutiones, quod fratres euntes per viam extra loca fratrum nullo modo bursarium secum ducerent pro expensis, sed more pauperum mendicarent. Nunc vero quasi communiter fratres, qui possunt, habent quilibet sua deposita apud depositarios et faciunt fratres suas expensas per eos. Ex vix etiam intra suas provincias volunt ire sine bursario; et quomodo expendant, sciunt tabernarii et pueri, qui pecuniam portant. Et quia istud est vicium maiorum prelatorum, lectorum et sollempnium predicatorum et confessorum, qui quasi nullas volunt sustinere penurias, immo certe semper nituntur multi ex eis procurare delicias; et victum temperatum mendicare, quod est eorum proprium, erubescunt”: *ibid.*, p. 71.

³⁸ “Non est mirum, si tales lectores et magistri et prelati odiunt doctrinam de usu paupere, quia nimis ab eorum vita discordat”: *ibid.*

friars. Just like other friars they were obliged to go for begging alms.³⁹ Further, the provincial chapter ordered that the lectors who were lecturing infrequently, were to be deprived of their office.⁴⁰ The existence of such a constitution is also evidence that, just as Ubertino complained, some friars holding the office of *lectio* were not willing to lecture after all. We come across a similar decree from the chapter of the province of St Anthony celebrated in Vicenza in 1294. The lectors were asked to continue their lectures as scheduled, and to finish the books they started according to the statutes of the general chapter. Those who did otherwise, were to be deprived of their *socius*, and obliged to attend the divine office without exception.⁴¹

Another element of corruption in the educational organization was the illegitimate acquisition of training in a *studium generale*. Twice Ubertino utters the following phrase: “nunc Parisiense studium emitur a pluribus”.⁴² This can be translated in two ways: that study in Paris was obtained by many, or bought by many. It is actually more likely that what Ubertino meant was that they were buying it. A friar-student who was able to procure the necessary money and books from outside, for example, from a living relative, could arrange to be sent to the

³⁹ “Item praelati, Lectores ac alii maiores in victu communi quod cibum, potum atque vestitum, in humilitatis officiis exercendis se praebeant aliis fratribus exemplares, vadantque pro eleemosyna sicut alii fratres de conventu”: Strasbourg II, p. 258.

⁴⁰ “Lectores autem, qui parum legunt, tenatur Minister in Capitulo privare officio lectionis. Privati autem vadant ad chorum sicut ceteri de conventu” *ibid.*, p. 259.

⁴¹ “Ordinat et vult minister et provinciale capitulum, quod lectores iuxta statutum capituli generalis suas ordinarie continuent lectiones, et libros inceptos perficiant fideliter, sicut possunt. Quod si contrarium fecerint, priventur socio, et vadant continue ad officium, et nihilominus provinciali capitulo accusentur”: France and Marches of Treviso, p. 464.

⁴² “Quale est istud, quod nunc Parisiense studium emitur a pluribus, et dantur XXIII libre parisienses a quolibet studente de gracia ibi omni anno”; “quod frater emeret sibi studium Parisiense, sicut modo fit.”: Ubertino, *Responsio*, pp. 74, 111.

Parisian *studium de gratia*. The provincial ministers probably did not object to this since it did not cost them anything, and also more students in Paris meant more lectors for the province. Those who could procure twenty-four Parisian *livres* and the necessary books or money to buy books, either from a relative or out of somebody's testament, could go to Paris regardless of their intellectual abilities.⁴³ The number of students who could go to Paris at the Paris convent's expense was restricted to two. However there do not seem to have been any quotas on the number of students to be sent to Paris *de gratia*, that is, at the expense of the student's home convent, or at the student's own expense.

It was mentioned in the previous chapter that the Narbonne constitutions had prohibited the seeking of help from secular people to be sent to a *studium generale*. In the 1279 Assisi constitutions, the same decree as that of Narbonne was repeated.⁴⁴ In 1292, two decrees make it certain that the procurement of money from outside for this purpose was still in practice. One decree was an extended version of the Narbonne and Assisi decrees, which ordered deprivation of offices for those who sought to be promoted to the office of lector, bachelor or master through the help of those outside of the Order.⁴⁵ The second stated that friars who went to *studia generalia* at the expense of people outside of the Order would not be assigned to the office of lector upon their return to the provinces,

⁴³ In the second half of the thirteenth century, there is plenty of evidence that money was bequeathed to particular friars: see Chapter VII.

⁴⁴ Narbonne-Assisi-Paris, p. 78, no. 17.

⁴⁵ "Quod si aliquis se vel alium per personas extra Ordinem procuraverit mitti ad Studium quodcumque [sive ad lectoriam, bacchalariam, magisterium vel quodcumque Ordinis officium promoveri] ipso facto omnibus officiis Ordinis sit privatus, quosque per generalem Ministrum secum fuerit dispensatum": *ibid.*, p. 79, no. 20b.

except at the dispensation of the chapter general, nor would they enjoy the liberty of studying in the schools.⁴⁶ However, the problem seems to have persisted, since in 1296, four years after these general constitutions, the provincial chapter of the province of St Anthony decreed that to stop a dangerous abuse, those who were at, or who could be sent to, the *studia generalia* through the intervention of secular people were to receive no provision from the province.⁴⁷

All these decrees support the claims of Ubertino. Such practice points out not only a severe corruption of the Franciscan spirit, but also the deterioration of the lector system. Clearly, sending only two students to Paris at the expense of Parisian convent amounted to next to nothing in meeting the demands of the provinces for lectors. Inevitably, provinces had to send students to Paris and other *studia generalia* at their own expense to provide a sufficient number of lectors. However, this placed a considerable financial burden on the provinces and, in order to save money, the provincial ministers allowed students who could procure private finance to go to *studia generalia*. This, no doubt, resulted in the fact that more gifted and intelligent students, who could not procure financial support from outside, did not have the chance of becoming lectors, which, in turn, led to the

⁴⁶ “Inhibet autem generale capitulum, ne fratres, qui per personarum extra Ordinem procuraciones et preces generalia ad Studia transmittuntur, revocati ad suas provincias, assignentur alicubi pro officio lectionis, sine dispensatione capituli generalis, nec in studiis gaudeant studentium libertate”: *ibid.*, 20c.

⁴⁷ “Ad obviandum periculose abusioni contra illos, qui per procuracionem secularium mediate vel immediate ad generalia studia transmittantur, vel possent fortasse transmitti, preter illud quod super hoc statuit capitulum generale, ordinat et vult minister et diffinitores cum consensu totius capituli provincialis Verone celebrati anno Domini MCC nonagesimo VI, intrante Augusto, quod talibus sic transmissis nullo modo detur provisio per provinciam”: *France and Marches of Treviso*, p. 465.

production of underqualified lectors.

The community's response to Ubertino's various accusations regarding corruption and relaxation in the order, was strangely devoid of any defense on the issues raised by Ubertino about the corruption of lectors and the lector system, or about the acquisition of books. The only response concerned the problem of books. This duly stated that, in order to preach, friars needed books, and that they did not actually possess the books, but only had the use of them.⁴⁸ The rest of the response concentrates rather on the issue of poverty.⁴⁹

Again Angelo Clareno's criticism of the system is more fundamental. He expressed his strong contempt not only for the acquisition of numerous books but also and for the foundation of too many schools, considering them the main cause of the dissent between the secular clergy and the friars. He considered as ignorant and careless against the inclinations to evil those who insisted on asking privileges from the Pope that would relax the Rule, on the grounds that they had to hear confessions, preach more freely, build churches, recruit friars, tend the sick, bury the faithful, and multiply schools and books.⁵⁰

⁴⁸ "Et ideo cum secundum regulam fratres debeant populo predicare et eis immineat secundum regulam hec necessitas; si non predicare fabulas debeant, sed divinam scripturam, et hanc scire non possunt sine aliarum scientiarum peritia nisi cum multis libris; restat, quod sicut de perfectione regule est predicare, sic et multos habere libros, in quibus studeat, quid debeat predicare, precipue cum eos nullus frater habeat ut proprios, sed nec ut perpetuos, quod ad liceram servatur per totum ordinem, ut libros unusquisque reputet se habere ad usum tantum simplicem studii, et non ad proprietatem nec in perpetuum. Quod patet, quia ministri cotidie auferunt eos fratribus et aliis dant usum, quod non possent, si essent proprii fratrum vel etiam ad perpetuum concessi": "Zur Vorgeschichte des Councils", p. 148

⁴⁹ See Anicetus Chiappini, "Communitatis Responso 'Religiosi viri' ad Rotulum Fr. Ubertini", *AFH*, 7 (1914), pp. 654-75.

⁵⁰ "Ignorantes enim demonum astutias et suarum affectionum inclinationes ad malum non precaventis, confidenter dicent, quod non est contra regule puritatem pro confessionibus audiendis et predicationibus magis libere faciendis et ecclesiis hedificandis et fratribus multiplicandis et

An item that was common to both Angelo's and Ubertino's agenda was the study of philosophy. Ubertino obviously did not share Bonaventura's measured attitude towards the study of philosophical books. Rather, he thought of this as a direct violation of the ideals of Francis. He complained that friars took up the study of pagan works, especially meaning Aristotle, directly after noviciate and that they studied little of the works of the saints, or of the text of the Bible, thereby killing the spirit of piety.⁵¹

Similarly to Ubertino, Angelo expressed his disagreement with the study of philosophy, though once more he goes further in condemning the introduction of the "evil science of Aristotle", as he quoted from Gregory of Nazaren.⁵² In a circular letter written to the whole Order, he admonished all friars to read only the Bible and the writings of the saints and to stay away from reading the books of the pagans.⁵³

However, dissent from the study of philosophy was not at all a peculiarity

infirmis fovendis et personis devotis sepeliendis et studiis et libris multiplicandis et pro aliis, que ad utilitatem et firmitatem et spiritualem statum totius religionis faciunt, privilegia a summo pontifice impetrare": Angelo Clareno, *Expositio*, p. 53.

⁵¹ "Et quia statim post noviciatum student in scripturis paganis et postea in questionibus, ut plurimum magis curiosis quam devotis, et parum in dictis sanctorum et textu biblie comparative, spiritum devocionis extinguunt": Ubertino, *Responsio*, p. 73.

⁵² "Nam eo tempore quo fr. Crescentius generalis minister cum multa iniustitia condempnavit illos sanctos fratres, qui pro pura observantia regule laborabant, et secularium scientiarum in religione introducta sunt studia et "Aristotelis male artes, tanquam male pestes Egiptiace", secundum Gregorium Nazarenum, optimi status ecclesiastici corruptiones sibi locum vendicaverunt honoris et dignitatis, in ea compleri ceperunt publice prenuntiata per fundatorem": Angelo Clareno, *Historia*, p. 210. See also *ibid.*, pp. 212-214 where Angelo makes extensive references to Gregory of Nazaren, and mentions, in a similar context, Athanasius, St Jerome and St Basil.

⁵³ "Preparantia vero [ad] Christi Iesu habitationem et mansionem ineffabilem et divinam in nobis, secundum exterioris hominis mores sunt ista:... fuga et evitatio familiaritatis et colloquii hereticorum et lectionis librorum paganorum, lectio sacrarum scripturarum et spetialiter in vitis et regulis sanctorum patrum": *Epistolae* in *The Letters of Angelo Clareno (c. 1250-1337)*, ed. R.G. Musto (Columbia University, Ph.D. thesis, 1977), Letter no. 9, p. 160.

of the Spirituals. The papacy itself had at times followed a similar line. Besides, even within the Conventual wing of the Order, there was a similar view towards philosophy. Someone as remote from the Ancona Spirituals as John Peckham could mirror their views on the study of Aristotle. Peckham, as Archbishop of Canterbury, prohibited in 1284 the teaching of Aristotle's works on physics and metaphysics at the university of Oxford, a move which has been interpreted as an attack to the Thomist doctrine of the Dominicans.⁵⁴

The administration of the Franciscan Order too was not entirely devoid of similar doubts about philosophy. The general and provincial constitutions of the late thirteenth century give the impression that logic and philosophy were seen as potentially harmful occupations, and that therefore, the young friars, even lectors, who were studying in the schools of Arts, should be watched carefully. The Tuscany constitutions decreed that, in order to be sent to an Arts school, a friar should be virtuous, have a fundamental knowledge of grammar, an aptitude for studying, that he should have spent at least two years in the Order after his profession, and that he should know how to sing psalms.⁵⁵ The same constitutions further decreed that no friar was to teach grammar or logic without the licence of the provincial minister.⁵⁶ It was also forbidden to friars to attend the lectures of

⁵⁴ John Laimbeer Peckham, *Archbishop Peckham as a Religious Educator* (Scottsdale, Pennsylvania, 1934), p. 44.

⁵⁵ "Item statuimus quod nullus iuuenis studio loicali deputetur, nisi de cuius vita laudabili constet et de cuius ingenio et fundamento grammaticae et aptitudine ad scientiam profectus laudabilis praesumatur. Ita tamen quod post professionem in ordine egerit duos annos, et sciat competenter cantare, si habet aptitudinem ad cantandum, nisi monistro videatur circa aliquem vel aliquos, propter bonam idoneitatem, quantum ad secundum annum aliter faciendum": Tuscany (text) pp. 188-9

⁵⁶ "Nullus frater doceat in grammatica vel loica sine ministri licentia": *ibid.*, p. 190.

the seculars in any faculty.⁵⁷ Similarly to the Tuscan constitutions, the Umbrian constitutions of 1300 ordered that no one should be sent to a *studium* of Arts as lector or as student without the licence of the Provincial Minister. Further remarkable in this respect is the decree in the provincial statutes of Aquitaine, towards the end of thirteenth century, which ordered that young, insolent friars who, after a warning, did not correct themselves, would be removed from all study of philosophy and be assigned to the study of theology.⁵⁸

Olivi's opinion in this respect was more in line with the community's. While acknowledging the potential hazards of the study of philosophy, he still approved of it since it would help understanding of the Sacred Scripture, but for this sake only. While discussing the argument that the study of Arts made one garrulous, headstrong, proud and disobedient, he defended the study of Arts, asserting that these sciences did not lead to such evil, but that they make the will prone to such bad things that were already found abundantly amongst the young.⁵⁹ He noted that the young were more willing to take up the study of these sciences than the science of theology. "However, just because the corrupt will assumes evil easier from these sciences, we cannot stop learning them," wrote Olivi, "for without these, especially without logic, no one can penetrate fully to the investigation and understanding of the Sacred Scripture."⁶⁰

⁵⁷ "Nullus frater audiat aliquem lectionem ab aliquo saeculari in aliqua facultate": *ibid.*, p. 187.

⁵⁸ "Item iuvenes insolentes, si moniti non se correxerint, ab omni philosophie studio amoveantur et theologie studio assignentur": Aquitaine and France, p. 481.

⁵⁹ See objection 14 in Olivi, "An studere sit", p.144.

⁶⁰ "Ad decimum quartum dicendum quod, sicut dictum est, studere in logicis et in aliis scientiis non inducit per se illa mala, quae ratio supponit; sed illorum causa per se est voluntatis perversitas et pronitas voluntatis ad illa mala, quae potissime abundat in iuuenibus. Verum est tamen quod

Hence, all the precautions taken towards those involved in the study of Arts reveal that it was not only the Spirituals who thought of the Arts as potentially dangerous, but the Order in general. The Spirituals, having realized that these precautions did not stop some friars from being too attracted to disciplines like natural philosophy, protested against even the teaching of these disciplines that was regarded by others as wholesome. Again such a line of thought should not be readily judged as overpious dissent, since the fears of the Spirituals were sometimes justified. The 1313 Barcelona constitutions felt the need to condemn friars' involvement with alchemy and necromancy, occupations closely linked to natural philosophy.⁶¹

The attitudes of the Spirituals towards the study of philosophy and towards study in general seem clearly distinct from that of the early Franciscans. Olivi was generally in line with the policies of thirteenth-century Minister Generals such as Bonaventura, and supported all kinds of intellectual activity, with only the caution that was shared by many outside the Spiritual wing of the Order. Ubertino found much to criticise in the way the educational organization was functioning, but he did not directly oppose study, only the abuses and

facilius accipit occasionem omnium malorum ex istis scientiis et studio earum, quam ex studio sacrae Scripturae; et ideo tales multa repressione et exercitatione sui indigent, tam per se quam per alios. Licet autem voluntas corrupta ex istis occasionem mali faciliter sumat, non tamen propter hoc sunt nobis non addiscendae; quia sine eis, et specialiter sine logica, nullus potest ad profundam venire, maxime cum voluntas ardens proficiendi in divina perfecte possit ista vitare": *ibid.*, p. 157.

⁶¹ "Item, vult Minister Generalis de voluntate et assensu Capituli Generalis, quod in constitutione edita contra alchimistas, nigromanticos, et ceteros maleficos, immediate post illud 'nisi per Generalem' ponatur sic. 'vel Provinciale Ministrum de consilio discretorum, sive per eum, cui ipsi in speciali duxerint committendum.'": *Memoriali*, p. 33.

corruption the actual system had brought to the order. The most extreme and most reactionary of the three was Angelo Clareno, but even he seemed to be in favor of the study of theology through Biblical and Patristic texts. No one, it seems, was in favour of an absolute return to the simple preaching mission of uneducated lay friars that had been initiated by Francis of Assisi.

CHAPTER VI

A SNAPSHOT OF THE EDUCATIONAL ORGANIZATION AROUND 1310

For the time of Narbonne constitutions, the general lines of the educational organization of the Franciscan order were drawn with the help of evidence from only two set of general constitutions, 1239 and 1260—most of the evidence came from the testimonies of individual lectors and students found in letters and chronicles. Hence, it was more sensible to sketch the picture by looking at the careers of lectors. In the period stretching from 1260 to 1310, the time when Ubertino wrote the criticism that was discussed in the previous chapter, the educational organization of the Franciscans had been modified, enlarged and had become more sophisticated. This was inevitable as the number of convents and friars had constantly increased, and as the study of theology as a science had developed in the universities.

The nature of the evidence for this later period differs greatly from that of the first period. Fortunately, from this period a relatively high number of provincial and general constitutions have survived. However, practical evidence such as letters and chronicles is more scarce. If constitutions alone are to be used, the resulting picture is in danger of reflecting not what happened but what was aimed at. That is why Ubertino's testimony concerning practical observance is

invaluable in picturing the system more realistically. Blending thus all the evidence I was able to find for this period, I have tried to reconstruct the steps of the educational ladder for a Franciscan entering the order around 1310, paying particular attention not to employ terms which are not used in the Franciscan constitutions. Admittedly, the resulting picture serves only as a working hypothesis to be tested and modified as new evidence appears and is digested.

The formal course of study started usually not during but after the noviciate, although some novices might have started reading books of theology during the year of their noviciate. After their profession, friars probably attended basic theology lectures in a *studium theologiae* in their convent or in a convent close by. There was not a *studium* in every single convent, so the friars would attend to the closest *studium* in their custody.¹ Either after spending sometime in this basic-level *studium*, or in some cases—judging by what Ubertino wrote—right after their noviciate, the friars would be sent to a school of Arts, which could be found in almost every custody of a province around this time.

As was mentioned in the third chapter, the first time we come across a school of Arts in Franciscan history was around 1244. At the time of Narbonne, the study of Arts was undertaken mostly in the top *studia* of the Order like Oxford and Paris, and probably also in other *studia generalia* like Bologna. In the

¹ This has been already mentioned for the time around 1260. There is no reason to think that situation was different by 1310. There was never a decree in the Franciscan constitutions for each convent to have a lector or a *studium*. That was one point where Franciscans differed from the Dominicans, and it was a natural difference since Franciscans were far greater in number than the Dominicans were. The fact is evident also from the following provincial constitution of Aquitaine in 13th century: “In quocunque autem conventu, ubi est *studium* theologie, duo paria indumentorum aurifrigiata habera valeant, pro solemnitatibus maioribus”: Aquitaine and France, p. 476.

1279 Assisi Constitutions it was decreed that during the holidays, philosophy and law should not be taught in the schools of theology and by the lector of theology, but at some other time and in another place, whenever there was a chance.² This suggests that in the holidays, when theology teaching was halted, some lectors were lecturing on Arts to the student friars on their own initiative. It should be noted that the decree does not make any mention of the study of Arts in schools founded for this purpose; it is satisfied with using *alibi* for the place of study of philosophy and law. It is, for the first time in 1292, that the general chapter of Paris decreed that a special *studium* for Arts should be founded in every province.³ The response of the provinces to this decree varied. It should not be assumed that all provinces had a *studium* of Arts immediately after 1292. Roger Bacon's perpetual complaints to the papacy that many Franciscans were studying theology without a knowledge of philosophy and logic also supports the hypothesis that the formal study of Arts was being introduced into the Franciscan curriculum towards the end of thirteenth century.

The earliest provincial constitution mentioning a school of Arts is that of Tuscany in 1292, shortly after the general constitutions of Paris. The constitution orders that no young friar was to be sent to the school of logic unless he had high morals, was believed to have a fundamental knowledge of grammar, and was well-inclined to learning.⁴ The singular use of *studium* suggests that following the

² "Iura vero et philosophica in scholis theologiae ab eodem lectore et eodem tempore non legantur, sed alibi et alias, ubi fuerit opportunum.": Narbonne-Assisi-Paris, p. 76, 11d.

³ "Item, vult Generale Capitulum, quod Ministri in suis provinciis ordinent Studia in artibus pro iuvenibus provincie instruendis.": *Memoriali*, p. 28.

⁴ "Item statuimus quod nullus iuvenis studio loicali deputetur nisi de cuius vita laudabili constet et

general chapter of Paris, Tuscany had founded a single *studium* for Arts. The province of St Francis decreed the foundation of schools of Arts in 1300.⁵ In 1303, the province of Strasbourg probably had at least one school of Arts in the province, for the chapter decreed that those who had read philosophy in the province would have priority in the nomination of students for the Strasbourg *studium*.⁶ The same chapter also decreed that each custody should have at least one *studium* of Arts.⁷ Around 1316, the Roman province ordered that a *studium* of Arts should be founded in various convents for the education of the young.⁸ Thus, in time, the number of *studia artiae* in the provinces increased.

All this evidence suggests that the study of Arts continued in the order for a long time in an informal way, depending on the initiative of the lectors. The first provincial Arts schools only came into existence after 1292, and their spread at the custodial level was even later, around 1300-1310. Roest suggests that these Arts schools were called *studia particularia* in many sources. However, I have not found any document before 1310 where this term was used.⁹

It is difficult to know what exactly was taught in the Arts schools of the Franciscan order. Generally, for this period, “Arts” in the Franciscan context

de cuius ingenio et fundamento grammaticae et aptitudine ad scientiam profectus laudabilis praesumatur”: Tuscany (text), pp. 188-9.

⁵ “Item ordinentur *studia* artium in provincia, in quibus nullus ponatur lector vel studens, nisi per ministrum fuerit assignatus; et de eis bona sollicitudino et cura diligens habetur”: Umbria II, p. 22.

⁶ “Et ceteris paribus, quantum ad nominationem praedictam, illos qui philosophica legunt in Provincia dicimus aliis praeferendos”: Strasbourg II, p. 250.

⁷ “Habeat etiam quaelibet Custodia *studium* unum philosophiae vel artium ad minus, quo studentes sufficienter instructi ad memorata *studia* provincialia transferantur”: *ibid.*

⁸ “Item ordinentur per ministrum *studia* grammaticalia, logicalia et philosophica in locis diversis, ad que gradatim mittantur iuvenes secundum capacitatem et aptitudinem ipsorum”: Rome, p. 368.

⁹ See Roest, *A History of*, p. 67.

meant all the auxiliary sciences and disciplines, consisting principally of logic and philosophy, which would help the study and understanding of theology. There is no surviving constitution naming the books studied in Arts schools around 1310. Therefore, only educated guesses can be made by drawing comparisons with the curricula of Arts faculties in the universities. The teaching and studying of Arts in medieval universities gained momentum in the later thirteenth century when most of the Aristotelian corpus was incorporated into the Arts curriculum despite successive papal prohibitions. The movement accelerated with the proliferation of copies of the works of Thomas of Aquinas who tried to reconcile Aristotle with biblical theology. It is assumed that the curriculum of Franciscan Arts education was fairly introductory, more intense in logic than in philosophy. The student would study the *logica vetus* in the texts of Boethius, Porphyry and Aristotle and the *logica nova* based on Aristotle's *Prior* and *Posterior Analytics*.¹⁰ For natural philosophy, the compilations of various Franciscan masters based on the *libri naturales* of Aristotle, such as *De Anima*, *Physica*, and their commentaries by Avicenna or Averroes, were read.¹¹

Once the student was equipped with the necessary tools for medieval biblical exegesis, he would be ready for the study of theology. Theology education was not just for the lecturers, but for all friars destined to an office which necessitated theological knowledge such as preacher or confessor. It is probable

¹⁰ Some of the early Arts schools were even called *studium loicali*, ie. school of logic; Roest, *A History of*, p. 138.

¹¹ Roest, *A History of*, p. 141; B. Smalley, *The Study of Bible in the Middle Ages* (Oxford, 1983), p.320.

that different offices required different durations of study. To become a preacher, one had to spend at least four years in the theology schools. A *socius* needed less than four years.¹²

Various constitutional items suggest that a friar did not stay at the same *studium* for four years; rather, he spent one or two years in a *studium* of his province, and the remaining time in another *studium*, within or outside of his province, where he studied more advanced theology. Around 1310, at least each custody of a province had a school of theology. For example, there was at least one school in each of the four custodies of the province of the Marches of Treviso around 1280.¹³ In the custody of Padua, in addition to the school at Padua which, in all probability, was a *studium generale*, a school functioned in the convent of Vicenza.¹⁴ In the custody of Venezia, lecturers were to be found in the convents of Venezia and Treviso.¹⁵ For the custody of Verona, a lecturer was recorded in the convent of Verona for the year of 1286.¹⁶ Finally, a lecturer was present in the convent of Udine in 1292, which belonged to the custody of Friuli.¹⁷ It is possible

¹² Such was the decree of the province of Aquitaine. "Item ordinamus, quod nullus de cuius sufficientia, moribus sive scientia dubitatur, mittatur ad capitulum provinciale pro suscipiendo predicationis officio, nisi minister expresse et nominatim licentiam concederet talem mittendi. Item nullus mittatur, nisi audierit ad minus theologiam per quatuor yemes": Aquitaine and France, p. 479. *Yem(p)s* normally means "winter". As Franciscan lectures started at the beginning of October and continued until Pentecost, it can be assumed that *yemes* stood for an "academic years."

¹³ For the custodies of the province, see *Provinciale Ordinis Fratrum Minorum Vetustissimum secundum Codicem Vaticanum Nr. 1960*, ed. Conrad Eubel (Florence, 1898), pp. 62-3.

¹⁴ The earliest date when a lecturer was recorded in Vicenza was 1285. Antonio Sartori, *Archivio Sartori-Documenti di Storia e Arte Francescana, 3/1: Evoluzione del Francescanesimo nelle Tre Venezie. Monasteri, Contrade, Località abitanti di Padova Medioevale*, ed. Giovanni Luisetto (Padova, 1988), p. 352.

¹⁵ A lecturer was present in Venice in 1273, and in Treviso in 1285: *ibid.*, p. 354.

¹⁶ *ibid.*, p. 352.

¹⁷ Sartori, *Archivio Sartori, 2/2: La Provincia del Santo dei Frati Minori Conventuali*, ed. Giovanni Luisetto (Padova, 1986), p. 1737.

that other convents also had lectors, without leaving any record for this period. What is clear from this picture is that at least each custody had a school.

Once the friar had received basic theology education in one these schools, he might be sent to a higher school for advanced theology. For example, according to the thirteenth-century provincial constitutions of Aquitaine, each custody could send two students to Toulouse and two students to Bordeaux.¹⁸ However, those who were to be sent to Toulouse had to study first in another school of theology for two years, unless they were sufficiently prepared.¹⁹ Hence, a friar who spent two years in one of the custodial schools would be eligible to go to Toulouse for higher study. Alternatively, the custody could send the student right after Arts education to the provincial school in Bordeaux, and later on to Toulouse. The status of Toulouse as a *studium generale* should not mislead us into hasty conclusions. It is more accurate to say that the situation was that friars were sent for more advanced study of theology, rather than to suggest that they were sent to Toulouse because it was a *studium generale*. Usually, a convent school which bore the title of a *studium generale* offered theology teaching at various levels. Such convents housed a custodial school, a provincial school and a *studium generale* all at the same time.²⁰ The province of Strasbourg constitutes a similar example. The 1303 provincial constitutions ordered the foundation of

¹⁸ “Quolibet custodia possit habere duos fratres studentes Tholose et duos Burdegale secundum morem hactenus observatum, qui de consilio discretorum custodie transmittantur”: Aquitaine and France, p. 474.

¹⁹ “Et mittendi Tholosam, studeant primo in aliis studiis theologie duobus annis, nisi ex causa vel evidenti sufficientia, contingeret dispensari.”: *ibid.*

²⁰ This point has been made for the Paris school. See W.C. Courtenay, “The Parisian Franciscan Community in 1303”, *Franciscan Studies*, 53 (1993), pp. 155-73.

two “*studia provincialia*”, and only those students who attended these provincial schools would be eligible to go to the *studium* of Strasbourg.²¹ Clearly, the Strasbourg *studium* offered a higher level of theology education than the *studia provincialia*, however there is no evidence to suggest that the Strasbourg school had the status of a *studium generale*.

Hence, after completing their studies in custodial and provincial theology schools, the friars could be sent for higher studies either to a *studium generale*, or to a superior school of theology which did not have such a status. This step in the educational ladder could be pursued either within or outside of the student’s province. In 1292, the general constitutions of Paris declared that all provinces, with the exception of the provinces of France and of Rome, should provide for the friars they have sent to *studia aliena*.²² As a response to this, the 1292 provincial constitutions of Tuscany decreed that all custodies which had friars *in generalibus studiis et in aliis studiis extra provinciam* were asked to provide for them.²³ Another piece of evidence comes from the 1295 Assisi constitutions which suggest that there were foreign students studying not only in Oxford but also in Cambridge and London.²⁴ Without doubt Oxford was a *studium generale*.

²¹ “Item ordinamus quod duo studia provincialia in nostra Provincia habeantur, quibus de Lectoribus sufficienter provideatur, qui legant et disputent secundum quod in studiis est consuetum. Ad quae studia quaelibet Custodia studentem unum mittat, quem etiam vestire teneatur. Nec aliquis studens mittatur in Argentinam, qui non fuerit in praedictis studiis exercitatus, nisi adeo intelligens fuerit, quod merito statim mitti possit”: Strasbourg II, p. 250.

²² “Item quaelibet provincia induat suos studentes, quos mittit ad provincias alienas, illis exceptis, qui ex debito mittuntur Parisius, et exceptis studentibus provinciae Franciae, qui ad alias mittuntur provincias, et exceptis etiam provinciae Romanae studentibus, qui mittuntur ex debito ad Studia aliena.”: Narbonne-Assisi-Paris, p. 79 20g.

²³ Tuscany (text), no. 27.

²⁴ “Ut tempore vacationis maioris onus conventus Oxonie aequaliter relevetur, ordinat generale capitulum, quod studentes ibidem de provinciis inter ipsam Oxoniensem et Londonensem et

The status of Cambridge is uncertain, but to assume that London also was a *studium generale*, making three in one province, stretches credibility.

The logic behind sending the students outside of the province might be the unequal capacity of the provinces to host their students. While the English province had three major schools from early times, like Oxford, Cambridge and London, it was only around 1310 that the Roman province ordered the foundation of a *studium generale*. Another motive might be to promote the mobility of friars that was required by the Rule.²⁵

The arrangements for the exchange of students between the provinces were made at the general chapters. Each province was assigned schools where it could send its students, and provinces from which it would accept students. Such assignments were not fixed, and would be remade in every three years, that is at every general chapter. After a general chapter, each province would prepare its own *memorialia* where the chapter decrees relating to its province were noted down. These *memorialia* would particularly include the province's inbound and outbound student assignments, that is, to which *studia* it could send students, and which provinces could send students to its *studium*, and similarly the inbound and outbound visitations.²⁶ Provinces were discouraged from sending their students to provinces not included in their assignments, probably to prevent the

Cantebrigiensem conventus pro tertia parte, connumeratis aliis studentibus extraneis, qui in prefatis Londonensi et Cantebrugiensi conventibus fuerint, ad ministri provincialis arbitrium dividantur": "Memorialia ministro Anglie of the Chapter General 1292 Paris" in *Generalkonstitutionen*, p. 63.

²⁵ "Et tanquam peregrini et advenae in hoc saeculo": RB, p. 231.

²⁶ See for example Milan, pp. 290-91 for the assignments of the province of Aquitaine in the chapter of 1285. Assignments for the province of Milan in the chapters of 1307 and 1310 are noted in *Memoriali*, pp. 30-31.

overcrowding of popular schools. Hence, the general chapter of 1295 specifically asked all the provincial ministers to call back their students from the provinces at the end of four years, and, if some students had not completed this period then they should still be called back and then transferred to the *studia* assigned to their province.²⁷

This fact has escaped the attention of historians, and it has been assumed that a *studium* which accepted students from other provinces automatically counted as a *studium generale*. Brlek, for example, when identifying the *studia generalia* in the order, regards inclusion in the *studium* assignments of Milan for 1307 and 1310 as evidence for being a *studium generale*.²⁸ The same evidence was used by Piana to argue that Florence was a *studium generale*.²⁹ However, as we have seen, the presence of foreign students at a *studium* does not necessarily mean that the *studium* in question was a *studium generale*.

On the completion of a total of four years of study in various theology schools and after an examination by the provincial chapter, the office of *praedicatio* was conferred upon friars—provided they had good morals. Some of these friars, probably depending on their success in the schools, were elected for further study and sent to a *studium generale* as candidates for the office of *lectio*. The students designated to become lectors would either go to a *studium generale*

²⁷ “Mandat autem generalis minister ministris omnibus omnes fratres suos in studiis existendes, qui compleverint tempus studii a quadriennio supra, debeant in proximo provinciali capitulo ad suas provincias revocare; aut si tempus praedictum non compleverint; transferre eos debeant ad studia nunc suae provinciae assignata. Et si aliquis ultra ordinationem praedictam in studiis propriis assignatis remanserit, quod super collocationem illius loqui debeat generali”: “1295 Assisi” in Padua, p. 520.

²⁸ See Brlek, *De evolutione*, pp. 41-2.

²⁹ C. Piana, *La Facoltà Teologica dell'Università di Firenze* (Grottaferrata, 1977), p. 63.

in their province or to one assigned to their province. The choice of students to be sent to a *studium generale* for training as lector would lie with the provincial chapter.

Already in the fourth chapter, the difficulty of making an accurate definition of a Franciscan *studium generale* has been demonstrated. Even when we move on from the 1260s to 1310, the difficulty persists. Obviously, defining it only as “a *studium* which accepted students from all provinces” is inaccurate, since schools which were not *studia generalia* also hosted foreign students. Hence, unless a *studium* is referred to as *studium generale* in a Franciscan document, it is difficult to determine exactly which schools had this status and when they had achieved it. The best course to follow is to list possible *studia generalia*, *studia* which meet a set of criteria that might allow us to make an educated guess as to a particular *studium*'s status.

One useful criterion is to look at the qualifications of and numbers of lectors teaching there. In a *studium generale* there was usually more than one lector. There was also a tendency to appoint a Master of Theology or a Parisian lector to a *studium generale* as the principal lector. As in the case of Bologna, bachelors were also present which indicated the reading of Peter Lombard's Sentences. In the 1295 Assisi constitutions, it was decreed that the ministers of the provinces where there was a *studium generale* were to nominate the lectors to read there. If they did not have sufficient lectors in their province, the minister

general was to provide them.³⁰ Hence, the presense of non-native lectors in a *studium* could suggest that the school was a *studium generale*.

The 1313 constitutions, while announcing the foundation of a *studium generale* at the Roman *curia*, decreed that one master, one bachelor and twelve students were to be assigned there by the minister general.³¹ The lectors teaching there were assigned by the general chapter. That is why we come across lectors from various provinces teaching in *studia generalia*. A *studium generale* would have an experienced lector who probably had studied theology at Paris or Oxford. In addition, there would be bachelors lecturing on the Sentences, and only the students who had attended these schools were eligible to be ordained as lectors. These *studia generalia* would have a curriculum similar to that of the theology schools of Paris and Oxford. A good example of this kind of *studium*, of whose status we are sure, is Bologna, where we see the Parisian graduate Matthew of Aquasparta teaching during the period 1277-79. He has left us a work entitled *Questiones disputata Bononie*, which provides the evidence that the school at Bologna held theological disputations similar to those required by the curricula of Paris and Oxford theology faculties.³² We see Fr. Lambertus as a bachelor in the convent in 1299. Alexander de Alexandria another Parisian graduate was teaching theology there between 1303 and 1307, and, like Matthew of

³⁰ “Item iniungit ministris omnibus, habentibus studia generalia in suis provinciis, ut antequam recedant de capitulo nominare debeant lectores, si sufficientes habeant, de suis provinciis pro studio generali; quod si sufficientes ad utilitatem studentium mittendorum non habuerint, generalis illis de lectoribus, prout poterit providebit”: “1295 Assisi” in Padua, p. 520.

³¹ “Item determinatum est per *Generale* Capitulum, quod de cetero habeat Ordo in loco Curie *Studium Generale*, ubi per *Generalem* Ministrum provideatur de Magistro et Bachalario et XII studentibus, sicut viderit expedire”: Memoriali, p. 33.

³² For Matthew of Aquasparta’s career in Bologna see *Chartularium Studii Bononiensis*, p. 7-8.

Aquasparta, he left a work entitled *Questiones Alexandri Bononie disputate et determinate*.³³

A second criterion is the existence of a university in the city of the convent. The major *studia generalia* of the order, such as Paris, Oxford and later Bologna, were all founded in cities where the great medieval universities were present. However, the incorporation of a Franciscan school into an existing university did not guarantee that the Franciscan school itself was counted as a *studium generale* by the Franciscans.

For example, there is the case of the *studium* of Coimbra in Portugal, where in 1309 Dionysius king of Portugal issued the foundation charter of the university of Coimbra:

“...magistra ac utilitatem publicam regni nostri in civitate nostra colinbriensi quam preelegimus in hac parte fundamus et plantamus irradicabiliter studium generale vollentes ut ibidem apud religiosos conventus fratrum predictatorum et mjnorum jn sacra pagina doceat ut sit fides catholica circumdata muro jnexpunabili belatorum..”³⁴

The charter declares the place of theology education in the *studium generale* to be the convents of the Franciscans and Dominicans. However, this charter alone does not constitute enough evidence to conclude that the Franciscan convent school of Coimbra became a *studium generale* for the Franciscan order.³⁵

For one thing, this was constitutionally impossible. The right to declare a school of the Order a *studium generale* lay with the general chapter. Second, as

³³ *ibid.*, pp. 8-9.

³⁴ *Chartularium Universitatis Portugalensis (1288-1537)*, i, ed. A. Moreira de Sá (Lisbon, 1966), p. 44.

³⁵ This argument has been suggested in Roest, *A History of*, pp. 34-5.

recent scholarship on the history of universities has discovered, a papal or royal charter of foundation was not enough for a school to be recognized as *studium generale* in the sense of having the right to issue a *licentia ubique docendi*. Such royal *studia generalia* were referred to by the jurists of the fourteenth century as *studium generale respectu regni*.³⁶ Third, in the 1340 general chapter, the Lisbon *studium* was made a *studium generale* for the province of Portugal.³⁷ If we were to accept that Coimbra was already a *studium generale*, then this would produce the unlikely situation that there were two *studia generalia* in the province of Portugal by 1340.

It is, therefore, difficult to determine even whether Toulouse, one of the greatest and earliest schools in the Order, was a Franciscan *studium generale*. The city hosted a university founded by the papacy. It is known that, already by 1285, it accepted students from a wide range of provinces like such as Dacia (Denmark), Austria, Cologne, Tours, France, Burgundy, Castille, the Province of St. Jacob, the Province of St. Francis and Rome.³⁸ The Parisian master of theology, Vital Dufour, was teaching in Toulouse in the period 1297-1300. In 1313, Toulouse was certainly a *studium generale* incorporated into the university, since in the 1313 general constitutions, it was decided that those who were going to read as bachelors and to be promoted to the *magisterium* in Toulouse were to

³⁶ See Weijers, *Terminologie*, p. 39.

³⁷“Acta et Constitutiones Capituli Generalis Assisiensis (1340)”, ed. F. M. Delorme, *AFH*, 6 (1913), p. 256.

³⁸ “Item provintie, que possunt mittere studentes ad studium Tholose Dacia, Austria I, Colonia, Turonia I, Francia I, Burgundia unum, Castella I, provintia sancti Jacobi I, provintia sancti Francisci I, provincia Romana. Provintia Aquitaine potest mittere unum studentem Oxonie, Assisii unum, Bononie unum”: “1285 Milan” in *Generalkonstitutionen*, p. 56.

be chosen by the Minister General himself.³⁹ In 1314, we have a Parisian graduate, Peter Aureoli, teaching in Toulouse after teaching in Bologna.⁴⁰ It is worth noting that the Dominican *studium* in Toulouse, although incorporated into the secular university, was not regarded by the Dominican Order as a *studium generale*.⁴¹

Sometime between 1260 and 1310, we see Montpellier, Padua and Cologne as schools of increasing importance. Montpellier and Padua hosted quite significant, well-established universities. Montpellier in 1287, and Padua in 1276 and 1310, hosted general chapters. This tells us that the convents were large enough to accommodate quite high numbers. The Parisian master of theology, and later the minister and lector of Toulouse, Vital Dufour, was teaching in Montpellier between 1295 and 1297.⁴² Padua's claims to status are supported by the fact that it had a substantial library from early times onwards. In 1293, one of the lecturers of Padua was a friar of Toulouse origin, Pierre Raymond de Saint-Romain, who later on became the minister of Aquitaine.⁴³ Hence, by 1310 both Padua and Montpellier were probably *studia generalia*. The same can be said for Cologne, since in 1303 the famous doctor of theology, Duns Scotus, was sent there to teach. Cologne's fame has derived mostly from the Dominican convent, where Thomas Aquinas was sent as lector. However, until 1303 we have no

³⁹ "Item, concedit *Generale Capitulum*, quod, si absque scandalo vitari non poterit, in Conventu Tholosano de provisione Generalis Ministri Bachalarii presentandi et promovendi ibidem ad *magisterium* ordinentur. Qui Generalis diligenter attendat, ne propter multiplicationem vel insufficientiam promotorum huiusmodi Facultas Theologica contemnatur": Memoriali, pp. 33-4.

⁴⁰ *Chartularium Studii Bononiensis*, p. 9.

⁴¹ Mulchahey, "The Dominican *Studium* System", p. 301.

⁴² H. Dedieu, "Les Ministres Provinciaux d'Aquitaine", *AFH*, 76 (1983), p. 178.

⁴³ *ibid.*, p. 175.

evidence of Cologne's status as a Franciscan *studium generale*.

The memorials of the 1307 Toulouse and the 1310 Padua general chapters present interesting evidence.⁴⁴ The original manuscripts of both of the *memorialia* are now lost. However, internal evidence suggests that they were prepared for the province of Milan, since we have references only to the *studium* and visitation arrangements of the province of Milan. The fact that the assignments changed from one chapter general to the other shows us that assignments were not fixed. In the 1307 constitutions the province of Milan could send students to four *studia*: Oxford, Bologna, Perugia, and Strasburg.⁴⁵ Among these, Oxford and Bologna were definitely *studia generalia*, but it is possible that Perugia and Strasbourg did not have this status and only served as higher provincial schools of theology, for the Province of St. Francis and for Germany Superior respectively, where students could be sent for higher studies. It should be noted that both of these provinces are geographically close to the province of Milan. In the next chapter general in 1310, the province of Milan was this time assigned the *studia* of Oxford, Montpellier, Padua, Florence, and Rome.⁴⁶ We know for certain that the *studium* of the Rome convent was not a *studium generale* in 1310, since the same chapter ordered that in the Roman province, at the main convent of Rome or anywhere else where the provincial chapter thought

⁴⁴ For the *memoriali* of the General Chapter in Toulouse, see *Memoriali*, pp. 29-30. For the *memoriali* of 1310 see *ibid.*, pp. 30-2.

⁴⁵ "Provinciae Mediolanensi assignantur *studia* Oxonie, Bononnie, Perusinum, Argentinense": *ibid.*, p. 30.

⁴⁶ "Provincia Mediolanensis mittet ad *Studia* Oxonie, Montempessulanum, Paduam, Florentiam, Romam": *ibid.*, p. 31.

suitable, a *studium generale* should be founded.⁴⁷

The *memorialia* also recorded which provinces could send students to the Milan *studium*. In 1307, the number of such provinces were seven: the two neighbouring provinces of St Anthony and Tuscany, and then others further afield—Aquitaine, Bohemia, and the southern Italian provinces of Rome, Apulia and Calabria.⁴⁸ In 1310, a different list includes the two neighbouring provinces of Bologna, and St Anthony, the province of France, Aquitaine, the Holy Land, Hungary and Penna.⁴⁹

It is difficult to determine what level of theology education the Milan *studium* offered or whether it was recognized as a *studium generale* of the order. Even some thirty years before these constitutional assignments, around the late 1280s, the Milan *studium* was accepting students from other provinces. The evidence comes from a note on a manuscript containing the first part of the *Summa Theologica* of Thomas Aquinas, preserved in the Biblioteca Antoniana:

“Iste liber qui est prima pars Summae fratris Thomae de Aquino est fratris Bartholomaei de Padua a Sancto Andrea de Mascaris lectoris de ordine Fratrum Minorum quem concessit fratri Petro de Padua eiusdem ordinis quando ivit Mediolanum ad *studium* pro amore Dei et Virginis matris eius.”⁵⁰

The note tells us that Friar Peter went from Padua to Milan to study. If the system

⁴⁷ “Tertium est, quod per *Generalem* Ministrum et *Generale* Capitulum ordinatum est, quod in Romana Provincia, videlicet, in Conventu Romano Maiori, vel in alio loco competenti prout ordinaverit Provinciale Capitulum eiusdem Provincie, de cetero *Generale Studium* habeatur”: *ibid.*, p.30.

⁴⁸ “Provincia Mediolanensis habet studentes de Provinciis Aquitaine, Calabriae, Boemie, Apulie, Sancti Antonii, Tuscie, Romanie”: *ibid.*, p. 31

⁴⁹ “Ad *Studium* Mediolanense mittent Provincie Francie, Aquitanie, Terre Sancte, Ungarie, Pennensis Calabriae, Bononie, et Sancti Antonii”: *ibid.*

⁵⁰ Abate and Luisetto, *Codices*, 1, p. 283. MS. 304, f. 1r.

of student exchange between the provinces had not been functioning, it would be quite difficult to explain why Peter went from Padua to Milan to study if he had the chance of staying in the better established Padua school.

To determine the date of Peter's transfer to Milan, another note in the same manuscript is helpful:

“Iste liber est concessus ad usum fratris Bartholomaei de Padua a S. Andrea... post eius obitum conventui paduano... in testamento patris sui magistri Manfredi de Mascaris cuius animam...anno Domini M.CC.LXXXVI.”⁵¹

Friar Bartholomeo de Mascara was the lector in the Padua Convent in 1281 and in Verona in 1286. In 1291 he was made the Provincial Minister.⁵² The book was conceded to him after the death of his uncle, Master Manfredi de Mascara, in 1286, and in the first note, Bartholomeo is referred to as lector not as provincial minister. Therefore, we can conclude that the book was then given to Peter of Padua sometime between 1286 and 1291.

While the famous Franciscan schools of Paris and Oxford have attracted extensive study due to the relatively high survival of evidence, there is little known about the way a more “typical” *studium generale* functioned. The *studium generale* of Florence in the province of Tuscany might serve as an illustrative example.

In the first half of thirteenth century, the school we come across most often in the province of Tuscany is that of the convent of Pisa. In Salimbene's

⁵¹ *ibid.*, f. 140r.

⁵² Sartori, *Archivio Sartori, I: Basilica e Convento del Santo*, ed. P. Giovanni Luisetto (Padova, 1983), p. 1264.

chronicle, there is a certain Gerardus de Prato, lector *Tusciae*, with whom Salimbene studied in the convent of Pisa for years.⁵³ Pisa was also the choice for the 1263 meeting of the general chapter. In the later decades of the thirteenth century Florence seems to emerge as the main *studium* of the province. This transfer of the main *studium* from Pisa to Florence might have its roots in economic and political developments concerning the two cities. It seems that the Franciscans started to enjoy an increasing popularity in Florence, especially after 1280.⁵⁴ This probably also provided better financial conditions for the Florentine convent, good enough to accommodate a large number of students.

The first solid proof of the Florentine convent hosting a *studium generale* comes from the 1292 provincial constitutions of Tuscany. It was declared that those who had returned from the *studia generalia* outside of the province were not to be assigned as lectors to the theology schools, unless they were tried for a year in the *studium generale* of the province.⁵⁵ As the term is in the singular, it cannot be in any convent other than Florence. Probably, the Florentine *studium* was made a *studium generale* in 1285 when a Tuscan minister general, Arlotto di Prato, was elected, or sometime in 1287 by the minister general Matthew of Aquasparta, because in this year the minister general assigned the Parisian bachelor Peter John Olivi to this *studium* as lector.⁵⁶ As mentioned above, the

⁵³ Salimbene, pp. 210, 287.

⁵⁴ For an account of the early Franciscan relations with Florence, see Lesnick, *Preaching*, pp. 52-62.

⁵⁵ “Item, nullus revocatus de aliquo studio generali extra provinciam, praeterquam de Parisius, ponatur ad legendum in provincia nostra in studio theologiae, nisi saltem per annum probetur prius in studio generali nostrae provinciae et iudicetur ad hoc idoneus tam ex scientia quam ex vita eius”: Tuscany (text), p. 190.

⁵⁶ Piana, *La Facolta Teologica*, p. 63. Piana argues that Florence was a *studium generale* by

right to assign lectors for the *studia generalia* lay with the general chapter or the minister general, while lectors to lesser *studia* were assigned by the provincial chapters.

One reason why the Florence *studium* serves as a good case-study for understanding a typical *studium generale*, is the survival of a good number of notarial records containing the names of Franciscans there between 1293 and 1310.⁵⁷ Taking Lesnick's list as a base, I have made a rough provenance-analysis of the Franciscans from outside the city of Florence, restricting the period to 1296-1305 and omitting those who are known to have been there on a certain mission, for instance as inquisitor or *socius*.

The total list contains 162 friars recorded in the notarial transactions during the designated period. Admittedly these friars could have a variety of business in the Florentine convent. However, it can be presumed that to take part as *fidecommissarii* and *distributores* in the testaments, which make up a great part of these notarial records, a friar would have had to be resident for a relatively long period. Knowing also that Florence was a *studium generale* by 1292, it would not be too much to assume that at least a good number of these friars must have come to Florence to study. Out of the 162 non-Florentine friars in Lesnick's

1287, since Ubertino da Casale writes, "Per dominum fr. Matthaeum (ab Aquasparta) tunc *generalem* (fr. Petrus) factum est lector Florentiae in Studio generali quod Ordinem nostrum": ALKG, 2, p. 389. However, Ubertino wrote this around 1310 at which time Florence was indeed a *studium generale*. Ubertino's reference point was probably his own time, not that of Olivi's. Therefore, Ubertino's evidence cannot be accepted a historically reliable here.

⁵⁷ Lesnick has extracted the names of the Franciscans in these records and published them in Appendix I of his book, *Preaching*, pp. 185-97. The list is divided into three parts: a list of Franciscans from important Florentine Families, a list of Franciscans from Florence but without important surnames, and a list of Franciscans from outside Florence. Some of these records have themselves been published by Cenci in Tuscany (intro), pp. 385-401.

list, I have been able to identify the provincial and sometimes the custodial provenance of some 149 friars. When we list these friars grouped by common provenance, an interesting picture appears which could help us to make educated guesses about the provinces which had sent students to Florence.

The largest common provenance is of those who belong to the custody of Florence. Some 43 friars are recorded from various convents of the custody, and 28 of these are recorded only for one year. Hence, it is possible to say that the Florence *studium* served as a custodial school. If we then look at the friars coming from all other custodies in the province of Tuscany, 15 friars including the provincial minister and the guardian of the convent belonged to the custody of Siena, 8 friars from the custody of Pisa, 2 friars from Marittima, 5 friars from Lucca, 7 friars from Chiusi, and 13 friars from the custody of Arezzo. Hence, as expected, it can be concluded the Florence *studium* offered theology education to the students coming from a variety of custodies in Tuscany.

The most interesting part, the examination of the friars coming from other provinces, results in the following: 3 friars from Apulia, 5 friars from Bologna, 1 from Bohemia, 1 from Bosnia, 1 from Calabria, 4 friars from France, 3 friars from Genoa, 3 friars from the Marches of Ancona, 3 friars from Milan, 6 friars from Rome, 4 friars from the province St. Anthony, 2 friars from Slavonia, 11 friars from the province of St Francis.

The assignments of Florence were therefore quite similar to those of Milan. The neighbouring provinces—Rome, Bologna, St. Anthony and St.

Francis—are represented by the majority. The distant provinces, like Apulia, Bohemia and France, which could send students to Milan around 1307-1310, could also send students to Florence around 1296-1305. Further, in keeping with the assignment system, some of the provinces were only present in a certain year, or two successive years, and not recorded afterwards, but some have a continuing presence. Two out of the three Genoese friars were present solely for 1298, the third seems to have stayed for four successive years. Four out of the five friars from Bologna were only in the convent for the year 1300, similarly three out of the four friars from the province of St. Anthony resided in Florence for one year.

Though this evidence is hardly conclusive, it still serves our understanding of a *studium generale* that did not confer degrees. We do not come across a single English friar, or German friar, or Provençal friar among the residents of Florence. Hence, the following conclusion can be drawn in accordance with the constitutional assignments of Toulouse and Milan mentioned above. A normal *studium generale* served a limited number of provinces, around eight to nine over a three-year period, and the majority of these provinces would be neighbouring provinces. The number of students sent from distant provinces was relatively fewer. Furthermore, it should be said that, most of all, a *studium generale* served also the education of students from the custodies of the province where the *studium generale* was situated.

In the light of this information, it is also worthwhile examining the lecturers teaching in the Florence *studium*. According to Davidsohn, in 1282 two

lectors were present in the convent: Giovanni da Castelvecchio and Jacopo del Mugello, while Roest suggests that Jacopo del Mugello was the first lector mentioned there in 1284.⁵⁸ For the years 1299-1300, we come across a famous name in the convent, the ex-Minister General of the Order and a Parisian doctor of theology, Matthew of Aquasparta.⁵⁹ Although he is not mentioned in the registers as lector, it is possible that Matthew of Aquasparta was acting as the principal lector in the *studium*. In 1301, Friar Philip de Ultrarno from Florence was lector in the convent.⁶⁰ In April 1302, and in 1303, he is recorded as the custodian.⁶¹ It is, therefore, possible that Philip served as lector sometime after January 1299, the time when he is first mentioned in the convent, until 1302.⁶² Together with two preaching aids, Friar Philip also composed a *Concordantia Evangeliorum*.⁶³

Lesnick's list includes another important name, Jacobus Tresantis, who was recorded in the convent of Santa Croce in Florence each year from 1298 to 1301. Jacobus Tresantis composed a certain *Lectura compilata super libros Sententiarum*, which is described by Father Cenci as "compiled with remarkable commitment both in breadth and method."⁶⁴ Concluding that such a work needs

⁵⁸ R. Davidsohn, *Storia di Firenze*, trad. G. B. Klein, 8 vols. (Florence, 1956-68), iv, pt. 3, p. 239; Roest, *A History of*, p.47.

⁵⁹ Also in Tuscany (intro.), p. 392.

⁶⁰ Davidsohn, *Storia*, Vol. 4/3, p. 240. For the notarile entry, see Tuscany (intro.), p. 397, 391, 395, 400.

⁶¹ Lesnick gives two notarile entries from 1302, mentioning Philip as custos which are not in Cenci's List. See Lesnick, *Preaching*, p. 189. Tuscany (intro.), p. 400.

⁶² Tuscany (intro.), p. 391.

⁶³ Davidsohn notes that this work is preserved in Cod. laur. Santa Croce, Pl. XI, dextr. 2. In f.1 of this manuscript are notes on the teaching of Philip de Ultrarno in a hand from the beginning of fourteenth century: *Storia*, p. 240.

⁶⁴ C. Cenci, "Noterelle su Fr. Giacomo da Tresanti, Lettore Predicatore", *AFH*, 86 (1993), p. 126.

probably four years of teaching in a superior school, Cenci asks if it could have been compiled while Jacobus was teaching in Florence. He further suggests that Jacobus probably went to the *studium* in Paris, and his commentary on the Sentences can count as a proof of that.⁶⁵ It is, however, doubtful to what extent this compilation can actually be called a commentary. From Cenci's description and the notes in the manuscript, it does not look anything more than systematic excerpts from the Sentences, and the commentaries of the famous Franciscan masters like Bonaventura, Richard of Medieville, and later on Duns Scotus.⁶⁶

A notarial document dated 6 February 1302 mentions a *lector principalis* in the convent, thus confirming what has been said earlier on the multiplicity of the lectors teaching in a *studium generale*.⁶⁷ In 1305, the lector was this time Alexius Colle who had served in 1303 as the guardian of the convent.

Among all the known lectors of Florence *studium*, there is no one who is referred in any document as *magister theologiae*. However, although perhaps not masters, judging by their writings lectors like Philip Ultrarno or Jacobus Tresantis seem to have been experienced, and it is possible that they had spent some time in the Parisian school. It might also be the case that these lectors were teaching rather low-level theology education to the students coming from the custodies or to those destined for the office of *predicatio* rather than that of

⁶⁵ *ibid.*, p. 120.

⁶⁶ *ibid.*, pp. 126-8. At the end of Book IV, it is written "Hec est quedam compilatio veritatum excerpta per fr. Iacobum de Trisanctis, ordinis Minorum provincie Tuscie, de IV Sent": *ibid.*, p. 127.

⁶⁷ "6 febr. 1302 'distributores fr. Rainerum de Adimaribus et si premoreretur custodem et guardianum et lectorem principalem dicti conventus'": Cenci, Tuscany (intro), p. 398.

lectio, and perhaps the Florence *studium* also hosted other masters of theology like Matthew of Aquasparta—of whom we have no record as lector there—teaching those destined to be for lectors.

Students who spent sufficient time in the *studium generale* could then be called back to their provinces together with their testimonial letters from the custodian and the lector of the convent where they had studied.⁶⁸ The office of *lectio* could then be conferred upon them and they could start teaching in their own province. After a period of teaching, the provincial chapter would elect some of these lectors to be sent to Paris for higher studies.⁶⁹ These lectors would stay in Paris at most for two years, unless the need for further study was approved by the provincial chapter, and unless they were heading for the degree of *magisterium*.⁷⁰

Possible evidence to support this tendency to reserve the Parisian school for very advanced study of theology comes also from a careful examination of the residents of Florentine convent mentioned above. Three friars recorded in the Florence convent around this time occur again in the Paris convent in 1303.

⁶⁸ “Item teneantur studentes in generalibus studiis reportare secum, cum ad suas provincias redeunt, litteras testimoniales gardiani et lectoris loci, in quo studuerunt de sua conversatione et profectu in scientia, quas suis ministris ostendere teneantur”: Milan, p. 288; “Item ordinat minister de consensu provincialis capituli, quod quilibet frater missus ad studia generalia theologie intra provinciam, naturalium seu logice, debeat dum revocabitur secum, ferre testimoniales litteras custodis, si tempore sui recessus presens fuerit, aut gardiani, lectoris theologie et duorum discretorum ad hoc per custodem assignatorum; quod si non ferens litteras predictas recesserit, non possit promoveri in aliquo gradu scientie, donec per ministrum secum fuerit dispensatum”: Provence, pp. 423-4.

⁶⁹ “Item voluit et ordinavit, de consensu eiusdem capituli, quod fratres mictendi Parisius pro studio eligantur de illis qui studuerunt in aliquo studio generali et qui in provincia iam legerunt”: Umbria II, p. 20.

⁷⁰ “Et hi tantum duobus annis commorentur ibidem, nisi aliquando ex causa aliqua videatur provinciali capitulo [ministro], de consensu ipsius capituli, de maiori tempore dispensandum.”: *ibid.*

These are Minus de Senonis, Andreas de Senis and Richardus de Calabria.⁷¹ Andreas Senensis was recorded four times in the convent of Florence in 1300, and Minus Altimanni de Senis was recorded once each in 1297 and 1298⁷². Richard of Calabria was a resident of the Florentine convent in 1298.⁷³

Provided the names are not simply coincidental duplicates and that these are indeed the same people in both Florentine and Parisian lists, the following thesis could be suggested: that these friars were sent to the *studium generale* of Florence to become lectors, and after serving sometime in the office of *lectio* in their provinces, were sent to Paris for further study, perhaps to serve as bachelors, or to be involved in the programme towards the *magisterium* of theology. Thus the status of Paris seems to have undergone an evolution from the time of the Narbonne constitutions to 1310. While around 1260 the Paris *studium* was to provide the lectors for the order; later it seems to come to serve exclusively to provide masters and to increase the intellectual abilities of existing lectors, many trained as lectors elsewhere.

As was discussed in the first part of this thesis, at the time of Narbonne constitutions there were two *studia generalia* where it was possible to incept: Paris and Oxford. However, neither then nor in the second half of the thirteenth century did Paris and Oxford enjoy a similar status. Paris was always uniquely treated and considered constitutionally the supreme *studium* of theology. Its

⁷¹ W. Courtenay, "The Parisian Franciscan Community in 1303", *FS*, 53 (1993), pp. 171-2.

⁷² Andreas Senensis is also recorded as Andreas de Senis: 22 February 1300; 19 April 1300; 3 November 1300. Minus Altimanni de Senis is recorded 11 February 1297 and 23 February 1302: Lesnick, *Preaching*, pp. 191, 194.

⁷³ Recorded as Ricchardus de Calavria: *ibid.*, p. 195.

status was different from Oxford and from other *studia generalia* in the fact that it would accept students from every province. There were no special assignments as to which provinces were able to send students to Paris.

The fact that Oxford is specifically mentioned as one of the designated convents in the Milan *memorialia* of 1307 and 1310 could be interpreted in such a way that Oxford was not a *studium generale* to which all provinces could send a student. The second specialty of Paris was that it hosted two students from each convent *de debito*. In other words, the expenses of two students from each province would be paid for by the Parisian convent and not the province that sent them.

This meant, of course, that Paris had to enjoy a different position financially with regard to other convents in order to be able to feed and house *de debito* students. It is known that, already in 1239, two students from each province were sent to Paris.⁷⁴ Since the duration of stay was as long as four years, the provision for the students was probably becoming a great burden on the provinces. Hence, in some cases, money from external sources was probably sought to provide for the candidate. We can deduce this from the decree in the 1260 Narbonne constitutions which prohibited the appeal to secular people for help in being sent to *studia generalia*.⁷⁵ In compensation, a new decree was

⁷⁴ “Statuimus quod pro qualibet provintia possint esse duo studentes Parisius. Provideatur autem missis ad studium pro lectoribus a provintiis suis in libris et necessariis scriptis; quorum usum habeant si de una ministracione in aliam transferantur”: Prenarbonne, p. 93.

⁷⁵ “Quodsi aliquis se vel alium per saeculares personas procuraverit mitti ad Studium generale, ipso facto omnibus officiis Ordinis sit privatus, quosque per Generalem secum fuerit dispensatum.”: Narbonne-Assisi-Paris, p. 72.

passed in the Narbonne constitutions which enabled provinces to send two students to Paris without any provision, except in supplying them with necessary books.⁷⁶

Naturally, the cost of providing for two students from each province for four years was a very serious burden on the order's finances. The order, therefore, tried to take precautions by providing the Paris convent with a steady income. The *definitiones* of the 1266 constitutions asked all friars who were consulted by the laity on the subject of alms, or who would be present at the preparation of wills, to advise people to bequeath alms to the Paris convent.⁷⁷ Provincial constitutions of this period passed similar decrees to that of 1266 to support the Parisian convent.⁷⁸

We have some evidence that the 1266 decree did not remain a dead letter. A list of cardinals in the thirteenth century bequathing money to the Paris convent has survived. Ottobono Fieschi, in his testament dated 28 September 1275 at Valencia, asked to be buried in the Franciscan church in Genova, and left money to the Franciscan convents in Genova, Clavaro, Paris, Reims, and to the Franciscan chapter general.⁷⁹ Another cardinal, Hugh of Evesham, in his testament dated 15 November 1286 at Rome, left to both the Franciscans and

⁷⁶ "Possit autem quaelibet provincia habere duos studentes Parisius sine aliqua provisione; quibus provideatur in libris secundum arbitrium provlis capituli et Ministri.": *ibid.*

⁷⁷ "Diffinimus, quod ministri dicant fratribus omnibus, ut in testamentis et aliis consiliis recommendatam habeant domum Parisiensem, cum ibi Fratres adiscant, unde alii fratres totum mundum erudiuntur": *Definitiones*, p. 678.

⁷⁸ "Item fratres sint solliciti et attenti in testamentis et alibi, ut conventiu Parisiensi alicque elemosine erogentur": *France and Marches of Treviso*, p. 452.

⁷⁹ A. Paravicini-Bagliani, *I Testamenti dei Cardinali del Duecento* (Rome, 1980), pp. 142-63.

Dominicans studying in Paris forty marks to be divided equally.⁸⁰ The Franciscan cardinal Bentivegna Bentivegni, in his testament dated June 1286 at Rome, left to the Parisian convent ten *livres tourainnes* for a pittance. Cardinal Giovanni Cholet, in a testament dated between 1289 and 1292, left 200 *livres parisiennes* to the Paris convent of Franciscans for his anniversary to be celebrated.⁸¹

Not only economically, but also constitutionally the Paris *studium* continued to hold a unique place in the Order. It was under the direct orders of the minister general. Although at the time of Narbonne, this was the custom, the earliest constitutional item about this matter is the *definitiones* of the 1282 Strasbourg general chapter. Those who were going to read the Sentences, and those who were going to incept as doctor of theology in Paris were to be decided by the minister general.⁸² The decree was repeated in the 1292 Paris constitutions.⁸³ The minister of France and other ministers could recommend to the minister general those from their provinces who were suitable for reading the Sentences.⁸⁴ While defining the duties of the vicar of the order, the 1285 Milan constitutions made sure that any vicar, who would be assigned in case of the death of a minister general, would not change anything regarding the status of the

⁸⁰ *ibid.*, p. 210.

⁸¹ *ibid.*, p. 237.

⁸² “Item statuit et diffinit capitulum *generale*, quod minister generalis provideat tam de eo, qui debet ad *magisterium* presentari Parisius quam de illo, qui ad legendum ibidem Sententias assumetur”: Strasbourg I, p. 137.

⁸³ “Item de fratribus lecturis Sententias et ad *Magisterium* praesentandis Parisius Minister provideat generalis”: Narbonne-Assisi-Paris, p. 77 .

⁸⁴ “Et ut via sibi pateat utilius providendi, minister Francie et ministri alii et discreti capituli generalis teneantur per obedientiam ei nominare in scriptis illos et non alios, quos de provinciis suis pro lectione Sententiarum Parisius tam ratione vite quam scientie iudicabunt idoneos de presenti; et istud preceptum in quolibet generali capitulo renovetur”: Strasbourg I, p. 137.

Paris convent.⁸⁵

The final picture that emerges from solely Franciscan evidence is quite different from that which Felder delineated. In the Franciscan *studium* system there was no school described as a *studium particulare*; this was a creation of the Dominican organization.⁸⁶ Further, it seems that even in the Dominican structure, *studium particulare* did not mean a provincial or convent *studium* as Felder argued, but rather a school of a particular type of theology, that is a school which specialized only in the reading of Peter Lombard's Sentences.⁸⁷ Nor were the Franciscan schools of Paris and Oxford called *studia generalia principalia* or *studia principalia* around 1310, a term which seems to have been introduced with the 1336 *Ordinationes* of Benedict XII, who was himself a Dominican.⁸⁸ Thus Felder's terminology again reflects the Dominican structure rather than the Franciscan.

A reconstruction of the Franciscan educational structure depending on Franciscan evidence results therefore in a very different picture from that hitherto described. Admittedly, when Dominican evidence is left out, the resulting picture of the Franciscans is incomplete, but this is better than drawing the missing links with the wrong lines.

⁸⁵ "Item circa statum conventus Parisiensis nichil immutet, sed de visitatore providere possit eidem conventui, sicut in constitutionibus est ordinatum": Milan, p. 286.

⁸⁶ Felder asserts that the Franciscan school system was a bipartite system consisting of "Generalstudien and Partikularstudien", drawing heavily on Dominican constitutions. See Felder, *Die Geschichte*, pp. 322-28.

⁸⁷ "Partikularstudium oder *Studium* im ursprünglichen Sinn des Wortes war demzufolge eine Lehranstalt für die Schüler eines einzelnen Klosters oder doch einer einzelnen Ordensprovinz.": *ibid.*, p. 323; Mulchahey, "The Dominican *Studium* System", pp. 314-15.

⁸⁸ Roest, *A History*, p. 97; *Chronologia Historico Legalis Seraphici Ordinis Fratrum Minorum*, 1, (Napoli, 1650), p. 51.

Initially founded with the intention of teaching theology to friars, soon mendicant schools in towns were obliged to welcome another class of students: the secular clergy. The early thirteenth century was a period which marked a particular enthusiasm in the Church for educating the clergy. However, to send all clergy to the cathedral schools, or to the theology faculties of Paris and Oxford, was a practical impossibility. Thus, instruction was progressing at a slower pace than desired. Roger Bacon, probably biased by the conflicts between the secular clergy and the mendicants in Paris in his time, pointed to the ignorance of the prelates and argued that they were forced to borrow the notes of the young friars for their sermons.⁸⁹ V.G. Green, depending on Roger Bacon, asserted that the schools of the friars in England and elsewhere contributed to the proper theological formation of the clergy to a great extent.⁹⁰ In the absence of a school network for educating the clergy, it is understandable that this mission inevitably fell on the shoulders of the mendicants, in particular the Franciscans and Dominicans, who were establishing an educational organization for the training of friars. To this purpose Franciscans served in two ways: by making their own convent schools open to the public, and by sending their lectors to teach in the cathedral schools.

H. Felder argued that the Minorite schools were divided into public

⁸⁹ “..saeculares a quadraginta annis neglexerunt *studium* theologiae et philosophiae secundum veras vias illorum studiorum, occupati appetitu deliciarum, divitiarum et honorum.”: Roger Bacon, *Compendium Studii Philosophiae in Opera Hactenus Inedita*, ed. J.S. Brewer, Vol. I (London, 1859) p. 428-9; “Et quia prelati, ut in pluribus, non sunt multum instructi in theologia, nec in praedicatione dum sunt in studio, ideo postquam sunt praelati, cum eis incumbit opus praedicandi, mutantur et mendicant quaternos puerorum, qui adinvenerunt curiositatem infinitam praedicandi.” : *Opus Tertium* in *ibid.*, p. 309.

⁹⁰ V. G. Green, *The Franciscans in Medieval English Life (1224-1348)* (New York, 1939), p. 132.

(öffentliche) and private schools.⁹¹ The word “public” can be misleading here, as there is no evidence of the Franciscan schools being at the service of the people at large.⁹² Indeed, Franciscan schools seem to have served in this way only the secular clergy, and were “open” schools only in that respect. Teaching to the outsiders probably started quite early in the convent schools. Dominican constitutions talk about public lectures as early as 1228.⁹³ The earliest evidence I have been able to find for the secular clergy’s attendance at Franciscan schools dates from the year 1236. Archbishop Tedericus promised indulgences to those who would contribute to the building of a new convent for the Franciscans in Bologna in a more suitable place, for the sake of people who went to the friars for confessions, and for the scholars and clergy who went to the Franciscan school.⁹⁴

In the 1240s the practice was actively encouraged by the papacy. In a letter to the clerics of Dijon in 1246, Innocent IV conferred on the clergy pursuing theological studies in the schools of the Friars Minor the privilege of continuing to receive their benefices as if they were attending the theology faculty in Paris.⁹⁵ In another letter belonging to the year 1249, the same pope

⁹¹ Felder, *Die Geschichte*, p. 328

⁹² I have looked into a majority of Italian town statutes from 13th and 14th century for an evidence of public attendance to Franciscan school, however there was no indication as such.

⁹³ ‘Die Constitutionen des Predigerordens von Jahre 1228’, ed. H. Denifle, *ALKG*, 1, p. 223

⁹⁴ “Tedericus divina miseratione S. Ravent. Ecclesie archiep.... Cum igitur domus S. Marie de Puliola Fratrum Minorum Bononie a civitate ita remotus (sic) esset quod clerici et scolares ad scolas et sermones, et generaliter omnes civitatis eiusdem tam ad confessiones faciendas quam ad verbum Domini audiendum et cetera que ad salutem pertinent animarum, temporibus oportunis, quomode ad predictum locum accedere non valebant; placuit summo pontifici, ad quem spectat omnium ecclesiarum provisio, d. episcopo Bononien. dare suis litteris in mandatis, ut praedictam domum in loco honesto et apto ad omnia superdicta salubriter permutaret”: *Acta Franciscana e Tabulariis Bononiensibus deprompta* in *AF*, 9 (Florence, 1927), p. 4.

⁹⁵ “Ducis Burgundiae, auctoritate vobis praesentium indulgemus, ut quicumque vestrum in Scholis Fratrum Minorum Divionen. Lingonen Diocesis studio institerint Theologiae facultatis, beneficiorum suorum proventus integre percipiant, ac si Parisius in eodem studio morarentur” :

informed the provincial minister Fr. Rufino, that the clergy frequenting the theology faculty of the Friars Minor in Bologna were to receive their benefices, just like those in Paris were known to.⁹⁶ In the same year, among the listeners to the English Friar Stephen, in Genoa, we see a Benedictine monk, the Bishop of Corsica who had been driven out of his diocese by Frederick II.⁹⁷

Although embraced by the papacy as a means of raising the educational level of the clergy, the Franciscan schools had become a rival to the existing institutions of theology education. In a letter dating from 1254, the Parisian masters complained about the scarcity of students in the theology faculty, since now “they are taught in cities and other major universities by the friars.”⁹⁸ The masters were indeed justified in their fear of losing students: In 1258 the provost and chapter of Imola refused permission to two of the canons to go to Paris for study on the ground that there was a school of theology in Imola at the Franciscan convent.⁹⁹

Bishops indeed seemed to welcome this new development for a variety of

BF, 1, no. 137, p. 416.

⁹⁶ “Tuis devotis supplicationibus inclinati universis clericis intransibus scholas Fratrum administrationibus tuae pro audienda Theologica facultate auctoritate praesentium indulgemus, ut quoad perceptionem beneficiorum suorum illa Indulgentia gaudeant, quam studentes in eadem facultate Parisiues habere noscuntur.”: *ibid.*, no. 300, p. 529.

⁹⁷ Salimbene, p. 316.

⁹⁸ “...propter scolarium apud nos in theologia studentium raritatem, cum jam in civitatibus et aliis locis majoribus universis per fratres eosdem et alios non sine grandi periculo dicte littere doceantur”: *Chartularium Universitatis Parisiensis*, 1, ed. H. Denifle and E. Chatelain (Paris, 1889-91), no. 230, pp. 253-4.

⁹⁹ “Significant sanctitati vestre prepositus et capitulum Imole, quod cum presbiter Raynerius et canonicus eorum peteret ab eis licentiam eundi Parisius ad studentum in theologia, dictus prepositus denunciavit eidem quia Imolensis Ecclesia paciebatur defectum in ordine sacerdotali ad presens, cum ipsa Ecclesia teneatur celebrare divina in duabus suis ecclesiis de novo constructis, et in dicta civitate teneatur solempne studium in scientia predicta in domo Fratrum Minorum, quod non potuerant ei licentiam dare.”: “Documenta ad Historiam Trium Ordinum S. Francisci in Urbe Imolensi”, ed. S. Gaddoni, *AFH*, 5 (1912), p. 57.

reasons. They no longer had to send clergy for one or two years to a university, or to fill the vacancies left by such absentees. Besides, economically Paris University was a serious burden whereas the Franciscans, in all probability, did not charge the secular clergy. Hence, the petition of bishop of Breslau, Nankerus, to the provincial minister of Saxony made great sense. Nankerus asked the provincial minister to allow the Franciscan lector to continue being lector.¹⁰⁰ However, it is not clear from the letter whether the bishop meant some position as lector which the friar held especially for secular clergy, outside of the convent, or whether the secular clergy were following the lectures in the convent. It should be noted that although the clergy were admitted to theology classes, later on, when Franciscans opened philosophy schools, the constitutions prohibited admittance of secular clergy to the philosophy and canon law lectures.¹⁰¹

The teaching of Franciscans outside of their convent started as a result of the demand from other religious orders. It has been already discussed that the intellectual activities of both mendicant orders in Paris and elsewhere, and their increasing popularity among the young students in the university towns, had an impact on the traditional monastic orders. The Cistercian Order was the first order to make an attempt to follow the path of the mendicant orders by opening a *studium* in Paris. Similarly, though later, the Benedictine order also sought to

¹⁰⁰ "...quod nuper dum essetis nobiscum Wrat. pro eodem lectore, videlicet quod in ipso lectoratus officio nobiscum Wrat. remaneret, circumspeditioni vestre votivas porreximus cum instancia preces nostras...": W. Wattenbach, *Das Formelbuch des Domherrn Arnold von Protzan* (Breslau, 1862), p. 278.

¹⁰¹ "Iura vero et philosophica in scholis theologiae ab eodem lectore et eodem tempore non legantur, sed alibi et alias, ubi fuerit opportunum.- Saeculares autem ad huiusmodi lectiones nullatenus admittandur": Narbonne-Assisi-Paris, p. 76.

initiate a system of organized study of theology within the Order, based on the mendicant system.¹⁰² However, when the mendicants had decided to implement their lector system, they did not face many immediate difficulties since they had attracted enough theology masters and students to start up the organization. For the Benedictines, on the other hand, who did not have an active presence around Paris and Oxford to attract theology recruits, there was a serious problem in finding lectors. The only solution was to appeal to secular or mendicant lectors of theology. In the 1247 Benedictine general chapter at Northampton, it was decreed that in all abbeys and priories, a *lectio* of theology or canon law was to be given in a suitable place. The lectors for this purpose were to be gathered from among both seculars or regulars.¹⁰³ Pantin points to the significance of this decree since it is the first decree leading towards the establishment of the Benedictines in the universities.¹⁰⁴

It was probably after this date that the Franciscans started to teach Benedictines in the cathedral schools, and in monasteries. The earliest evidence I was able to find belongs to year 1275, when the cathedral priory of Christ Church, Canterbury, asked the Franciscan William of Everel to teach theology to the monks.¹⁰⁵ From a series of letters in the Chapter Library and Register of

¹⁰² On the Benedictine interest in studies, see J. Greatrex, "Monk Students from Norwich Cathedral Priory at Oxford and Cambridge, c. 1300 to 1530", *English Historical Review*, 106 (1991), pp. 555-83.

¹⁰³ "...statuit[ur], ut in singulis abbaciis et prioratibus, quibus [facultas] suppetit [ac fratrum multitudo] suffragatur, iuxta providenciam prelati, [saltim] una leccio de theologia vel de [sacris can]onibus, in loco decenti [et] honesto, singulis diebu, fratribus ad hoc deputatis ab aliquo [religioso vel seculari in] divina lege perito legatur": *Documents Illustrating the Activities*, 3, p. 28, no. 9.

¹⁰⁴ *ibid.*, p. 27.

¹⁰⁵ The evidence is from the continuation of the chronicle of Gervase of Canterbury: C. Cotton,

Christ Church, we can tell that for the next forty years the Franciscan provincial chapter continued to appoint a lecturer at the request of the monks.¹⁰⁶ From a series of letters between 1286 and 1298, we learn that Friar R. de Wodehaye remained as lecturer to the monks of the Priory of Christ Church, reappointed every year by the Provincial Chapter. Among his successors, the only name surviving is that of the Franciscan Robert of Fulham who kept the post until 1314.¹⁰⁷ A similar occasion appears in 1285, in Worcester. The bishop of Worcester, Godfrey Giffard, wrote to Friar William of Gainsborough, Vicar of the Friars Minor, asking him to appoint Friar Robert de Crull as lector to the Benedictine monks of the cathedral church of Worcester.¹⁰⁸

Franciscan Masters played their part in outdoors activity by teaching in the papal *studium* in Rome, which should not be confused with the Franciscan *studium generale* in the Roman *curia*, founded as late as 1313.¹⁰⁹ The *studium curiae* was founded in 1244 by Innocent IV.¹¹⁰ Matthew of Aquasparta was also teaching at the *curia* at the time he was elected Minister General in 1287. In 1288, we find the English Franciscan John Peckham teaching in the *studium curiae*.¹¹¹ Somewhat distinct from these activities, some odd evidence points to

The Grey Friars of Canterbury 1224 to 1538 (Manchester, 1924) p. 34.

¹⁰⁶ Four letters of correspondence between Prior and convent of Christ Church and the Provincial Minister of England William of Gainsborough have been published in *Collectanea Franciscana*, 2, ed. C.L.Kingsford (Manchester, 1922), pp. 4-8.

¹⁰⁷ Cotton, *Grey Friars of Canterbury*, p. 36.

¹⁰⁸ A.G. Little, "Franciscan School at Oxford in the Thirteenth Century", *AFH*, 19 (1926) p. 821.

¹⁰⁹ "Item determinatum est per Generale Capitulum, quod de cetero habeat Ordo in loco Curie Studium Generale, ubi per Generalem Ministrum provideatur de Magistro et Bachalario et XII studentibus, sicut viderit expedire": *Memoriali*, p. 34.

¹¹⁰ On the foundation of *studium curiae* see the related chapter in A. Paravicini-Bagliani, *Medicina e scienze della Natura alla Corte dei Papi nel Duecento* (Spoleto, 1991).

¹¹¹ *ibid.*, p. 398.

the probability that the Franciscans were letting their classrooms to lay masters for their lectures. In the year 1288, in Venice, a certain Master Peter was holding his classes in the Franciscan convent in Chà da Monte.¹¹²

All this considered, it seems that although the emergence of this sophisticated system of educational organization was a result of the general rise of scholasticism, once founded the Franciscan schools and lectors themselves contributed to this scholasticism's further development, thus being both effect and cause at the same time. The consequence of the Franciscans' teaching to the secular clergy from the point of view of dissemination of the true doctrine of the Catholic Church and of the gradual suppression of heresy, is a subject yet to be explored.

¹¹² "1288, Feb. 10, testes...et *magister* Petrus, qui tenet scollas apud fratres minores in domo de chà da Monte" (ref.:Sezione Notarile, Cancelleria Inferiore, busta 77, not. Flabanico Giovanni, prot.): *Maestri, scuole e scolari in Venezia fino al 1500*, ed. E. Bertanza and G. dalla Santa, 1 (Venezia, 1907), p. 1.

CHAPTER VII

BOOKS AND LIBRARIES IN THE FRANCISCAN ORDER

The intellectual history of the medieval Franciscan order is intrinsically related to the system by which books were acquired, kept and circulated within the order and cannot be understood without this being considered. To start with, books constituted the fundamental element in the theological formation of the friars, particularly when one is reminded of the fact that the *lectio*, that is the reading of a text, was the major form of the medieval instruction. Hence, the history of books contains much evidence for the history of education. Secondly, books were the only commodity in the medieval Franciscan Order in which trade was made lawful for individual friars. This was, and was seen as, very much a blow against the observance of poverty. The laxity observed in the acquisition and individual use of books caused great anxiety to those in favor of a strict observance of the Rule. Understanding how the system of book acquisition and maintenance functioned, therefore, also contributes to the understanding of why the dissent about poverty grew so bitter in the course of thirteenth and fourteenth centuries.

Before proceeding with examining the system of book acquisition and circulation, it is best to look first inside a Franciscan convent to see where and

how the acquired books were stored. In a typical Franciscan convent, books were likely to be found in three places: the sacristy, the *armarium* and in the rooms of the friars. In the earliest times of the Order, all books were probably kept in the sacristy. Later on, only liturgical books, like missals and choir books, were to be found there. The friar who was the keeper of the sacristy, the *sacrista*, would superintend these books.

Books were not the only kind of document kept in the sacristy. The sacristy would also serve as safe storage for important secular documents. A number of Italian town statutes in the thirteenth and fourteenth centuries inform us that the sacristy of the Franciscan convents accommodated copies of various communal documents.¹ Probably it was thought that the sacristy of mendicant convents was a safe place for important documents, partly because it was well

¹ For example, the thirteenth-century statutes of the commune of Ravenna declared that the old statutes should remain in the sacristy of the Friars Minor. “Item in omnibus et singulis capitulis statutorum veterum ubicunque loquitur de facto cervie statutum est, quod non debeat exemplari, neque poni in statutis novis, sed debeant remanere dicta statuta apud sacristiam fratrum minorum, nec etiam stare debeant in statutis concurrentibus in pallatio comunis ravenne, et cetera. Idem dicimus de statutis societatis salis”: *Statuto del Secolo XIII del Commune di Ravenna*, ed. Andrea Zoli and S. Bernicoli, (Ravenna, 1904), p. 20. The 1313 statutes of the commune of Treviso declared that two books should be made where everything of public interest to the commune should be written. One would remain in the office of the *podestà*, and one would remain sealed in the sacristy of Franciscan convent. “...Et quod duo libri pro comuni Tarvisii fiant, in quibus concorditer scribantur et exemplentur omnia instrumenta publica comunis Tarvisii et ad comune Tarvisii pertinencia: unus stet apud potestatem et alter stet sigillatus in sacristia fratrum minorum”: *Gli Statuti del comune di Treviso (sec. XIII-XIV)*, ed. Bianca Betto (Roma, 1984), 2, p. 81. The statutes of the *popolo* of Asti, similarly ordered that all present and future possessions of the people of Asti should be written in three books, two to be put in the sacristies of the Franciscans and Dominicans, and one to remain with the *capitano* or *rector* of the *popolo*. “Item quod omnes et singuli qui sunt de dicta societate populi et omnes alii et singuli qui a modo recipientur in ipsa societate secundum formam ipsius societatis scribantur et scribi debeant in tribus libris sive cartulariis unus quorum sit esse debeat et permaneat in sacrestia fratrum minorum alius in secrestia (*sic*) fratrum predicatorum (et) sigillati sigillo populi astensis tercius sit et permaneat in manibus capitaneus vel rectorum societatis populi predicti”: *Gli Atti della Società del Popolo di Asti dal 1312 al 1323 e Gli Statuti della Società dei Militi del 1339*, ed. F. Gabotto and N. Gabiani, (Asti, 1906), p. 472.

superintended, and partly because Franciscans might be expected to remain neutral in any dispute among the members of the commune.

The second and most common place for books was the *armarium*, which usually meant a sizeable cupboard with a number of shelves. Books belonging to the convent and which were needed for study or preaching were usually kept in the *armarium*. The types of books friars kept here has long been a subject of interest to historians, for it conveys to us information on what the friars read and studied.² The Franciscans had a remarkably diverse interest in books. As Sartori observes in his notes on various manuscripts of the Biblioteca Antoniana, thirteenth-century lectors and students studied the Bible, the works of the Church fathers, works by Alexander of Hales, Bonaventura and other masters, books for preaching, books about ethics, asceticism, mysticism, books of civil and ecclesiastical history, literature, politics and the natural sciences.³

The third place where the books were likely to be found, was in the rooms of some of the friars, especially in the rooms of lectors and of guardians of the convent. As will be discussed at length below, these books were either bought by the friar himself, or assigned to his use, or donated to him through a will. Therefore, they were not kept in the *armarium*, and were not considered part of the common property of the convent until the death of the friar.

² In this respect, the studies by K. W. Humphreys is particularly worth noting. K.W. Humphreys, *The Book Provisions of the Medieval Friars 1215-1400* (Amsterdam, 1964), and *The Friars Libraries* (London, 1990). See also, R. Manselli, "Due Biblioteche di "Studia" Minoritici: Santa Croce di Firenze e il Santo di Padova" in *Le Scuole Degli Ordini Mendicanti (secoli XIII-XIV)*, pp. 355-71.

³ Sartori, *Archivio*, 1, p. 1263.

Great care was shown in the protection of books that the convents acquired. The books pertaining to a certain convent were considered first the responsibility of the convent, then the custody and at a higher level the province where the custody was. At each level, there was a great enthusiasm to keep the books within the province, the custody and the convent. Hence, there were numerous decrees on the handling and protection of books in the provincial constitutions of the late thirteenth and early fourteenth centuries.

Generally, the *armarium* was superintended by one of the friars who was referred to as the *custos armarii* in the constitutions.⁴ According to the 1290 provincial statutes of the province of St. Anthony, each guardian had to count all the books, and the other things of the convent upon his assignment and, afterwards, twice every year. The *custos armarii* had to count the books in the *armarium* every Saturday with the help of another friar assigned to his assistance.⁵ It seems that in the beginning of the fourteenth century, all convents were keeping an inventory of their books and of other things held in common.⁶

⁴ This tradition of assigning a guardian for the *armarium* was not original to mendicants. The older monastic orders are known to have had a similar person called the *armarius* in each monastery. For the Benedictines see D. Nebbiai-Dalla Guarda, *I documenti per la storia delle biblioteche medievali (secoli IX-XV)* (Roma, 1992), p. 29. The Dominicans similarly employed a friar for this position: Roest, *A History of*, p. 197.

⁵ “Item de conservatione librorum conventualium et suppellectilium sacristie ordinamus, quod gardiano cuilibet ad locum sibi assignatum noviter accedenti omnes libri armarii, et libri quibus fratres utuntur in choro, missalia et alii libri, calices, et alia paramenta ministrorum et altarium, et cetera ornamenta sacrarii, per gardianum absolutum coram discretis fratribus loci debeant integre et fideliter assignari. Et gardianus idem, qui receperit tam sacriste quam fratri qui custodit *armarium*, sigillatim omnia debeat consignare. Guardianus vero libros et omnia supradicta bis in anno, scilicet circa festum nativitatis et paschatis, cum aliquibus discretis fratribus, custos armarii cum fratre per gardianum sibi assignato, libros armarii qualibet septimana, scilicet die sabbati, debeant recensere”: France and Marches of Treviso, p. 460.

⁶ “Item fiat inventarium, in quo libri, calices, paramenta et res aliae notabiles conscribantur; et quidquid superadditur consequenter, gardiano sequenti per praedecessorem assignetur fideliter.”: Umbria II, p. 21.

Provincial chapters took great care of the protection of books against theft and damage. The thirteenth-century provincial constitutions of Aquitaine declared that friars were not to mortgage common books or books assigned to a particular friar without the licence of the minister, which was to be issued only in case of necessity. Furthermore, no friar was to mortgage a book, to damage or steal a common book or any book conceded to his use without the special licence of the minister.⁷ Since such damage was more likely to happen when a book was assigned to a particular friar, the provincial constitutions of Petrovici took precautions in the assignment of convent books reserved for studying. No such book was to be assigned to a friar, nor conceded for life, nor for more than a year, unless the book was quite inexpensive or useless to the convent, and even then it had to be given with the knowledge of the convent and the authority of the minister.⁸

Some convents had even developed their own seals and would mark all their manuscripts with it to claim the provenance of the books. For example, Ker observed that all of the nine manuscripts identified as once in the possession of the Franciscan convent in Lincoln “contain a mark like the figure 2 with a long horizontal tail, transacted by two vertical strokes. This mark seems to be placed in front of the note of contents or *ex libris* inscription and appears to be particular

⁷ “Nec libros communes vel alicui fratri deputatos ad usum, aliquo modo pignorari obliget, sine expressa et speciali licentia ministri, qui nulli det licentiam, nisi pro necessitatibus et utilitatibus fratrum. Nec aliquis frater alienet aut commutet sine ministri expressa licentia. Et si quis contra fecerit tanquam proprietatibus a ministro vel custode puniatur”: Aquitaine, p. 472.

⁸ “Item nullus liber conventualis ad studium deputatus, fratri alicui assignetur, nec ad vitam acomodetur, nec etiam ad longum tempus, scilicet ultra annum, nisi forte essent libri parvi valoris, inepti conventui, et tunc fiat, sciente conventu, et cum auctoritate ministri.”: *ibid.*, p. 481.

to this house.”⁹

Theft was not the only worry of a Franciscan library. Just as in modern libraries, it was also possible that some user would rip out some of the folios, or an entire part of a book. One method designed to prevent this, certainly in use in 1390, was to indicate the number of folios in the manuscript. The possessor of the book or the librarian could thereby discourage the ripping out of pages by the borrower. On the flyleaf of a manuscript in the Biblioteca Antoniana, the following note was written: “Iste liber est deputatus ad usum fratris Laurentii de Cappellis de Padua, Ordinis Fratrum Minorum sacrae theologiae professoris, et sunt in eo cartae octuaginta.” It seems like the master had actually paid two ducats for the book.¹⁰ Another book, containing sermons of Johannes Genesius Quiaia, given to the use of the same master, has a similar note: “In isto libro sunt cartae centum triginta sex inter scriptas et non scriptas, et est ad usum Reverendi Magistri Laurentii de Cappellis de Padua Ordinis Min.”¹¹

A more religiously oriented way of protecting the book against theft and destruction was to write curses on the manuscripts. Quite a number of medieval manuscripts contain curses or maledictions which are directed to protect the book against those who might steal or damage it.¹² Franciscans seem to have made use of this tool frequently in the hope that anyone with the intention of stealing the book might be scared off in this way. Usually the anathema are found in

⁹ *Medieval Libraries of Great Britain*, p. 118.

¹⁰ MS 457, Rodulfus Brito, *Questiones*, ff. 2+76: Abate e Luisetto, *Codices*, p. 388.

¹¹ MS. 439, f. 70v: *ibid.*, p. 360.

¹² The most recent study on book curses is by M. Drogin, *Anathema! Medieval Scribes and the History of Book Curses* (Totowa-Montclair, 1983).

manuscripts belonging to a convent. The Padua catalogue contains a number of thirteenth- and fourteenth-century manuscripts which bear versions of the following note: “Iste liber est conventus fratrum Minorum de Padua. Si quis autem eum alienaverit anathema sit.”¹³ In some cases, the curse was accompanied with a threat of excommunication: “Iste liber est de conventu Paduae fratrum Minorum et in eodem conventu debet permanere. Si quis autem ipsum alienaverit anathema sit, et excommunicatus.”¹⁴ On a fourteenth-century manuscript, which contained the Questions on the first and second books of Sentences by William Alnwick, the following note was written in Latin: “This book was given to the use of John Cruzania of Padua. Whoever steals it, shall be hanged by his neck.”¹⁵

All these precautions point to the frequency and ease of book robbery in the Middle Ages, once the books were freed to a degree from their *cathena* in the monastic libraries, and especially with the opening of universities. As a high number of mendicant friars were involved in study, the number of books carried around was also high, and therefore more exposed to fortune-hunters.

Turning to the provision of books, the surviving evidence suggests that it took place basically through three channels in the medieval Franciscan order: through donations and wills, through purchase, and through writing and copying. From early times onwards, the great popularity of the Franciscans enabled them to accumulate a large number of books through donations and wills. There is

¹³ MS 269, Abate e Luisetto, *Codices*, p. 264; MS 271, p. 265; Ms 276, p. 267.

¹⁴ MS 310, f 1v, *Leviticus glossatus*: Abate e Luisetto, *Codices*, p. 285.

¹⁵ “Iste liber est ad usum fratris Johannis de Cruzania de Padua. Et si quis furabitur per gulam suspendatur”: MS. 291 f. I of flyleaf, Abate e Luisetto, *Codices*, p. 277

considerable evidence from the thirteenth century of occasions when bishops, cardinals and other prelates left books to Franciscans. The nature of these books and the names of the convents to which they were donated can give us some indication of the intellectual activity executed in the convents.

In the majority of cases, book donations were made to the convent, which means that, unless the book was to be used for liturgical purposes, it would go to the *armarium* of the convent. It is worth noting that most of these early donations were made to convents where there was a school of theology. The first known donation, already mentioned in the second chapter was made to the Paris convent in 1224.¹⁶ In 1237, a canon of Padua Cathedral, Master Aegidius donated a manuscript containing the sermons of St. Anthony of Padua to the Franciscan convent of Padua, where there was one of the earliest Franciscan schools.¹⁷ Around 1240, a canon and the archdeacon of the same cathedral, Master Ugutio, donated to the same convent twenty-five volumes of the Bible with commentaries by the Church fathers, written in Parisian letters.¹⁸ Jocelin of Wells, bishop of Bath and Wells between 1206 and 1242 donated to the Bristol friars the Etymologies of Isidore of Seville.¹⁹ By the time Jocelin was dead, the Bristol convent already had a studium.²⁰ Perhaps the most remarkable book donation was the bequest of the famous bishop of Lincoln, Robert Grosseteste. At his

¹⁶ Barthelemy de Bruyeres donated ten books to the Paris convent. See above, chapter 2, p. 51, n.26.

¹⁷ Abate e Luisetto, *Codices*, p. xxvii.

¹⁸ *ibid.* Also see Sartori, *Archivio Sartori*, 1, p. 1264.

¹⁹ This manuscript is in Bristol, Central Public Library, 3 from the first half of thirteenth century. See *Medieval Libraries of Great Britain*, pp. 13, 231.

²⁰ Eccleston, pp. 49-50

death, he left his entire library to the Franciscan convent in Oxford.²¹ In 1271, Cardinal Henry of Susa left to the Franciscan convent of Montpellier, which was a well-established studium, a *Biblia postillata* in two volumes.²² Some time in the thirteenth century, Master John, vicar of Elmham, gave a Bible to the Norwich Franciscans.²³ According to Eccleston, there was a school in the Norwich convent. Friar Radulfus de Maydenstane, who served as bishop of Hereford, and died in 1243, gave the Canterbury Franciscans a glossed Gospel.²⁴ The same bishop donated also a glossed copy of the Epistles of Paul to the Oxford Franciscans.²⁵ Cardinal Giovanni Boccamazza (1286-1309) asked his executors to distribute all his ecclesiastical, theological books and sermons among the mendicant orders.²⁶

Some of these donations were made with particular conditions, such as that the book was to be for the individual use of a certain friar for life, or that a secular person could have the use of the books whenever he wished. Cardinal Vicedomino Vicedomini, in his testament dated 1 July 1276 at Rome, left to the Franciscan convent of Piacenza the Book of Sentences, and Bonaventura's commentary on the third and fourth book of Sentences. The cardinal stipulated

²¹ Little, *Grey Friars in Oxford*, p. 56. See also Southern, *The Growth of an English Mind*, p. 27.

²² Paravicino-Bagliani, *I Testamenti*, p.140. Postilla means "a short addition made between the lines or margins of text, particularly by the author himself or in terms of updating the text": M. Maniaci, *Terminologia del libro manoscritto* (Milan, 1996), p. 223.

²³ This Bible is London, B.M. Harley 1034: see *Medieval Libraries*, pp. 139, 286.

²⁴ MS. London, B.M. Royal 3 Cxi: *ibid.*, pp. 48, 246

²⁵ MS B.M. Harley, 3249: *ibid.*, pp. 142, 288.

²⁶ "Libros vero meos videlicet ecclesiasticos, thologicos et sermonum volo quod dicti executores mei distribuunt inter loca Predicatorum et Minorum et Heremitarum et aliorum religiosorum, prout eis videbitur expedire": Paravicino-Bagliani, *I Testamenti*, p. 363.

that his nephew, Philippus Vicedominus, could have the use of the said books.²⁷ Cardinal John Cholet (1281-1292) bequeathed all his books of logic and natural philosophy to the friar, Peter of Songeons, to be handed on to the Parisian convent of the Franciscans after the Peter's death.²⁸ In addition to these, he left his *originalia* of St Augustine, Hylarius and others to the same convent, again with the condition that the books were to be used by Friar Peter during his lifetime.²⁹ Lay people similarly followed the convention of leaving books to their Franciscan relatives or friends. For example, around 1260, a resident of Lucca bequeathed all his books to his Franciscan son, on the condition that the convent of Lucca could have them after the son's death.³⁰

As can easily be observed, most of the donations consisted of books used in theology education. There is, however, not much evidence for the donation of law books. While donating his philosophical and patristic books to the Franciscans, Cardinal John Cholet ordered the sale of all his books of civil and canon law, and for the money to be distributed to the poor scholars in the faculty of theology.³¹ A Franciscan cardinal, Bentivegna Bentivegni, left all the books he

²⁷ “79. Item legamus conventui fratrum Minorum de Placentia librum Sententiarum, sed volumus quod Philippus possit uti dicta/ [...] ipse liber. 81. Item legamus fratribus Minoribus de Placentia tertium et quartum librum domini Albanensis (s. Bonaventura) supra Sentenciis, sed volumus quod dictus Philippus possit uti / [...]”:*ibid.*, p. 174.

²⁸ “No. 134 Libros autem philosophicos, tam logicos quam naturales, fratri Petro de Sonions (fn:Songeons –oise) capellano et penitenciaro meo do lego; ita quod post ipsum ad conventum fratrum Minorum Parisiensium revertantur”: *ibid.*, p. 264.

²⁹ “Originalia autem mea, videlicet Augustini, Hylarii et alia lego conventui fratrum Minorum Parisiensium; ita quod predictus frater P. (petrus de sonions) et ad usum suum habeat quamdiu vixerit.”: *ibid.*

³⁰ “Faitinellus Mordecastelli quondam Baldinecti adiudicavit et reliquit, legavit et concessit conventui fratrum Minorum de Luca omnes libros quos dictus Faitinellus dedit et daturus est fratri Salomoni filio suo, volens et disponens quod dictus conventus eos habeat et habere debeat post mortem dicti fratris Salomonis filii sui”: *Le Pergamene del convento*, p. 122.

³¹ “Alios autem libros iuris, tam canonici quam civilis, vendi iubeo, et pecuniam inde redactam

had bought, with the exception of the *Decretals*, to the convent of St. Fortunato in Todi.³²

One other type of donation was money, bequeathed specifically for the purpose of buying books. Throughout the thirteenth century, there are quite a few surviving wills where money was left to convents and friars and intended for the provision of books. The donors included both clergy and lay people. In 1253, Zilio Teco da Marostica left one hundred *lira* to the convent of Vicenza *pro facere libros*.³³ The Franciscan Cardinal, Bentivegna Bentivegni, left money to a Friars John and Jacobello for books and other necessities.³⁴ In an interesting will, dated 1289, the widow of the count of Vicenza, Zilborga, left to Artuxio, son of Marchebruno of Zivano, two hundred *lira* for books, if he would enter the Franciscan Order, and nothing otherwise.³⁵ The countess also left money to a number of friars for the express purpose of buying books and added the condition that after the death of these friars the books bought with the money she left would go to the *armarium* of the Franciscan convent of St. Anthony in Padua.³⁶ One cannot help thinking that at least one of the *fidecomissarii* of the countess was a Franciscan from the convent of Padua who had counselled her to add this particular condition to the will. We come across a similar condition, in the year

dari precipio pauperibus scholaribus studentibus Parisius in theologica facultate”: *ibid.*, p.135.

³² “25. Item volumus quod omnes libri nostri quod emimus, preter Decretales, dentur conventui fratrum Minorum de Sancto Fortunato Tudertino” : *ibid.*, p. 237.

³³ This evidence comes from Vicenza Biblioteca Bertoliana, S. Lorenzo, Pergamene b. I: Sartori, *Archivio Sartori*, 1, p. 1264.

³⁴ “17. Item fratri Iohanni domini Henrici (Bagliani notes that the said John is a Franciscan) pro libris et aliis necessitatibus suis centum libr. corton. 18. Item fratri Iacobello pro libris et aliis necessitatibus suis quinquaginta libr. corton”: Paravicino-Bagliani, *I Testamenti*, p. 236.

³⁵ Abate e Luisetto, *Codices*, p. xxvii.

³⁶ *ibid.*

1300 in the testament of a lay woman, Beatrice Tolomei. She left twenty-five *lira* to each of a number of Franciscan friars: Pietro Buono Brosemini degli Ardenghi, the lector Antonio Lucca³⁷, Francesco Trissino, Padovano Sala³⁸, Partenipeo Partenipei. She also left ten *lira* to Paolo Bonacorsi³⁹ with the condition that “after the death of these friars, the books they have bought with the bequeathed money were to go to the *armarium* of the convent of St. Anthony in Padua, and they were not be exchanged or damaged in any way.”⁴⁰ As Father Abate has deduced from a note on one of the Paduan manuscripts, for 25 *lira* it was possible to buy a book written by a professional scribe, measuring 300x230 mm with 228 folios around 1300.⁴¹ In the later thirteenth century, some friars were openly asking money from relatives and seculars to buy books. This practice was discouraged by the constitutions of the Order, unless it was accompanied by an official licence of petition.⁴²

Although donations helped the convents to expand their *armarium*, there was a need for the regular acquisition of books to maintain the continuity of the

³⁷ Sartori records this name as Antonio Lucca or Antonio di Padova according to ASP, Reg. 150, c. 122: Sartori, *Archivio*, 1, p. 1264. For other entries of Antonio di Padova, see Sartori, *Archivio*, 3/1, p. 358. Compare it also with another archival entry cited by Abate and Luisetto, *Codices*, p. xxviii.

³⁸ This friar is recorded as the lector of the convent of Vicenza in 1294: Sartori, *Archivio*, 3/1, p. 358.

³⁹ This friar was recorded as lector in the Padua convent in 1319. At the time of the testament, he was probably a student in Padua. This is supported by the fact that he was left less money than the other friars: *ibid.*, p. 343.

⁴⁰ “Empti libri, post mortem praedictorum, deveniant ad *armarium* loci S. Antonii de Padua fratrum minorum et aliter non possint distrahi vel comutari”: Sartori, *Archivio Sartori*, 1, p. 1264.

⁴¹ See Abate e Luisetto, *Codices*, p. xxviii.

⁴² “Non petant fratres ab aliis quam a parentibus pro libris vel rebus aliis, nisi prius a ministro vel custode licentiam in scriptis habuerint de petendo. Et quandocunque etiam sic pertierint, petant de conscientia gardiani, in cuius gardiania morabitur is a quo debet helemosina peti”: Aquitaine and France, p 471.

education system. Hence, the main method of book acquisition in the medieval Franciscan Order was purchase, a practice sanctioned as early as 1230 in the bull *Quo Elongati*. Although in the early days, the books bought were used in common, around 1240 friars started to acquire books for their own use. In the Pre-Narbonne constitutions, it was stated that all books that were bought or written were to remain in the province where they were bought or written, except those which were bought for friars by their relatives.⁴³ Hence, already by the 1240s, the nature of the system was revealed. Books which were paid for by the province were to remain in the province, but books which were procured by an individual friar were not considered directly the property of the province.

However, the buying of books by individual friars carried with it the potential for abuses. As already mentioned, according to Ubertino, friars were buying a lot of expensive books without knowing how to use them, since they were buying not with the intention of studying, but as an investment.⁴⁴ Certainly, buying an expensive, richly decorated copy, when a cheaper version was available was against the nature of the Rule and the theory of *usus pauper*, approved in 1279 by the papal bull *Exiit qui seminat*.

Indeed, the Order tried to take precautions as early as 1239 against the acquisition of expensive books. In the pre-Narbonne constitutions, it was decreed

⁴³ “Omnes libri, qui de cetero pretio scribuntur vel emuntur, remaneant in provinciis, in quibus empti sunt vel scripti ...preter illos qui per consanguineos scribuntur vel emuntur per licentiam ministrorum”: Pre-Narbonne, p. 76.

⁴⁴ “Hinc multiplicantur salme librorum preciosorum et curiosorum superflue acquisite diversis viis a quolibet taliter qualiter; et tanta est apropiacio librorum, quod valde pauci inveniuntur, qui de accomodacione sint suis fratribus liberales. Et multi superfluos libros habent, et multi, qui nesciunt eis uti”: Ubertino, *Declaratio*, p. 73.

that no Bible was to be bought that was more expensive than 20 *l.* of Tours.⁴⁵ The same statement was repeated in the Narbonne constitutions. While the guardians, buying for the *armarium* of the convents, probably obeyed the rule, individual friars buying books for their own use were not so easy to control. The famous inquisitor and historian, Paul of Venice, also a lector of the order, was reprimanded by the guardian of his convent for buying expensive parchment to write his books, and for buying and ordering expensive books to be written from the money he made as an inquisitor.⁴⁶ Against the purchase of books as an investment, the 1310 general chapter which met in Padua, decreed that no friar was to be allowed to have the duplicate of a book, and no friar could have a book which he could not use.⁴⁷

When the book in question was not one easily available from the *stationarii* or other sellers, the friars also sought to employ professional scribes. Individual friars would hire scribes to make the copy of a book they wished to have. For example, a manuscript in the Franciscan library in Fribourg carries the following note: “Ego fr. Fridericus minister fratrum Minorum provincie superioris Alemanie S. Th. professor feci conscribi hoc vocabularium in Friburgo

⁴⁵ “Et nulla biblia emenda pretium XX librarum turonensium excedat”: Pre-Narbonne, p. 77.

⁴⁶ “Vidi insuper quod emebat pelles nimis delicatas de agnello existens Inquisitor. Unde scolares videntes dicebant me audiente quod non erant ille pelles secundum ordinis paupertatem, ea quod ita pulchre non invenirentur Venetiis...Libros insuper multiplicavit scribi faciendo et emendo et satis est credibile quod de bonis officii.”: Evidence comes from the MS Arch Vat. Collect. 133 which contains the declarations of the guardian of the convent made to the inquisitors, edited in A. Ghinato, O.F.M., *Fra Paolino da Venezia O.F.M., Vescovo di Pozzuoli (d. 1344)* (Roma, 1951), p. 93.

⁴⁷ “Item iniungitur ministris omnibus ut nullum fratrem permittant habere librum aliquem duplicatum, nec aliquem fratrem permittant habere librum quo uti non possit. Et hoc intelligimus tam de scriptis habitis quam habendis”: Padua, p. 535.

Brigawie a.d. 1384..Que me scribebat Gregorius nomen habebat.”⁴⁸ A similar note of the employment of a scribe is to be found on the MS 2286 of Praha University: “a.d. 1366 fr. Franciscus confessor sororum in Grumerau O.S. Franc. fr. minorum hunc collectarium fecit scribi quem Iacobus de Pyzlina finivit.”⁴⁹

In some provinces, the employment of non-Franciscan scribes was even institutionalized to provide a continuous expansion of the convent libraries. In the late thirteenth century, the province of St. Anthony made a decree that in the convents of Padua and Venice, and in other convents where it was possible, a scribe was to be kept, who would write the books necessary and useful for the *armarium*. The scribe in question, judging by the wording of the decree, seems to have been a professional scribe rather than a friar acting as a scribe.⁵⁰

Buying expensive books was certainly a violation of Franciscan principles, and perhaps not only from the Spirituals’ point of view. Even more awkward seems, however, the trade in books among the friars, since it inevitably brought up the question of ownership. How could a friar, after all, sell a book to another friar if he did not actually own it?

Ubertino argued that many were buying and selling books within and outside of the order, and that they were selling it to their brothers at a higher price than they bought it for, just like the merchants.⁵¹ Profit made from trade was

⁴⁸ MS. 66, f. 202: *Colophons de Manuscrits Occidentaux des Origines au XVIe siecle*, ed. Bénédictins du Bouveret, 2 (Friburg, 1965), p. 248, no: 5580.

⁴⁹ *ibid.*, p. 81, no. 4163

⁵⁰ “Item ordinat minister et diffinitores cum provinciali capitulo, quod in conventu Padue et Veneciis et aliis conventibus, qui sustinere poterunt, teneatur continue unus scriptor, qui scribat libros necessarios et pro armario opportunos”: France and Marches of Treviso, p. 460.

⁵¹ “Et multi de eis faciunt thesaurum dicentes: ‘Si ego infirmabor, ego michi providerem de libris meis’; et vendunt et emunt ea intus ordinem et extra, melius quam possunt, et multi suis fratribus

generally condemned by the medieval Church, and was certainly in conflict with the constitutions of the Order. In some of the manuscripts, a note of the transaction has remained to our day which testifies to this trade within the Order. For example, on a manuscript in the Biblioteca Antoniana, which contains John Erford's and Bonaventura's abbreviated commentary of the third Book of Sentences, there is the following note written in a fourteenth-century hand: "Istum librum exegit fr. Hugo de Arquada a fratre Facino de Sancto Zaccharia de Montesilice pro sex sol. Grossis"⁵²

The trade in books among the friars should not be thought of as something considered illegitimate by the Order. On the contrary, it was recognized and accepted as the later constitutions suggest. For example, it was possible for a friar to buy a book from the *armarium* of his convent. A fourteenth-century manuscript from the Biblioteca Antoniana contains an interesting note written in 1343. The note records the friar Johannes de Plebe, who was a lector,⁵³ buying a book from the Padua convent, paying sixteen *libras parvorum* to the custodian of the Ark of St. Anthony in the convent of Padua, witnessed by the guardian and vicar of the Padua convent: "Ista Postilla est fratris Johannis de Plebe ad usum sibi concessa". And below by the same hand:

"Sciant fratres universi praesentem litteram inspecturi fratrem Johannem de Plebe emisse Postillam domini Bertrandi super Evangelia Dominicalia, totius anni, quae pertinebat ad conventum Paduae pro cuius solutione assignari fecit libras sexdecim

carius quam emant, more mercatorum": Ubertino, *Declaratio*, p. 73.

⁵² Ms. 128, f. 116r: Abate and Luisetto, *Codices*, p. 166.

⁵³ The evidence regarding the lectorship of John comes from another manuscript—MS. 482, f. 87v, *Nicolaus de Hanapis, De exemplis sacrae Scripturae*. "Iste liber est fratris Iohannis de Plebe lectoris ad usum sibi concessum": *ibid.*, p. 473.

parvorum fratri Corrado custodi Archæ beati Antonii pro conventu Paduæ, in præsentia fratrum Reprandini tunc Guardiani Paduæ et Bartholomæi de Arquada Vicarii. Anno Domini MCCCXLIII, die secundo februarii. In cuius rei testimonium sigillo conventus præsentem cedulam fecimus præmuniri.”⁵⁴

It is interesting that the sale was made in an official manner and formalized by the seal of the convent. The motive might be to end any future claims on the book. Although this testimony is from late date, it still gives an idea about how the book-trade within the Order might have happened around 1310.

Another occasion for the sale of the books by the convent administration would arise upon the death of a friar who possessed books. The provincial constitutions of Padua provide significant testimony to the way the books of the dead friars were treated. After a friar’s death, all his books were transferred to the provincial chapter by the custodian of his convent.⁵⁵ To determine the price of the books, the minister would choose two friars who would make this estimate, as if one friar was selling the book to another, and then the books were sold by the custodian to the friars of their custody for the three-quarters of the estimated price.⁵⁶ The reason for this discount might simply be to give all friars a chance of buying the books at a lower price. If a friar had already petitioned to buy a book before the death, he would be deprived of the opportunity of buying it.⁵⁷ This was

⁵⁴ MS 440, Bertrandus De Turre, OMin., *Postilla super Evangelia dominicalia*, f. 239v: *ibid.*, p. 361.

⁵⁵ “Item libri fratrum defunctorum de cetero per custodes ad provinciale capitulo transmittantur”: Padua, p. 16.

⁵⁶ “Et minister cum diffinitoribus ponat duos fideles qui prædictos libros aestimant fideliter, secundum communem aestimationem sicut unus frater vendit alteri librum suum; et secundum illam aestimationem custodes vendant eos in custodiis suis fratribus qui primo petierint, dimissa eis pretii quarta parte aestimationis factae ut dictum est”: *ibid.*

⁵⁷ “Et si aliquis frater petierit emere alicuius fratris librum ante mortem, privetur volumine postulato.”: *ibid.*

probably a wise decision to prevent friars from making claims on the books, since it would not be possible to prove whether there really had been any such petition. The inexpensive books, worth less than ten Paduan *lira*, were to be sold by the custodians to pay for the common expenses of their custody.⁵⁸

It is particularly worth noting that if the deceased friar was a lector, none of these regulations applied. In that case the books were not sold, but were reserved to the provision of the minister and the provincial chapter. They would distribute the books equally to those whose books had to be assigned by the minister.⁵⁹ This group most probably consisted of the students who were sent to the *studia generalia de debito*, since their books had to be provided by their province. Since the lectors had already gone through similar steps of the educational ladder, it made sense that their books were transferred to the students.

The last and presumably the least common way of acquiring books was through writing and copying. In an interesting article, Cavallo wrote about how the monasteries of Europe in the early Middle Ages, famous for their *scriptoria* and their centrality in book production, were replaced in time by the convents of the mendicant friars who, rather than copying books, were mainly engaged in the collection and preservation of books for studying.⁶⁰ Although as Cavallo suggested, the friars did not have a *scriptorium* in their convents, they

⁵⁸ “Libros vero parum valentes, usque ad decem solidos usualis monetae, possint custodes vendere in custodiis suis et de pecunia de ipsis accepta communes expensas facere quae occurrunt”: *ibid.*

⁵⁹ “Item libri lectorum morientium non vendantur, sed reserventur provisioni ministri et capituli provincialis, qui eos aequaliter distribuat vel distribui faciat per custodias per illos qui ad hoc per ministrum debeant assignari”: *ibid.*

⁶⁰ G. Cavallo, *Dallo scriptorium senza biblioteca alla biblioteca senza scriptorium*, in *Dall'eremo al cenobio*, (Milano, 1987), pp. 329-442.

nevertheless did still copy books, and maintain professional scribes, though admittedly never on a great scale. The great majority of the friars' books came through donations, wills and buying rather than copying.

Copying of books in the Order seems to have taken place in various ways. First, it was through the younger friars' copying for the lectors, masters or ministers. Already in the pre-Narbonne constitutions, there was an item compelling all friars able to do so to write for their superiors.⁶¹ The same item was repeated in the Narbonne constitutions.⁶² Salimbene, for example, mentions that he was copying Joachim Fiore's *Expositio Super IIII'or Evangelistas* for minister general John of Parma.⁶³

Lectors and *magisters* played an important role in the multiplication of books. As the experienced lectors and magisters in theology were those most heavily engaged in producing books such as Bible commentaries, theological compilations etc., they were assigned a *socius* who would be a younger friar who had spent a number of years in the schools, and who possessed a decent knowledge of Latin grammar. It would be usually this *socius* who actually wrote the book down as it was dictated by the lector or *magister*. The 1294 provincial chapter of the Marches of Treviso asked lectors to finish the books they had

⁶¹ "Fratres tam clerici quam laici compellantur per suos superiores in scribendo et in aliis sibi competentibus exerceri. Quod si ipsi superiores negligentes in hoc fuerint, a visitoribus puniantur": Pre-Narbonne, p. 91.

⁶² "Cum regula dicat quod fratres, quibus dedit Dominus gratiam laborandi, laborent fideliter et devote, ordinamus quod fratres tam clerici quam laici compellantur per suos superiores in scribendo, studendo et aliis laboribus sibi competentibus exerceri. Et si quis notabiliter inventus fuerit otiosus, iuxta formam apostoli usque ad satisfactionem condignam ab aliis sequestretur. Et si superiores in hoc negligentes fuerint, a visitoribus puniantur; qui diligenter inquirent qualiter ista constituo servetur": Narbonne-Assisi-Paris, p. 69.

⁶³ Salimbene, p. 294.

started. Those who did not were to be deprived of their *socius*, and their exemption from attending the divine office was to be withdrawn.⁶⁴ Furthermore, the theological training of the lectors would also give them authority in the multiplication of controversial theology books. In the 1282 general chapter, it was ordered that provincial ministers should see that the *Summa theologica* of Thomas Aquinas was not to be multiplied except under the supervision of the lectors who understood the text.⁶⁵

Students, particularly those attending the lectures in the *studium generale*, would also write books frequently in the form of lecture notes or compilations. One such manuscript has survived from 1387: “...scriptum autem per me fr. Bartholoeum de Mantua dum studens essem Placentiae a.d. 1387 die 15 marcii.”⁶⁶

Although the evidence for the copying of books in the thirteenth and fourteenth centuries is of a general nature, for the fifteenth century we have access to the individual copyists thanks to the colophons. The colophon was a formula usually found at the end of manuscripts written by the scribe to inform the reader of his name, and frequently the date and place of the copying, accompanied by a little prayer. They are one of the most significant sources of

⁶⁴ “Ordinat et vult minister et provinciale capitulum, quod lectores iuxta statutum capituli generalis suas ordinarie continent lectiones, et libros inceptos perficiant fideliter, sicut possunt. Quod si contrarium fecerint, priventur socio, et vadant continue ad officium, et nihilominus provinciali capitulo accusentur”: France and Marches of Treviso, p. 464.

⁶⁵ “Item Minister generalis imponit ministris provincialibus, quod non permittant multiplicari Summam fratris Thome nisi apud lectores rationabiliter intelligentes, et hoc non nisi cum declarationibus fratris Wilhelmi de Mara, non in marginibus positis sed in quaternis”: Strasbourg I, p. 139.

⁶⁶ Bouveret, *Colophons*, 1, p. 225, no. 1803.

information about copyists and manuscripts.⁶⁷ However, colophons were a Roman tradition and had been used only very infrequently after the collapse of the Roman empire. They became fashionable again in the late fourteenth and early fifteenth centuries. Therefore, for the period in question here, that is for the thirteenth and early fourteenth centuries, there is very scarce evidence regarding Franciscan copyists. However, for the period of late fourteenth and fifteenth centuries, I have been able to find the names of ninety Franciscan friars who were engaged in copying books for themselves or for a superior out of the colophons of western manuscripts edited by Bouveret.⁶⁸

When the sources for book acquisition were so varied, there was a problem in providing a unity and standard for the textbooks, foremost of all, for the Bible itself, used for study in the order. The first known evidence for an attempt to achieve this standardization comes from the Narbonne Constitutions, where it was declared that Bibles which were accepted from secular people as alms were not to be used for the purposes of study unless they had been approved by the provincial ministers.⁶⁹ The decree is significant as it reflects a concern for the accuracy of the text, and with providing unity throughout the Order.

This early attempt, which only dealt with the Sacred Scripture, was extended later on to cover other textbooks used within the order. The Assisi

⁶⁷ For a more detailed study of colophons and their use see Albert Derolez, "Pourquoi les copistes signaient-ils leurs manuscrits" in *Scribi e Colofoni*, ed. E. Condello and G. De Gregorio, Atti del seminario di Erice X Colloquio del Comité international de paléographie latine (23-28 ottobre 1993) (Spoleto, 1995).

⁶⁸ See Bouveret, *Colophons*.

⁶⁹ "Nullus frater Bibliam vel Testamentum de elemosyna habeat, nisi sit ad studium aptus vel ad praedicandum idoneus; et hoc de licentia suorum Ministrorum": Narbonne-Assisi-Paris, p. 74.

constitutions of 1279 declared that all provinces should give three Parisian *livres* to the convent of Paris as the cost of production of exemplars. If the province failed to pay it before Christmas, the amount was to be doubled as a penalty.⁷⁰ It can be deduced then, that a decree was made for the preparation of exemplars of major books used in theology education in the Order. The exemplars were to be given to every province, and further copies of these books were only to be made from this exemplar. The idea was unmistakably to provide accurate and uniform textbooks throughout the Order. The evidence that this decision was put into practice comes from a manuscript now in the Biblioteca Antoniana in Padova. The manuscript, numbered MS. 120 Scaff VII in this library, contains Bonaventura's commentary on the first Book of Sentences. It has been dated to the thirteenth century by Iosa⁷¹, and to the fourteenth century by Abate and Luisetto, and bears the following note on the upper part of f.2r, the flyleaf, in a gothic script:

“Iste liber est deputatus est conventui Paduae Ordinis Minorum per Capitulum Provinciale celebratum Veronae. Ad voluntatem Ministri pro exemplari ad tempus, propter studentes provinciales, tamen Provinciae est liber iste.”⁷²

As the note indicates, the book was given by the provincial chapter to the convent of Padua to serve as an exemplar for further copies of Bonaventura's commentaries to be made for the use of the students of the province. The

⁷⁰ “Mandat Generalis Minister de consensu Capituli Generalis, ut quilibet Minister Provincialis procuret dari Parisius lib. III Parisiensium pro exemplatorum pretiis conscribendis. Quod si usque ad Nativitatem Domini hec supradicta quantitas soluta non fuerit, quicumque ad ganc solutionem defecerit, teneatur ad duplum”: *Memoriali*, p. 24.

⁷¹ M. Antonio Maria Iosa, *I Codici Manoscritti della Biblioteca Antoniana di Padova* (Padova, 1886), p. 56.

⁷² Abate e Luisetto, *Codices*, p. 161.

manuscript, therefore, belonged to the province in general. The provincial chapter in question might be that of Verona in 1282, which closely followed the 1279 Assisi constitutions where we come across the decree on the production of exemplars for each province.⁷³ It is further worth noting that Abate does not mention any glossing of the this manuscript, which suggest that it was not open to the use of the individual friars.

Supporting the hypothesis that the provincial chapter in question might be verona in 1282, Iosa suggests that MS. 125 in the same library is a copy of the exemplar MS. 120,⁷⁴ and that this copy was conceded to the use of Guido of Padua in 1283.⁷⁵ If this date is correct, then the copy must have been made sometime between 1282 and 1283.

This evidence then indicates that Bonaventura's commentaries on the four books of Sentences were circulating throughout the order as an aid to lectors and bachelors in their lecturing on the Sentences. This also explains the reason why many Sentence commentaries by Franciscans draw largely on Bonaventura's commentary, or even in some cases were simply an abbreviation of it.⁷⁶

The papal bull *Quo Elongati* had suggested that books which were received into the order were to be used in common. However, there were

⁷³ Sartori, *Archivio*, 1, p. 1264.

⁷⁴ Iosa, *I Codici Manoscritti*, p. 57. See also Abate e Luisetto, *Codices*, p. 164.

⁷⁵ *ibid.* He does not give the folio number but says "Nel margine inferiore della pagine, in cui incomincia la Distinzione XLIV, si legge: 'Iste liber datus est ad usum Fr. Guidonis anno 1283.'" According to Abate's description the distinction XLIV must be somewhere between ff. 119r and ff. 139r. Abate notes another concession entry for the same name. However he suggests that the entry was written in a fourteenth-century hand: f. 143r. "Iste liber est concessus ad usum fratris Guidonis (?) de Padua ord. Fratrum Min": Abate et Luisetto, *Codices*, p. 1264.

⁷⁶ This has been demonstrated by Roest, *A History*, p. 128.

practical difficulties with this, particularly for those who were engaged in intellectual activities, such as students, bachelors, lectors, and masters. It would be very difficult for a bachelor to write a commentary on the Sentences without having a copy of the Sentences assigned to his use. Similarly, it is impossible to think of a lector preparing his lectures without having a glossed Bible on his own shelf. With the emergence of the school and education network, the introduction of a system for assigning books became inevitable, a system similar in basics to the borrowing system in modern libraries.

Generally books were assigned to magisters, lectors and students, that is, those who were primarily occupied in the study of theology. However, all friars enjoyed the right to have the use of a book for a certain time. The earliest date I was able to find when a friar was given the use of a book, is 1245. One of the lectors of Oxford convent, Rudolph de Corbridge had in 1245, for his use, the Epistles of Paul, probably glossed by himself, which he no doubt used to deliver his *lectiones*.⁷⁷ Another manuscript in the Biblioteca Antoniana, containing the commentary of Thomas Aquinas on the Book of Job, noted that “iste liber est deputatus ad usum fratri Petro de Campolongis de Padua lectori de ordine Minorum.”⁷⁸

However, an important point should be stressed about this system of assignment of books: the difference between assignment and concession. This difference comes to light when one compares the constitutions of the order to the

⁷⁷ This MS is now in Lambeth Palace Library, London, no. 57. See *Medieval Libraries*, p.276 and p. 118.

⁷⁸ MS. 240, f. 58: Abate e Luisetto, *Codices*, p. 248.

“ad usum” notes on the manuscripts. While the constitutions only employ the term *assignatio*, or sometimes *deputatio*, in many manuscripts the following phrase is read: “Iste liber est concessus ad usum fratri”. A thorough reading of constitutions reveals that *assignatio* was the term used when a convent book was given for a certain period for the use of a friar, while *concessio* meant that the friar had the use of book for life. In the latter case, the note of *concessio* is usually accompanied with a note of payment made by the friar, or with a note indicating that after the death of the friar, the book was to go to the convent to which the friar belonged. For example, “Legendae istae concessae sunt Fratri Matthaeo... A Padua Ordinis Minorum et post mortem suam revertantur conventui paduano.”⁷⁹

A similar note is to be found on the MS 304 in the Biblioteca Antoniana in Padua⁸⁰ announcing that the book was to go to the convent after the friar’s death. The concession notes on MS 406⁸¹ and MS 440 of the same library were accompanied by the declaration of the price paid by the friar when he bought the book. Hence, it can be concluded that since a friar could not declare a book as his possession, the term *concessio* was employed to mean that the friar was to have the use of the book for his lifetime, after which the book was considered as the property of the convent to which he belonged.

⁷⁹ MS 98, f. 264v: *ibid.*, p. 127.

⁸⁰ See chapter 6, p. 196, 51n.

⁸¹ “Iste liber est concessus Fratri Antonio de sancta Katerina de Padua ordinis Fratrum Minorum, quem emit pretio duorum ducatorum in Venetiis a fratre Nicolao provinciae Terrae Laboris anno Domini MCCCLXVIII dum praedictus frater Antonius erat bachalarius Tarvisii”: *Codices*, Abate e Luisetto, pp. 338-9.

As has been already discussed in the fifth chapter, it was particularly this system of *assignatio* and *concessio* which aroused the wrath of the Spirituals. They regarded the individual use and possession of books, and, as a result of this, the multiplication of books, as a violation of community life and of poverty. However, the dissent proved ineffective. The collecting of books remained a significant feature of the medieval Franciscan order and gave rise to some of the most substantial libraries of the Middle Ages.

Even more than the system of assignation, the sale of books was a practice to which the Spirituals reacted with fury. In the pre-Narbonne constitutions, we come across the order that no friar was to write, or to cause a book to be written, with the intention of selling it.⁸² It is likely, however, that the practice continued, since the same prohibition was repeated in the Narbonne constitutions. Moreover, the provincial ministers were warned against keeping books without the licence of the minister general.⁸³ However, despite these prohibitions, the order's administration failed to prevent friars from selling their books.

The prohibition was constantly repeated in the provincial chapters. In the provincial constitutions of the province of St Anthony celebrated in Treviso in 1290, it was decreed that no friar was to sell, mortgage or exchange any book without the special licence of the minister or the custodian, and with the approval of *discreti* of the convent.⁸⁴ The order further tried to stop abuses by the

⁸² "Et nullus fratrum libros scribat vel scribi faciat ad vendendum": Pre-Narbonne, 78.

⁸³ "Et nullus Minister provlis audeat habere vel retinere aliquos libros absque licentia glis Ministri; nec aliqui fratres accipiant vel habeant absque licentia suorum provlium Ministrorum": Narbonne-Assisi-Paris, p. 73.

⁸⁴ "Item ordinat, quod nullus frater vendat, impignoret seu commutet librum aliquem, calicem, seu

custodians and guardians, to whom the right to sell books on behalf of the custody or convent was conceded. The provincial statutes of Aquitaine in the later thirteenth century declared that no custodian or guardian could sell, exchange, mortgage books, or accept books and other valuable things into the convent without necessity, and without the consent of his convent.⁸⁵ Similarly, the provincial chapter of Germany Superior in 1303 prohibited the guardians from selling their own books or the books of the convent either in the convent, in the city or outside of the town walls.⁸⁶

The system of book acquisition and maintenance described here points overall to two significant historical facts. First, the enthusiasm to acquire books, and the care observed in the maintenance and protection of books parallels the high degree of intellectualization the Order underwent both in practice and attitude. Such a sophisticated system would have been totally redundant if there had not been an extensive educational network. Second, the lamentations of the Spirituals regarding the abuses related to study and the violations of the Franciscan Rule and principles, become much more explicable when the handling of books is considered. The proliferation of books within the Order had brought with it the system of assignation, which annulled communal use; the sale of

paramenta, sine ministri licentia speciali vel custodis cum discretorum loci consilio. Et ad hoc per obedientiam firmiter teneantur. Et qui contrafecerint, provinciali capitulo accusentur”: France and Marches of Treviso, p. 462.

⁸⁵ “Nolumus quod custodes vel gardiani res conventus notabiles, sive sint libri sive alia, possint vendere, commutare, impignorare vel aliquo modo alienare, absque conventus sui requisitione pariter et consensu, et de ministri licentia speciali”: Aquitaine and France, p. 471.

⁸⁶ “Ordinamus sub eodem praecepto, et nullus guardianus vel frater quicumque libros suos vel conventus nec domos infra aream fratrum vel extra in civitate vel in terminis vendat nec petitiones futuras obliget vel vendat ...absque Ministri licentia speciali”: Strasbourg II, pp. 245-6.

books among the friars themselves, which made merchants out of mendicants; and the protection of books through curses, which violated the ideals of peace and humility. Thus, the establishment of a sophisticated educational organization, by enforcing the collection and maintenance of property in the form of books, played an important part in leading to the eventual split in the Order.

CONCLUSION

What Francis of Assisi had in mind, when in 1210 he walked from Assisi to Rome, was to receive permission from the Pope for himself and his followers to live a mendicant life of poverty in imitation of Christ and the apostles. He had his own convictions of how a true Christian should be. These convictions were drawn from a rather literal interpretation of the Gospel, which to him was not a coded text to be deciphered only by an educated few, but simply a history of the life of Christ and His apostles. Francis saw his vocation as an attempt to show the people of his time, by example, glimpses of a living Gospel.

There were many vocations within the Church that had become equally acceptable—the whole hierarchy of the priesthood, regular canons, monks, hermits, even nuns. There was no single “true Christian”. All were seen as necessary and useful in their own distinct ways for the salvation of the individuals concerned and of others in the community. When Francis and his companions started to walk around in towns and to preach to crowds, their new vocation aroused a great deal of interest. It had a bit of everything. A friar was like a monk, for he lived by a Rule. He was like a hermit, for he made himself poor and depended on alms. He was like a priest, for he preached. Those who did not feel contented with any single one of the established vocations found a solution in following Francis, believing that in this way they could exercise

various forms of Christian life under a single Rule. So, they brought their own convictions regarding true Christianity, their own interpretation of the Bible, their own vocation to the new group.

Such a high number of diverse people following Francis's lead presented him with a dilemma. On the one hand, he never opposed the legitimacy of any of the vocations in the Church, nor did he consider any one above any other; they were all equally legitimized by the Church under the leadership of the papacy. On the other hand, there was the life of the biblical Christ, who represented a subtle combination of all vocations. Francis was aware that it was impossible to get the proportions right without divine grace. The Franciscan Rule of 1221 was an attempt to establish this blend, laying down the foundation stones of the Franciscan vocation in apostolic poverty, itinerant preaching, prayer, and in obedience to the Catholic Church.

Learning and the study of theology, except for the reading of the Bible, were not a part of Francis's original blend of vocations. All that Francis said, and all that he did not say, what he did and what he did not do, argued consistently that being learned and schooled was not part of the Franciscan vocation. The Rule alone stands as the best testimony to this. No one who had wanted to encourage learning in the Order would have written such a piece of legislation: prohibiting the learning of letters to lay friars, prohibiting the possession of books except for the Bible, encouraging mobility and asking the friars to become perpetual pilgrims.

However, Francis could not oppose those who took up learning as a profession, either within or outside the Order. In the first place, the Catholic Church was administered by learned men; popes and cardinals were university graduates, and the study of theology was lauded by the papacy. While it was not Francis's choice of vocation, in his absolute obedience to the Church, Francis could not say or do anything that would conflict with practices legitimized by it. In the same way, although he rejected material wealth, he would befriend the bishops who lived in luxury. Secondly, Francis, in imitation of Christ, wanted to embrace all who wished to follow him. Thus, in time, the Order became a community that included preachers, confessors, missionaries, inquisitors, university teachers, and papal negotiators. In the reluctance of Francis to reject any of the approved aspects of Christian life, and in his desire to make his Order accessible to all, learning found within what seemed barren land a little piece of earth in which to flourish.

There was, at the beginning, no nourishment for this growth. Neither Francis nor his companions were interested in seeing the blooms of learning. Learning could easily become a source of pride, which would destroy humility, and a source of expense because of the high cost of books and masters. Yet, the soil was fed and irrigated by many who followed the first Franciscans. Newcomers into the order brought with them the influences, trends and fashions of the *saeculum*. Learning had always been respected, but with the twelfth-century revival it had become much more than that. An obsession with reason as an aid to theology, the demonstration of apparent contradictions in Scripture and

the works of the Church Fathers, the curious “new” books of Aristotle which stood almost as a rival testimony to the nature of earthly life, all ignited the young brains of the thirteenth century in the quest for a magic door to penetrate the divine mystery.

But not all were seduced by this excitement. Those such as Bernard of Clairvaux or Francis of Assisi would argue that the mystery of divinity was best understood through spiritual experience, by union with God through prayer and contemplation. They preferred the older learning that relied on the reading of the Bible and its patristic guides, solely with the aim of spiritual erudition. They deprecated the new trends which seemed to exalt reason more than it deserved. The thirteenth century, in which scholasticism seemed ready to sweep all before it, was not for them. And if the Franciscans were a thirteenth-century phenomenon, Francis himself was much more a twelfth-century man.

Many of those who flocked to the Franciscan Order, while attracted to the prospect of leading an apostolic life approved by the Church, were subjugated by scholastic ambition. This did not present them with a dilemma, the way it did to Francis. They were not used to being satisfied with the literal meaning of texts; scholasticism had taught them to doubt, to find the conflicts, and to resolve them by explaining them away. Hence, the craving of Francis for a literal understanding of God’s word was unacceptable to them.

For these recruits, the first Rule presented them with an apparent contradiction. It urged preaching, but it also prohibited the possession of books. How could one preach without studying theology, and how could one study

without having books? This was the most popular line of argument in the early days of the Order, first voiced around 1223 when Francis was revising the Rule for papal approval. In 1230, a delegation of scholars took the conflict to the Pope himself for a canonically safe solution. The Pope had a choice. Either he could orient the Order towards simple, lay preaching, and keep the ban on having books, or he could lift the ban on books, and allow the clerical preaching which necessitated a theology education. The Pope chose the second route, and naturally so.

The brief reconciliation between papal attitudes and the urge of pious laymen to preach was already coming to an end. Lay preaching once more seemed to hold out too much danger of heresy. The Franciscan Order was still relatively new and was crowded with laymen. If the Order were to become involved in heresy, the Church would be threatened with disaster. Moreover, the Pope himself was a child of scholasticism. As a canon law graduate and the founder of the *studium generale* of Toulouse, where natural philosophy was to be taught, it was natural for him to welcome the notion of Franciscan students of scholastic theology. It was not that the papacy deliberately made a student order out of the Franciscans. The Pope only responded to a request from the Order, and tried to settle the conflict that was presented to him in the way he believed right.

Institutional learning already had many influential supporters within the Order. Most of all, the scholars who had entered the Order were eager to continue their careers as schoolmen and to disseminate their knowledge to the other friars to create able preachers. The provincial ministers, many of whom served in one

province after another, contributed greatly to the diffusion of learning within the Order. The *studium* in Paris owed much to the efforts of the provincial minister of France, Gregory of Naples, just as the network of English schools, of which Eccleston was so proud, was a creation of the provincial ministers Agnellus of Pisa, Albert of Pisa and later William of Nottingham. It was the provincial ministers of Germany who asked John Parenti for a lector in Jordan of Giano's chronicle. Further, the chronicles inform us that the Ministers General, from John Parenti onwards, encouraged the dissemination of educational activities with no exception. Even Elias, who was found so controversial on many administrative points, had this point in common with those who loathed him. This is no surprise, as the Ministers General were chosen by and from the provincial ministers. Why then did all these early administrators, many of whom met and were influenced by Francis, choose to encourage the rise of learning?

There is a sociological answer to this. It is very difficult for human beings to stand against the fashions that are accepted and respected by those who represent the pinnacle of the system of values within a society. In the cultural milieu of the thirteenth century, Francis and his *vita apostolica* certainly had a great appeal, but Francis could not persuade many of his recruits simply to take the literal meaning of the Gospel and enact it. Those who he did persuade, were not those who came to rule the Order. After all, it was exactly this priority of living an apostolic life, preaching by example above all, which made companions like Leo, Masseo and Bernard stand back from taking up administrative posts in the Order, and withdraw to the hermitages of Umbria.

The enthusiasm of the provincial ministers in promoting study was reinforced by the experience and knowledge of the scholars who joined. This alliance made itself strongly felt in the administration of the Order, as the agenda of both provincial and general chapters was determined by the definitors, who were usually appointed from among the learned group. When Haymo of Faversham asked each province to choose representatives to write on doubtful points in the Rule, the French province commissioned four university masters. These it was who wrote for the first time a commentary on the Rule in the scholastic method. The commentary illustrates just how scholars joining the Order understood their vocation. It was voluntary poverty which attracted them most. Hence, from all the heritage of Francis, they tried to protect only poverty, and that only in so far as it did not get between them and their studies.

This approach of the Franciscan scholars came to mark, in a way, the established tradition within the Order for the first part of the thirteenth century, more than the life of Francis and his first companions. Most friars did not try to live exactly like Christ and His apostles, but they did take pains to keep their life humble and poor. The provincial ministers generally exercised a severe control on material life: against excesses in dwellings; against horse riding; consumption of meat; spare clothing, or good quality habits. What Olivi later formulated as *usus pauper* was quite close to the ideals of the early band of ministers, and, according to Eccleston's testimony, the English province was a model in keeping to these ideals.

This type of poverty, where the ban on the acquisition of property had been annulled in practice through the allowance of the use of things, was quite remote from the poverty Francis had intended, and in which he and his companions had lived. However, this change had no adverse effect on the enormous popularity of the Franciscan Order among all layers of society. For this society learned of the Order, not through Francis himself, but through the first Franciscan settlers in their towns. The poverty of the Franciscans was quite enough for many laymen and clerics to consider them to be devout and holy religious men, whose prayers would contribute greatly to their well-being both in this life and the other.

Even the Franciscans themselves, except for those who had met Francis and those who had joined the order in Umbria, were not well-aware of the original motives that had led to the foundation of their Order. Only a few convents had the original writings of Francis. The Rule was not accompanied by the Testament, but by the papal bulls such as *Quo Elongati*. It is therefore, quite likely that a majority of Franciscans, at least from the 1230s onwards, did not have a notion of a falling way from ideals. Only the living companions of Francis and a relative handful of Franciscans who listened to their stories would have noticed the change in the Order.

What did, however, arouse a general interest in the original ideals and in the very early days of Franciscanism were the apocalyptic writings of Abbot Joachim. The diffusion of Joachimist ideas, which later led to such public embarrassment, owed its greatest debt to the lecturers. It was through them that

these prophecies were read, copied, circulated and talked about. Hence, the educational and administrative organization which necessitated the comings and goings of lectors between the schools, chapter meetings, papal delegations and councils, providing a high degree of interaction, proved a dangerous ambience for the irrepressible dissemination of ideas that were declared heretical after the Anagni Commission.

However, the identification of Joachim's *Alter Christus* with Francis and the *virī spirituali* with the Franciscans increased the importance and popularity of Francis himself within the Order, and emphasized the divine nature, and hence, infallibility of the Rule. It made many question the validity of the contemporary Franciscan life, stand against the relaxations in the Rule, and seek knowledge of the early days through the companions of Francis. A dissenting group was formed in Umbria, in the land of Francis himself, raising its voice against the lax administration of the Order. Their concern was again the issues of poverty; even here, learning was not to be included in the falling away from ideals. That which had mesmerized the early provincial ministers cast its shadow even on Umbria. Scholasticism was not to be considered the enemy.

As scholasticism's popularity rose throughout the century, its alliance with the papacy also got stronger. While Gregory IX founded a university in Toulouse, Innocent IV founded a university in his own Curia. Certainly, the religious orders could not ignore this. From around the middle of the thirteenth century, one by one, religious orders were drawn into it, following the precocious example of the Franciscans and Dominicans. The Cistercians, Benedictines,

Augustinian Hermits and the Carmelites opened up schools in Paris, started their own educational organizations, and, in some cases, even hired Franciscan lectors. Hence, once we pass the middle of the thirteenth century, the involvement of religious orders in theology education seems an inevitable outcome of the *Zeitgeist*, something which should be viewed as a general phenomenon rather than the result of one Order's internal dynamics.

Contrary to what has been believed so far, the Franciscan Order's involvement in schools and study after Francis's death met almost no resistance from any group of Franciscans. Friars like Hugh of Digne and John Parenti, who were hailed by the later Spirituals, defended the cause of learning vigorously. At the administrative level, intellectual activities received very strong backing: from 1240 onwards, all minister generals of the order were elected from among those who had studied theology in Paris.

After Bonaventura, however, the subtle balance between poverty and learning, which had been maintained until then, was lost. With the 1260 constitutions, lectors were given a considerable number of privileges, and were exempted from the usual tasks that other friars were obliged to fulfil, these exemptions even including attendance to divine office. The situation resulted in a shift in mentality regarding the position of lectors within the Order. The office of *lectio* had come to be considered equal to the office of guardian or minister, bearing the same rights and privileges. Lectors and masters had now risen to the status of an elite, to whom all the significant responsibilities and high administrative offices were entrusted.

In time, the educational organization started to serve as a mechanism for natural selection. Friars' careers in the Order depended not so much on their choice or will, nor their administrative or social skills. Success and promotion through the various steps of schooling had become the major criterion. Hence, in order to become a provincial minister, it was almost a matter of course that one had to be trained as a *lector*. Similarly, no one below a Parisian *magister* could possibly become a minister general. The identification of high office with high learning made an educational career inevitably an object of ambition. The study of theology became a means to acquire privileges and exemptions, rather than an aim in itself. Some friars sought inappropriate and illicit ways of attending higher schools, thus blocking the path for those who genuinely deserved it.

For those who held the primitive observance as the highest form of Franciscan vocation, the introduction of organized study in the order, even if they had thought it a respectable occupation in theory, in practice had brought more evil than good. The worst of this, to the critics, was probably the growing enthusiasm for keeping books. What had started as a relaxation of the Rule, to supply students and lectors with necessary textbooks, had got out of hand towards the end of the thirteenth century, evolving into a network of prominent libraries keeping not only books of theology, but also "curiosities" like philosophy, literature or poetry. Above all, the system that allowed the use of books by individual friars, rather than in common, led to the creation of multiple copies at a considerable expense, as the price of books was toweringly high in the Middle Ages. When added to that was the administrators' leniency with regard to

the trade in books within and outside of the Order, and the treatment of books as an investment, those who favored a strict observance of the Rule became greatly disturbed.

The whole situation seemed in direct violation of Francis's ideals, perhaps more than any other aspect of the educational organization. As a result, while in the first half of the thirteenth century, organized education was not opposed even by the more zealous friars, by 1310 it had come to be regarded a source of corruption, in the sense then it paved the way for the violation of *usus pauper*, nourished vanity and earthly ambition, and thus widened the gap between the Spirituals and Conventuals. This is not only manifest through the testimony of Ubertino, but also through the constitutions of the Order, which frequently sought to correct and prevent the abuses, as demonstrated in the fifth chapter.

All this owed a great deal to the fact that the educational organization had become increasingly sophisticated during the course of thirteenth century. The 1239 Rome constitutions had laid the foundations for the training of lectors and the establishment of the consequent, auxiliary system of book acquisition and maintenance. At that time, the educational organization was as simple as selecting two students from each province, providing them with books, and sending them to Paris to be trained as lectors. The 1260 constitutions marked the Order's determination to produce not only lectors but also high-calibre theologians. Besides, the number of schools, both intermediate and advanced was expanding swiftly, and other *studia generalia* had joined Paris in the preparation of lectors.

The silence of the Narbonne constitutions on the details of the steps to be followed, in conjunction with the absence of practical evidence, prevents us from concluding that around this date, the training of lectors followed a rigid course such as starting in custodial schools, continuing at provincial schools, and finally at a *studium generale*. Nor is there much evidence of an Arts education under the auspices of the Order. Rather the path to becoming a lector seemed to pass through attendance at theology lectures for a sufficient time, with the rest left to the discretion and judgement of the provincial chapters on the friar's morals and intellectual abilities. It was in fact this decentralized structure of the Order, this reliance on the judgement of provincial ministers and chapters on issues concerning the promotion of students, the conferral of offices and the appointment of lectors, which made the educational organization prone to abuses and corruption, by denying it the chance of running smoothly to predefined standards and rules.

By 1310, the system had become much more sophisticated with the introduction of numerous Arts schools and *studia provincialia*, to act as a constitutional prerequisite for instruction in higher theology schools and in *studia generalia*. There was a high degree of inter-provincial mobility of students at both intermediate and high levels of theology education, although this was to some extent restricted to neighbouring provinces. The demonstration, in chapter six, of this mobility has cast serious doubts on the method of determining the status of schools by looking for the presence of foreign students. As this method is insufficient, there is the clear need to define and describe the features of a

Franciscan *studium generale*, as an institution distinct from the secular or from the Dominican *studium generale*, a topic not satisfactorily addressed so far by the students of Franciscan history.

The increasing number of *studia generalia* brought about changes in the function of the Paris *studium*. While before, Paris had served equally the production of lectors and of *magistri*, by 1310 it was primarily attended by lectors who were already teaching, with the purpose of deepening their knowledge or of becoming a *magister*. As the thirteenth century progressed, it also became clear that the Franciscan educational assets and network were not only in the service of the friars themselves, but also of the secular clergy and members of other orders. Thus the Franciscan Order, which had to a large extent been shaped by the great scholastic expansion of the early thirteenth century, had become a motor for that expansion beyond the Order itself.

The system that enabled the medieval Franciscans to reach self-sufficiency in theology instruction and study, naturally gave birth to an equally extensive organization for the collecting and maintenance of books. The enormous popularity of the Order helped the Franciscan libraries to expand quickly through donations, and through purchase of books which was allowed already in 1230. Thus, the Order's involvement in the intellectual world gave rise to the establishment and maintenance of outstanding libraries, thus contributing immensely to the preservation of the intellectual heritage of the Middle Ages. The examination of these libraries serves manifold purposes, such as revealing

the intellectual interests of the friars, the system of assignment of possession, and the medieval measures for book protection.

At the end of the day, what emerges from the chronological story, from the study of the inner conflicts, and from the snapshots of the educational system taken at two different dates, is the fact that the establishment of the Franciscan educational organization was a rather slow and painful process, shaped much by the individual discretion of the administrators, and thus prone to regional differences. In that respect, it was quite different from the educational organization of the Dominican Order, which was formed and controlled by highly detailed and frequent regulations prepared in accordance with unanimous agreement. Thus, it is contradictory and misleading to employ Dominican constitutions for the reconstruction of the Franciscan system, the central feature of which was the lack of sufficient regulation.

All surviving Franciscan constitutions of the thirteenth and early fourteenth century allocated considerably less space to legislation concerning education than their Dominican counterparts, and left matters more in the hands of general and provincial ministers. This created fertile ground for corruption and abuse, which offended the zealous brothers deeply, and was transformed into a battleground between Spirituals and Conventuals.

The absence of detailed regulation naturally makes a sound reconstruction of the system quite difficult. The only solution seems to be to initiate a quest for more evidence of actual practice, an important source of which will no doubt be the study of manuscripts once in the Franciscan libraries. Apart from that, the

evidence concerning the lives of the individual students and lectors can greatly improve our understanding of the way the system functioned.

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