The Third Order in the Biographies of St. Francis

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The purpose and limits of this study are clearly expressed in my title: "The Third Order in Thirteenth-century Biographies of St. Francis." For several reasons it is opportune to examine the origins of the Third Order in the light of the biographical sources. It seems to me that in the many historical studies published about the Third Order, the biographical texts have not yet been given a thorough philological, historical analysis. In addition, reviewers of the fundamental work by Fr. Gilles Gerard Meersseman, O.P., Dossier de l'Ordre de la Pénitence au XIII^e siècle, have rightly pointed out, and almost unanimously so, that the author did not give sufficient consideration to the narrative sources. However, I do not consider it a waste of time to try to fill these

¹This is not the proper forum to give an exhaustive bibliography on our topic. [This was delivered at the First Congress of Franciscan Studies, held in Assisi, July 3-5, 1972. — Editor.] The most valid study is still that of Fidentius van den Borne, O.F.M., Die Anfänge des franziskanischen Dritten Ordens: Vorgeschichte-Entwicklung der Regel: Ein Beitrag zur Geschichte des Ordens-und Bruderschaftswesens in Mittelalter (Munster, 1925), pp. 175-79), bibliog. 77-102 (study of biographical sources), hereafter cited as Anfänge. Among the later works written for a broader audience I would like to mention: Antonino da Sant'Elia Pianisi, O.F.M.Cap., Manuale storico-giuridico-pratico sul Terz'Ordine francescano (Rome, 1947), pp. 74-78; F. Casolini, "Appunti per una storia del T.O.F." in Il Terz'Ordine Francescano nella spiritualità, nella storia, nel diritto, nella sociologia serafica (Rome, 1955), pp. 75–174, especially pp. 91–103, hereafter cited as "Apunti." See also L. Canonici, O.F.M., "Contributo alla storia del T.O.F." in Terzo Ordine Francescano: Lezioni di storia, legislazione, spiritualità, apostolato (Rome, 1967), pp. 29-44; C. Sartorazzi, O.F.M., Esperienza spirituale del laicato francescano (Trent, 1970), pp. 7-10; H. Roggen, O.F.M., Geschichte der franziskanischen Laienbewegung, transl. G. Jung, O.F.M.; ed. Gregor Gebken, O.F.M. (Werl in Westphalia: Bücher franziskanischer Geistigkeit, 15, 1971), pp. 29–41. See also R. Brown, "A Francis of Assisi Research Bibliography," in O. Englebert, St. Francis of Assisi (Chicago, 1965), pp. 575–77; C. van de Laar, O.F.M.Cap., Collectanea Franciscana-Bibliographia Franciscana, 1931-70, index,

² Spicilegium Friburgense: Textes pour servir à l'histoire de la vie chrétienne, 7 (Fribourg, Switzerland, 1961). Among the editions I am aware of, the following mention this problem: Mariano D'Alatri, O.F.M.Cap., in *Collectanea Franciscana* 32 (1962): 638–45; G. Cracco, in *Studi Mediev.*, 3d. series (1962): 638–45; L. Hardick, O.F.M., in

gaps by following the chronological order of the biographies of St. Francis³ against the background of the period in which they were written. In this way we may understand precisely what their authors wanted to express and, therefore, what the attentive reader of their day was supposed to learn from them. Thus Part 1 of this article will comprise a philological and historical study of the biographical sources. In Part 2 I shall attempt to make a comparative synthesis of what can be learned from it.

Part 1

A Philological and Historical Study of the Biographical Sources in Chronological Order

A standard principle of historical methodology requires that we subject the biographical sources about St. Francis to impartial analysis before we summarily dismiss them as lacking critical value. The authors who refer to past events or institutions of which they were eyewitnesses deserve a calm, attentive hearing as long as we do not find clear reasons to question their objectivity. Fr. Meersseman himself affirms that "when we study the earliest biographies of St. Francis from the point of view of the ecclesiastical institutions of the period, we often find details of a juridical nature in poetic expressions."

1) Thomas of Celano

In the order of time and importance, the first testimony is given us by Thomas of Celano, in his *First Life of St. Francis*, in 1229:

Thanksgiving and voice of praise resounded everywhere, so that many have put aside worldly cares and gained knowledge of themselves from the life and teaching of the most blessed Francis, and they longed to attain love and reverence for the Creator. Many people, both noble and ignoble, cleric and lay, impelled by divine inspiration, began to come to St. Francis,

FSien 45 (1963): 193-96; K. Eser, O.F.M., in Theol. Rev. 59 (1963): 92-95; S.Clasen, O.F.M., "Die Anfänge des Dritten Ordens," in Wissenschaft und Weisheit 26 (1963): 126-33; J. Poulenc, O.F.M. in Arch. Franc. Hist. 57 (1964): 552-62. See also G. Sabatelli, O.F.M., Archivum Franciscum Historicum 57 (1964): 398-402). [Gilbert Barth's English translation of the introduction to Meersseman's Dossier can be found in AnalTOR (1983): 137. — Trans.]

³ I am not overlooking the fact that establishing a chronological order of the sources depends of the assumption of a given position on the complex "Franciscan Question." For my position, I refer the reader to my article: "A Francisco legendarum ad Franciscum historicum: Quaestio franciscana et vita S. Francisci duplici opere illustratae," in *CF* 38 (1968): 373–92. See also my article "Scripta Leonis, Rufini et Angeli sociorum S. Francisci," ibid. 41 (1971): 141–47.

⁴G.G. Meersseman, "Disciplinati e Penitenti del Duecento," in *Il Movimento dei Disciplinati nel settimo centenario dal suo inizio (Perugia-1260)* (Spoleto, 1962), pp. 43–72, esp. p. 46, n. 1.

wanting to carry on the battle constantly under his discipline and under his leadership. All of these the holy man of God, like a plenteous river of heavenly grace, watered with streams of gifts; he enriched the field of their hearts with flowers of virtue, for he was an excellent craftsman. By the heralding of his plan, rule, and teaching, the church is being renewed among men and women, and the threefold army [trina ... militia] of those who need salvation is flourishing. He attributed a norm of life to everybody, and he pointed out a genuine means of God's grace in every walk of life.⁵

The above passage is set in the context of Francis's return from Rome, where he had obtained Pope Innocent III's official recognition of his Gospel fraternity, his religio. He received this approval, although only orally, despite the pope's practice of trying to limit the number of new religious institutes to what it had been before. Using the faculty that the pope had granted him and his friars to "preach penance to all" (1Cel 33), they "went about the towns and villages announcing the kingdom of God, preaching peace, teaching salvation and penance unto the remission of sins, not in the persuasive words of human wisdom, but with the learning and power of the Holy Spirit" (1Cel 36).

The testimony which most concerns us gives a precise description of the extraordinary result of Francis's itinerant penitential preaching. Under the impulse of grace, moved to salutary repentance⁷ by the spiritual teaching of Francis, many faithful of all social classes (nobiles et ignobiles), clerics and laity (see 1Cel 31), were thinking about abandoning "the cares of the world." They turned to him with the express desire of serving the Lord for ever⁸ under his guidance and spiritual teaching. With the rather bold metaphor of rain watering the earth

⁵ 1Cel 37 [English translation from St. Francis of Assisi: Omnibus of Sources (Chicago, 1973), pp. 259–60. The Latin salvandorum (line 12 of p. 260) in my antique first edition is erroneously translated by Herrmann as 'served' instead of 'saved', as Ignatius Brady has pointed out. — Trans.]: "Resonabat ubique gratiarum actio et vox laudis, ita ut multi, saecularibus curis abiectis, in vita et doctrina beatissimi patris Francisci suimet reciperent notitiam et ad Creatoris amorem et reverentiam aspirarent. Coeperunt multi de populo, nobiles et ignobiles, clerici et laici, divina inspiratione compuncti, ad sanctum Franciscum accerere, cupientes sub eius disciplina et magisterio perpetuo militare. Quos omnes Sanctus Dei, velut caelestis gratiae rivus uberrimus, charismatum imbribus rigans, agrum cordis ipsorum virtutum floribus exornabat: egregius nempe artifix, ad cuius formam, regulam et doctrinam, efferendo paeconio, in utroque sexu Christi renovatur Ecclesia et trina triumphat militia salvandorum. Omnibus quoque tribuebat normam vitae ac salutis viam in omni gradu veraciter demonstrabat."

⁶Cf. M. Maccarrone, "Riforma e sviluppo della vita religiosa con Innocenzo III," in *Rivista di Storia della Chiesa in Italia* 16 (1962): 29–72, esp. pp. 56–59.

⁷ See Dict. Spirit. s.v. "Componction." For the Franciscan field, see also Thomas of Celano, Legend of St. Clare, n. 59 [in R. Armstrong, ed. and trans., Clare of Assisi: Early Documents (New York and Mahwah: Paulist Press, 1988) p. 238 — Trans.] Two other sources are cited by Meersseman in Dossier, pp. 5, 53.

⁸ For this meaning see Dictionnaire latin-français des auteurs chrétiens s.v. "militare."

and making it bear fruit, the biographer illustrates the effect of Francis's apostolate on the hearts of people. He describes Francis as an extraordinary artist of the spirit because, for through his plan, his rule, and his teaching, 10 the reform of the church was brought about among men and women, and already at that time a threefold religious institute was flourishing among the faithful.

I maintain there is valid reason for calling this community "a three-fold religious institute" for several reasons. First of all, the word militia, in a religious context, normally assumes the meaning of "service of God," or "a condition of clerical life." Furthermore, the term is used in this way by Celano himself, 12 and by Julian of Speyer 13 and St. Bonaventure. 14 Therefore, I cannot agree with the position of the editors of the Quaracchi edition, who apply the term trina ... militia to the three states of life, that is: priests, religious and laity. 15 The terms 'regular' ('regolare': Sub eius disciplina et magisterio militare; ad cuius formam, regulam et doctrinam ... renovatur Ecclesia [under his discipline and institutional leadership]), and 'penitents' ('penitenziale': Saecularibus curis abiectis; compuncti [subject to worldly cares; sorrowing]) 16 sug-

⁹ See Dict. Spir. s.v. "Disciplina." See also Meersseman, Dossier, p. 329a; K. Esser, Anfänge und ursprüngliche Zielsetzungen des Ordens der Minderbrüder (Leiden, 1960), p. 141.

See Meersseman, Dossier, pp. 329b, 331a, 341b; Esser, Anfänge, p. 286a (forma vitae).
 Dictionnaire, s.v. "militia."

¹²2 Cel 212 uses iam emeritae militiae when speaking of Francis before his death. See Omaechevarria, p. 136: "nova militia pauperum", that is, the First Order.

¹³ Vita S. Francisci 3: "novae militiae dux futurus."

¹⁴ Legenda major XIII 10: "dux in militia Christi futurus."

¹⁵ See Analecta franciscana 10 (1926–41): 377, n. 1: "The threefold number here [in Julian of Speyer's Officium rhythmicum S. Francisci, Ad I Vesperas, hymnus (Gregorii IX)] is often seen as an allusion to the three orders instituted by St. Francis..., but should be understood as corresponding to the three categories of the faithful who respond to the three Orders." See also Damian Vorreux, O.F.M., in Saint François d'Assise: Documents, écrits et premières biographies (Paris, 1968), p. 250, n. 4: "The reference is to the three states of life in the church: clerics, religious and laity; as well as to the three Franciscan Orders: Friars Minor, Poor Clares, and Tertiaries." See also the clarifications of Atanasiò G. Matanic, O.F.M., I Penitenti francescani dal 1221 (Memoriale) al 1289 (Regola bollata) principalmente attraverso i loro Statuti e le Regole (under III).
¹⁶ See Meersseman, Disciplinati e Penitenti, p. 49: "The Brothers and Sisters of Penance

¹⁰ See Meersseman, Disciplinati e Penitenti, p. 49: "The Brothers and Sisters of Penance voluntarily adopted the way of life imposed by Canon Law for reconciled public sinners, and especially fasting and abstinence on certain days of the week, daily Mass attendance and the recitation of the canonical Hours, abstaining from worldly feasts and public spectacles, being prohibited from exercising public office or bearing arms, renouncing marriage for those who were still celibate, and periodic continence (during the feriae legitimae) for the married, and a modest dress composed of a simple tunic and a mantle of undyed wool."

gest that the clerics and laity who turned to Francis were making a commitment to a certain type of religious life.

The passage we have examined ends with the statement that the saint gave a rule (normam vitae)¹⁷ to all who came to him for advice; and he led them on the way of salvation according to their state of life. Unfortunately, the first biographer does not tell us more precisely what this Rule consisted of. However, quite probably Francis provided for the religious demands of the laity in a manner not very different from the one he followed in drafting the Proto-rule for the First Order, ¹⁸ or the forma vivendi, that he gave to the Poor Ladies of San Damiano. ¹⁹

The semantic and historical analysis of Thomas of Celano's testimony yields more information than would seem possible at first glance. Besides the Order of Friars Minor (1 Cel 38) and the Poor Ladies of San Damiano (1 Cel 18), a group of secular priests and laity gathered around St. Francis and asked to share his spiritual charism. He gave them a form of life that took into account their secular state. Unfortunately, the biographer does not give us more details, such as how many members the groups had, or if they were organized into local fraternities, or what was done to provide for their continuing spiritual assistance. Given the predominantly itinerant lifestyle of the first friars, it is hardly probable that they could guarantee on-going spiritual direction.

A question with special historical interest concerns the period when those lay penitential groups began to arise. Despite the biographer's express intention (1Cel prol. 2) to follow "the historical order," he does not always do so. However, from the context in which Celano's testimony is found, it seems we can deduce that these groups arose rather early on as a result of Francis's penitential preaching.²⁰

2) Julian of Speyer

In 1231/2 the Office of St. Francis (Officium S. Francisci)²¹ by Julian of Speyer introduces for the first time the imagery of the three churches (San Damiano, San Pietro della Spina, and Our Lady of the Angels),

¹⁷ See Meersseman, Dossier, p. 76 (Nicholas IV, Aug. 8, 1290). See van den Borne, Anfänge, p. 81.

 $^{^{18}}$ 1Cel 32: "He wrote for himself and his brothers, present and to come, simply and with a few words, a form of life and Rule, using for the most part the words of the holy Gospel."

¹⁹ TestCl 33-34: "Afterwards he wrote a form of life for us, especially that we always persevere in holy poverty. While he was living he was not content to encourage us with many words and examples to the love of holy poverty and its observance, but he gave us many writings that, after his death, we would in no way turn from it." See RCl VI 17.

²⁰ See van den Borne, Anfänge p. 81, which excludes the Third Order's origin immediately after Francis's return from Rome (1209).

²¹ [To the best of my knowledge this work has never been translated into English. — Trans.] For biographical material, see the *New Catholic Encyclopedia*, s.v. "Julian of Speyer."

which Francis restored by divine command as a prophetic sign of the three orders he founded. Thus, in the responsorial verse for second nocturn we find: "Under the image of three orders / he erected three churches / with God indicating the way."²²

The composer is even more explicit in the third antiphon of Lauds: "This man founded three orders: / he called the first of the Friars Minor, / he made the second of Poor Ladies, / but the third he chose of the penitents of both sexes." 23

First of all, I would like to emphasize the interest that Julian of Speyer gives to this topic.²⁴ He states unequivocally that Francis organized and gave form to three Orders.²⁵ We should also note the name of the Third Order, namely, the *Ordo ... Poenitentum*, which includes "people of both sexes."²⁶

Julian later developed these same themes of his Office in his Life of St. Francis, written between 1232 and 1235. There he returns to the symbolic theme of the three churches Francis restored as an image of the three orders:

I do not think that this labor of building up the three churches mentioned above lacks a mysterious ulterior significance. Rather, I think that, according to God's will, it prefigured what this simple man marvelously fulfilled by his life and work, which carried three famous orders to perfection. These things we must treat, though briefly in their proper place.

 $^{^{22}}$ Julian of Speyer, $O\!f\!f\!i\!cium~S.~Francisci$, in II Nocturno, responsoria, n. 14: "Sub typo trium Ordinum / Tres, nutu Dei praevio, / Ecclesias erexit."

²³ Ibid., Ad Laudes, n. 18, Antiphona III: "Tres Ordines hic ordinat: / Primumque Fratrum nominat / Minorum, pauperumque / Fit Dominarum medius, / Set Poenitentum tertius / Sexum capit utrumque."

²⁴ Here we could also mention the rather obscure reference in the sixth verse of the hymn from First Vespers *Proles de caelo prodiit* attributed to Gregory IX (1228): "Dum reparat virtutibus / Hospes triplex hospitium, / Et beatarum mentium / Cum templum Christo consecrat" (While the wayfarer repairs it with the virtues / of sojourners and of blessed souls/ He consecrates the temple to Christ). See B. Cornet, O.F.M., "Le 'Proles de delo prodiit' de Grégoire IX en l'honneur de saint François," in *Etudes franciscaines* n.s. 2 (1951): 427–61, esp. pp. 552–56. The sequence *Caput draconis* was also written by the same pontiff. In its sixth verse we read: "Acies trinas ordinat / Expeditorum militum / Ad fugandum exercitum / Et tres catervas daemonum, / Quas draco semper roborat" (He ordered the threefold battle-array / of unimpeded soldiers / to put to flight the army / and the three troops/ which the serpent always strengthens").

²⁵ See Dictionnaire, s.v. "ordinare."

²⁶ See van den Borne, *Anfänge*, pp. 82–83.

²⁷ See Sophronius Clasen, O.F.M., Legenda antiqua S. Francisci: Untersuchung über die nachbonaventurianischen Franziskusquellen, Legenda trium sociorum, Speculum perfectionis, Actus B. Francisci et sociorum eius und verwandtes Schrifttum (Leiden, 1967), pp. 347–50, hereafter cited as Legenda antiqua.
²⁸ Julian of Speyer, Vita S. Francisci 14: "Non hoc arbitror absque dignioris rei mysterio

Julian of Speyer, Vita S. Francisci 14: "Non hoc arbitror absque dignioris rei mysterio gestum, quod videlicet iste Sanctus tres ecclesias supradictas erexit; at illud nimirum nutu Dei praevio per hoc existimo figuratum, quod et ipse vir simplex mirabiliter

The heart of this testimony can be reduced to this statement: As Francis rebuilt three churches, he also began three distinct religious orders, which he promoted to the state of perfection in word and deed.

The biographer treats the topic even more completely in another section of the *Life*, in which his literary dependence on Celano is very clear. After having recalled the itinerant preaching of the divine word with which Francis "constantly preached penance," he describes the abundant spiritual results:

Educated men marveled at the power of the words of him who had not been taught by man, and seeing the noble and low born, rich and poor, crowd around him in bands, they astutely made their way to him as though to a new star rising in the darkness. In fact, he allotted a plan of salvation to persons of every state and condition, age and sex, giving them all a rule of life. Today, the church rejoices that his felicitous leadership of both sexes has brought about a threefold army of those who are to be saved.²⁹

Since Julian was no longer an eyewitness to the events, nor, since he lived in Paris, was he in a position to conduct personal interviews with the surviving first companions, it is very interesting to note how he interpreted Thomas of Celano, his main source. Following the literary style of his predecessor, he mentions the great outpouring of people who asked for the saint's spiritual guidance. Francis knew how to adapt his religious teaching to the different situations of his petitioners, who were of different social classes, states of life, age and sex. The following statement, a rather complex one, deserves to be translated in its entirety: "To all he gave a rule of life, which, followed as a fortuitous guide by both sexes, has a result that the church today triumphs for the threefold army of those chosen for salvation."

For the moment, we should note that here Julian, together with Thomas of Celano, speaks expressly of a set of norms given to the laity by St. Francis, that governed their life (vivendi regulam). Furthermore, just a few years after his First Life of St. Francis, Julian certainly

adimplevit, qui tres celebres Ordines, de quibus suo loco breviter tangendum est, inchoans, ipsos ad perfectionis statum vita verboque provexit."

²⁹ Ibid., v. 23: "Mirabantur viri litterati eius, quem non homo docuerat, verborum virtutem, videntes ad ipsum nobiles et ignobiles, divites et egenos turmatim confluere, eique, veluti novo sideri in tenebris orienti, sollerter intendere. Omni namque ordini, condicioni, aetati et sexui congruenter documenta salutis impendit; omnibus vivendi regulam tribuit, cuius hodie felicem ducatum in utroque sexu sequentium triumphare se gaudet Ecclesia triplici militia salvandorum.... Tres enim, ut supra tetigimus, Ordines ordinavit; quorum primum ipse profesione simul et habitu supra omnes excellentissime tenuit, quem et Ordinem Fratrum Minorum, sicut in Regula scripserat, appellavit. Secundus etiam, qui supra memoratus est, pauperum Dominarum et virginum felix ab eo sumpsit exordium. Tertius quoque non mediocris perfectionis Ordo Poenitentium dicitur, qui clericis et laicis, virginibus, continentibus coniugatisque communis, sexum salubriter utrumque complectitur."

interprets Celano's trina ... militia as three orders, which he expressly names in the next sentence, ³⁰ It is superfluous to mention that this confirms our interpretation of Celano's text. Having mentioned the Order of Friars Minor and the Poor Ladies which St. Francis founded, Julian proceeds: "The Third [Order] ... is called the 'Order of Penitents,' which beneficially encompasses clerics and laity, virgins and unmarried, and married persons of both sexes".

The name "Order of Penitents" is emphasized. However, the biographer does not mention, as he explicitly does for the First Order, that Francis personally gave it its name. He also emphasizes the fact that there is universal access to it — people of all social classes and states in the church. Besides virgins and married people, he mentions "those who are continent" (continentes) — certainly a reference to those who, although united in marriage, abstained from marital relations for ascetical reasons.³¹

The historical importance of Julian of Speyer's testimony seems to be not only in the greater interest that he gives the Order of Penitents, ³² as compared to Celano, but also in the fact that Francis, in an official document such as the liturgical texts for the feast only six years after his death, seems to be tied by a bond of spiritual paternity to this lay religious group. However, that his ties with three institutes are not necessarily of the same nature is seen by the simple fact that Julian connects the Order of the Poor Ladies with Francis as their founder, for the sake of the symbolic number three, passing over in silence St. Clare's essential role as co-foundress. ³³

3) The Legend of the Three Companions

This is not the place to go into the complex problem of the authenticity of the *Legend of the Three Companions*. As I have expressed elsewhere, ³⁴ using the research of Sophronius Clasen, O.F.M. and Théophile Desbonnets, O.F.M., I believe it is critically certain that chapters 1 to 16 are the genuine work of the Three Companions, who signed the letter that regularly precedes the legend in the manuscript codices. ³⁵

 $^{^{30}\,\}mathrm{His}\ \mathit{Tres\ enim}\ \dots$ establishes an obvious cause-and-effect relationship with the statement preceding it.

³¹ Naturally I do not intend to ignore the fact that because of the celibates' renunciation of marriage and the periodic continence of the married members during the *feriae legitimae*, the Order of Penitents was also called the "Order of Continents" (Ordo Continentium). See Meersseman, Dossier, p. 338a. See also ibid., Disciplinative Penitenti, p. 49.

 $^{^{32}}$ This is clearly pointed out by van Den Borne in Anfänge, p. 83.

³³ As is pointed out in F. Casolini, "Appunti," p. 95.

³⁴ See Schmucki, A Francisco legendarum, p. 391.

³⁵ The ease with which supporters of the Legend's authenticity pass over the arguments

With that premise I cite the *Legend's* testimony about the Order of Penitents:

Married men and women, being bound by the marriage vow, were advised by the friars to dedicate themselves to a life of penance in their own homes. Thus through blessed Francis's perfect devotion to the blessed Trinity, the church of Christ was renewed by three new orders, and this had been prefigured through his previous repairs made on three churches. His three distinct orders were each in due time approved and confirmed by the sovereign pontiff. 36

It is fitting to point out that here, for the first time, we see the role of the Friars Minor who advise married men and women, who, although they cannot be released from the marriage bonds, want to share in Franciscan way of life,³⁷ retire to their own homes, and lead a life of penance more strictly than other Christians. Here we also have a reference to the symbolic harmony between the three churches restored by the penitent-saint and the three orders he founded to reform the church. However, there is a new motif, a Trinitarian one, in that it was supposed to be inspired by "Francis's perfect devotion to the blessed Trinity."³⁸

The passage ends with a general reference to the papal approval of the three orders, which, according to the demolishing criticism of François Van Ortroy, S.J., constitutes one of the main reasons for rejecting the authenticity of the *Legend*. As Paul Sabatier pointed out in arguing against the famous Bollandists, the term "confirmed by the sovereign pontiff" does not necessarily refer to the definitive confirmation of the Order of Penitents in 1289, but can refer to one of the many Bulls granted in their favor, beginning with that of Honorius III. 39

is amazing, e.g. G. Philippart, "Les écrits des compagnons de S. François: Aperçu de la 'Question franciscaine' des origines à nos jours," in Analecta Bollandiana 90 (1972): 143–46. See the critical study by Théophile Desbonnets, "La légende des Trois compagnons: Nouvelles recherches sur la généalogie des biographies primitives de saint François," in AFH 65 (1972): 66–106. See also the basic introduction by Sophronius Clasen, O.F.M., Die Dreigefährtenlegende des heiligen Franziskus: Die Brüder Leo, Rufin und Angelus erzählen vom Anfang seines Ordens, trans. and comments by Engelbert Grau, O.F.M. (Werl in Westphalia, 1972), pp. 25–168.

³⁶ L3S 60: "Similiter et viri uxorati et mulieres maritatae, a lege matrimonii [discedere] non valentes, de fratrum salubri consilio se in domibus propriis arctiori paententiae committebant. Et sic per beatum Franciscum, sanctae Trinitatis cultorem perfectum, Dei Ecclesia in tribus Ordinibus renovatur, sicut trium ecclesiarum praecedens reparatio figuravit, quorum Ordinum quilibet tempore suo fuit a Summo Pontifice confirmatus."

³⁷ This desire is seen as a result of the immediate context in which mention is made of the many vocations to the First and Second Orders.

 $^{^{38}}$ See Willibrord Lampen, O.F.M., "S. Franciscus, cultor Trinitatis," in *AFH* 21 (1928): 449–67.

³⁹ See Clasen, Dreigefährtenlegende, pp. 35–37. See also Théophile Desbonnets, O.F.M., in Saint François D'Assise: Documents, pp. 777–78. See also Meersseman, Dossier, pp.

4) The Anonymous of Perugia

In 1902, under the insignificant title of Anonymus Perusinus, Van Ortroy published the work of a Friar Minor who claimed to be a disciple of St. Francis's companions, 40 and who, therefore, did not necessarily know the founder in person. He composed his biographical work with the Legend of the Three Companions before him. The author describes his intention in the following words: "I have narrated and compiled some of the deeds of our most blessed brother and some of his brothers who came at the beginning of the Religion." First he mentions the enthusiasm for and spontaneous spread of the First and Second Orders, which was caused by the first friars' preaching:

Those whom the friars received they brought to Blessed Francis so that they could be invested by him. In the same way, many women, both virgins and those without husbands, hearing the friars' preach, were pierced to the heart and came to them, saying: "What can we do? We cannot join up with you. So tell us how we can save our souls." In response, the friars established, in each of the towns that they could, enclosed monasteries where these women could do penance. They also appointed one of the friars as their visitator and corrector.

^{41–57.} On page 4, note 1, he states: "We believe that the two Legends are referring to Bulls 1–5 (1221–27), which do not constitute a papal confirmation of the Third Order in the strict sense of the word, like the Bulls in favor of the Friars Minor and Poor Clares. Nonetheless, the papal acts reconfirm certain privileges granted the Penitents." By analogy it would be correct to mention the following testimony, which illustrates the same phenomenon of the laity's attraction to St. Clare: "Any number of virgins, excited by the stores of Clare, although they were not able to enter the enclosed life, strove to live a regular life without a Rule in their own home. So many of these seeds of salvation did Clare bring to fruition by her example that in her the prophecy was fulfilled (Isaiah 54: 1): Many are the children of the barren one more than of her who has a husband" (LegCl 10, in Armstrong, Clare of Assisi, p. 200).

⁴⁰ See van Ortroy, S.J., "La Leggenda latina di S. Francesco secondo l'Anonimo Perugino," in Miscellanea Franciscana 9 (1902): 33–35 (introd.), pp. 35b–48b (text). See esp. p. 36a, n. 2. On this source see Giuseppe Abate, O.F.M.Conv., Nuovi studi, pp. 61–68; Clasen, Legenda antiqua, p. 277. Desbonnets, in Saint François d'Assise, pp. 788–91. Desbonnets says in La Légende des Trois Compagnons, pp. 91–92: "The Anonymous of Perugia is a source for the Legend of the Three Companions." See also Clasen, Dreigefährtenlegende, pp. 130–52. [An English translation by Eric Kahn, O.F.M., of the Anonymous of Perugia can be found in Damian Isabell, O.F.M., Workbook of Franciscan Sources, 3d edition (Chicago: Franciscan Herald Press, 1975); also in the New Round Table 36 (1983): 33–52 — Trans.].

⁴¹AP 2: "Aliqua de actibus beatissimi fratris nostri Francisci et aliquorum fratrum qui venerunt in principio Religonis narravi et compilavi."

⁴² Ibid., v. 41: "Illos autem quos fratres recipiebant, ad beatum Franciscum adducebant ut induerentur ab eo. Similiter et multae mulieres, virgines etiam non habentes viros, audientes praedicationem eorum, veniebant corde compuncto ad eos dicentes: 'Quid faciemus autem nos? Vobiscum esse non possumus. Dicite ergo nobis quomodo salvare nostras animas valeamus.' Ad hoc ordinaverunt per singulas civitates quibus potuerant monasteria reclusa ad paenitentiam faciendam. Constituerunt autem unum de fratibus qui esset visitator et correptor earum."

He then adds:

Likewise husbands said: "We have wives, who will not allow us to send them away. Teach us, therefore, a way that we may securely take of salvation." So, the friars organized them into an order, called the Order of Penitents, and had it confirmed by the Supreme Pontiff.⁴³

Thus the author agrees with the *Three Companions* in emphasizing the cooperation of the first friars in spreading the Order of Penitents. A characteristic of the unknown writer is the dramatic element in which he presents some married men in direct dialogue with the Friars Minor. In this context it is natural that he would be speaking exclusively of men who belong to the Order of Penance without directly mentioning the women.⁴⁴

5. St. Bonaventure

The General Chapter of 1260 in Paris gave St. Bonaventure the task of writing a 'definitive' life of St. Francis, which would do away with some of the inconveniences caused by such a variety of biographies. Besides reconstructing the life and holiness of the founder, the Seraphic Doctor wanted to respond to attacks from opponents of the mendicant orders in Paris, and correct some of the interpretations of salvation history being made by the Joachimites in his own order.⁴⁵

We should not be surprised, then, to find this great theologian of the Trinitarian mystery reaffirming the symbolism of the three churches Francis restored, and linking it with the three orders Francis founded:

⁴³ Ibid.: "Similiter et viri uxores habentes dicebant: 'Uxores habemus, quae dimitti se non patiuntur. Docete ergo nos quam viam tenere salubriter valeamus.' At illi ordinaverunt ex ipsis Ordinem, qui Paenitentium Ordo vocatur, facientes hoc a Summo Pontifice confirmari."

⁴⁴ Van den Borne, Anfänge, pp. 89–91. In the meantime he changed his mind about the critical value of the Legend of the Three Companions. See his "Neues Licht nach 50 Jahren Quellenforschung," in Wiss. Weish 31 (1968): 208–23, especially pp. 216–18. I would like to take the opportunity to mention here a witness that exceeds the limits of this study, because it does not occur in a written biography of St. Francis, but in a biblical commentary: Alessandro Minorita, O. Min., Expositio in Apocalypsim, c. 21 (Weimar: A. Wachtel, 1955), p. 485: "Undecim iacinctus, qui est cerulei coloris, nubilus in obscuro et rutilat in sereno. Per istum designatur Ordo Paenitentium, qui undecimo loco inseritur. Nam secundum historias sanctus Franciscus post Ordines Fratrum Minorum Pauperumque Dominarum Ordinem istorum constituit [The eleventh stone is jacinth, which is blue in color, opaque in the dark and radiant in daylight. It symbolizes the Order of Penitents, which was put into the eleventh place. For, according to historians, St. Francis founded their Order after those of the Friars Minor and of the Poor Ladies.]" The author (pp. 12, 31–32) wrote the last edition to come down to us in 1249.

⁴⁵ See Clasen, Legenda antiqua, pp. 360–70; idem, "Einteilung and Anliegen der Legenda maior S. Francisci Bonaventuras," in FSien 27 (1967): 115–62). See Théophile Desbonnets, O.F.M., "Quelques modifications in apportées par saint Bonaventure au texte des sources de la 'Legenda maior'," in Etudes franciscaines, suppl., n.s. 18 (1968): 161–66. See also G. Miccoli, "Di alcuni passi di san Bonaventura sullo sviluppo dell'ordine francescano," in Studi Mediev., 3d series, 11 (1970): 381–95.

This is the place where the Order of Friars Minor was begun by St. Francis under the inspiration of divine revelation. For at the bidding of divine providence, which guided Christ's servant in everything, he physically repaired three churches before he began the order and preached the Gospel. This he did not only to ascend in an orderly progression from the sensible realm to the intelligible, from the lesser to the greater, but also to symbolize prophetically, in external actions perceived by the senses, what he would do in the future. For like the three buildings he repaired, so Christ's church, with its threefold victorious army of those who are to be saved, was to be renewed under his leadership in three ways: by the structure, rule, and teaching that he would provide. And now we see that this prophecy has been fulfilled. This is obviously a literary variation of a well-known theme with some reference to Celano's First Life of St. Francis, and Julian of Speyer's Life of St. Francis. The expert hand of the mystical theologian is evident, letting himself be led from St. Francis to divine providence, to the hierarchical structure of the cosmos, and to the impulse of sursumactio, with overtones of Pseudo-Dionysius, for whom "through tangible things future occurrences are presented."

The statement that concerns us most directly is a typical case of the Seraphic Doctor's editorial technique, in that the sentence formulated with such great style summarizes the preceding chapter and introduces the next one.⁴⁸ As Francis repaired three churches, the church would also be repaired in a threefold way: according to the form, rule and doctrine which he proposed. Also, a triple army of the elect would flourish, that is, a threefold religious family.

The same statement, using even some of the same words, can be found in Bonaventure's *Minor Life*, in which, however, the symbolism is further developed with the biographical element of the voice of the crucifix that addressed Francis three times. He further specifies that "this was a prophetic sign (*praeambulum ... signum*), which we now see fulfilled in the three orders that he founded."

⁴⁶LM II 8 [in Ewert Cousins, ed., Bonaventure (New York, Ramsey and Toronto: Paulist Press, 1978), pp. 197–98 — Trans.]: "Hic est locus, in quo Fratrum Minorum Ordo a sancto Francisco per divinae revelationis instinctum inchoatus est. Divinae namque providentiae nutu, qua Christi servus dirigebatur in omnibus, tres materiales erexit ecclesias, antequam, Ordinem inchoans, Evangelium praedicaret, ut non solum a sensibilibus ad intelligibilia, a minoribus ad maiora ordinato progressu conscenderet, verum etiam, ut quid eeset facturus in posterum, sensibili foris opere mysterialiter praesignaret. Nam instar reparatae triplicis fabricae ipsius sancti viri ducatu, secundum datam ab eo formam, regulam et doctrinam Christi triformiter renovanda erat Ecclesia trinaque triumphatura militia salvandorum, sicut et nunc cernimus esse completum."

⁴⁷Concerning the influence of Pseudo-Dionysius see Jacques Guy Bougerol, O.F.M., "Saint Bonaventure et le Pseudo-Denys l'Aréopagite," in "Doctr. Litt. M.A.," *AFH* 44 (1969): 131–67.

⁴⁸ This technique was first pointed out by Clasen, *Einteilung*, esp. p. 119.

⁴⁹ LM I. For details about the divine command repeated three times, I refer the reader to my study: "Das Leiden Christi im Leben des hl. Franziskus von Assisi," in CF 30 (1960): 245–52, esp. p. 250 [English in Greyfriars Review, vol. 4, supplement. — Editor]

Bonaventure gives a still more detailed account in another passage of his *Minor Life*, where we read:

Set on fire by the fervor of his preaching, a great number of people bound themselves by new laws of penance according to the *Rule* that they received from the man of God. Christ's servant decided to name this way of life the Order of the Brothers of Penance. As the road of penance is common to all who are striving toward heaven, so this way of life admits clerics and laity, single and married of both sexes. How meritorious it is before God is clear from the numerous miracles performed by some of its members.⁵⁰

In the testimony quoted above, once again we see the founding of the Order of Penitents related to the saint's intense preaching period after his return from Rome (1209). Belonging to this institute is described as "binding themselves by new laws of penance according to the Rule they received from the man of God." The biographer therefore supposes a rule composed by Francis that expressed a penitential life-style. There is also his very explicit reference to the name of the institute, that is, "the Order of the Brothers of Penance." Bonaventure the theologian sees the deep motivation for the universal accessibility to the penitential order in the general obligation to follow the path of penance in order to achieve salvation. It is not without historical interest that the Seraphic Doctor adds here in conclusion that the miracles performed by some of its members show the merit of the Order of Penitents. At the time that he was writing the Minor Life (1260-1263), the biographer must have already known about some prominent penitents inspired by Francis.52

⁵⁰LM IV 6 [in Cousins, Bonaventure, p. 210 — Trans.]: "Nam praedicationis ipsius fervore succensi, quam plurimi secundum formam a Dei voro acceptam novis se paenitentiae legibus vinciebant, quorum vivendi modum idem Christi famulus Ordinem Fratrum de Paenitentia nominari decrevit. Nimirum, sicut in caelum tendentibus paenitentiae viam omnibus constat esse communem, sic et hic status clericos et laicos, virgines et coniugatos in utroque sexu admittens, quanti sit apud Deum meriti, ex pluribus per aliquos ipsorum patratis miraculis innotescit."

⁵¹See also Meersseman, *Dossier*, p. 338a.

⁵² A. Van Den Wyngaert, O.F.M., "De Sanctis et Beatis juxta codicem fr. Marini Fiorentini," in AFH 14 (1921): 3–35. Here we should also add the evidence found in "Sermo II de S.P.n. Francisco," no. 1, [in Omnibus, p. 837]: "Moreover, he founded three orders. The first was the Order of Friars Minor, and the second the Order of the Sisters of St. Clare (at first they were known as the Poor Ladies of Saints Cosmas and Damian, but now that St. Clare has been canonized [1255], they are called the Sisters of St. Clare). He also founded a third order, which is called the Order of Penitents, or the Brothers of Penance. St. Francis founded these three institutions, and they were like three daughters to him. They exist only for the service of God." Bonaventure gave the preceding sermon on October 4, 1267 in Paris. See Sophronius Clasen, O.F.M., "Die Anfänge des Dritten Ordens," in Wiss. Weish. 26 (1963): 129a, which rightly emphasizes the historical importance of this statement.

6. The Legenda monacensis

Here I would like to make a brief reference to the Legenda monacensis S. Francisci, by a Benedictine monk, probably from the monastery of Oberaltaich. He wrote his biographical summary sometime between 1263 and 1282, possibly in 1275, referring to lives of St. Francis that had been written previously:

[Francis] established three orders in the church.... The third is called that of penitents, which embraces married as well as continent persons, clerics and lay, of both sexes, who have not yet undertaken the renunciation of property. It is known to prosper satisfactorily. With God indicating the way, [Francis] repaired the above-mentioned churches through a threefold typology of three orders."

It is obvious that this testimony has no autonomous historical value, but it testifies to the fact that in the second half of the thirteenth century, Francis's institution of the Order of Penance is also acknowledged outside Franciscan circles. Note the author's personal comment that this institute comprised lay people from all social classes "who have not yet risked the renunciation of their property."

7) Bernard of Besse

Among all the thirteenth-century biographies of St. Francis, the most complete description of the penitents is offered by St. Bonaventure's secretary, Bernard of Besse (d. ca. 1300–1304), who composed his *Liber de laudibus beati Francisci* some time after 1278.⁵⁴ In the passage that concerns us we read:

The fruit of Francis's teaching shines forth especially in the three orders founded by him....⁵⁵ The Third Order is that of Brothers and Sisters of Penance, and is common to clerics, laymen, virgins, widows, and the married. They propose to live honorably in their own homes, to attend to works of piety, and to flee the pomp of the world. Thus, you may sometimes see among them nobles, knights, or other great men according to the world, wearing simple black hairshirts under their mantles, humbly dressed, and riding on an uncaparisoned horse. They associate so unpretentiously among the indigent that you cannot doubt that they are truly God-fearing people. In the beginning, a friar was assigned to minister to

⁵³ "Tres autem Ordines instituit in Ecclesia.... Tertius dicitur Paenitentum, qui sexum capit utrumque et tam coniugatis quam continentibus, clericis et laicis etiam, qui proprietati nondum renuntiare praesumunt, apte satis noscitur provenire. Sub quorum trium typo Ordinum tres, nutu Dei praevio, emoratas ecclesias reparavit." See M. Bihl, O.F.M., Preface, in Analecta franciscana 10 (1926–41): 83–85. Leg. monac., no. 14.

⁵⁴ See F.M. Delorme, O.F.M., "A propos de Bernard de Besse," in *Studi Franc.* 13 (1927): 217–28; Dean de Dieu (de Champsecret), O.F.M.Cap., in *Dict. Spir.*, s.v. "Bernard de Besse." See also J. Campbell, in *New Cath. Encycl*, s.v. "Bernard of Besse." See also S. Clasen, *Legenda antiqua*, pp. 256–57, 383–87; Th. Desbonnets, "Petit dictionnaire des sources franciscaines," in *Saint François d'Assise: Documents*, 1466.

 $^{^{55}}$ Bernard of Bessa, *Liber de Laudibus b. Francisci* VII: "Doctrinae Francisci elucet maxime fructus in tribus ab eo statutis Ordinibus."

them, but now they are sent out into the world by their own ministers, though in such a way that they are supported by the friars with counsel and help, as confreres and children of the same father. In writing the rules or forms of life of these orders, the Lord Pope Gregory of holy memory, then holding a lower office and a close friend of St. Francis, kindly supplied what the holy man lacked in the skill of composition. The saint was not content with these orders, but he strove to show the way of salvation and penance to the whole human race. It is said that he told a certain parish priest who said he wanted to be his friar if he could retain his church, that he should keep his manner of living and dressing, but that each year, when he collected the income from his church, he should give away the surplus for God. So the Lord made His servant Francis grow into a great nation (Gen. 12: 1) and gave him the blessing of all the nations.

Besides the author's conviction that Francis founded three orders, I would point out the name of the third: "the Order ... of the Brothers and Sisters of Penance," which includes all states, classes and categories. For the first time widows are expressly mentioned among the candidates. He then gives a precise description of the spiritual program of the penitential institute, namely: "To live honestly in their own houses, attend to the works of mercy, and flee this world's pomp," that is, to avoid the gaudy tinsel of a worldly life. 57 Bernard also shows the positive influence of these ideals in surmounting the social barriers that were inherent in the feudal system, with its distinctions based on birth, power and wealth.

The next part, which describes the organization of the local fraternities, creates some historical difficulties. In substance, Bernard states that at the beginning, a Friar Minor (from the context it is obvious that the term *frater* should be understood in that way) was functioning as

⁵⁶ Ibid.: "Tertius Ordo est Fratrum et Sororum de Paenitentia, clericis, laicis, virginibus, viduis et coniugatis communis, cuius propositum est: in domibus propriis honeste vivere, operibus pietatis intendere, pompam saeculi fugere. Unde videas inter eos nobiles aliquando milites vel alios magnos secundum saeculum viros cum mantellis honestis nigris pellibus involutos, in humili tam veste quam equitatura cum indigentibus sic conversari modeste, ut eos vere Deum timentes non dubites. Istis a principio frater assignabatur minister, sed nunc suis in terra dimittuntur ministris, ut tamen a fratribus tamquam confratres et eodem Patre geniti consiliis et auxiliis foveantur.... In regulis seu vivendi formis Ordinis istorum dictandis sanctae memoriae dominus papa Gregorius, in minori adhuc officio constitutus, beato Francisco intima familiaritate coniunctus, devote supplebat, quod viro sancto iudicandi scientia deerat. Nec tamen Sanctus his contentus Ordinibus, satagebat omnium hominum generi salutis et paenitentiae viam dare. Unde parochiali cuidam sacerdoti dicenti sibi, quod vellet suus, retenta tamen ecclesia, frater esse, dato vivendi et induendi modo, dicitur indixisse, ut annuatim, collectis ecclesiae fructibus, daret pro Deo quod de praeteritis superesset.... Sic Dominus survum suum Franciscum fecit crescere in gentem magnam, sic benedictionem omnium gentium dedit illi."

⁵⁷ See N. Turchi, in *Enciclopedia Cattolica*, s.v. "Pompa." See also *Diz. Enc. It.*, vo. 9, p. 614bc.

the minister of the fraternity, while, by the time when he was writing, that office was entrusted to a member of the local community.⁵⁸ It is impossible to establish the author's source for his first statement. According to all the extant juridic documents, it seems that it was always a member of the fraternity who exercised the role of local minister. On the other hand, it seems that, given the almost entirely itinerant life-style of the members of the First Order at the beginning, it would have been almost impossible to provide for the efficient government of the local fraternities of penitents who were spread all over Italy. Perhaps this text is a rather enigmatic distant echo, transformed by oral tradition, of the spiritual care that Francis himself and his first brothers gave the penitents, as we find in the passage from Celano. Whatever meaning and value we attribute to this passage, no one can deny that Bernard, with all his personal experience in the rather vast field, 59 affirms that the penitents, "as brothers and sisters given life by one father, were aided by the counsel and assistance" of the members of the First Order.

Another very interesting statement regards the help that Cardinal Ugolino, because of his intimate familiarity with Francis, offered in drafting the *Rules* of the three institutes, ⁶⁰ adding what "the saintly man lacked in juridic knowledge." With Fidentius van den Borne, O.F.M., I believe that this general statement refers primarily to the First Order, ⁶¹ and we cannot deduce clearly that the cardinal's juridic help was also used in editing a *Rule* for the penitents.

The last paragraph seems to be especially important insofar as it sheds more light on the spread of the Franciscan charism of the penitential life than on any predetermined plans and structures. Francis "sought to outline a path of salvation and penance for every type of person." To the parish priest who could not join the First Order (nor a fraternity of penitents, most probably because there was none in the area) Francis proposed a precise manner of life and dress, and he told him to distribute what was left over from what he received for his ministry. 62

⁵⁸This seems to be the proper interpretation of "nunc suis in terra dimittuntur ministris." Various translations and commentaries (e.g. Casolini, van Den Borne, and Meersseman) quickly pass over this problematic amplification of Celano's primitive text.

⁵⁹ As St. Bonaventure's secretary, Bernard accompanied him on his canonical visits. See Clasen, *Legenda antiqua*, pp. 383–84.

⁶⁰ It seems that the Latin text should read Ordinum rather than Ordinis, as van Den Borne points out in Anfänge, p. 87, n. 33, agreeing with K. Müller, while Oliger disagrees.
⁶¹ Van Den Borne, Anfänge, pp. 87–88.

⁶² Casolini, in "Appunti," p. 99, supposes that this could refer to "isolated tertiaries ... or to tertiary priests, who would be the predecessors of the Third Order Regular, or the modern priestly societies of the Third Order."

8) The Versified Legend of St. Francis

In the Pseudo-Henry of Avranches' appendix to the *Legenda versificata*, passages from St. Bonaventure and Bernard of Besse are put into hexameter. There we read the following verses which, although neither adding anything new nor creating any problems of interpretation, simply add to what he has taken:

He thus built three material churches, / signifying the mystery of spiritual building / in the three orders through which he renewed the church.... ⁶³ But because discernment strengthened the holy resolve, / he gathered together all the converts into the three orders. / One is called an order through which they might do penance: Every sex and status is contained therein, / Cleric and lay, man, woman, married, single. / Whoever is brought in does not change his home: He knows that in his own [home]/ [He knows] the laws that pertain to his life, the laws he must comply with, and what he must do. Already the members of this order are brilliant with signs so that it might appear how great is its status before the Lord. ⁶⁴

9) The Compilation of Perugia

The Compilation of Perugia for no apparent reason was called the Legenda antiqua by its first editor, Ferdinand Delorme, O.F.M. It is referred to by others as the Legenda perusina, or the Legenda Delorme, or the Flowers of the Three Companions [I fiori dei Tre Compagni]. ⁶⁵ It contains testimony that is worth analyzing. Without going any further into the heated discussion about the date and authorship of the Compilation, please allow me to express my opinion on the topic. In my judgment, it is most probable that, in the form in which it has come down to us, it was edited in 1311. However, it contains older, very valuable material, especially some material written by Brother Leo. I do not agree with others who believe it contains the biographical bouquet' sent to Thomas of Celano for his Second Life by the Three Companions, who signed the letter of August 11, 1246. ⁶⁶

What we have said is a brief reference to the critical value of the Compilation. Now we shall study the testimony that interests us. The

 $^{^{63}}$ "Sic tres ecclesias erexit materiales, / Myterium fabricae designans spiritualis / In tribus Ordinibus quibus Ecclesiam renovavit."

⁶⁴ "Sed quia propositum solidat discretio sanctum, / Sub tribus Ordinibus conversos colligit omnes. / Unus ab hoc quod paeniteant est Ordo vocatus: / Omnis in hoc sexus et condicio retinetur, / Clericus et laicus, vir, femina, nupta, soluta. / Nec mutare domum quis cogitur: in propria scit / Quas vitae leges teneat, quid ei sit agendum. / Iamque micant signis cultores Ordinis huius, / Ut pateat quanti sit apud Dominum status ille."

⁶⁵Concerning the problems related to these various names, see Schmucki, Scripta Leonis, p. 141. [See also the introduction in Omnibus, pp. 959–71 — Trans.]

⁶⁶ In this regard I follow the opinion of Clasen, *Legenda antiqua*, pp. 186–87, 208–9, 294–99, 312–13. See Schmucki, "A Francisco legendarum," pp. 391–92. See also, van den Borne, "Neues Licht," pp. 218–19; G. Philippart, *Les écrits des compagnons* (bibliog.).

passage speaks first of all of Francis's special affection for the hermitage and the inhabitants of Greccio. ⁶⁷ Then he adds:

[Francis's] example, his preaching and that of his brothers were the reason, together with the grace of God, why many of the inhabitants entered the order. Many women took the vow of virginity and adopted a religious habit. Each one retained her own home, but they led a common life. They practiced virtue, mortification, fasting and prayer. One got the impression that they were living apart from the world and their relatives. Despite their youthful age and their great simplicity, they seemed to have been formed by holy religious women who had been in the service of Christ for a long time. That is why blessed Francis often said to the brothers, in speaking of the men and women of this town: "There is no large city where so many have been converted to penance; and still, Greccio is only a small town." The brothers at Greccio, as was the custom of the brothers at that time in many of the friaries, sang the praises of the Lord in the evening. Then, men and women, great and small, would come out of their homes, stand on the road before the town, and alternate with the brothers, repeating in a loud voice: "Blessed be the Lord God." Even the little children who hardly knew how to talk praised God according to their ability.

We should notice the cause-and-effect relationship, on the one hand, with the life's witness and preaching of Francis and his first brothers, and on the other the balanced way in which the author presents Francis's work, which was done in close contact and perfect harmony with others. We should also note the number of young women of the small town who embraced a more intense Christian life while living in their own homes. That it was a group of women-penitents is learned not only from St. Francis's praises, in which he speaks of people having been "converted to penance," but also from the other spiritual characteristics pointed out, such as the Franciscan religious habit, perfect chastity, and a common life-style ("they led a common life"). A 'religious

⁶⁷ Please allow me to refer my readers to my study: "Secretum solitudinus': De circumstantiis externis orandi penes S. Franciscum Assisiensem," in *CF* 39 (1969) 5–58, esp. pp. 28–29 [English in *Greyfriars Review* 2, no. 1 (1988): 77–132 — Editor].

⁶⁸ "Unde exemplo suo [Francisci] et praedicatione et fratrum suorum, gratia Domini multi ex ipsis intraverunt Religionem; mulieres multae servabant virginitatem suam, permanentes in domibus suis indutae pannis Religionis. Et licet unaquaeque maneret in domo sua, communi vita vivebat honeste et affligebat corpus suum ieiunio et oratione, ut videretur hominibus et fratribus earum conversatio non inter saeculares esse et consanguineos suos, sed inter sanctas personas et religiosas, quae longo tempore servissent Domino, cum tamen essent iuvenculae et simplices valde. Unde saepe dicebat cum laetitia beatus Franciscus inter fratres de hominibus et mulieribus illius castri: 'De una magna civitate non sunt conversi tot ad paenitentiam quot de Graecio, quod est ita parvum castrum.' Nam saepe cum in sero fratres de loco laudarent Dominum, sicut fratres in multis locis illo tempore solebant facere, homines illius castri, parvi et magni, exibant foras, stantes in via ante castrum, respondentes fratribus alta voce: 'Laudatus sit Dominus Deus!', ita quod etiam pueri nescientes adhuc bene loqui, cum viderent fratres, laudarent Dominum sicut poterant."

habit's eems to refer to a religious habit of that order that many of the young women of Greccio had entered. Therefore, there was probably some kind of rule and schedule, a more intense prayer life based on the divine praises, mortification by fasting, ⁶⁹ and a close relationship with the friars of the First Order.

Not only does the text we have just analyzed contain no anachronisms, 70 but it fits in perfectly with what we know about St. Francis's life and apostolate. In this context there are no elements to help us determine, even approximately, in what period this lay penitential movement began. However, it is surprising to find no mention of men among the members of this Order of Penitents. The characteristic elements of the penitential life, which was lived at home (as we learn through our study of the text), seem to be very important in giving us an idea of how, through the work of Francis and his first brothers, the minorite way of life was transplanted into the world of the laity.

Part 2

A Comparative Synthesis of Elements Common to the Primitive Sources or Peculiar to Certain Ones

Having considered the primitive biographical sources, ⁷¹ we must now try to synthesize the individual aspects that we have examined, and try to discover where they converge. It is helpful to recall that within the limited scope of this study we certainly could not study the entire history of the Third Order. That would require analyzing it against the background of the previous and contemporary religious movements, information found in the narrative sources, and all the legal documents. We hope to achieve that goal through our own analysis and that of others. On these points I shall point out some aspects on which the narrative sources agree. Then I shall point out some pertinent information given by individual sources.

1) Similarities

With Thomas of Celano's First Life begins an unbroken line that affirms a cause-and-effect relationship between Francis and the lay

⁶⁹See Meersseman's citation in Disciplinati e Penitenti, p. 49, n. 16.

⁷⁰ H. Roggen, Geschichte der franziskanischen Laienbewegung, (Werl in Westphalia, 1971), pp. 68–69, n. 5, which by projection could explain the tendency towards a cloistered Third Order in the 13th and 14th centuries. A comparison with what Meersseman (preceding footnote) brought to light as the characteristic elements of the Order of Penitents as it existed before the Franciscan movement would make such a gratuitous presupposition inadmissible. See also n. 40.

⁷¹Because of the constraint of time owing to our topic, I have omitted the most detailed yet no more credible information about the Third Order: Actus b. Francisci et sociorum eius, Paul Sabatier (Paris, 1902); and the Fioretti [in Omnibus, pp. 1295–1513 — Trans.].

penitential movement. It was created by his preaching, and it referred to him as its founder. Celano had already praised him as the craftsman of church reform through his institution of the *trina* ... *militia*, a triple religious institute that followed his way of life (v. 1).⁷² A minute analysis of the poetic terminology used by the first biographer, which was then repeated by Bonaventure (I 5ab) and, in part, by the *Three Companions* (I 3), leaves no doubt about the intent of his statement.

We find even more explicit terms in later biographies. Julian uses the verb ordinare (I 2a, 2c), or inchoare / ad perfectionis statum provehi (I 2b), while Bonaventure and the anonymous Benedictine in the Legenda monacensis speak of instituire (I, note 53, 6), and Bernard of Besse uses statuere (I 7). It should be noted, however, that the Witness of the "Anonymous of Perugia" claims that when they were preaching, the Friars Minor instituted the Order of Penitents, which included married men who wanted a more committed religious life (I 4).

In this context, however, we should take note of the silence concerning the Third Order in Celano's Second Life (1246/47) and his Treatise on the Miracles of the Blessed Francis (1250/52).73 However, even though the name "Order of Penitents" does not appear in these works, there is no lack of evidence regarding its existence in individual cases. Thus Celano refers to the "noble woman of Volusiano," who asked Francis's blessing and advice about her relationship with her husband, which prevented her from serving Jesus Christ in perfect continence. Upon her return she succeeded in convincing her husband, and "after having lived in chastity for several years, the two of them died happily on the same day." Although the passage does not precisely state that the husband and wife belonged to the Order of Penance, their life-style doubtlessly follows its spiritual program. Similarly the Treatise on the Miracles is not totally silent on the subject. In it we read how Francis, contrary to his usual policy, received into obedience the recluse Praxedes of Rome: "Because of her devout piety, he granted her the habit of religion, that is, the tunic and cord."75 Since it is not a question of her

⁷² In this section I am referring to the texts from the sources that were minutely examined in the first part of this article.

⁷³ See Roggen, Geschichte, p. 33.

⁷⁴ 2 Cel 38 [in Omnibus, p. 395 — Trans.]. The same episode, with a few minor variations, is also narrated in the Compilatio perusinus 27, in Brooke, Scripta Leonis, pp. 136–38. Since Celano (1246/47) already recounts the story, this cannot be considered evidence of a 14th century tendency for the regularization of the Third Order, as Roggen claims in Geschichte, p. 69,n. 5. For a commentary on the episode, see F. Casolini, "Controfigure di Lucchesio e Buonadonna nella Vita II di san Francesco scritta da fra Tommaso," in Frate Francesco 27 (1960): 20–24.

⁷⁵ 3Cel 181. See also van den Borne, Anfänge, pp. 78–79.

entering the cloistered life of the Poor Clares, it would seem to mean that she was admitted into Francis's Order of Penitents.

With this, however, I make no claim to having entirely explained the curious fact that Celano, in his later writings, did not follow the line he began in the First Life. Whatever his motive, it is certain that Julian of Speyer, Bonaventure, and Bernard of Besse show a heightened interest in the Third Order. However, before we try to claim that Celano intentionally omitted it, or that the others were being apologetic, we must take into account how fragmentary their biographical information was and the interests of medieval writers, which are rather different from ours. ⁷⁶

If Francis is called the founder of three orders,⁷⁷ that does not necessarily imply an identical type of "fatherhood" for each of them. In the case of the Poor Ladies of San Damiano, it is obvious that the task of instituting the order should be attributed to Francis, Clare and Cardinal Ugolino.⁷⁸ As for using the source material in this study, it seems we can deduce that the relationship between Francis and the lay penitential movement was more spiritual and charismatic in nature than juridic. As Meersseman says: "It seems almost as if St. Francis, having sown the seed of the evangelical life among the people, had withdrawn his hand, letting it grow on its own."

Another point on which our sources show sufficient agreement is the name of the institute. The most frequently recurring names are: "the Order of Penitents" (Ordo Poenitent[i]um — 2ac, 4, 5b, 6, 8), and the rarer variations: "the Order of the Brothers of Penance" (Ordo Fratrum de Poenitentia — I, 5b), or "the Order of the Brothers and Sisters of Penance" (Ordo Fratrum et Sororum de Poenitentia — I 1, 2abc, 3, 5a, 6, 7, 8, and note 24). Only St. Bonaventure observes (V) that Francis decided (decrevit) to call this type of life the Order of the Brothers of Penance.

The name itself emphasizes the penitential nature of the lay movement that was subsequently emphasized by some biographical texts. It is referred to as such because its members must do penance (I 8), practice fasting (I 9), devote themselves to special forms of austerity (I 3), are bound by new laws of penance according to the form of life the saint proposed (I 5b), and avoid the pomp of a worldly life (I 7).

⁷⁶ Van den Borne, *Anfänge*, p. 79.

 $^{^{77}}$ For example, with particular clarity, in the text of St. Bonaventure cited n. 53 above.

As is pointed out quite well by Clasen, "Die Anfänge des Dritten Ordens," p. 129b: "This example also shows the degree to which influence can be included in the term 'founder'."

⁷⁹ See C. Cracco's edition of Meersseman's work in Studi Mediev., 3d s. (1962): 642. On pp. 638-645 the reader will find other very interesting considerations on the nature of Francis's paternity of the Third Order.

Another typical aspect of the Order of Penance consists in its lay structure. The Franciscan penitents do not withdraw to a convent but retaining their own homes (I 3, 7, 8, 9), continue living together as husband and wife (cf. I 4 and II 1a), or in perfect chastity (I 9 and note 40). By the time Bernard of Besse wrote his *Liber de laudibus* (after 1278), a lay person had functioned as minister of the local community (I 7).

As for the external circumstances and the exact time when the penitential movement began, we must be resigned to the fact that we have very few details. As some of the testimonies point out (I 1, 2c, 5b, 7), the lay people's desire to join the Franciscan movement was manifested as a result of the itinerant preaching of Francis and his first brothers after their trip to Rome in 1209, when they received canonical approval of their evangelical life as a religious order and the faculty to preach penance. From the sources examined here it is impossible to determine the precise year in which such groups took form, or to reconstruct the various stages of their early evolution. Celano's text shows that probably the movement began rather early, that is, when the saint's apostolate began to become more wide-reaching. If the ordinal number "third" was eventually added to the name "Order of Penitents," it also expresses the order of time in which it began, thus giving us a terminus post quem, that is, after March 18/19, 1212 when, in the sanctuary of the Portiuncula, St. Clare "received the insignia of holy penance before the altar of the Blessed Virgin."80 I believe that this date has many convincing aspects. The spontaneous, progressive character in which many lay people, in various regions and at different times, associated with the Franciscan movement under the impulse of the penitential preaching of Francis and his followers who continually changed their field of apostolate, explains the early biographers' inability to determine exactly when and where the Third Order was founded.

One point indicated by the sources is that the penitential institute accepted everyone as members: both sexes and all states in the church; clerics and lay people, celibates and married people. There was no distinction among the social classes: nobles and commoners, rich and poor (1, 2ac, 3, 4, 5b, 6, 7, 8). To be totally correct, we should mention that Julian expressly mentions the continentes among the candidates (I 2c), most probably thinking of the married couples who, although living together, renounced marital relations, while Bernard of Besse also speaks of widows (7). Apparently because of the editorial form of the dialogue, the Anonymous of Perugia mentions only married men (I 4). It is more difficult, however, to explain why the Anonymous of Perugia

⁸⁰ LegCl 8 [in Armstrong, Clare of Assisi, p. 197 — Trans.].

(I 9) mentions only young unmarried women who make up the penitential group in Greccio.

The information that we have concerning a rule of life that Francis gave to the lay movement is less frequent and also less detailed. However, the fact is already unequivocally affirmed by Celano and later repeated by Bonaventure as well. According to the form, rule and doctrine of life proposed by Francis, a triple religious institute flourishes in the church (I 1, 5a). Julian of Speyer emphasizes that St. Francis gave a vivendi regulam to those who turned to him a (I 2c). Lacking more precise information from the two witnesses concerning the real content, we must be satisfied with drawing some conclusions. Weighing all the elements at the disposal of the scholars, I believe it is a question of a rule in the same sense as Francis's draft of the Protorule for the First Order, and the forma vivendi for the Poor Ladies (I 1). It is more than a code of laws. We should imagine it as a set of spiritual instructions filled with the Gospel spirit and texts. We should not be surprised if the text has not survived, at least in its original form,81 owing to the further growth of the Order of Penance.

Unfortunately we can only indirectly have a very rough idea of what that rule included, as we look to the spiritual program of the movement as we find it described in the narratives. From the first very text (I 1) we see quite clearly that the lay people's intention was to join the Franciscan movement, to share as lay people in Francis's charism, "desiring to fight for ever under his discipline and his teaching authority." This decision involved, among other things, committing themselves totally in love and the service of God, especially in prayer, renouncing their sinful past through penance, and avoiding excessive earthly concerns.

The picture that Celano paints is confirmed and completed by what Bernard wrote so concisely (I 7): The *propositum* of the Third Order is a familial and professional life based on honesty, intense practice of piety, avoiding the luxurious externals of a worldly life, and fraternal communion among the members of various social extraction.

Even though it would be risky to search the narratives for the ideas that inspired the protagonists, I think that the passage from the Anonymous of Perugia adds a new insight to the texts cited above (I 9). The elements that stand out in its description of the ideal lived by the women in Greccio are virginity observed in a withdrawn life at home,

⁸¹Concerning whether or not the Letter to the Faithful could be such a Rule, see Fredegand [Callaey] of Antwerp, O.F.M. Cap., Zeven eeuwen geschiedenis der franciscaanshe Derde Orde (1221–1921) (Herenthals, 1926), pp. 24–27; Kajetan Esser, O.F.M., "Der Brief des hl Franziskus an alle Gläubigen als Grundlage unserer Arbeit im Dritten Orden," in Franziskus und die Seinen (Werl in Westphalia, 1963), pp. 43–57.

assiduous prayer, mortification by fasting, and perhaps a form of common life.

Anyone who reads the texts of our sources attentively will notice spontaneously what they tell us about the influence of the Third Order on ecclesial and civil society. Here we should remember especially the cause-and-effect relationship between the Third Order and church reform. Several biographies refer to it (I 1, 2c, 3, 5a), even if they included all three orders

in their value-judgment. From St. Bonaventure's testimony we also learn that, at the same time, tertiaries who were preeminently holy had shown the lay movement's credibility (I 5b). The references to the institute's social involvement are less frequent and apparent. Bernard of Besse, however, gives his testimony as an eyewitness to how the penitents sought to overcome social distinctions that arose from the feudal system. He also recounts the news, so to speak, that Francis had required a priest who wanted to participate in its life to distribute the excess income from his parish church to the poor.⁸²

2) Special Emphases of the Individual Sources

Besides the points on which the above-mentioned texts agree totally or partially, the individual sources have brought out some aspects that I would like to explore briefly.

In this context, the Legend of the Three Companions and the Anonymous of Perugia speak of the work of the first friars in advising the laity to join the Third Order (I 3-4). On the contrary, the latter does not even mention St. Francis [in this context], but rather states: "But these men [the Brothers] founded an Order for them which they called the Order of Penitents." We should not interpret these two sources as trying to diminish or deny Francis's key role in promoting the Order of Penitents, but rather as seeking to put his active participation in a proper light. This fact is clearly pointed out by a phrase from the Legend of Perugia, which puts the influence of the friars on a level with that of St. Francis as the reason for the abundant success of their proselytism in Greccio: "[Francis's] example, his preaching, and that of his brothers were the reason, together with the grace of God, why many of the inhabitants entered the order. Many women took the vow of

⁸² This seems to be the best interpretation of daret pro Deo, that is, "for the love of God" (I, 7).

⁸³ See I, 4. In regard to the First Order, however, it expressly declares: "Illos autem quos fratres recipiebant, ad beatum Franciscum adducebant ut induerentur ab eo [Those whom the Brothers received they led to St. Francis that he might invest them]" (MisFran 9 [1902]: 46b).

⁸⁴ See van den Borne, Anfänge, pp. 90–91.

virginity and adopted a religious habit; each one retained her own home" (I 9).

From our texts we learn very little about the primitive organization of the penitential groups and the assistance given them by the Friars Minor. I would point out the existence, according to the *Legend of Perugia* (I 9), of a women's community in Greccio, which, with the exception of their living privately with their families, seems to have cultivated a common form of life. Bernard makes passing reference to a friar who at one time had held the office of minister of the local fraternity (I 7). If I am not mistaken, this is rather the "distant echo" of the spiritual assistance provided by the members of the First Order. Nonetheless, Bernard, who had a great deal of firsthand knowledge, confirms the existence of local fraternities and lay ministers in his day (after 1278).

On this point, we should also consider the brief gloss from the Legend of the Three Companions and the Anonymous of Perugia (I 3-4) on the approval of the Third Order. Scholars no longer consider it an anachronism, but a reference to the first Bulls on behalf of the movement, beginning with those of Honorius III.

Before concluding, I would like to point out the three testimonies about the tertiaries' special habit. It seems that it was an isolated case when Francis, as a sign of participation in his ideal, gave Praxedes, a renowned Roman recluse, "the habit of religious life, that is, the tunic and the cord" (II 1a). Likewise, we should not generalize to the existence of a distinctive garb (dato ... induendi modo) when, according to Bernard of Besse, St. Francis recommended it for a

parish priest who wanted to take part in the Franciscan life. The same caution applies when the biographer speaks generally of the "humble clothing" that the tertiaries wore (I 7). However, this contrasts with the author's statement (I 9), in which he says that the young women of Greccio wore the Franciscan habit, although they remained in their own homes. ⁸⁶ It seems to me that this was merely a local custom or, at the most, a limited period of time at the beginning. This does not mean that the penitents were required to wear the Franciscan dress of the tunic and cord at all times and places. ⁸⁷

⁸⁵ Cf. I, 9. I believe we can deduce this from the words "unaquaeque ... communi vita vivebat honeste."

⁸⁶ "Adopted a religious habit" undoubtedly refers to a religious community, which, according to the previous clause, many young women of Greccio were entering.

⁸⁷ Concerning later requirements about the habit, see van den Borne, Anfänge, pp. 132–33; Casolini, "Appunti," pp. 145–59; Meersseman, Dossier, p. 332b; Meersseman, Disciplinati et Penitenti, pp. 52–53.

Conclusion

I hope that our study, which was necessarily limited, has not been in vain. Our texts, beginning with the first biography, clearly attribute the founding of the Order of Penance to St. Francis. According to the texts we have examined, it is an integral part of the Franciscan movement. Born as a spontaneous response to Francis's preaching about conversion, although responding to the spiritual demands of prior religious movements, it received an indelible imprint and an unmistakable form from Francis's religious charism. It made the Christian laity, in their condition as seculars and without ecclesial or social distinction, participants in the life of evangelical penance, uniting them in a spirit of fraternal communion, which overcame social barriers and inspired them to a more intense interior life and piety. It seems there can be no doubt about the reliability of the first biographers and their historical information, even though they understandably tend greatly to idealize people or institutions to the degree that they are distant from the events described.

The biographical sources, however, are without particular details about exactly when the Franciscan Third Order began, what juridic status it had at the beginning, its further development, and its ties to the First Order. To make a critical comparison between this study and Meersseman's would take us beyond our limits. The difficulties caused by his sources and his interpretation of the documents obviously deserve the historian's attention. However, an equable solution to the problems will come not by making neat distinctions between juridic lines and narrative history, but rather by seeking to reconcile them.

In order to attain that goal, in my humble opinion we must keep in mind the following historical factors: 1) the canonical state of penance prior to St. Francis; 2) the real influence that this movement had on him, especially in his conversion, and during the evangelical budding of his fraternity; 3) the exhortation to penance by Francis and his first followers in their outreach to others; 4) the express desire of many lay people, which certainly comprised quite a few who canonically were penitents, to participate as laymen and women in their life of evangelical penance; 5) the free charismatic nature that Francis gave to this spontaneous movement, not worrying about preplanned schemes or juridic structures; 6) the nature of the spiritual instruction that Francis gave to his penitents, which flowed from his form of life; 7) the near-impossibility of adequate, constant spiritual assistance for the penitents, owing to the itinerant life-style of the primitive Franciscans.⁸⁸

⁸⁸ I share the conviction of Matanic: "First of all, I think that the most valid thesis about

It seems that these factors sufficiently explain the reason for the non-differentiated and "neutral" state of the penitents vis-à-vis the mendicant orders. Finally, they allow us to understand better St. Francis's fatherhood of the Third Order. Certainly, Francis cannot be considered as the founder of the Third Order in the sense that he invented the canonical state of penance or gave a well-defined organization to the penitential movement that he promoted. However, it cannot be denied that he gave the initial impulse to a spiritual form, although he used preexisting elements, just as he did for the First and Second Orders.

its real historical origins is that of Luke Wadding, that is, the 'progressive' formation of the Third Order. According to this theory, it could not be said that it was founded in a certain place nor at a certain time" (I Penitenti, pp. 244-45).