

SAINT FRANCIS IN FRONT OF POPE INNOCENT III (1209)

Noel Muscat ofm

The celebrations commemorating the 800th anniversary of the approval of the *Forma Vitae*, presented by Saint Francis to Pope Innocent III in 1209, invite us to reflect on the historical and charismatic aspects of such an event in the early life of the Franciscan Order. At the same time, the same commemoration raises a number of questions, which we should try to answer. Can we regard 1209 as the year of foundation of the *Ordo fratrum Minorum*? How can we interpret Francis' initiative in taking his first companions to Rome to see the Pope? Did Francis make use of an erroneous legal process when he bypassed the authority of bishop Guido of Assisi, who alone had the power to send him to the Pope? What did Francis exactly have in mind when he was approached by Cardinal Giovanni di San Paolo, and defended his evangelical choice of life by discarding all other options then available to him? What was the true significance of Innocent III's oral approval of the primitive Form of Life? Last but not least, what kind of religious order, if one can correctly call it so, was Innocent III instituting when he sent Francis and the brothers to preach penance?

The answers to these questions help us to focus upon the true historical significance of this episode, not only at the very moment in which it occurred, but also with reference to subsequent influences upon the way in which the history of the Franciscan Order unfolded during the 13th century. They also throw light upon the foundational inspiration of Saint Francis and the true identity of the religious family instituted by him. Finally they show how it is not possible to present Francis' intuition without reference to the Church of Rome, which alone possessed the right and power to accept his way of life and approve it as truly catholic and apostolic.

We must necessarily depart from the presentation of the primitive Franciscan fraternity of brothers who went to Rome with Francis in 1209. Identifying these brothers will help us understand what kind of fraternity Francis intended to present to Pope Innocent III. Then we shall analyse the various Sources that speak about the visit of Francis to Innocent III, taking into account both those coming directly from the pen of Francis' own companions and those that come from witnesses who were outsiders to the Franciscan family. The latter are normally regarded as being unbiased in their faithfulness to historical truth. Yet they still present us with a number of problems regarding the intentions of their authors and their ability to get the facts historically right. At the end of our presentation we shall try to answer the set of questions we presented above, with the hope of understanding the full meaning of why we Franciscans are celebrating the 800th anniversary of the foundational inspiration of the Gospel life as codified by Francis of Assisi and ratified by the supreme authority of the Church.

What Francis succeeded in accomplishing 800 years ago was a totally new way of religious life in the Church, but its inspiration was not that of Francis alone. At best, Francis was among the most successful among a number of religious reformers, who

were, in their majority, lay persons, and who yearned for a return to the original freshness of the Gospel values. A good number of these reformers either ended up being condemned by the Church's hierarchy, or their movements died a natural death. Understanding the reasons behind Francis' successful endeavour is important to see the link between tradition and innovation, intuition and institution, the charismatic and the hierarchical elements which interact in the ecclesial community. Francis and his spiritual family can thus avoid the danger of being an object of historical study, a memory of the past, without a prophetic openness to their role in present day history and in the future.

The first brothers

The Sources for the Life of Saint Francis of Assisi¹ give us divergent presentations of the first Franciscan fraternity. Thomas of Celano, author of the *Vita Sancti Francisci* (1228-29), states that, the first one among the companions of Saint Francis was a certain devout man of Assisi.² We do not know the identity of this mysterious companion. Various possibilities have been presented, among which the name of Elias, who was supposedly the friend Francis took with him whenever he went to a grotto outside Assisi to look for a hidden treasure.³ Since he is not mentioned anymore in the Sources, he is not considered as being in the list of the first companions.

The second one in the line of companions is considered to be the first known companion of Saint Francis, namely Bernardo da Quintavalle.⁴ Celano then mentions a citizen of Assisi who lived a praiseworthy life, as the third companion, and who died shortly afterwards after living in holiness. Other Sources mention the name of this second companion, namely Pietro.⁵ Some have suggested Pietro di Catanio a lawyer and canon of San Rufino, who accompanied Francis to Egypt in 1219 and was subsequently created Vicar general of the Order by Francis himself (29th September 1220) but died at the Porziuncola on 10th March 1221.

On 23rd April 1208, feast day of Saint George, Egidio (Giles) joined Francis' company. Celano describes Egidio as a simple man, an example of manual work and intense contemplation.⁶ Celano then mentions another unknown companion, and finally Filippo (Longo), making the total number of seven brothers (Francis, anonymous first companion (Elias?), Bernardo da Quintavalle, third companion (Pietro), Egidio, anonymous fifth companion, Filippo). Celano then mentions another anonymous companion,⁷ in order to bring the total number of brothers to eight, including Francis himself. It is probable that he does this on purpose, in order to present the first mission of the brothers, who go out with Francis two by two in all the four directions of the compass. Bernardo and Egidio proceeded to Compostela, whereas Francis and an unknown companion went to the Rieti valley.

After the brothers returned from this first mission, Celano presents another four companions who join Francis, thus bringing the total number of brothers to twelve, including Francis himself.⁸ Celano does not present the names of these new companions. It is supposed that they were Giovanni di San Costanzo, Barbaro, Bernardo di Vigilante e Angelo Tancredi. At this stage Francis decides to take his companions to Pope Innocent III, in order to request the approval of his *Form of Life* composed mainly of Gospel texts referring to the calling of the apostles and disciples of Jesus.

John of Perugia, author of *De Inceptione vel Fundamento Ordinis*, in English *The Beginning or Founding of the Order*, known also as *The Anonymous of Perugia* (1241), presents Bernardo da Quintavalle and a certain Pietro as the first two companions of Saint Francis, who followed him on 16th April 1208.⁹ The third companion was a priest of Assisi, called Silvestro.¹⁰ These first brothers went to live with Francis at the Porziuncola chapel, where Egidio joined them after eight days, that is on 23rd April 1208.¹¹ Francis takes Egidio with him on a mission to the Marca di Ancona. Upon returning to the Porziuncola, three other companions from Assisi joined Francis, namely Sabbatino, Giovanni (della Cappella) and Morico il Piccolo.¹² Francis then goes out with his six companions for the first mission of the new fraternity.

AP 31 then states that Francis decided to go to Rome with all his companions, who had by now increased to twelve, including Francis himself. It gives no hint as to who were the new companions who increased the fraternity of six to twelve brothers.

The *Legenda Trium Sociorum*, or *Legend of Three Companions* also states that the first companion of Saint Francis was Bernardo da Quintavalle, who goes with Francis to the church of San Nicolò together with Pietro, the second companion, where they consult the word of the Gospels in the Missal.¹³ The priest Silvestro was next on the line of the first brothers to follow Francis.¹⁴ The first brothers went to live near the Porziuncola, where Egidio joined them.¹⁵ The four brothers then left for their first missionary journey. Francis and Egidio left for the Marca di Ancona. Upon returning to the Porziuncola they were joined by Sabbatino, Morico, and Giovanni della Capella.¹⁶

L3C 41 states that Francis had given permission to the six brothers to accept newcomers into the fraternity, and lead them to Santa Maria della Porziuncola. In this way the *Three Companions* prepare the reader for the episode of the journey to Rome, during which the brothers, including Francis, were twelve.¹⁷

If we try to attempt an incomplete list of the first companions, taking into account what we have seen in the main Sources we have analysed, we would get the following result: (1) Saint Francis; (2) Bernardo da Quintavalle; (3) Pietro (Pietro di Catanio?); (4) Silvestro; (5) Egidio (Giles); (6) Sabbatino; (7) Morico il Piccolo; (8) Giovanni della Cappella; (9) Filippo Longo; (10) Giovanni di San Costanzo; (11) Barbaro; (12) Bernardo di Vigilante; (13) Angelo Tancredi. This would mean that the first companions were not twelve, as many Sources indicate, but thirteen. This, at least, is the list that Arnaldo Fortini compiled in his biography of Saint Francis.¹⁸ However, it is the same Fortini who states that it is unlikely that Silvestro joined the group in the very beginning. The inner conversion he experienced, as is narrated by the Sources, does not mean that he would have joined Francis at that very moment. In any case, the affirmation of the *Three Companions*, who say that, when the brothers went to Rome, Francis was the “twelfth”, does not agree with what other Sources state, when they portray Francis being accompanied by twelve brothers.¹⁹ In this case Silvestro would have been one of them at this early stage of the history of the primitive fraternity.

Francis and the first brothers go to Innocent III

In his *Testament*, Francis describes how, after the Lord gave him the brothers, he decided to go to the Pope in order to ask for approval of the *Forma vitae* or Rule of life

which he had written, basing himself on the Gospel texts he had discovered at San Nicolò and at the Portiuncula.²⁰ This fact is proved by the testimony of the biographers who present us with the texts we now examine in order to follow the events that happened in the Lateran palace in 1209, when Innocent III found himself face to face with yet another evangelical group of laymen who claimed to have rediscovered the calling of living according to the way of life of Christ and the apostles.

Thomas of Celano is the first among the biographers who present the episode of the approval of the *Propositum* or *Forma vitae* by Innocent III.²¹ He gives us the first witness of the fact that this document, which is irretrievably lost, was essentially a simple commentary on the Gospel texts consulted by Francis and the first companions (Mk 10:21 [Mt 19:21?]; Mt 16:24; Lk 9:3) and on the Gospel of the mission of the apostles, heard by Francis in the Portiuncula on 24th February 1208 (Mt 10:9-10). A plausible explanation of this possibility is the fact that these texts are found in the *Earlier Rule* of 1221, in chapters 1 and 14, and therefore the original document, which is officially “lost” could very well have been incorporated into the *Regula non bullata*.

The initiative to go to Rome was a courageous decision, but maybe an imprudent one as well. In fact, Celano says that when Francis and the brothers arrived in Rome, they met Bishop Guido II of Assisi, who was surprised to see them, and who was afraid that they might abandon his diocese, where he held them in high regard. These words could very well hide a sense of frustration on the Guido’s part. As a diocesan bishop who was well aware of his rights and duties, Guido might have been rather angry that Francis had taken such a bold initiative to go directly to the Pope without first asking his permission. After all, Guido had recently approved the small fraternity and its form of life for his own diocese. Indeed, Francis’ preaching tours outside the confines of the Assisi *contado* might also be regarded as canonically inaccurate missions, since Francis and the brothers would have no protection outside the territory which fell under Guido’s Episcopal jurisdiction. Guido, however, seemingly tried to help Francis who might have naïvely thought that he could see the Pope without any intermediary help. So he addressed him to the bishop of Sabina, Cardinal Giovanni Colonna di San Paolo who, according to Celano, “among the other princes and great men at the Roman Curia, seemed to look down on the things of the earth and love the things of heaven.” The Cardinal first put Francis to the test, suggesting easier ways of perfection, namely other Rules of life for religious that the Church had already approved. Francis remained steadfast in his fundamental option for the *apostolica vivendi forma*, and the Cardinal presented him and the brothers to Pope Innocent III, who orally approved their *Forma vita*. The relative ease with which Francis acquired this oral approval is shown in the dream in which he bends a great tree to the ground, symbolizing Innocent III’s meekness in approving the way of life of the poor brothers. We shall see that, in subsequent Sources, things did not turn out to be so plainsailing for Francis.

Julian of Speyer’s account differs very little from that of Celano, except for the fact that Julian mentions the proposals that Cardinal Giovanni di San Paolo made to Francis, namely to accept the way of life of hermits or monks, an offer which Francis turned down in favour of his apostolic option.²²

The account given by John of Perugia in *De Inceptione Ordinis*²³ shows many similarities with 1C, but at the same time it contains various new elements. The number of the brothers is indicated. They were twelve, plus Francis. Upon leaving Francis

proposed to choose one of them as Guardian of the itinerant fraternity, and they chose Bernardo da Quintavalle. Upon arriving in Rome they found Bishop Guido, who welcomed them kindly and addressed them to Cardinal Giovanni di San Paolo. AP does not say that Guido was surprised to see Francis and the brothers in Rome, nor that he feared that they would leave his diocese. The Cardinal expressed his wish to become “protector” of the primitive brotherhood and introduced Francis to Innocent III with the word: “I have found a most perfect man who wishes to live according to the form of the holy Gospel and to observe evangelical perfection.” The Pope asked Giovanni di San Paolo to bring Francis in his presence. The Pope was impressed by Francis’ way of life, but he still wanted to place him to the test and asked Francis to go and pray the Lord to give him a sure sign that his calling to evangelical perfection was truly a divine initiative. At this point the AP introduces the dream of the beautiful and poor woman in the desert, who sends her sons to live in the palace of the king, who was their father, and who welcomed them with joy, seeing his own resemblance in them. This vision was a sure sign for Francis and he returned to the Pope and recounted this parable to him. The Pope was then convinced that this was a divine sign of Francis’ genuine intentions and approved his *Forma vitae*. Francis then promised obedience to the Pope, and the brothers did likewise to Francis. The Pope then gave them permission to preach everywhere, and thus the primitive fraternity was now free to go out of the Assisi confines to preach penance. The Cardinal gave Francis and the brothers a tonsure,²⁴ as a sign of their approval as preachers of penance, or maybe to declare that they were religious brothers, and ordered Francis and the brothers to meet twice a year in a chapter, on Pentecost and on Michaelmas (29th September).

The *Legenda Trium Sociorum* depends upon 1C and AP, but is maybe the most detailed among the Sources in narrating this event.²⁵ Although it combines together both Sources just analysed, it does have some interesting new elements. The episode narrates, in fact, three dreams. The first and last dreams are experiences of Francis, whereas Pope Innocent III has the second dream. The first dream regards the poor woman in the desert and her sons who go to the king. The last dream is the one regarding Francis who bends the high tree to the ground. Thus L3C combine the two dreams, one narrated by AP and the other one by 1C. The Pope’s dream is the well-known vision of Francis who supports the Lateran basilica.²⁶ For Innocent III this prophetic dream has a clear meaning: “This is indeed that holy and religious man through whom the Church of God will be sustained and supported.” L3C 51 says that “afterwards (Innocent III) approved (the *Forma vitae*) in a consistory.” The Latin term *conistorio* could refer to a council of Cardinals, and some scholars have suggested that it could be a reference to the Fourth Lateran Council of 1215. Thus, the oral approval of 1209 would have been followed by a more solemn approval of the *Forma vitae* in 1215, when the fraternity had flourished and spread far and wide. L3C 52 states that “blessed Francis and the other eleven brothers were given the tonsure (*tonsura*), as the lord cardinal had arranged, wanting all twelve of them to be clerics.” This detail seems to be in stark contrast to what we have already stated in the case of AP 36, where the term *clerica* (also translated “tonsure” in English) refers to the monastic tonsure, which was a sign of consecration in religious life. It is not clear whether L3C give to the term the same meaning, since the *tonsura* was rather a sign of the clerical state. Even though here the mention of clerics is explicit, we still have to take

into consideration that, in the Middle Ages, the latin term *clericus* had a much wider significance than it has today in canon law.

In the *Memoriale in Desiderio Animae*, Thomas of Celano concentrates the whole story of Francis' journey to Rome in one single meeting of Francis with the Pope.²⁷ Celano does not repeat what he had already said in the *Vita Sancti Francisci*, he does not mention bishop Guido or Cardinal Giovanni di San Paolo, but mentions the parable of the poor woman in the desert and the Pope's dream regarding Saint Francis supporting the Lateran basilica. The aim of Celano in this first part of the *Memoriale* is simply that of providing the basis for the second section regarding Francis' virtues, and the historical details are normally kept to the barest essentials. However, we do find a new element in the interpretation of the parable of the poor woman. Celano writes:

“Francis himself was this woman, not because he was soft in his deeds, but because he was fruitful and bore many children. The desert was the world, which was then wild and sterile, with no teaching of virtue. The many beautiful children were the large number of brothers, clothed with every virtue. The king was the Son of God, whom they resemble by their holy poverty. They were fed from the king's table refusing to be ashamed of their lowliness, when, in imitation of Christ, they were content to live on alms and realized that because of the world's contempt they would be blessed.”

The last one among the main Sources is Saint Bonaventure, in his *Legenda Maior Sancti Francisci*.²⁸ The account is borrowed from the sources we have already mentioned, but there are many interesting details and a section, which is original. Bonaventure's idea was that of composing a *legenda* from all the other sources that had been written in the period 1228-1260.²⁹

Bonaventure gives us the account of all the visions and dreams linked with this narrative. He mentions first Francis' dream of the great and high tree that he bent down easily, to symbolize the benevolence of Innocent III regarding his plan of Gospel life. This dream occurs in 1C 33, LJS 21, and L3C 53. The origin of this dream seems to be biblical, since a similar dream is found in the Book of Daniel 4:7-14, where the king Nabuchadnessar is described as a great tree, which is then cut down, in order to symbolize the humiliation of this glorious king who ruled over all the earth. Innocent III is, in a certain way, humiliated in front of the greatness of the plan of Gospel life envisaged by the little, poor and despicable Francis, who knelt down before him and asked him to approve his *Forma Vitae*.

The scene of Francis who presented himself in front of the Pope is presented more realistically in the *Legenda Maior*. In fact, Bonaventure states that the Pope “hesitated to do what Christ's little poor man asked because it seemed to some of the cardinals to be something novel and difficult beyond human powers.” This objection on the part of the cardinals might have been highly probable, since the experience of the Curia with many evangelical movements in the 13th century had not always been positive. At this stage Bonaventure introduces the figure of Cardinal Giovanni di San Paolo, who intercedes for Francis in a very intelligent way, warning his fellow cardinals that, refusing to give permission to Francis to live according to the perfection of the Gospel, meant that “there is something novel or irrational or impossible [...] to live according to the perfection of the Gospel.” That would amount to “blasphemy against Christ, the author of the Gospel.”

Bonaventure's *legenda* then presents a paragraph, which is totally new and original. In fact, this paragraph did not come from the pen of Bonaventure himself, but was added by Jerome of Ascoli Piceno, Minister General of the Order (1274-1279) and later on Pope Nicholas IV. Arnald of Sarrant, in his *Chronicle of the 24 Ministers General*, tells us that Jerome had heard the story from Cardinal Annibaldi, a nephew of Innocent III.³⁰ This story throws light on an important aspect of Francis' visit to Pope Innocent III in 1209. The other sources have shown that it was relatively easy for Francis to go in front of the Pope and present his *Forma Vitae*, at least after he had been introduced by Cardinal Giovanni di San Paolo. Here, on the contrary, it seems that Francis tried to approach Innocent III on an initial occasion, even before he had been formally introduced to him. How he could have managed to introduce himself in the papal Curia without being blocked beforehand is hard to comprehend, but it seems that Francis did manage to approach the Pope who was deep in thought and who became irritated when he saw the poor man who had intruded his privacy. The relevance of the story lies in the fact that it proves how unprepared Francis was when he decided to go the papal Curia with his first brothers.

The same paragraph describes how Innocent III had a dream of a palm tree, which grew to great heights, and which symbolized the poor little man whom he had sent away the day before. This dream is also centred upon the vision of a tree, and is unique in the sources we have taken into consideration. Whereas the great tree that Francis saw in his dreams bowed down to his humility, in this case the great person of the Pope is humbled and has to look up at the sprout growing and becoming a gigantic palm tree. The dream provides the background for the Pope's rethinking of the whole issue. Innocent III sent to call Francis from Saint Anthony's hospice on the Celio, and took note of his request.

Bonaventure then moves on to recount the dream of the poor woman in the desert, which is frequently cited in the sources we have analysed, namely, in AP 35, L3C 50, and 2C 16-17.

Finally, Bonaventure speaks about how Pope Innocent was convinced that Francis' Gospel project was authentic in the dream of the little poor man who supported the Lateran basilica, which is also found in L3C 51 and 2C 16. Bonaventure also speaks about the small tonsures (*coronas parvulas*) that Francis and the brothers receive. He does not use the terms *clerica* or *tonsura* used in AP or L3C, and whereas in these earlier sources it was Cardinal Giovanni di San Paolo who gave these distinctive signs of religious consecration to Francis and the first brothers, in Bonaventure it is the Pope himself who orders this in order to enable the brothers to preach freely.

One last source regarding Francis' visit to Innocent III in 1209 is that of Roger of Wendover (†1236), a Benedictine monk of the English abbey of Saint Albans. Being a source coming from the pen of a non-Franciscan it has a particular importance also due to the fact that it presents a curious narrative, which is not found in the other sources we have quoted.³¹

The title *Ordo fratrum Minorum*

We have no proof that 1209 is the year, which marks the foundation of the Order of friars Minor (*Ordo fratrum Minorum*).³² On this occasion we can only speak about the

official recognition of the *Forma Vitae* of the Gospel lived by Francis and the first brothers on the part of the Church of Rome. In other words, we could state that in 1209, the Church of Rome accepted the Franciscan way of life as catholic. We have absolutely no proof that this automatically implied that the Church was instituting the Franciscan Order as a religious family within its ranks.

It is very difficult to establish the exact moment in which the Church officially recognized Francis and the brothers as an *Ordo fratrum Minorum*. We know that the first brothers would prefer to call themselves “penitents originally from the city of Assisi” (*virī poenitentiales de civitate Assisii oriundi*).³³ According to Thomas of Celano, it seems that the name *fratres minores* came to Francis’ mind quite by chance, when he heard the words of 1 Peter 2:13 at the time when the *Regula non bullata* was in the process of formation.³⁴ That would probably place the fact narrated by Celano some time after the Fourth Lateran Council (1215).³⁵

The sources do, in fact, present a development from the primitive description of the fraternity as “penitents originally from the city of Assisi” to “friars Minor”. The chronicler Burchard of Ursperg, Premonstratensian canon of the abbey of Ursperg, in the diocese of Augsburg (1177-1231) says that, in the very beginning the friars were known as *pauperes minores*, and only later did they change their name to *fratres minores*, in order to avoid vainglory from attributing to themselves the prerogative of being poor.³⁶

By 1216, according to the witness of Jacques of Vitry, the brothers were definitely known as *fratres minores*, even though he does not seem to get his terminology right in the case of the *Poor Ladies*, whom he calls *sorores minores*.³⁷

Both the *Compilatio Assisiensis* and the *Speculum Perfectionis* explain that the name *fratres minores* came to Francis’ mind when he heard the reading of the Gospel of Luke 12:32.³⁸ Francis regarded his spiritual family as the small remnant of God’s flock. For him, it was not simply a question of choosing an official name for his spiritual family, but rather that of being sure that the specific vocation of the friars would correspond to the name by which they were to be known. These sources insist that Francis received a direct revelation from Christ, who reserved to the first brothers this honorific name of *minores* after having prayed for them to the Father. The direct divine intervention is evidently manifest in these sources, particularly the SP, which insist that the Rule itself has been ‘dictated’ to Francis by Christ, and is thus, in so many ways, a ‘revealed’ document to be read and observed on parallel lines with the Gospel.

What are we commemorating in this 800th centenary?

In the beginning of our analysis we have presented some questions, which we now try to answer briefly. First of all, can we regard 1209 as the year of foundation of the *Ordo fratrum Minorum*? The answer is no. In 1209 Francis and the first brothers presented their *Forma vitae* to Pope Innocent III as a penitential brotherhood, without any pretention of wanting to become a religious Order. The original *propositum vitae*, according to the sources, was made up of the Gospel texts consulted by Francis and some other practical norms for life in fraternity. The fact that Francis expressly refuses to identify his brotherhood with one or the other of the religious Orders present in the Church during the 13th century is not necessarily an indication that he wanted to found a

new religious family, but rather that he did not consider his family as a religious Order in the canonical sense of the term. It was Pope Innocent III, or the papal Curia, through the initiative of Cardinal Giovanni di San Paolo, who seemingly identified the first brotherhood with a religious family. The fact that the cardinal gave monastic tonsures to Francis and the brothers could indicate that he regarded them, in a certain way, as religious, but it could also indicate that they were simply a fraternity of itinerant preachers approved by the Church of Rome. We have seen that we cannot truly speak about the foundation of an *Ordo fratrum Minorum* in 1209. This could have been possible in 1215, with the advent of the Fourth Lateran Council, which established clear criteria for founding new religious Orders in canon 13. The year 1209 can therefore be regarded as the year of the official recognition of the evangelical *Forma vitae* of Francis and his first brothers on the part of the Church of Rome. Thus the primitive fraternity ceased to be a small brotherhood restricted to the environment of Assisi, and opened itself up to a universal calling.

How can we interpret Francis' initiative in taking his first companions to Rome to see the Pope? Did Francis make use of an erroneous legal process when he bypassed the authority of bishop Guido of Assisi, who alone had the power to send him to the Pope? We have seen, from an examination of the sources, that the idea to take the brothers to Rome came to Francis' mind after the initial experiences of evangelisation. Francis was not juridically prepared to know the canonical requirements of having his fraternity approved by the Pope. He certainly did know, however, that as long as he and the brothers would remain confined to Assisi under the jurisdiction of Bishop Guido, their sphere of activity would be rather limited, since they were risking their own reputation whenever they ventured out of the confines of the Assisi diocese. For this reason, maybe, Francis decided to go directly to see the Pope. He might have known that he was bypassing the authority of the local bishop, but he might also have been aware that other lay penitential groups had done just that, and had their *propositum* approved by the Pope. In Rome, however, Francis had to face the authority of Bishop Guido, and although we could say that the bishop might have been irritated when he saw Francis and the brothers in Rome, he eventually gave them his full support, by addressing them to the proper channels of command, with the help of Cardinal Giovanni di San Paolo.

What did Francis exactly have in mind when he was approached by Cardinal Giovanni di San Paolo, and defended his evangelical choice of life by discarding all other options then available to him? This question is rather hard to answer, given that we do not know, first of all, whether Francis was truly intentioned to found a religious family at this stage. It was rather the Cardinal who suggested the easier way to Francis, by indicating the centuries-old religious institutions of the Church, namely the heremital or monastic forms of religious life. He might not have indicated the Rule of life of the regular canons, given that these were priests, and the first brothers were nearly all laymen. What Francis did know was that Christ had called him to live according to the *apostolica vivendi forma*, but this way of life was still not a canonically approved form of religious life in the Church at that moment. It only became so after the confirmation of the *Regula bullata* of the friars Minor in 1223. Francis insisted that he had received an intuition, and he wanted it approved by the institution. That was his only aim in going to Rome. He was aware that the official approval of the Church meant that he and the

brothers could live that way of life with a clean conscience and present themselves as wholly catholic. He had no other plans for himself or the brothers.

What was the true significance of Innocent III's oral approval of the primitive *Forma vitae*? The Pope's approval was simply an oral yes to Francis' plan of Gospel living, without any other commitment on the part of the Roman Curia. The Pope did not promise anything to Francis, except that he would re-examine the juridical status of the brotherhood after having given it time to develop and grow, and see how things would work out. Neither was this oral approval easy to get. Although it is difficult to reconstruct the sequence of events when Francis went to Rome in 1209, it is obvious that things were more complicated than they would appear in the oldest version, that of Celano's *Vita Sancti Francisci*. Francis arrived in Rome only to find out that he could not approach the Pope so easily as he might have thought. Roger of Wendover's account seems oddly strange, but it could very well have a grain of truth in it, if we compare it with the addition of Jerome of Ascoli in the *Legenda Maior*. In both instances, we have a clear refusal of the Pope to see and welcome Francis. Indeed, the Pope is irritated at the inopportune intrusion and sends Francis away from his presence. It is only when Francis met Bishop Guido and maybe cleared their mutual misunderstanding as to the intention of his visit that things started moving for him. Guido sent him to Cardinal Giovanni di San Paolo, who first put Francis and the brothers to the test by welcoming them to stay on and seeing their way of life. It was not just a question of examining a written document to present to the Pope. The cardinal wanted proof of the authenticity of this way of life by having the brothers to stay with him for some time. Then he started discussing the issue of the initiative with Francis, again presenting him with innumerable difficulties and doubts. Only when he was sufficiently convinced of the sincerity of Francis' intentions did the cardinal promise to present his cause in front of Innocent III and the consistory of cardinals. Once Francis had come to the Pope and presented his petition, he was told to retire and wait for an answer. At that moment a discussion ensued between the cardinals and the Pope, which would have had a negative outcome if it were not for Cardinal Giovanni di San Paolo who felt confident enough to defend Francis and the brothers as genuinely living the Gospel way of life and repropounding it to the whole Church as a concrete possibility and not an ideological utopia as the cardinals were saying. The Pope called back in Francis and sent him with the command to reflect and pray, and wait for a concrete sign from Christ, and then come back to him. The Pope was buying time. He realized that the consequences of his decision were important, since this way of life was a true novelty in the Church, not so much for its contents, but rather for the way Francis had presented it, namely a truly catholic *Forma vitae*, that would have the blessing of the universal Church. The answer came to Innocent III under the form of Francis' parable of the poor woman in the desert. Innocent III, on his part, also had received a sign in the dream of the poor small man supporting the Lateran basilica. At this point the Pope decided to approve this *Forma vitae* orally and *ad experimentum*, and recognized Francis and the brothers as an itinerant fraternity of apostolic men, giving them the permission to preach penance everywhere, and possibly giving them the monastic tonsure as a sign that he regarded Francis and the brothers as true religious. At no point did the Pope ever state that he was founding an Order. This would answer our last question: What kind of religious order, if one can correctly call it so, was Innocent III instituting when he sent Francis and the brothers to preach penance?

These reflections do not have the aim of providing a solution to the way events developed in 1209. What we can add at this point is that it is rather out of place on our part to try to understand whether Innocent III did approve a *Forma vitae* of a clerical, lay, or mixed brotherhood. These canonical expressions we use today to discover the true identity of our being Friars Minor may not have been that relevant in 1209. They would certainly have become relevant shortly afterwards, and particularly during the tumultuous period of Elias generalate and its aftermath with Alberto da Pisa and Haymo of Faversham. But that is another story.

NOTES

¹ The texts of the Sources in English will be quoted from: *Francis of Assisi. Early Documents*. Vol. I: *The Saint*; Vol. II: *The Founder*; Vol. III: *The Prophet*, Edited by R.J. Armstrong, J.A. Wayne Hellmann, W.J. Short, New City Press, New York – London – Manila 1999-2001 [FAED I-III, plus page number].

² 1C 24 (FAED I, 203).

³ 1C 6 (FAED I, 187). Cfr. Paul SABATIER, *Life of Saint Francis of Assisi*, Trnslated by Louise Seymour Houghton, Hodder and Stoughton, London 1908, 20-22.

⁴ 1C 24 (FAED I, 203-204).

⁵ 1C 25 (FAED I, 204).

⁶ 1C 25 (FAED I, 204).

⁷ 1C 29 (FAED I, 207).

⁸ 1C 30-31 (FAED I, 208-209).

⁹ AP 10 (FAED II, 37-38).

¹⁰ AP 12 (FAED II, 38-39).

¹¹ AP 14 (FAED II, 39-40).

¹² AP 17 (FAED II, 41).

¹³ L3C 27-29 (FAED II, 85-86).

¹⁴ L3C 30-31 (FAED II, 86-87).

¹⁵ L3C 32 (FAED II, 87).

¹⁶ L3C 35 (FAED II, 88).

¹⁷ L3C 41 (FAED II, 93); L3C 46 (FAED II, 95).

¹⁸ Arnaldo FORTINI, *Francis of Assisi*, English translation of the original edition (*Nova Vita di San Francesco*, Santa Maria degli Angeli, Assisi 1959), by Helen Moak, Crossroad, New York 1980, 266-291.

¹⁹ JULIAN OF SPEYER, *Vita Sancti Francisci*, 21 (FAED I, 383), agrees with the L3C, whereas the AP 31 (FAED II, 48) says that Francis went with twelve companions.

²⁰ S. FRANCISCUS, *Tetamentum* 14-15, in *Fontes Franciscani*, a cura di E. Menestò e S. Brufani, Edizioni Porziuncola, Assisi 1995, 228: “Et postquam Dominus dedit mihi de fratribus, nemo ostendebat mihi, quid deberem facere, sed ipse Altissimus revelavit mihi, quod deberem vivere secundum formam sancti Evangelii. Et ego paucis verbis et simpliciter feci scribi et dominus Papa confirmavit mihi.” English text in: FAED I, 125. We shall quote the texts from the Sources in the original Latin version, followed by an indication to the English translation we have indicated above.

²¹ THOMAS DE CELANO, *Vita Prima Sancti Francisci*, 32-33, in *Fontes Franciscani*, 305-307: “[32] Videns beatus Franciscus quod Dominus Deus quotidie auget numerum in idipsum, scripsit sibi et fratribus suis, habitis et futuris, simpliciter et paucis verbis, vitae formam et regulam, sancti Evangelii praecipue sermonibus utens, ad cuius perfectionem solummodo inhiabat. Pauca tamen alia inseruit, quae omnino ad conversationis sanctae usum necessario imminabant. Venit proinde Romam cum omnibus dictis fratribus, desiderans nimium sibi a domino Papa Innocentio tertio quae scripserat confirmari. Erat tunc temporis Romae venerabilis Assisinas episcopus, nomine Guido, qui sanctum Franciscum et omnes fratres in omnibus honorabat, et speciali venerabatur dilectione. Cumque vidisset sanctum Franciscum et fratres eius, causam nesciens, ipsorum adventum graviter tulit; timebat enim ne patriam propriam vellent deserere, in qua Dominus per servos suos iam coeperat maxima operari. Gaudebat plurimum tantos viros

in suo episcopatu habere, de quorum vita et moribus maxime praesumebat. Sed audita causa et eorum intellectu proposito, gavisus est in Domino valde, spondens eis ad hoc dare consilium et subsidium ferre. Accessit praeterea sanctus Franciscus ad reverendum dominum episcopum Sabinensem, nomine Iohannem de Sancto Paulo, qui inter alios Romanae curiae principes et maiores videbatur terrena despiciere et amare caelestia. Qui enim benigne atque charitative suscipiens, ipsius voluntatem et propositum plurimum commendavit.

[33] Verum quia homo erat providus et discretus, coepit eum de multis interrogare et, ut ad vitam monasticam seu eremiticam diverteret, suadebat. At sanctus Franciscus suasionem eius humiliter, prout poterat, recusabat, non persuasa despiciendo, sed alia pie affectando, altiore desiderio ferebatur. Mirabatur dominus ille fervorem ipsius, et timens ne a tanto proposito resiliret, ei planiora itinera ostendebat. Tandem eius constantiae victus precibus acquievit, et coram domino papa studuit eius negotia de caetero promovere. Praeerat tunc temporis Ecclesiae Dei dominus Innocentius papa tertius, vir gloriosus, doctrina quoque affluentissimus, sermone clarissimus, zelo iustitiae fervens in iis quae christianae fidei cultus causa poscebat. Hic cum virorum Dei votum agnovisset, discretione praevia, petitioni eorum accensum praebuit et effectu prosequente complevit, atque de plurimis exhortans et monens eos, benedixit sancto Francisco et fratribus eius, dixitque eis: ‘Ite cum Domino, fratres, et prout Dominus vobis inspirare dignabitur, omnibus poenitentiam praedicate. Cum enim omnipotens Dominus vos numero multiplicabit et gratia, ad me cum gaudio referetis, et ego vobis his plura concedam et securius maiora committam’. – Vere Dominus erat cum sancto Francisco quocumque pergebat, eum revelationibus laetificans et beneficiis exhortans. Nam cum nocte quadam se sopori dedisset, visum est sibi per quamdam viam ambulare, iuxta quam arbor magnae proceritatis stabat. Arbor illa pulchra et fortis, grossa et alta nimis. Factum est autem dum appropinquaret ad eam, et sub ea stans eius pulchritudinem et altitudinem miraretur, subito ipse sanctus ad tantam devenit altitudinem, ut cacumen arboris tangeret, eamque manu capiens facillime inclinaret ad terras. Et revera sic actum est, cum dominus Innocentius, arbor in mundo excelsior et sublimior, eius petitioni et voluntati se tam benignissime inclinavit.” English translation: IC 32-33 (FAED I, 210-213).

²² IULIANUS DE SPIRA, *Vita Sancti Francisci*, 21, in *Fontes Franciscani*, 1042-1043: “[21] Cernens igitur beatus Franciscus passim accrescere numerum fratrum, plenius illis exposuit cordis sui propositum, necnon et divinae revelationis arcanum. Brevi ergo regulam sermone conscripsit, interpositis in illa sacris Evangelii verbis, ad cuius perfectionem, quantum poterat, anhelavit. Desiderans autem quae scripserat a summo Pontifice confirmari, undecim quos habuit secum fratres assumpsit et Romam cum illis duodecimos ipse perrexit. Quo perveniens, ad quemdam ex episcopis cardinalibus, virum probatum et discretum, accessit, eique per ordinem adventus sui causam plenius explanavit. Qui, diligenter audito pauperum Christi negotio, etsi propositum tam laudabile non immerito commendaret, in primis tamen illi suggessit, ut ad vitam eremiticam sive monasticam se transferret. Sed famuli Christi constantia coepto perseveranter insistens, persuasionis huiusmodi quanto poterat humiliter non admisit. Qui et usque adeo tandem Domino cooperante praevaluit, donec, eodem episcopo fideliter procurante, ad summi Pontificis audientiam res pervenit. – Concomitabatur quoque beatum virum divina providentia in omnibus quae agebat, et securum per crebras revelationes visionesque reddebat. Vidit etiam tunc temporis visionem, suo domini Papae consensum proposito pollicentem: quamdam videlicet arborem magnam miraeque proceritatis, cuius ipse cacumen manibus leviter ad terram usque deflexit. Quod utique rei exitus evidenter postmodum comprobavit, dum se ad condescendum viro pauperi vir excellentissimus et magnanimus, dominus videlicet Innocentius papa tertius, qui tunc Ecclesiae praeerat, inclinavit. – Dans igitur duodenario fratrum pium summus Pontifex de regula confirmanda consensum, dans et eisdem de poenitentia praedicanda mandatum, cum gaudio illos data benedictione dimisit; sed et eisdem adhuc ampliora multiplicatis in posterum compromisit.” English translation: LJS 21 (FAED I, 383-384).

²³ *De Inceptione vel Fundamento Ordinis* 31-36, in *Fontes Franciscani*, 1335-1339: “[31] Videns autem beatus Franciscus quod fratres suos numero et merito auget gratia Salvatoris, dixit eis: - ‘Video, fratres, quod Dominus congregationem magnam facere vult de nobis. Euntes ergo ad matrem nostrum Romanam Ecclesiam, notificemus Summo Pontifici quae Dominus per nos facit, et de voluntate eius et praecepto quod coepimus faciamus.’ Cumque placuisset eis quod dixerat, assumpsit secum duodecim fratres et iverunt Romam. Cumque per viam incederent, dixit eis: - ‘Faciamus unum de nobis ducem nostrum et habeamus eum nobis quasi vicarium Iesu Christi. Quocumque ei declinare placuerit, declinemus et quando hospitari voluerit, hospitemur.’ Et elegerunt fratrem Bernardum, qui primus a beato Francisco receptus fuerat, et sicut dixerat opere perfecerunt. Gaudentes ibant et verba Domini loquebantur; et nullus eorum audebat aliquid dicere, nisi quod ad laudem Domini et gloriam pertineret, et quod esset ad utilitatem

animarum ipsorum, vel orationi vacabant. Dominus autem eis hospitium et cibum necessitates eorum tempore praeparabat.

[32] Cumque venissent Romam, invenerunt Episcopum civitatem Assisii, qui Romae tunc temporis morabatur. Qui videns eos, cum ingenti gaudio eos recepit. Episcopus autem notus erat cuidam Cardinali, qui dominus Ioannes de Sancto Paulo dicebatur, et erat bonus homo et religiosus, et servos Domini plurimum diligebat. Cui dictus Episcopus patefecerat propositum et vitam beati Francisci et fratrum suorum. Qui, his auditis, beatum Franciscum et aliquos de fratribus suis cum desiderio videre affectabat. Cumque audisset quod essent in Urbe, misit pro eis et ad se venire fecit. Videns autem eos, cum devotione et amore suscepit illos.

[33] Cum autem paucis diebus cum eo morati fuissent, et quod verbis de ipsis audiverat videret opera refulgere, eos intime diligebat. Et dixit beato Francisco: - 'Recommendo me vestris orationibus, et volo ut sicut unum de vestris fratribus me de cetero habeatis. Dicite ergo mihi, quare venistis?' Tunc beatus Franciscus totum ei suum propositum revelavit et quod Domino Apostolico loqui volebat et de voluntate eius et praecepto prosequi quod agebat. Cui respondit: - 'Ego volo esse procurator vester in curia domini Papae.' Et sic pergens ad Curiam dixit domino papae Innocentio Tertio: - 'Inveni virum perfectissimum, qui secundum formam sancti Evangelii vult vivere et perfectionem evangelicam observare. Per quem credo quod Dominus velit per universum mundum totam suam Ecclesiam renovare.' Quo audito dominus Papa miratus est, et dixit ei: - 'Ducas eum ad me.'

[34] Sequenti igitur die duxit eum ad Papam. Beatus autem Franciscus domino Papae totum suum propositum patefecit, sicut antea dixerat Cardinali. Respondit ei dominus Papa: - 'Nimis est dura et aspera vita vestra, si volentes facere congregationem nihil vultis in hoc saeculo possidere. Unde enim necessaria vobis provenient?' Respondit beatus Franciscus: - 'Domine, confido in meo Domino Iesu Christo. Quoniam qui promittit nobis dare in caelo vitam et gloriam, non subtrahet nobis necessaria corporis in terra tempore opportune.' Respondit Papa: - 'Verum est quod tu dicis, fili; tamen humana natura fragilis est et numquam in eodem statu permanet. Sed vade et ex toto corde Domino deprecare, ut meliora et ultiora animabus vestris tibi dignetur ostendere. Et rediens mihi nuncia, et ego ea postmodum concedam.'

[35] Tunc abiens ad orationem, oravit ad Dominum puro corde, ut per suam ineffabilem pietatem hoc ei ostendere dignaretur. Cumque iam in oratione perseverasset et totum cor suum ad Dominum collegisset, factum est verbum Domini in cor eius, et per similitudinem dixit ei: 'Fuit in regno cuiusdam magni Regis mulier quaedam, paupercula plurimum sed decora, quae oculis Regis placuit, et ex ea plures filios generavit. Quadam vero die coepit mulier illa cogitare intra se dicens: «Quid faciam ego paupercula, cui tot nati sunt filii nec possessiones habeo, unde vivere possint?» Cum vero in corde suo talia cogitaret, et prae multitudine cogitationum tristis eius facies redderetur, apparuit Rex et dixit ei: «Quid habes, quia cogitantem te video, et esse tristem?» At illa dixit ei omnes animi sui cogitationes. Respondit ei Rex, dicens: «Noli timere de tua nimia paupertate, nec de filiis tibi natis et plurimis nascituris, quoniam cum multi mercenarii in domo mea abundant panibus, nolo ego quod filii mei fame pereant, sed volo eos plus aliis abundare.» Intellexit statim vir Dei Franciscus se per mulierem illam pauperulam designari. Ex hoc igitur vir Dei suum propositum stabilivit, sanctissimam paupertatem de cetero observare.

[36] Et surgens eadem hora ivit ad Apostolicum, et ea quae sibi Dominus revelaverat indicavit. Audiens autem hoc dominus Papa miratus est vehementer, quoniam homini tam simplici suam Dominus revelaverat voluntatem. Et cognovit quoniam non in sapientia hominum ambulabat, sed in ostensione Spiritus et virtute. Deinde inclinavit se beatus Franciscus et promisit domino Papae obedientiam et reverentiam humiliter et devote. Et alii fratres, quia obedientiam nondum promiserant, secundum praeceptum domini Papae beato Francisco obedientiam et reverentiam similiter promiserunt. Et dominus Papa concessit ei Regulam et fratribus eius habitis et futuris. Et dedit ei auctoritatem praedicandi ubique, sicut ei Spiritus Sancti gratia largiretur, et quod possent etiam fratres alii praedicare, quibus esset a beato Francisco officium praedicationis concessum. Exinde coepit beatus Franciscus per civitates et castella populo praedicare, sicut ei Spiritus Domini revelabat. Posuit autem Dominus in ore eius verba honesta, melliflua atque dulcissima, ita ut vix posset de audiendo eum aliquis satiari. Dictus autem Cardinalis, propter devotionem quam habebat in Fratrem, omnibus illis XII fratribus clericam fecit dari. Et postea ordinavit beatus Franciscus quod fieret Capitulum bis in anno, in Pentecosten et in festo Sancti Michaelis in mense septembris." English translation: AP 31-36 (FAED II, 48-51).

²⁴ AP 36 speaks about "twelve brothers" including Francis, whereas AP 31 states that Francis took with him "twelve brothers" to Rome. The *clerica*, or tonsure, was not necessarily a sign that the brothers were

considered to be clerics. In the Middle Ages it could simply mean that they were religious, and that they had permission to preach.

²⁵ *Legenda Trium Sociorum* 46-53, in *Fontes Franciscani*, 1419-1425: “[46] Videns autem beatus Franciscus quod Dominus fratres suos numero et merito augmentaret, cum iam essent duodecim viri perfectissimi sentientes idipsum, dixit illis undecim, ipse duodecimus dux et pater eorum: ‘Video, fratres, quod Dominus congregationem nostram vult misericorditer augmentare. Euntes ergo ad matrem nostram sanctam romanam ecclesiam, notificemus summo pontifici quae Dominus per nos facere coepit, ut de voluntate et precepto ipsius quod coepimus prosequamur.’ Cumque placuisset aliis fratribus dictum patris et simul cum eo iter arripuissent ad curiam, dixit eis: ‘Faciamus unum ex nobis ducem nostrum et habeamus ipsum quasi vicarium Iesu Christi ut quocumque declinare voluerit declinemus, et quando hospitari voluerit hospitemur.’ Et elegerunt fratrem Bernardum, primum post beatum Franciscum, et sicut pater dixerat servaverunt. Gaudentes igitur ibant et verba Domini loquebantur, non audentes aliquid loqui nisi quod ad laudem et gloriam Dei et ad utilitatem animae pertinebat, et frequenter orationi vacabant. Dominus autem semper eis praeparabat hospitium, faciens illis necessaria ministrari.

[47] Cum autem venissent Romam et invenissent ibi episcopum civitatis Assisii, ab ipso cum ingenti gaudio sunt suscepti, nam Beatum Franciscum et omnes fratres speciali venerabatur affectu. Nesciens tamen causam adventus eorum, coepit turbari, timens ne patriam propriam vellent deserere, in qua Dominus per eos coeperat mirabilia operari. Gaudebat enim vehementer tantos viros in suo episcopatu habere, de quorum vita et moribus maxime praesumebat. Sed audita causa eorumque intellecto proposito gavisus est valde, spondens eis ad hoc consilium et iuvamen. Erat autem idem episcopus notus cuidam cardinali episcopo Sabinensi, qui dicebatur dominus Iohannes de Sancto Paulo, vere gratia Dei plenus, diligens plurimum servos Dei. Huic praefatus episcopus patefecerat vitam beati Francisci et fratrum suorum, propter quod ipse affectabat videre virum Dei et aliquos de fratribus suis. Audiens autem quod essent in Urbe, misit pro illis et suscepit eos cum magna reverentia et amore.

[48] Paucis vero diebus morantes cum ipso, ita aedificaverunt eum sanctis sermonibus et exemplis, quod videns in opere fulgere quod de ipsis audierat, recommendavit se eorum orationibus humiliter et devote, petivit etiam de gratia speciali quod volebat ex tunc sicut unus de fratribus reputari. Denique interrogans beatum Franciscum quare venisset, et audiens ab eo totum suum propositum et intentum, obtulit se procuratorem suum in curia. Perrexit ergo ad curiam dictus cardinalis et dixit domino papae Innocentio tertio: ‘Inveni virum perfectissimum qui vult secundum formam sancti evangelii vivere et evangelicam perfectionem in omnibus observare, per quem credo quod Dominus velit in toto mundo fidem sanctae ecclesiae reformare.’ Quod audiens, dominus papa miratus est valde et eidem cardinali imposuit ut ad se duceret beatum Franciscum.

[49] Sequenti ergo die, vir Dei a dicto cardinali est coram summo pontifice praesentatus, cui totum suum sanctum propositum patefecit. Ipse vero pontifex, cum esset discretione praecipua praeditus, votis sancti debito modo assensit, et exhortans ipsum ac fratres suos de multis, benedixit eis dicens: ‘Ite cum Domino, fratres, et sicut ipse vobis inspirare dignabitur omnibus poenitentiam praedicate. Cum autem omnipotens Deus vos multiplicaverit numero maiori et gratia, referetis nobis, et nos plura his concedemus ac maiora vobis securius commitemus.’ Volens autem dominus papa scire utrum concessa et concedenda essent secundum Domini voluntatem, priusquam sanctus ab ipso recederet, dixit ei et sociis: ‘Filioli nostri, vita vestra videtur nobis nimis dura et aspera, licet enim credamus vos esse tanti fervoris quod de vobis non oporteat dubitare, tamen considerare debemus pro illis qui secuturi sunt vos, ne haec via nimis ipsis aspera videatur.’ Cumque videret eorum fidei constantiam et anchoram spei firmissime roboratam in Christo, ita ut nollent a suo fervore divertere, dixit beato Francisco: ‘Fili, vade et ora Deum ut tibi revelet si id quod quaeritis de sua voluntate procedit, quatenus nos scientes Domini voluntatem, tuis desideriis annuamus.’

[50] Orante itaque sancto Dei, sicut ei suggesserat dominus papa, locutus est ei Dominus in spiritu per similitudinem dicens: ‘Quaedam mulier pauperula et formosa erat in quodam deserto, cuius pulchritudinem rex quidam magnus admirans concupivit eam accipere in uxorem, quia putabat ex ipsa pulchros filios generare. Contracto autem et consummato matrimonio, multi filii sunt geniti et adulti, quos mater sic alloquitur dicens: «Filii, nolite verecundari quia filii Regis estis. Ite ergo ad curiam eius et ipse vobis omnia necessaria ministrabit.» Cum ergo venissent ad regem, miratus est rex eorum pulchritudinem, vidensque in eis suam similitudinem dixit illis: «Cuius estis filii?» Cui cum respondissent se esse filios mulieris pauperulae in deserto morantis, rex cum magno gaudio amplexatus est eos dicens: «Nolite timere, quia filii mei estis. Si enim de mensa mea nutriuntur extranei, multo magis vos qui estis mei legitimi.» Mandavit itaque rex mulieri praedicatae ut omnes filios ex se susceptos ad suam curiam mitteret

nutriendos. His igitur sic ostensis per visum beato Francisco oranti, intellexit vir sanctus se per illam mulierem pauperulam designari.

[51] Et oratione completa repraesentavit se summon pontifici et exemplum, quod ei Dominus ostenderet, sibi per ordinem intimavit. Dixitque: 'Ego sum, domine, illa mulier pauperula quam Dominus amans per suam misericordiam decoravit et ex ipsa placuit sibi filios legitimos generare. Dixit autem mihi rex regum quod omnes filios quos ex me generabit nutriet, quia si nutrit extraneos, bene debet legitimos nutrire. Si enim Deus peccatoribus donat bona temporalia propter nutriendorum filiorum amorem, multo magis viris evangelicis, quibus haec debentur ex merito, largietur.' His auditis, dominus papa miratus est vehementer, maxime quia ante adventum beati Francisci viderat in visione quod ecclesia Sancti Iohannis Lateranensis minabatur ruinam et quidam vir religiosus, modicus et despectus eam sustentabat, proprio dorso submisso. Evigilans vero stupefactus et territus, ut discretus et sapiens considerabat quid sibi vellet haec visio. Sed post paucos dies, cum venisset ad eum beatus Franciscus et ei suum propositum revelasset, ut dictum est, petissetque ab eo confirmari sibi regulam quam scripserat verbis simplicibus, utens sermonibus sancti evangelii ad cuius perfectionem totaliter inhiabat, respiciens eum dominus papa ita ferventem in Dei servitio, atque conferens de visione sua et de praedicto exemplo ostenso viro Dei, coepit intra se dicere: 'Vere hic est ille vir religiosus et sanctus per quem sublevabitur et sustentabitur ecclesia Dei.' Et sic aplexatus est eum et regulam quam scripserat approbavit. Dedit etiam sibi licentiam praedicandi ubique poenitentiam ac fratribus suis, ita tamen quod qui praedicaturi erant a beato Francisco licentiam obtinuerent. Et hoc idem postea in consistorio approbavit.

[52] His ergo concessis, beatus Franciscus gratias egit Deo, et genibus flexis promisit domino papae obedientiam et reverentiam humiliter et devote. Alii autem fratres, secundum praeceptum domini papae, beato Francisco similiter oboedientiam et reverentiam promiserunt. Suscepta itaque benedictione a summo pontifice et visitatis apostolorum liminibus, datisque tonsures beato Francisco et aliis undecim fratribus sicut dictus cardinalis procuraverat, volens omnes illos duodecim esse clericos.

[53] Relinquens Urbem, vir Dei cum dictis fratribus in orbem profectus est, mirans valde de suo desiderio sic facile adimpleto, crescensque quotidie in spe et fiducia salvatoris, qui sanctis revelationibus suis quae gesta fuerant ei primitus demonstraverat. Nam antequam obtineret praedicata, quadam nocte cum se sopori dedisset, videbatur sibi quod per quamdam viam incederet iuxta quam erat arbor magnae proceritatis, pulchra, fortis et grossa. Cumque appropinquaret ad eam et stans sub ipsa, eius celsitudinem et pulchritudinem miraretur, subito ad tantam altitudinem devenit ipse sanctus quod cacumen arboris tangebatur, eamque usque ad terram facillime inclinabat. Et revera sic actum est cum dominus Innocentius, arbor in mundo sublimior et pulchrior et fortior, eius petitioni et voluntati se tam benignissime inclinavit." English translation: L3C 46-53 (FAED II, 95-99).

²⁶ Regarding the same dream of Innocent III in the Sources for the life of St. Dominic, cfr. FAED II, 97, footnote a. The dream is narrated by Constantius Medici in his *Life of Saint Dominic* (1244-1245).

²⁷ THOMAS DE CELANO, *Vita Secunda Sancti Francisci*, 16-17, in *Fontes Franciscani*, 457-460: "[16] Tempore quo ad petendam vitae suae regulam se cum suis coram papa Innocentio praesentavit, cum eius supra vires propositum conversationis papa videret, sicut homo discretione maxima praeditus, dixit ad eum: 'Ora, fili, ad Christum, ut suam nobis per te voluntatem ostendat, qua cognita, tuis piis desideriis securius annuamus'. Annuuit sanctus summi pastoris mandato, fiducialiter currit ad Christum; orat instanter, et ad supplicandum Deo devote socios exhortatur. Quid plura? Responsum orando reportat et refert filiis nova salutis. Familiaris allocutio Christi in parabolis noscitur: 'Francisce', inquit, 'sic dices ad papam: Mulier quaedam pauperula sed formosa in quodam deserto manebat. Adamavit eam rex quidam ob maximum illius decorum; contraxit cum ea gratanter et filios ex ea venustissimos genuit. Adultos iam illos et nobiliter educatos mater alloquitur: «Nolite», inquit, «verecundari, dilecti, eo quod pauperes sitis, nam illius magni regis estis filii omnes. Ad curiam eius itote gaudentes, et ab ipso vobis necessaria postulate». Audientes hoc illi mirantur et gaudent, et regiae stirpis sublevati promisso, futuros se scientes heredes, omnem inopiam divitias reputant. Praesentant se regi audacter, nec pavent vultum cuius similem gestant imaginem. Cognita rex similitudine sua in illis, cuius essent filii mirando exquirat. Qui cum mulieris illius pauperulae in deserto morantis se filios affirmarent, amplexans eos rex: «Mei», ait, «estis filii et haeredes; timere nolite! Nam si de mensa mea nutriuntur extranei, iustius est ut enutrirer faciam quibus haereditas notas de iure servatur». Mandat proinde rex mulieri, ut omnes ex se genitos ad suam curiam pascendos transmittat'. Laetus et gaudens sanctus efficitur de parabola, et sacrum oraculum protinus reportat ad papam.

[17] Mulier haec erat Franciscus multorum fecunditae natorum, non factorum mollitie; desertum: mundus, tempore illo incultus et sterilis doctrina virtutum; filiorum venusta et larga progenies: fratrum multiplex numerus et omni virtute decorus; rex: Filius Dei, cui sancta paupertate consimiles eadem forma respondent, qui nutritive de mensa regis omni vilitatis rubore contempto suscipiunt, cum, imitatione Christi contenti eleemosynisque viventes, per mundi opprobria futuros se beatos agnoscant. Miratur dominus papa propositam sibi parabolam, et indubitanter Christum locutum in homine recognoscit. Recordatur visionis cuiusdam quam viderat diebus paucis ante transactis, quam et in hoc homine fore complendam, Spirito Sancto docente, affirmat. Viderat in somnis Lateranensem basilicam fore proximam iam ruinae, quam quidam religiosus, homo modicus et despectus, proprio dorso submisso, ne caderet, sustentabat. ‘Vere’, inquit, ‘hic ille est qui opere ac doctrina Christi sustentabit Ecclesiam’. Inde dominus ille petitioni eius tam facile se inclinat; hinc, Dei devotione repletus, Christi famulum speciali semper dilexit amore. Proinde postulate cito concessit, et his plura adhuc devotus concedere repromisit. Coepit exinde auctoritate sibi concessa virtutum semina spargere, civitates et castella circuiens praedicare ferventius.” English translation: 2C 16-17 (FAED II, 254-256).

²⁸ BONAVENTURA DE BALNEOREGIO, *Legenda Maior Sancti Francisci* III,8-10, in *Fontes Franciscani*, 800-803: “[8] Cernens autem famulus Christi, paulatim accrescere numerum fratrum, scripsit sibi et fratribus suis simplicibus verbis formulam vitae, in qua, sancti Evangelii observantia pro fundamento indissolubili collocata, pauca quaedam alia inseruit, quae ad uniformem vivendi modum necessaria videbantur. Desiderans autem, per Summum Pontificem approbari quae scripserat, disposuit cum illo simplicium coetu apostolicae Sedis adire praesentiam, de sola confusus directione divina. Cuius desiderium Deus ex alto respiciens, sociorum animos simplicitatis suae consideratione perterritis, ostensa viro Dei visione huiusmodi confortavit. Videbatur siquidem ei, quod per quamdam viam incederet, iuxta quam stabat arbor celsitudinis magnae; ad quam cum appropinquasset et sub ea stans, ipsius altitudinem miraretur, subito tantum divina virtute levabatur in altum, ut cacumen contingeret arboris eiusque summa facillime curvaret ad ima. Huius visionis praesagium vir Deo plenus intelligens referri ad condescensionem apostolicae dignitatis, exhilaratus est spiritu, fratribusque suis in Domino confortatis, iter cum eis aggressus est.

[9] Summi Pontificis, exposuit propositum suum, petens humiliter et instanter, supradictam sibi vivendi regulam approbari. Videns autem Christi Vicarius, dominus Innocentius tertius, vir utique sapientia clarus, admirandam in viro Dei simplicis animi puritatem, propositi constantiam ignitumque voluntatis sanctae fervorem, inclinatus est animo, ut pium supplicanti praeberet assensum. Distulit tamen perficere quod Christi postulabat pauperculus, pro eo quod aliquibus de cardinalibus novum aliquid et supra vires humanas arduum videretur. Aderat autem inter cardinales vir venerandus, dominus Ioannes de Sancto Paulo, episcopus Sabinensis, omnis sanctitatis amator et adiutor pauperum Christi; qui divino Spiritu inflammatus, Summo Pontifici dixit et fratribus suis: ‘Si petitionem pauperis huius tamquam nimis arduam novamque refellimus, cum petat confirmari sibi formam evangelicae vitae, cavendum est nobis, ne in Christi Evangelium offendamus. Nam si quis intra evangelicae perfectionis observantiam et votum ipsius dicat contineri aliquid novum aut irrationabile vel impossibile ad servandum, contra Christum, Evangelium auctorem, blasphemare convincitur’. Quibus propositis successor Apostoli Petri, converses ad pauperem Christi, dixit: ‘Ora, fili, ad Christum, ut suam nobis per te voluntantem ostendat, qua certius cognita, tuis piis desideriis securius annuamus’.

[9a *Additio posterior*] Cum autem ad Romanam curiam pervenisset et adduceretur ante conspectum Summi Pontificis, essetque Christi Vicarius in palatio Lateranensi, in loco qui dicitur Speculum deambulans, altis meditationibus occupatus, Christi famulum tamquam ignotum repulit indignanter. Quo humiliter foras egresso, sequenti nocte huiusmodi revelatio facta est a Deo ipsi Summo Pontifici. Videbat namque inter pedes suos palmam paulatim succrescere et in arborem pulcherrimam elevari. Et eo mirante, quid haec visio vellet ostendere, divina lux impressit menti ipsius Christi Vicarii, quod haec palma illum pauperem, quem in die praecedenti repulerat, designabat. Et mane sequenti mandavit per suos famulos per Urbem dictum pauperem quaeri. Quem inventum iuxta Lateranum in hospitali S. Antonii, ante conspectum suum celeriter iussit adduci. Cumque introductus esset ante etc. ut in num. 9,1 sqq.

[10] Omnipotentis autem Dei famulus, totum se conferens ad orandum, precibus devotis obtinuit et quid exterius ipse proferret, et quid interius Papa sentiret. Nam cum parabolam de divite rege cum muliere formosa et paupere contrahente gratanter et de prole suscepta praeferente generantis regis imaginem, ac per hoc educanda de mensa ipsius, sicut a Deo acceperat, retulisset, ex illius interpretatione subiunxit: ‘Non est formidandum, quod fame pereant aeterni Regis filii et heredes, qui ad imaginem Regis Christi per Spiritus

sancti virtutem de paupere matre nati, et ipsi per spiritum paupertatis sunt in religione pauperula generandi. Si enim Rex caelorum imitatoribus suis regnum promittit aeternum, quanto magis illa subministrabit, quae communiter largitur bonis et malis'. Hanc ergo parabolam et intellectum ipse Christi Vicarius cum diligenter audisset, miratus est valde et indubitanter Christum locutum in homine recognovit. – Sed et visionem, quam tunc temporis a caelo perceperat, in hoc viro fore complendam, Spiritu divino suggerente, firmavit. Videbat namque in somnis, ut retulit, Lateranensem basilicam fore proximam iam ruinae, quam quidam homo pauperulus, modicus et despectus, proprio dorso submisso, ne caderet, sustentabat. 'Vere', inquit, 'hic illa est, qui opere et doctrina Christi sustentabit Ecclesiam'. Inde praecipua devotione repletus, petitioni eius per se omnia inclinavit ac Christi famulum speciali semper amore dilexit. Proinde postulate concessit et adhuc concedere plura promisit. Approbavit regulam, dedit de poenitentia praedicanda mandatum et laicis fratribus omnibus, qui servum Dei fuerant comitati, fecit coronas parvulas fieri, ut verbum Dei libere praedicarent." English translation: LM III,8-10 (FAED II, 547-549).

²⁹ The order of the chapter of Narbonne in 1260, or more probably, of the chapter of Rome in 1257 was the following: *Iterum ordinetur de legenda beati Francisci, ut de omnibus una bona compiletur* ("Ceremoniale ordinis minorum vetusissimum sub Ioanne de Parma ministro generali emanatae anno 1254", a cura di G. GOLUBOVICH, in *Archivum Franciscanum Historicum* 3 (1910) 76).

³⁰ ARNALD DE SARRANT, *Chronica XXIV Generalium Ordinis Minorum*, in *Analecta Franciscana* III, 365: "His Generalis addidit Legendae beati Francisci per dominum fratrem Bonaventuram compilatae illam visionem domini Papae Innocentii tertii, quando beatum Franciscum tamquam ignotum repulit indignanter ab illo loco: «Cum igitur esset Christi vicarius in loco, qui dicitur Speculum» etc.; quam sibi dominus Richardus, tituli sancti Angeli diaconus Cardinalis, nepos eiusdem domini Papae, prout ab eodem, avunculo suo, receperat, devote revelavit."

³¹ ROGER OF WENDOVER, *Chronicle* 5-6 (FAED I, 598-599): "In order to carry out his salutary purpose this man of God, Francis, had the above-mentioned norms set down in writing, together with some others which are most faithfully observed by the brothers of this Order up to the present time, and presented this document to Pope Innocent, who was sitting in consistory at Rome, requesting that his petition be confirmed by the Apostolic See. The Pope attentively considered the brother standing before him; his strange habit, his ignoble countenance, his long beard, his unkempt hair, and his dirty and overhanging brow, and once he had Francis' petition read, which was so difficult, indeed impossible in common estimation to carry out, he despised him and said: 'Go, brother and look for some pigs, to whom you are more fit to be compared rather than to human beings, and roll round with them in a slough; give them this Rule you prepared and fulfill there your office of preaching.' When Francis heard these words, he bowed his head and left immediately. He finally found some pigs and rolled with them in the mud until he had covered his body and habit with filth from head to toe. He then returned to the consistory and presented himself to the gaze of the Pope. 'My Lord,' he said, 'I have done as you ordered; I beg you, now hear my petition.' When the astonished Pope saw what Francis had done, he deeply regretted having treated him with contempt. When he composed himself, he ordered Francis to wash himself and then return to him. Francis swiftly cleansed himself from the filth and returned immediately. Overcome with emotion because of this, the Pope granted his petition; after confirming his Order and, through a privilege of the Roman Church, the office of preaching which he had requested, he dismissed him with a blessing." Original text in L. LEMMENS, *Testimonia minora saeculi XIII de S. Francisco Assisiensi*, Collegio San Bonaventura, Quaracchi 1926, 31.

³² Historically the Latin name *Ordo fratrum Minorum* would indicate the Order from the moment of the approval of the *Forma vitae* in 1209 (even though at that stage the sources do not speak about an *Ordo* in the canonical sense of the term) up till the moment when the Order split into two distinct families, namely the *Ordo Fratrum Minorum de Regularis Observantia*, and the *Ordo Fratrum Minorum Conventualium*, in 1517. Some historians would speak about the *O.Min.*, or *Ordo (fratrum) Minorum*. The name *Ordo Fratrum Minorum* refers to the families of the First Franciscan Order as we know them today, and as they developed from 1517 onwards. Nowadays there are three families with this name, namely: *Ordo Fratrum Minorum* (Order of Friars Minor), *Ordo Fratrum Minorum Conventualium* (Order of Friars Minor Conventuals), and *Ordo Fratrum Minorum Cappuccinorum* (Order of Friars Minor Capuchins). The official name *Ordo Fratrum Minorum* without any other adjectives was given by Leo XIII in 1897 to four autonomous families of the First Order, which coexisted under the obedience of one Minister General, and which the Pope united into one family, namely the *Fratres Minores de Regularis Observantia*, the *Fratres Minores Riformati*, the *Fratres Minores Discalceati* or *Alcantarini*, and the *Fratres Minores Recollecti*.

The Friars Minor Capuchins are a reform, which started in 1525 and was officially recognized as an autonomous Order in 1610.

³³ L3C 37 (FAED II,90); AP 19 (FAED II, 43).

³⁴ THOMAS DE CELANO, *Vita Sancti Francisci*, 38, in *Fontes Franciscani*, 312-313: “Ordinem Fratrum Minorum primitus ipse plantavit, et ea scilicet occasione hoc ei nomen imposuit. Cum nempe sic in Regula scriberetur: ‘Et sint minores’, ad huius sermonis prolationem, ea quidem hora: ‘Volo’, inquit, ‘ut Ordo Fratrum Minorum fraternitas haec vocetur’. – Et vere minores, qui, omnibus subditi existentes, semper quaerebant locum vilitatis, et officium exercere, et in quo quaedam fore iniuria videretur, ut sic in solido verae humilitatis fundari mererentur, ut felici dispositione in eis consurgeret omnium virtutum fabrica spiritalis.” English translation 1C 38 (FAED I, 217). The reference to 1Pt 2:13 is found in *RegNB* 7,2.

³⁵ L. LEHMANN, “*Sed sint minores*. La minorità nella *Regula non bullata*: proposte e reazioni”, in *Minores et subditi omnibus. Tratti caratterizzanti dell’identità francescana*. Atti del Convegno (Istituto Francescano di Spiritualità, Pontificio Ateneo Antonianum, Roma, 26-27 novembre 2002), Edizioni Collegio S. Lorenzo da Brindisi – Laurentianum, Roma 2003, 129-147. In page 146 the author concludes: “Quindi, è ben probabile che il nome sia stato stabilito poco dopo l’approvazione orale del *propositum vitae* nel 1209/10 o, al più tardi, per la *forma vitae* elaborata intorno al IV Concilio Lateranense nel 1215, per il quale i frati dovevano presentare indubbiamente una loro regola per sottrarsi al decreto 13 del Concilio che proibiva la fondazione di nuovi Ordini. Con sicurezza possiamo quindi concludere che, dopo una certa fluttuazione (prima “Penitenti di Assisi”, poi “Poveri Minori”), tra il 1210 e il 1216 il nome di *Fratres Minores* viene a stabilirsi in modo che nel 1216 è già ufficiale.”

³⁶ BURCHARD OF URSPERG (FAED I, 594): “The Pope approved certain others then on the rise who called themselves ‘Poor Minors’ [...] However, later on these men realized that their name could possibly lead to self-glorification under the cover of great humility and that, as many bear the title ‘poor’ to no purpose, they could boast in vain before God; therefore, obedient to the Apostolic See in all things, they preferred to be called Lesser Brothers (*Friars Minor*) instead of Poor Minors.”

³⁷ JACQUES DE VITRY, *Letter written from Genoa (1216)* (FAED I, 578-580).

³⁸ *Compilatio Assisiensis* 101, in *Fontes Franciscani*, 1636-1637: “Unde quadam vice dixit: ‘Religio et vita fratrum Minorum est quidam *pusillus grex* (cfr. Lc 12,32), quem Filius Dei in hac novissima hora suo Patri caelesti postulavit dicens: Pater, vellem quod faceres et dares michi quondam novum et humilem populum in hac novissima hora, qui esset dissimilis in humilitate et paupertate ab omnibus aliis qui precesserunt et esset contentus habere me solum. Et ait Pater dilecto Filio suo: Fili, factum est quod postulasti’. Unde dicebat beatus Franciscus quod ‘ideo voluit Dominus ut vocarentur fratres Minores, quia iste est populus quem Filius Dei suo Patri postulavit; ipsemet Dei Filius de ipsis dicit in Evangelio: *Nolite timere pusillus grex, quia placuit Patri vestro dare vobis regnum* (Luc 12,32), et iterum: *Quod uni ex his minoribus fratribus meis fecistis michi fecistis* (cfr. Mat 25,40). Quoniam licet de omnibus pauperibus spiritualibus intelligatur Dominus hoc dixisse, precipue tamen predixit Religionem fratrum Minorum esse venturam in Ecclesia sua’. Unde sicut revelatum fuit beato Francisco ut deberet vocari Religio Minorum fratrum, ita scribi fecit in prima Regula, cum portavit eam coram domino papa Innocentio III, et ipse approbavit et concessit sibi et postea in consilio omnibus annuntiavit.” English translation: AC 101 (FAED II, 204-205). Parallel text: *Speculum Perfectionis* 26, in *Fontes Franciscani*, 1890-1891. English translation: 2MP 26 (FAED III, 276).