



2. Overview of Penitential Movement

**I. In the Name of the Lord! Here begins
the Rule and Life of the Brothers and Sisters of the
Third Order Regular of Saint Francis**

1. **T**he form of life of the Brothers and Sisters of the Third Order Regular of Saint Francis is this: to observe the Holy Gospel of our Lord Jesus Christ, living in obedience, in poverty and in chastity (LR 1:1; ER 1:1; FLCl 1:2). Following Jesus Christ at the example of Saint Francis, (FLCl 6:1) they are held to do more and greater things in observing the precepts and counsels of our Lord Jesus Christ. They must deny themselves (cf Mt 16:24) as each has promised God (2LtF 36-40).

2. With all in the holy Catholic and apostolic Church who want to serve God, the brothers and sisters of this Order are to persevere in true faith and penance (ER 23:7). They want to live this evangelical conversion of life in a spirit of prayer, of poverty, and of humility. Let them abstain from all evil and persevere to the end in doing good (ER 21:9) because God's Son himself will come again in glory and will say to all who acknowledged, adored and served him in penance: Come blessed of my Father, receive the reign that has been prepared for you from the beginning of the world (Mt 25:34; ER 23:4).

3. The brothers and sisters promise obedience and reverence to the Pope and the Catholic Church. In this same spirit they are to obey those who have been placed in the service of the fraternity (LR 1:2-3; FLCl 1:3-5). And wherever they are, or in whatever situation they are in, they should spiritually and diligently show respect and honor to one another (ER 7:15; LR 6:7-8). They should also foster unity and communion with all the members of the Franciscan family.

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TAB 2

Overview of Penitential Movement



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Why the Name “Brothers and Sisters of Penance”?

by Louis Secondo TOR — Herald, July, 1979

Our holy father St. Francis, moved and animated by the Holy Spirit, initiated his own and distinctive way of living the gospel and its vivifying message, and of conforming himself to Christ. He was not so much interested in performing or accomplishing particular or extraordinary deeds, but rather in living in such a way that would manifest the gospel in all its beauty and vitality to all people. His desire was to remain open always to God and the needs of others. Herein is to be found the nucleus and the foundation of his own particular spirituality, the dominant note and characteristic of the great movement to which he gave his life. Reflecting on his conversion which took place in 1205, Francis in his Testament of 1226 said: “The Lord gave to me, Brother Francis, the grace to begin to do penance.” “And when the Lord gave me some brothers, . . . the most High himself revealed to me that I had to live according to the holy gospel.”

In 1206, before Bishop Guido of Assisi, Francis publicly renounced his goods, returned his clothes to his father, took the penitents garb and officially entered the penitential state. Later Francis was joined by some companions who all became known as the “Penitents of Assisi” (3 Comp 10). As penitents they preached; they performed an itinerant apostolate; they summoned their hearers to penance.

In such a way, simple yet remarkable, did the movement of Franciscan penitents begin. It began in Assisi when St. Francis and his first companions began to live a penitential life together in community. From now on the conversion of our holy father was no longer to be considered a personal matter, for with Francis and his first companions the brotherhood of Franciscan Penitents was born.

Among the penitential groups existing in the Church at the time of Francis was to be found the “Order of Penitents.” They were Christians who from the earliest centuries of the Church assumed for themselves a severe form of life. It was a generous adherence to Christ either for the purpose of atoning for past sins (repentant sinners) or for the sake of greater perfection, without the obligation of leaving family or work. United by the common bond of the penitential state, they formed a specially recognized class of Christians called the Order of Penitents. They tended to come together in groups, and they led a common mode of life.

Thus the eleventh and twelfth centuries witnesses a certain restlessness attested to by the surge of new religious orders and also heretical sects. All were seeking and were desirous of an evangelical life fashioned after the life of the apostles. Until now, such an apostolic life was to be found only in the monastic orders. It now becomes the ideal and the demand of the entire Christian people. Some of these various lay movements were not without concern to the Holy See and the hierarchy because of their heretical tendencies, and it is to the merit of Pope Innocent III that he knew how to reconcile certain diverse penitential movements and keep them within the realm of the Church. The Pope knew that the times were charged with enthusiasm and with a deep searching for apostolic witness. The presence, then, of voluntary penitents and “conversi” (the converted ones) was one of the distinctive aspects of the Christians at the time of St. Francis. For him and for his first companions one basic idea clearly shines forth: to live the gospel in its completeness and according to the manner of life of the Penitents. This appeared to Francis’ contemporaries as a “new form of life.” Tensions were lessened as people found in St. Francis a

charismatic and genial interpreter of the gospel. Francis by the testimony of his life and by his preaching gave new life to the penitential movement. He gave to these people who followed him a new mission as the Order of Penitents of St. Francis. This spiritual movement begun by St. Francis and what we might rightly call Franciscanism does not stop here but assumes by reason of unforeseen and also providential circumstances certain juridical structures and gives origin to the three major Orders: The Friars Minor, the Poor Clares, and the Regular and Secular Order of St. Francis.

After or during the founding of the Friars Minor and the Poor Clares, the penitential style of life begun by St. Francis and his first companions came to life in the vast movements of the Penitents of St. Francis which came to be known as the Third Order of St. Francis. The experience of the first Franciscans was revived and extended to the entire people of God. Men and women, the married and the unmarried, priests and laity, urban and rural dwellers, the rich and the poor, those who were learned as well as the unlettered — all were drawn and fascinated by this living testimony of St. Francis and wished also to draw inspiration from him by living more fully the gospel.

Thus the Order of the Brothers and Sisters of Penance of St. Francis has its origin from the confluence of two spiritual lines: the one, the evangelical testimony of the saint of Assisi; the other, the penitential movement which already existed in the Church. St. Francis did draw from this movement in organizing the way and the life of his followers, but his movement was more than just a renewal of the already existing various penitential groups.

The Penitents of St. Francis form and constitute a new reality and have a distinctive origin in so much as they were given life by the Poverello and followed him who was a living witness of the gospel. Hence, we can say that he is the true founder as well as the spiritual guide. We are told that “many cast away the cares of the world, and in the life and teaching of the most blessed father Francis gained knowledge of themselves and aspired to love their Creator and revere him . . . Many among the people, noble and common people, clerics and laymen, pierced by God’s inspiration, began to come to St. Francis . . . He assigned to all their way of life (*norma vitae*) and truly pointed out the way of salvation for every rank” (1 Cel 37). From at least 1215 “norms of life” were given them by St. Francis which became the rule of 1221 (succeeded by the Nicholas rule of 1289, the Leonine rule of 1883, and now the Pauline rule of 1978). Yet the principal norm of life of these first and fervent penitents remained the living witness of our holy father St. Francis. All wanted to follow him and to live with him (1 Cel 24; 3 Comp 14).

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The Franciscan Third Order and the Penitential Tradition

Elise Saggau OSF

BIBLICAL GROUNDING: OLD TESTAMENT

The Judeo-Christian religious tradition rests on an anthropology that sees human beings as creatures in relationship with a Creator upon whom they are absolutely dependent. It understands human fulfillment as recognizing and accepting one's own reality as creature, but as creature-loved-beyond-measure, as creature gifted with freedom to respond in love to the One in Whom "we live, move and have our being."¹ The Hebrew Scriptures are an account of the journey of human beings to ever greater recognition of who they are and who God is. It is the story of falling and rising, of dying and returning to life. The *historical* books recount the faithfulness of God to promises made to the patriarchs and the faithlessness of the people of God as they repeatedly forget who they are and who God is. The *prophetic* books constantly call the people back to their fundamental vocation: to be witnesses to who God is in relationship with humans. The books of *wisdom* reflect on the responsibility of humans to choose life, the morally good life, in the midst of the often incomprehensible vicissitudes of human experience.

The Old Testament then is a primer of conversion. It recounts, often in quite dramatic ways, the never-ending need for human beings to turn back, to change their ways, to surrender their own agenda in the face of God's demands, to leave behind their idols and return to the God who made them, to allow their "hearts of stone" to be turned into "hearts of flesh."²

BIBLICAL GROUNDING: NEW TESTAMENT

Into such a religious and cultural milieu was born Jesus of Nazareth. It is clear that Jesus was steeped in the history of his people, that the call of the prophets rang in his ears. His first recorded words according to Mark's Gospel were: "This is the time of fulfillment. The reign of God is at hand! Reform your lives and believe in the gospel!"³ Clearly, Jesus was a reformer, a new prophetic voice in the spiritual desert that was the Israel of that historic moment. Clearly he intended that people should change, that a time of personal and social transformation was at hand. The language of conversion was fundamental to all his teaching and example.

Thus Jesus did not come to "destroy the Law and the Prophets" but to fulfill the work that God had begun among these "anawim" of Israel.⁴ The language of conversion continued in the writings of the New Testament and on into the life of the early Church.

EARLY CHURCH AND CONVERSION OF LIFE

After Jesus' death/resurrection, his followers needed to cope with a whole new "way of being." The paradigm of Jesus' death and resurrection held enormous power for them, a power released into their own lives by the experience of sacramental Baptism/Confirmation. This sacrament was a public manifestation of personal conversion of life. Persons who submitted to baptism

¹ Acts 17:28.

² Ez. 36:26.

³ Mk. 1:15.

⁴ Mt. 5:17.

and received the Holy Spirit through the laying on of hands were expected to live in a way very different from the way they had lived before and from the way others in the society lived. Thus conversion of life was both personal and social. It necessarily had the effect of a counter-cultural movement.

However, the social pressures of the culture often proved stronger than the personal conversion of the Christian. Those who sinned seriously and publicly after baptism needed a way to turn back again to a life of faithfulness. Gradually the Church developed specific disciplines that it required for lapsed Christians who wished to be reconciled with the community. These disciplines were often quite severe and publicly humiliating. They often lasted for years, sometimes for a lifetime. Eventually, they constituted a “way of life” in themselves, as public penitents were set apart by distinct clothing, by personal austerity, and by social restrictions.

Those who wished to return to the community after serious transgression practiced this penitential “way of life” by prescription. There were others, however, who were not public sinners but who desired to separate themselves more definitively from the dangers of an affluent and indulgent society. Wishing to live their Christian lives more austere and intensely, they began to practice the penitential “way of life” voluntarily. Eventually this way of living became recognized, even canonically in the Church, as an “order,” having its own regulations, obligations, and privileges. It was open to both clergy and laity, to married and single, to women and men. It was practiced by persons who lived together in communities, by spouses who remained in their homes, by hermits who sought solitary situations, and by recluses living alone in their own homes or in “cells” attached to a church. These latter might or might not be part of a larger, loosely connected group.

THE PENITENTIAL WAY OF LIFE IN THE TIME OF FRANCIS

Francis of Assisi was born in 1182 into a society characterized by its Christian identity. The expression “Christendom” was not just a religious designation, but a generalism. It named a society that understood the Christian culture as its fundamental underpinnings. Pope and Emperor struggled for political dominance within this monolith, but even the Emperor was forced to bow to the superior power of the spiritual or religious domain. The Christian religion, then, whether properly understood or distorted by ignorance and superstition, was intrinsic to all aspects of life. Ideas of sin and salvation permeated the everyday thinking of the populace no matter what their social class or level of education.

Over the centuries the Church and its people, as we have seen, struggled with the experience of sin and reconciliation within the Christian body. By Francis’ time a complex system of penitence had developed, which constituted an “outward form of inward grace.” The penitential life, engaged in publicly, ritualized the return to grace of the public sinner. It also constituted a way of life for many persons who, while not having committed grievous public sin, nevertheless experienced in their lives a compelling desire to live more intensely and publicly the *vita apostolica*, a life in close imitation of Jesus Christ and his first followers.

This penitential life, then, whether prescribed by authority for public reconciliation or chosen freely by persons of a more intense spiritual bent, constituted a fairly clear “class” of persons within the Church. So much so that by the fifth century this “class” was recognized in legal documents.⁵

⁵ Gillis G. Meersseman, OP, as quoted by Raffaele Pazzelli, TOR, “The Origins of the Franciscan Penitential Movement,” *The Assisi Congress on Formation* (Greensburg, PA: Chas. M. Henry Printing Co., 1979), 133.

And around the middle of the twelfth century, Gracian in his *Decretum* describes the penitents as enjoying the privileges of the clergy. In defense of the penitents' right to claim exemption from military service, Gracian asserts that juridically "the penitents lived under ecclesiastical authority."⁶ Gregory VII, the great reformer of the late eleventh century, describes in Homily XXXVI, 11, the motivations of the penitential culture as "a love of solitude and of poverty, of prayer and of detachment, which cause one to use things in a manner whereby he does not become a slave to them."⁷ Undoubtedly, "the penitential life [was] one of the most characteristic aspects of Medieval society."⁸

FRANCIS AS A PENITENT

This being the case, it is not surprising that Francis, after his own personal experience of conversion, should embrace a way of life that was already familiar in the society and that had a recognizable and even juridic character. It is clear from the legal action brought against him by his father that both Francis and his society recognized that he had entered formally upon a way of life regulated and protected by the Church.⁹ The judgment before the Bishop of Assisi was an ecclesial action because the defendant claimed and was granted ecclesiastical status. According to Lino Temperini: "The first thing to be said is that Saint Francis began his own conversion as a Penitent and this neither can nor should be ignored."¹⁰ And Cajetan Esser corroborates this:

It is clearly evident that for Francis "doing penance" in the spirit of the Gospel was the God-given beginning of his new life, that he expected his followers to have this as their basic attitude, and that he desired its preservation for all time. With this beginning of his God-centered life, Francis became an integral part of the penitential movement of his day and was, to a certain extent, its culmination. His real objective was man's [sic.] total conversion to God in absolute, self-transcending obedience. In this sense, "doing penance" was for him the way to the Kingdom of God, which he then wanted to proclaim to all men.¹¹

It seems that Francis' life took this definitive turn around 1207 or 1208. Dressed in hermit garb, Francis dedicated himself to restoring old churches and to a life of prayer, fasting, and penitential practice. By 1209 a small group of men had associated themselves with him, so that what had begun as an eremitical style of penitential life had in fact become a community of *conversi* (penitents). This process was not unusual. The twelfth century shows abundant evidence of the tendency for penitents to gather, especially around charismatic figures. Unfortunately, many of these groups, through a too-enthusiastic energy, made themselves suspect to Church authority, especially when their words as well as their life-styles became critical of the clergy and hierarchy.

Francis, quite aware of the vulnerability of his small group and characteristically desirous of a clearly obedient position, decided to seek papal approval. Together the first brothers sought an audience with Innocent III, a young and energetic pope, who had taken a benign, if not positive,

⁶ Gracian, as quoted by Pazzelli, "Origins," 135.

⁷ As quoted by Andrea Erba, "An Historical-Anthropological Perspective of the Penitential Life in the Early Middle Ages," *The Assisi Congress on Formation* (Greensburg, PA: Chas. M. Henry Printing Co., 1979), 103.

⁸ Erba, 101.

⁹ Cf. Bonaventure, *The Major Life of Saint Francis*, 2:4, FAED II, p. 538. (All references to the writings of Francis and to the early biographical sources are from *Francis of Assisi: Early Documents*, ed. Regis Armstrong, OFM Cap., Wayne Hellmann, OFM Conv., and William Short, OFM, 3 volumes [New York: New City Press, 1999, 2000, 2001]; referred to as FAED.)

¹⁰ Lino Temperini, TOR, "Penitential Spirituality in the Franciscan Sources," *The Assisi Congress on Formation* (Greensburg, PA: Chas. M. Henry Printing Co., 1979), 185.

¹¹ Cajetan Esser, OFM, *Origins of the Franciscan Order* (Chicago: Franciscan Herald Press, 1970), 206-207.

attitude towards contemporary penitential groups. Innocent saw in them possible vehicles for promoting his political and spiritual agenda for the Church, provided they could be controlled and kept free from the heresies that plagued the West at the time.

Consequently, around 1209, Francis and his little band were kindly received by Innocent and given oral approval to live their life of public penitence and to preach penance to others: "Go with the Lord, brothers, and as the Lord will see fit to inspire you, preach penance to all."¹² We note that "the Pope did not grant them a general faculty to preach, it was limited to preaching penance."¹³ Therefore, the new brotherhood received the same kind of approval that was given to other similar penitential groups of the time — permission to live their lives as formal "Penitents" and even to preach penance to others under certain circumstances and with certain restrictions. In exchange, the brothers promised obedience, respect, and loyalty to the Pope.

It seems quite clear then that Francis and his first followers thought of themselves as belonging to an accepted way of life in the Church called the "penitential life." Even later, when the Order was well-established in its own right and the process of clericalization well-advanced, we find Brother Giles reflecting on the friars martyred in Morocco as an example of the penitential life: "If we had not the example of the fathers who have gone before us, perhaps we should not be in the state of penance in which we are."¹⁴

THE NEW ORDER AND THE PENITENTIAL MOVEMENT

A strong attraction on the part of the laity for a more intense and authentic religious life after the values of the Gospel was "in the air" throughout the twelfth century. This hunger was not well-nourished by the official Church and took, as we have seen above, a variety of forms, from individual lives of austerity to full-blown communitarian programs or "orders." This movement had a chaotic quality to it and went off in many directions, sometimes heretical, often disobedient and threatening to Church authority. The genius of Innocent III was to harness this spiritual energy for the welfare of the Church. The genius of Francis of Assisi was to recognize the spirit of his times and to set in motion a way of living the Gospels that could be done in an orthodox way by anyone in any walk of life.

For Francis himself this way of life required a complete "leaving the world."¹⁵ His own passion moved him to a total renunciation of entanglements with worldly affairs, material possessions, and domestic responsibilities. His own personal attractiveness soon drew to him like-minded individuals with whom he formed a new kind of religious way of life, one that eventually became recognized and approved as an order in its own right. In this order, Francis was a member. To this order, Francis was the founder, the original and central charismatic figure whose creative vision shaped and gave energy to the enterprise. The freshness, authenticity, and orthodoxy of this new religious movement attracted great numbers of persons ripe for such a spiritual adventure. The order grew rapidly. Friars alive with this new spiritual energy traveled the roadways of Europe preaching penance as they had been taught and authorized.

Naturally this energy expanded and connected with similar currents in the lives of genuine Christian people hungering for just such a message. However, not all could abandon their worldly responsibilities to pursue the same life-style as the friars. It was inevitable that laypersons should

¹² Thomas of Celano, *The Life of Saint Francis*, 33, FAED I, p. 33.

¹³ Erba, 121.

¹⁴ *The Golden Sayings of the Blessed Brother Giles of Assisi*, trans. and ed. Paschal Robinson, OFM (Philadelphia: The Dolphin Press, 1906), 74-75.

¹⁵ *Testament 3*, FAED I, p. 124.

soon be asking for a formula by which to order their lives along the same lines as the friars. No doubt many of these people were already practicing to some extent the penitential life as this had been established in the Church. The spiritual charism of Francis and his brothers infused the ancient penitential "order" with new life.

There is reason to believe that Francis took seriously the hunger he perceived among laypersons seeking an authentic Christian way of life. The *Anonymous of Perugia* states that the people explicitly requested a way of life compatible to the marriage state or secular lifestyle:

And we, what are we to do? We cannot stay with you. So tell us what we can do to save our souls. . . . Married men said: "We have wives who will not permit us to send them away. Teach us, therefore, the way that we can take more securely." The brothers founded an order for them, called the Order of Penitents, and had it approved by the Supreme Pontiff.¹⁶

In fact a number of sources attest to Francis' responding to the desire of the laypeople by giving them some kind of rule of life. Thomas of Celano says:

Through his [Francis'] spreading message, the Church of Christ is being renewed in both sexes according to his form, rule, and teaching, and there is victory for the triple army of those being saved. Furthermore, to all he gave a norm of life, and to those of every rank he sincerely pointed out the way of salvation.¹⁷

And the testimony of Julian of Speyer supports the already existing evidence supplied by Celano that Francis influenced (*ordinat*) the establishment of a third Order for the clergy and laity in the world.

[Francis] provided 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. . . . He founded three Orders, the first of which he prized above all others by profession and habit, and which, as he has written in its Rule he called the Order of Lesser Brothers. The second Order, the Order of the Poor Ladies and virgins of the Lord, . . . likewise took its fruitful origin from him. The Third, also an order of considerable perfection, is called the Order of Penitents, which profitably brings together clerics and laity, virgins, unmarried and married persons of both sexes.¹⁸

In 1230, just four years after Francis' death, we find in a bull of Gregory IX (*Cum dilecti filii*) the designation: "Brothers of the Third Order of St. Francis." And eight years later the same Pope, writing to Agnes of Prague says: "Blessed Francis instituted three Orders which are described as the Order of Minor Brothers, that of Enclosed Sisters, and that of the College of Penitents."¹⁹ Bonaventure, too, in the *Major Life of Saint Francis*, writes:

A great number of people bound themselves by new laws of penance according to the rule which they received from the man of God. Christ's servant decided to name this way of life the Order of the Brothers of Penance. . . . This way of life admits clerics and lay, virgins and married of both sexes.²⁰

¹⁶ *Anonymous of Perugia*, 9:41, FAED II, p. 54.

¹⁷ Celano, *Life of St. Francis*, 37, FAED I, p. 216-7.

¹⁸ Julian of Speyer, 4:23 FAED I, p. 385.

¹⁹ As quoted by Jeanne Glisky, SFP, "An Investigation of the Origins and Development of Third Order Franciscan Communities of Women," thesis (St. Bonaventure, NY: The Franciscan Institute, 1976), 54.

²⁰ *The Major Life of Saint Francis*, 4:6, FAED II, p. 553.

Contemporary with Bonaventure's *Life of Francis*, we find as well an outside source attesting to Francis' role in establishing three Orders. According to the *Legenda Monacensis S. Francisci* (1263-1282), written by a Benedictine from the Monastery of Oberaltacch:

Tres autem Ordines instituit in Ecclesia; primum Fratrum Minorum nominavit. . . ; Secundus, qui dicitur pauperum Dominarum . . . ; Tertius dicitur Poenitentium, qui sexum capit utrumque.²¹

While scholars continue to discuss the actual import of such words as "influenced," "instituted," "introduced," and "founded," there does not seem to be much doubt that because of what Francis did there developed a new way for the laity to live an evangelical life, a way that gradually took the shape of a new order in the Church, a way that was thoroughly imbued with the spirit reflected in Francis and his first followers.

It is clear that in the expression: Saint Francis, founder of the order of Penitence, the words founder and order do not mean the same thing as in the expression: Saint Francis, founder of the order of the Minors. Certainly, Saint Francis and his first companions gave a thrust to the order, that is the penitential state, among the laity, but Saint Francis did not invent this state which existed before him and which he himself embraced before founding the order of the Minors.²²

Raffaele Pazzelli basically agrees with this view. He acknowledges that Francis benefited very much personally from the penitential movement and gifted the movement with his own "vision of God, of creatures and of life itself." When others shared that vision with him and lived it out in the penitential state, then the movement itself became "Franciscan."²³

Francis and his early friars then were instrumental in revivifying and giving new impetus to an ordered way of living the Christian life which had existed for centuries and which already enjoyed canonical status in the Church. What historians now call the "penitential movement of the thirteenth century" is likely the direct result of the "renewal" work of the friars, the time of it corresponding to the rapid increase in the number of itinerant preachers who identified with Francis' new way of life. "It is a historical fact [that] around 1215 in the urban centers of Italy we note a sudden increase in the number of penitents, even among married persons."²⁴

BEGINNINGS OF A RULE OF LIFE

It was probably just about 1215 that Francis composed a letter or exhortation addressed to "All the Faithful." This document, discovered by Paul Sabatier in Volterra, Italy, around 1900, has, for some time, been considered the "Recensio prior" (earlier version) of the later *Letter to All the Faithful* (also called *Admonition and Exhortation to the Brothers and Sisters of Penance*). This "letter"

²¹ As quoted by Glisky, 60. ("Three Orders were instituted in the Church; the first was named the Friars Minor . . . ; the second was called the Poor Ladies . . . ; the third was called Penitents, which had members of both sexes.")

²² Gillis G. Meersseman, *Dossier de l'ordre de la pénitence au XIIIe siècle* (Fribourg: Editions Universitaires, 1961), 37 (Translation mine.)

²³ Pazzelli, "Origins," 131.

²⁴ Meersseman as quoted by Raffaele Pazzelli, TOR, *St. Francis and the Third Order, the Franciscan and pre-Franciscan Penitential Movement* (Chicago: Franciscan Herald Press, 1989), 102.

in turn is considered to be the forerunner or “preamble” to the Rule of the Third Order.²⁵ Esser observes that

both documents . . . show in their own uniqueness that Francis was deeply concerned about the Brothers and Sisters of Penance and followed their development with greater sympathy than some historians are still willing to admit.²⁶

The two versions of the *Letter to All the Faithful* outline a penitential program of life and could very well be Francis’ way of responding to the laity’s supplication for a “form of life” for themselves. The first version is very simple, made up of two parts or chapters. The first part describes the blessedness of those who do penance. The second part describes the desolation of those who do not do penance. It is not so much prescriptive as descriptive and would seem to accord with Francis’ humble attitude towards those whom he addresses. He is not asserting any kind of authority on his own part, but relies on the authority of the Scriptural sources he uses. He claims that these are “spirit and life.”²⁷

The second version, written in 1221, is much more developed and shows a strong influence of the Fourth Lateran Council (1215). In this longer letter, Francis teaches the incarnational and sacramental doctrine of the Council and emphasizes the importance of remaining orthodox Catholics. Clearly, the penitential life is an ideal way to live an authentic Christian life, but only in the context of the Church, its teachings, and its sacramental practice. Even here, however, Francis is not authoritarian.

I, brother Francis, your lesser servant, with a wish to kiss your feet, beg and implore you in the love that is God, to receive, to put into practice, and to observe, as you should, these words and the others of our Lord Jesus Christ with humility and love.²⁸

In this same year, 1221, there appears a document that seems to be a juridical expression of the directives given by Francis in the *Letter to the Faithful*. This is known as the *Memoriale propositi* and is thought to be the fruit of the combined efforts of Francis and Cardinal Hugolino to give the rapidly growing penitential movement a juridical form. Bernard of Besse, in his *Liber de Laudibus*, says:

In composing the rules and form of life of these Brethren, the Lord Pope Gregory of holy memory, then placed in a lower rank of dignity, and bound by the closest ties of familiarity with the Blessed Francis, supplied what was wanting to the holy man in the science of composition.²⁹

If this is so, the rule of the Third Order seems to have followed the same general development pattern as the rule of the friars. Francis composed a simple form of life for the friars in 1209, weaving together significant Gospel passages. By 1221, enriched by the experience of living the life and incorporating the directives of Lateran IV, Francis and his brothers developed the rule greatly.

²⁵ P. Fredegand, OMC, “Le Tiers-Ordre de Saint François d’ Assise,” part 1, *Etudes Franciscaines* 33 (1921): 368.

²⁶ Esser, as quoted by Pazzelli, *St. Francis*, 106.

²⁷ *First Letter to the Faithful*, 2:21, FAED I, p. 44.

²⁸ *Second Letter to the Faithful*, 87, FAED I, p. 51. Contemporary scholarship still debates the order of the two versions of the *Letter to the Faithful*. For another interpretation, see *History of the Third Order Regular: A Source Book*, ed. Margaret Carney, OSF, Jean François Godet, and Suzanne Kush, OSF (St. Bonaventure, NY: Franciscan Institute Publications, 2008), 39-40, especially note 3.

²⁹ Bernard of Besse as quoted by Oswald Staniforth, OSFC, *The Third Order of Saint Francis*, three lectures delivered at the Franciscan Summer School, Oxford, August, 1928 (London: Burns Oates and Washbourne Ltd, 1929), 19.

In 1223, this document from the heart of Francis became transformed into a juridical document, which, while preserving the basic content of the earlier rule, lost much of the original spirit in the interests of meeting canonical standards.

So it was with the rule for the penitents. Between 1215 and 1221, two versions of a document addressing “all the faithful” emerged attempting to describe Francis’ vision of the blessedness of a life of penance and the woe of a life of impenitence. Late in 1221, this epistle was transformed into a quite dry juridical document. Moorman observes that

the content of the *Memoriale propositi* is very pedestrian and unheroic. . . . All that the Rule does is to set a standard of life, devout, simple, and disciplined. As such it seems a curious document to put before those who were inspired by the spirit of renunciation and adventure which was so vital to S. Francis and to those who followed him. Moreover . . . neither Francis nor the First Order is mentioned anywhere, and the Rule might have applied to any association of God-fearing people who wanted to live simply.³⁰

Nevertheless, this rule had the necessary canonical credentials and would serve as the model from which would later be developed a clearly “Third Order” Rule.³¹

TOWARD A FRANCISCAN THIRD ORDER

Having launched then a newly revitalized penitential life among the laity, Francis and the friars continued to accompany their sisters and brothers in this new “way.” By the end of the thirteenth century the Third Order Secular was known throughout the Christian world, and by the end of the fourteenth century there were great numbers of Franciscan tertiaries. “It is very probable that practically every convent of Friars Minor located in a city or locality of any importance had the direction of a fraternity.”³²

In 1289, the Franciscan Pope Nicolas IV, in the bull *Supra montem*, for the first time gave papal approval to a Rule specifically designated for the “Brothers and Sisters of the Order of Penance” whose “founder” was St. Francis. By this time, while there were still others who lived the penitential life under other rubrics, the Franciscan “way” of living the life of penance was dominant.

Clearly Francis was a driving force in a movement that was to have a tremendous impact on the lives of great numbers of people down through the centuries. The time was ripe for him, for his gifts, for his vision, for his energy. Francis was a Friar Minor, a Lesser Brother, whose fraternity would grow great and serve the vast purposes of the universal Church. Francis was also a penitent, whose participation in the ancient penitential order of the Church would determine to a great extent his fundamental vision of the Christian life. Beyond his brotherhood he would extend that vision to the whole people of God, inviting them to the sweetness of the converted life, the life of the “children of the heavenly Father whose works they do” and the life of the “spouses, brothers, and mothers of our Lord Jesus Christ.”³³

³⁰ John Moorman, *A History of the Franciscan Order from Its Origins to the Year 1517* (Chicago: Franciscan Herald Press, 1988), 43.

³¹ Staniforth, 22.

³² P. Fredegand, OMC, “Le Tiers-Ordre de Saint François d’Assise,” part 2, *Etudes Franciscaines* 34 (1922): 372. (Translation mine.)

³³ *First Letter to the Faithful*, 1:7, FAED I, pp. 41-2.

CONTEMPORARY THIRD ORDER FRANCISCANS AND THE CHARISM OF PENANCE

In revising the Third Order Rules for our own times, prodigious work went into the study of the historical roots of the Third Order and into examining the contemporary experience of those who today profess this way of life. Scholars of the Third Order uncovered its roots in the Church's ancient order of penitents. The fruits of their work have revitalized the notion of "penance" as the fundamental charism of the Franciscan Third Order, both Secular and Regular, and have caused Third Order Franciscans to re-examine the very meaning of a penitential way of life in and for our own times.

In the second article of the 1982 Rule of the Third Order Regular we read:

The brothers and sisters of this order are to persevere in true faith and penance. They wish to live this evangelical conversion of life in a spirit of prayer, of poverty and of humility. Therefore, let them abstain from all evil and persevere to the end in doing good because God the Son himself will come again in glory and will say to all who acknowledge, adore and serve him in sincere repentance: "Come blessed of my Father."³⁴

The commentary which accompanies this text asserts that faithfulness to the gospels requires that we do penance *always*, that *metanoia* is central to the Order's spirituality, and that penance, as a root value of the tradition, bears fruit in poverty, minority, and contemplation. "This article," states the commentary, "is the charism statement of the Third Order Regular."³⁵

There seems little doubt, then, that the Franciscan Third Order, Regular and Secular, finds its historical roots in the ancient penitential movement or "order of penitents," which in turn finds its roots in the biblical concept of metanoia. The more practical issue seems to be: how does a Christian layperson or vowed religious understand the concept of "penance" today? As it is used in the Rule, it seems to point simply to that turning of life toward God that is the fundamental act of becoming, being, and remaining a Christian — a follower of the gospel way of Jesus Christ.

Francis and Clare, as we know, speak of their conversion in terms of a profound awakening in their lives that compelled them to "leave the world." This language, of course, was and is symbolic for turning away from the values of a materialistic, selfish, and violent society. In their lives it meant something very concrete and practical — a complete separation from the dehumanizing values espoused by their society and an intense focus on God and the things of God. In practice it computed into radical forms of poverty, a life of contemplative prayer, personal asceticism, and humble service of others.

CONVERSION OF LIFE

Examining the concept of "penance" as the fundamental charism of the Franciscan Third Order, one is immediately faced with a host of images that can be fairly off-putting. The extreme asceticism of Francis, Clare, and the early followers may seem strange and even intimidating to most twenty-first-century Christians. The disciplines of the ancient order of penitents requiring the wearing of distinctive clothing, prescribed fasting, continence, regulations about bearing arms,

³⁴ *The Rule and Life of the Brothers and Sisters of the Third Order Regular of St. Francis* with Commentary by Margaret Carney, OSF and Thaddeus Horgan, SA, Article 2 (Franciscan Federation, 1982), 15.

³⁵ *The Rule and Life*, 15.

taking oaths, and participating in social and political activities appear archaic, perhaps even repulsive and oppressive. Is there a contemporary understanding of “penance” that gets at the same fundamental experience of conversion or metanoia that was intended by medieval practices?

Clearly, some of these practices were and are today authentic expressions of the gospel way of life, which calls us to turn away from the values of a materialistic and greedy society. Today’s fascination with Eastern types of spirituality, for example, lead us to a new appreciation of fasting and living simply, perhaps even austere. New awarenesses about health and environmental problems direct us to use the things of the earth sparingly and deny ourselves many luxuries and conveniences, though they might be easily available. Violence in our societies leads us to “disarm” ourselves by refusing to have weapons in our homes or to take on military roles.

To focus on external practices, however, may be to miss the point. “Penance” understood as “conversion” or “metanoia” aims at that profound “turning around” that changes us in the very core of our being. It is more than an experience of a changed attitude toward social values. Bernard Lonergan tells us that

Conversion . . . is a radical transformation on which follows, on all levels of living, an interlocked series of changes and developments. What hitherto was unnoticed becomes vivid and present. What had been of no concern becomes a matter of high import. So great a change in one’s apprehensions and one’s values accompanies no less a change in oneself, in one’s relations to other persons, and in one’s relation to God.³⁶

This description of conversion accords well with the kind of experience to which Francis testifies. In his *Testament* he says:

The Lord gave me, Brother Francis, to begin doing penance in this way: for when I was in sin, it seemed too bitter for me to see lepers. And the Lord Himself led me among them and I showed mercy to them. And when I left them, what had seemed bitter to me was turned into sweetness of soul and body. And afterwards I delayed a little and left the world.³⁷

Clearly Francis’ “turning” was the beginning of what Lonergan describes as the experience “on which follows, on all levels of living, an inter-locked series of changes and developments.” Such a notion of the life of “penance” points to it as a process, a process rooted in a dynamic relational life. In this sense one never “arrives” at some kind of finish line, but lives daily the life of “turning,” renewing over and over the fundamental choice to be faithful. This was true for Francis and for the movement he set in motion.

For the Christian person the experience of conversion is ideally celebrated in the sacrament of Baptism. Experience proves, however, that after this graced moment there follow many other “moments” when the choice must be made again from ever-new vantage points. From time immemorial there have been Christian people in all walks of life who desired to live this way more intensely and more publicly and to receive the support of a community of like-minded persons.

The historical reality is that innumerable persons wanted to do this after the charismatic example of Francis of Assisi. Twenty-first-century Christians still feel the attraction of this peculiar charism and continue to “run after” this poor little man of Assisi.³⁸ We who follow the Third

³⁶ Bernard Lonergan, SJ, “Theology in Its New Context,” in *Conversion: Perspectives on Personal and Social Transformation*, ed. Walter E. Conn (New York: Alba House, 1978), 13.

³⁷ *Testament*, 1-3, FAED I, p. 124.

³⁸ Cf. *Little Flowers of Saint Francis*, 10, FAED III, p. 583.

Order search our own lives and experiences for ways to express in our times what Francis and his followers expressed so well in theirs. The Rule of Life assists us to recognize and to receive our rootedness in the Church's ancient order of "penance," which after all is only a sincere and heartfelt effort to live the gospel life, to surrender ourselves completely to the God of our Lord Jesus Christ, to share in his life, passion, death, and resurrection in such a way that our very lives announce and celebrate God's mercy in our own time and place.

Study Guide Questions to Accompany

The Franciscan Third Order and the Penitential Tradition

Biblical Grounding: Old Testament

1. In our Judeo-Christian religious tradition, consider how we view human reality.
 - What are some fundamental qualities or characters of the human being?
 - What are some implications of these qualities for our relationship with God, with one another, with the world/cosmos?
2. In what sense can the Old Testament be considered a kind of “lesson book” for conversion of life?
 - Historical books?
 - Prophetic books?
 - Wisdom books?

Biblical Grounding: New Testament

3. Discuss how Jesus can be considered, historically, a “reformer.”
4. Discuss how the New Testament writings can be considered calls to conversion.

Early Church and Conversion of Life

5. How is the “Death/Resurrection” experience of Jesus a model for the fundamental human experience of life in this world? How does the sacrament of Baptism connect with this human experience?
6. How did the early Church deal with the need to reconcile “fallen-away” Christians with the “faithful” community, that is, bring public sinners back into communion with the Church?
7. How and why did the “penitential way of life” practiced by “public sinners” in the early Church become a voluntary way of life for some other Christians who had not publicly fallen away?

Penitential Way of Life in the Time of Francis

8. Describe how the “penitential way of life” (sometimes called the *vita apostolica*) was being practiced in 12th- and 13th-century Europe.

Francis as Penitent

9. Describe how Francis of Assisi’s “conversion” moved from an individual “penitential life” to a community of penitents (or *conversi*).
10. What role did Pope Innocent III play in developing Francis’ first group of penitent brothers into a new Order in the Church? What were some of Innocent’s motives?

The New Order and the Penitential Movement

11. Francis' First Order (Friars Minor) grew rapidly with the approval of Church authority. How did this new movement affect the people to whom the brothers preached penance?
12. In the years immediately following Francis' death, there are many written witnesses to the development of three distinct "forms of life" that could be characterized as "Franciscan." What were these three forms?
13. Why is it correct to say that Francis "founded" the Order of Friars Minor (First Order of Franciscan Brothers)?
 - Why is it not correct to say that Francis "founded" a penitential way of life in the Church for laypeople?
 - Why is it correct to say that Francis and his early brothers "instituted" a new way for lay penitents to live the Gospel life?

Beginnings of a Rule of Life

14. How does Francis' *First Letter to the Faithful* (also called *Earlier Exhortation to the Brothers and Sisters of Penance*) differ from his *Second Letter to the Faithful* (also called *Later Admonition and Exhortation to the Brothers and Sisters of Penance*)? How do we account for these differences?
15. What is the "Memoriale propositi" and what purpose did it serve?
 - What were its strengths?
 - What were its weaknesses?

Toward a Franciscan Third Order

16. What was the special significance of the Third Order Rule approved by Pope Nicholas IV in 1289?

Contemporary Third Order Franciscans and the Charism of Penance

17. Name several special characteristics of the revised Third Order Regular Rule approved in 1982.
18. Which article of this Rule constitutes the "charism statement" of the Third Order Regular and why is this so?

Conversion of Life

19. Why is it difficult for contemporary Christians to use the language of "penitence"? What words for this experience work better for us today?
20. Describe some "penitential" practices that can and do work for contemporary Christians.
21. Beyond "practices," how can the language of "conversion of life" or "metanoia" be meaningful for contemporary Christians and even for contemporary human beings of other religious traditions?

The Biblical Language of Penance

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AND

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IN RECENT YEARS many Franciscan brothers and sisters have experienced an excitement in the rediscovery of penance as a crucial facet in our Franciscan charism. We have also experienced our share of dismay over the reception this renewed interest has received in some quarters of the Franciscan world. While we have found deeper insights into the Gospel life through an enriched understanding of penance and on-going conversion, we recognize the fact that "penance language" touches off in others a spectrum of feelings ranging from embarrassment to outright anger.

It would seem that the language of penance needs to be explored if it is to be useful to the theology and spirituality of contemporary Franciscans. In order to examine penitential language more thoroughly, three significant areas can be identified: viz., the biblical language of conversion, the liturgical and theological language of penance, and Francis of Assisi's use of *poenitentia*. This study claims to be neither exhaustive nor definitive. Let it be said from the outset that the authors' intention is to look at penitential language from the perspective of linguistics, and to reflect upon what this historical development may mean to modern Franciscan penitents.

As a building rests firmly on its foundations, so does the entire Hebrew Scripture rest on the event of Exodus-Covenant. God's saving act of liberation and relationship is the central and formative event in Israel's understanding of its own history. Everything that is written, from the creation accounts to the Post-Exilic Wisdom writings, reflects on life viewed in the consciousness of that Covenant. Yahweh, the Lord, takes the initiative in choosing a people, providing them with leaders, and singlehandedly delivering them from slavery to freedom.

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Israel's self-identity, its national and religious consciousness, are shaped by that event; the Israelites are the children of Abraham, the heirs of the promise, the chosen of the Lord. Thus Israel knows and understands itself primarily in relationship to its God.

We can reclaim the biblical and spiritual roots of penance only if we value conversion enough to initiate the struggle with language, experience, and meaning.

What, however, are the terms of the Covenant to which Israel commits itself? Yahweh promises, "If you hearken to my voice and keep my Covenant, you shall be my special possession, dearer to me than all other people, though all the earth is mine. You shall be to me a kingdom of priests, a holy nation" (Ex. 19:5-6). This pledge of the Lord forms the very heart of the entire Torah, the Law of the Covenant. Much more than the Decalogue, the Ten Commandments, the Torah attempts to speak to every aspect of Israel's life. It sets forth the details which will distinguish Yahweh's nation from all the others when they enter the land of Canaan. But at its center is the mutual exchange of responsible love between God and this people.

Yahweh, on his part, promised to lead Israel into the land of Canaan. They would possess it and prosper there. Yet their side of the agreement was equally clear: "If you obey the commandments of the Lord, your God, which I enjoin on you today, loving him, and walking in his ways, and keeping his commandments, statutes, and decrees, you will live and grow numerous, and the Lord, your God, will bless you in the land you are entering to occupy. If, however, you turn away your hearts and will not listen, but are led astray and adore and serve other gods, I tell you now that you will certainly perish; you will not have a long life on the land which you are crossing the Jordan to enter and occupy" (Dt. 30:16-18).

A very important obligation of the covenant is remembering. Narratives and rituals evolved to celebrate the memory of what Yahweh had promised his people, and what he had done for them. It was an effective remembering, one that made the moment of covenant present

anew for each generation. It is this idea that inspires the *Shema*: "Hear, O Israel! The Lord is our God, the Lord alone! Therefore, you shall love the Lord, your God, with all your heart, and with all your soul, and with all your strength. Take to heart these words which I enjoin on you today. Drill them into your children. Speak of them at home and abroad, whether you are busy or at rest. Bind them at your wrist as a sign and let them be as a pendant on your forehead. Write them on the doorposts of your houses and on your gates" (Dt. 6:4-9). Thus the awareness of the Covenant and Israel's relationship to the Lord is to surround them everywhere and at all times; it is even exempt from the Sabbath rest.

It is extremely important, however, that this memory be kept alive for future generations. "Take care not to forget the Lord, who brought you out of Egypt" (Dt. 6:13). "Later on . . . you shall say to your son, 'We were once slaves of Pharaoh in Egypt, but the Lord brought us out of Egypt with his strong hand' " (Dt. 6:20-21).

From the earliest days of the Covenant, Israel lapsed into unfaithfulness. Its sin was in failing to remember what the Lord had done, and rebelling against him. This rebellion is imaged in the Old Testament as grumbling against God, or straying from his ways. Moses discovers the molten calf, and the Lord tells him: "They have soon turned aside from the way I have pointed out to them" (Ex. 32:8). Moses says to Israel: "Ever since I have known you, you have been rebels against the Lord" (Dt. 9:24).

The clearest form of rebellion in the Hebrew Scriptures is *rib*, to murmur or grumble. Perhaps a better English equivalent of this word is "complain." Like "complain," it has two senses, an emotional one and a legal one. The Hebrews "arrived at Marah, where they could not drink the water because it was too bitter. . . . As the people *grumbled* against Moses, saying, 'What are we to drink?' he appealed to the Lord" (Ex. 15:23-25). In the desert of Sin, "the whole Israelite community *grumbled* against Moses and Aaron. 'Would that we had died at the Lord's hand in the land of Egypt' " (Ex. 16:2-3).

When the scouts came back from the Promised Land, they brought both good news and bad. The land was as good as they had been told; but when the Israelites heard of the size of the inhabitants they had to conquer, they rebelled again. "The whole community broke out with loud cries, and even in the night the people wailed. All the Israelites *grumbled* against Moses and Aaron, the whole community saying to them, 'Would that we had died in the land of Egypt, or that here in the desert we were dead! Why is the Lord bringing us into this land only

to have us fall by the sword? Our wives and little ones will be taken as booty. Would it not be better for us to return to Egypt?' So they said to one another, 'Let us appoint a leader and go back to Egypt'" (Num. 14:1-4).

This last example affords us a clearer idea of the levels of sinfulness involved in the Israelites' rebellion. Complaining is not only an expression of dissatisfaction; it also involved failure to remember the good things Yahweh had done, despairing of his continued assistance, planning to leave the path Yahweh had chosen, and desiring to replace the leaders whom the Lord had given them.

There is, however, still another level of meaning in *rib*, its legal sense. In a legal quarrel, accusations and counter-accusations are exchanged; these take the form of questions which cannot be interpreted in a rhetorical sense. The "plaintiff" challenges the defendant, who must answer the questions. Seen in this light, Israel's complaints against Yahweh at Marah, Sin, and Kadesh take on even more weight. In effect, the complaints are an attempt to negate the Covenant itself.

Perhaps the legal sense of *rib* is best illustrated in a passage from the prophet Micah. In this passage it is Yahweh who complains against Israel: "Hear, then, what the Lord says: 'Arise, present your *plea* before the mountains, and let the hills hear your voice! Hear, O mountains, the *plea* of the Lord, pay attention, O foundations of the earth! For the Lord has a *plea* against his people, and he enters into *trial* with Israel'" (Micah 6:1-2). The Lord, then, poses his questions: "O my people, what have I done to you, or how have I wearied you? Answer me!" (Micah 6:3).

Taking into consideration these examples, we begin to see some of the ways that Israel rebelled against the Lord. Although the internal dynamic was the same, the concrete expression of this sin took various forms: worshipping idols, making pacts with the gentiles, demanding a king, oppressing the poor.

Whenever Israel abandoned the Lord's ways, Yahweh often punished them or threatened punishment. Yahweh's people, confused because they felt the Lord had broken the Covenant, were frequently confronted by the prophets, who pointed out their sin and called them to repentance. The most common word used in Scripture to convey conversion or repentance was *sub*. This verb denotes a literal *turning back*, a return to a former locale, or a change of direction. It also has the religious and moral connotation of returning to the ways of the Lord. In this sense, it is used 118 times in the Hebrew Scriptures, particularly in the prophetic literature. Although we cannot examine all

of these, a few examples would be profitable.

In the famous passage concerning the Babylonian exile, the prophet Isaiah proclaims, "Seek the Lord while he may be found, call to him while he is near. Let the scoundrel forsake his way, and the wicked man his thoughts; let him turn to the Lord for mercy; to our God who is generous and forgiving" (Is. 55:6-7). Jeremiah also warned Israel of Yahweh's wrath: "Thus says the Lord: When someone falls, does he not rise again? If he goes astray, does he not turn back? Why do these people rebel with obstinate resistance? Why do they cling to deceptive idols, refuse to turn back? (Jer. 8:4-5).

Ezekiel is "appointed watchman for the house of Israel" (Ez. 33:7). Yahweh tells him: "Yet your countrymen say, 'The way of the Lord is not fair.' But it is their way that is not fair. When a virtuous man turns away from what is right and does wrong, he shall die for it. But when a wicked man turns away from wickedness and does what is right and just, because of this, he shall live' " (Ez. 33:17-19). Hosea also tells of the day when "Israel shall turn back and seek the Lord, their God" (Hos. 3:5).

Frequently, in response to the prophets' call, the people of Israel would give visible signs of their return to the Lord's ways, and their remorse for having abandoned them. These acts, particularly fasting and the wearing of sackcloth and ashes, were often, but not always, associated with the *sub* (return) to the Lord.

Another important dynamic in the process as found in Scripture is *niham*: Yahweh changes his mind, relents from the punishment he had threatened or done, and shows compassion. It is *niham*, then, which brings the dynamic full circle: Yahweh restores the Covenant to which the people had returned.

In the last several centuries before the Christian era, the Hebrew Scriptures were translated into Greek, the language of culture and learning. In the Septuagint, *sub* was usually rendered as *απωστρεφω* or *επιστρεφω*, a verb that also had the spatial and dynamic connotation of turning back on the road. *Niham* was translated as *μετανοεω* or *μετανοια*, words that conveyed the idea of changing one's attitude, or as *μεταμελομαι*, to change one's mind.

The Christian Era

MOVING INTO THE Christian era, one finds a natural theological shift. In Christ there is now a new Covenant with God. The Paschal Mystery: Christ's death and resurrection, becomes the central and formative event around which the Christian Scriptures take shape. Even

the public ministry of Jesus—indeed, even the birth narratives—are viewed through faith in the resurrection. Thus, when John the Baptist and Jesus preach, the Gospel writers understand their call to conversion as a call to a fundamental change that is not only demanded by, but also made possible by the death and resurrection of Jesus, the Christ.

An analysis of conversion language in the New Testament should serve to illustrate the differences in the concepts of conversion. When John preached, he called the people to a baptism of repentance: “Reform your lives! The reign of God is at hand” (Mt. 3:2). Luke says that John “went about the entire region of the Jordan proclaiming a baptism of repentance which led to the forgiveness of sins” (Lk. 3:3). When “the crowds asked him, ‘What ought we to do?’ he said, ‘Let the man with two coats give to him who has none. The man who has food should do the same’ ” (Lk. 3:10–11). To tax collectors he said, “Exact nothing over and above the fixed amount” (v. 13); and to soldiers, “Don’t bully anyone. Denounce no one falsely. Be content with your pay” (v. 14).

In comparing John’s repentance with that of the prophets, we see a significant difference. The prophets called Israel to return to the relationship, the rituals, and the way of life which they had abandoned; this is evident even in the original meaning of *sub*: to return to where you had been. John’s conversion, however, is more fundamental. With a sense of urgency, John points to the coming kingdom, which demands an interior change, as well as the actions that both give witness to that change and reinforce it with new patterns of behavior.

Jesus comes, not preaching the coming of the kingdom, but inaugurating it. “This is the time of fulfillment! The reign of God is at hand! Reform your lives and believe in the Gospel!” (Mt. 1:15). Jesus then begins calling people to discipleship: belief in the kingdom which is present and which demands the total gift of oneself. The messages of John and Jesus have much in common. Specifically, the process of life transformation each proclaims begins with “reform,” i.e., *μετανοια*. Both of these preachers ask people to change their lives.

Conversion or change of heart is a fundamental concept in the Christian Scriptures; in its various forms it appears sixty times. *Μεταμελομαι* (I change my mind) appears only six times; all the other uses are *μετανοεω* (32 times) and *μετανοια* (22 times). As indicated before, these have the connotation of a fundamental internal change of attitude, or as our modern parlance would put it, “a change of heart.”

Basically, the Christian Scriptures do not detail harsh, ascetical practices. These acts are conspicuously absent in the preaching and lifestyle of Jesus; the people even remarked to him that "John's disciples fast while yours do not" (Mk. 2:18). Jesus' response indicates again the time of fulfillment, a time for a different way of acting than simply returning to a set of laws or a custom. "Yet time will prove where wisdom lies" (Mt. 11:9). The Gospel call to conversion is to a process which begins with an internal change, the results of which are to be seen in one's life.

Not surprisingly, following the resurrection, when the apostolic community began its preaching mission, it continued along the path charted by its Lord and Teacher. The challenge the Apostles issued was a call to conversion. Peter said, "Reform your lives! (*μετανοια*); turn to God (*επιστρεφω*), that your sins may be wiped away!" (Acts 3:19).

In the primitive Church, *μετανοια* is part of the basic teaching, or *κερυγμα*. It is the prerequisite for baptism. Peter said: "You must reform and be baptized, each one of you, in the name of Jesus Christ, that your sins may be forgiven; then you will receive the gift of the Holy Spirit" (Acts 2:38). In this passage, reform or conversion is intimately linked to baptism, which effects the forgiveness of sin. In Acts sinfulness is essentially unbelief, a kind of blasphemy that for Jews is focused on their rejection of Jesus and for Gentiles is demonstrated in their clinging to idolatry. Thus, in the conversion process called for by the apostolic preaching one turns from hardness of heart or spiritual blindness to belief in Jesus: "With Jews and Greeks alike I insisted solemnly on repentance before God and on faith in our Lord Jesus" (Acts 20:21).

In the Apostolic Age the sign of belief in Jesus' death, resurrection, and lordship was baptism. At first it seems it was a relatively simple process, as in the account of Philip and the Ethiopian eunuch (Acts 8:26-40), but as time progressed baptism became more ritualized and was preceded by a necessarily more structured catechumenate. In the early Church baptism was understood, as in our present Rite of Christian Initiation of Adults, as the initiation into the Christian community. It was primarily directed toward adults, and was seen as the formal acceptance of *μετανοια*, the definitive leaving behind of a life of sin. It also effected the giving of the Spirit of Jesus.

As the Church continued to grow and interact with the wider society, major developments took place that significantly altered how conversion was understood. Originally, it was felt that sinfulness was forgiven solely through baptism. Following some of the early persecu-

tions of the Church, however, when it seemed that being Christian was no longer the mortal peril it had been, some apostates came to the Church expressing contrition for sins which had cut them off from participation in the Christian community. Gradually, the Church developed ways of re-incorporating these members into the community. Although the practices varied in time and place, the common elements were confession (acknowledgment) of sin, absolution by the bishop, and a definite period of time in the "order of penitents." Although the length of time and severity of discipline also varied, penitents were usually required to perform ascetical acts. Even after the reconciliation rite had been completed, the penitent was to live an extremely ascetical life.

The Shift to Latin

IN THE COURSE of time, as the Church spread throughout the Empire and as Roman culture began to come of age, some major linguistic trends began to appear. During the third and fourth centuries of the Christian era, the Western Church gradually moved from the exclusive use of Greek to Latin. It is in the Vulgate that a fundamental change takes place in the concept of conversion. The Greek *απιστρεφω* or *επιστρεφω* was translated as *convertere*: to turn around, or turn back. The Greek concept of *μετανοια*, which had been used both as a verb and in its noun form, was now rendered as *poenitentia*, only a noun. Even when the Greek equivalent was found in the verb form of *μετανοεω*, the Latin verb *poenitere* is not used. The concept is expressed as *facere poenitentiam*, *agere poenitentiam*, *accipere poenitentiam*, or *iniungere poenitentiam*. What was originally a process of change, a dynamic, is now understood as a substantive, a thing. Penance is now something that one does, accepts, or enjoins upon another.

The language which one uses to describe or name a concept ultimately affects our understanding of it. To change that language even in the slightest can change the concept itself. Language has a structural and formative impact on our experience of reality. It not only communicates reality to us; it also helps us understand reality. Thus, the change in the language of penance/repentance continues a process which actually changes the very nature of penance.

One major reason language remains in constant fluidity is that it is continuously interacting with the flow of a culture's experience. At this early point in the Church's history several related trends further influenced the concept of penance. After the persecutions ended, the



heroic witness of martyrdom was no longer possible. Believing in the proximate return of the Lord, heroic Christians went off, particularly to the desert, to “do penance” and wait. These new heroes, the monks (in its original meaning, *monachus* meant one who lives alone) fled the world and, in the desert, did battle against the powers of evil. Thus, a language of spirituality developed which began to equate doing penance with ascetical practices such as fasting, prayer vigils, and, often in the case of those who had been married, perpetual continence. The world and the flesh were perceived as negative, to be avoided, to be overcome.

Another historical trend that greatly influenced the development of penitential language was the Church’s overwhelming acceptance of the concept of original sin. The term originated with Augustine, who was reacting to Pelagius’ belief in humanity’s primal goodness. Augustine understood Pelagius’ theories as leading to moral disintegration. The effect upon conversion language resulted from the far-ranging impact of original sin’s acceptance into the Church’s theological structure. In the Dark Ages, as the Empire watched the collapse of its entire cultural network, the Church came to look upon humanity as essentially flawed and depraved, needing maximum discipline to curb its insatiable appetites.

As original sin assumed more and more importance, infant baptism became the logical norm. No longer a sacrament of forgiveness of adult sin, baptism was now understood as a “means of salvation.” Penance was perceived as something one did, and not as a universal call to a life process of conversion. The Order of Penance ceased to have a direct connection with the general faith community and became a life embraced solely on a voluntary basis.

This trend developed alongside the introduction and popularization of private sacramental penance by the Celtic monks. Previously the sacrament of penance could be received only once and, except for serious public sinners, was often delayed until the person was in danger of death. With frequent confessions, the original

understanding of penitential acts as a witness to the contrition of the penitent gradually was replaced by a new meaning which saw acts of penance as providing "satisfaction" for sin. Interestingly enough, this was a theological "reform" which attempted to establish moderation and/or equity in administering the sacraments.

The Rise of Modern Languages

WE HAVE GONE TO lengths to examine the change of penance from a dynamic to a qualitative substance. Because of other changes in language, penance also took on a quantitative dimension. After the fall of the Roman Empire, the language of Rome began to be corrupted by the language of the Germanic invaders. A significant difference between Latin and its modern descendants is the use of the definite and indefinite articles. Simply said, Latin does not use articles; most modern European languages do. Thus, throughout this period the phrase *facere poenitentiam* and similar expressions are heard by people who increasingly can speak and perceive of doing or performing a penance. Penance, then, is increasingly thought of as something to be done, and something able to be counted and measured.

Another factor which probably affects the concretization of penance and its relation to penitential acts is the word family to which it belongs. *Poenitere* and *poenitentia* are both cognates of *poeneo*, to punish; the acts are increasingly seen as things which people deserved as punishment for sins which they had confessed. The connotation of changing heart or turning back was gradually lost.

Francis of Assisi had two basic understandings of penance: it is both a sacrament and a way of life. In the latter sense, it is lived in the context of a relationship with the Lord, who inspires the penitent to follow this path which requires fleeing the world and living a life of ascetical discipline. Francis' inclination to use images such as a journey and a road, following the footprints of Christ, and flight are familiar to his followers. They demonstrate that for him *poenitentia* is closer to the spatial concept of the Hebrew *sub* than to the more internal Greek *μετανοια*. The fact that, for Francis, the penitent is "in process," continues to be "in penance," "perseveres in true faith and penance," etc., does not allow us to perceive a nuance of the conversion dynamic in Francis' language.

From the time of Francis through the era of Scholastic theology, and indeed down to modern times, penance became increasingly identified with the sacramental reconciliation or isolated acts of personal mortification. With the growth of the Franciscan Movement, it seems that

the penitential order and the Third Order of St. Francis rapidly merged; thus the idea of the Order of Penitents eventually disappeared as an identifiable entity in the Western Church.

Still another theological trend that had its impact on the meaning of penitential language was the development of a perfection model of spirituality. From ancient times the spiritual life had come to be seen as progressive. Paul knew that some could take solid spiritual food while others were still in need of milk (1 Cor. 3:1-3). This gradually developed into a "perfection" model, recognized through hierarchical stages of holiness known as purgation, illumination, and perfection. These terms were widespread in Scholastic theology. Bonaventure used them extensively, but he saw them as three concurrent dynamic processes within the person. Most other writers tended to see them as static levels more or less clearly defined and separated from one another. Penance, understood as ascetical acts of mortification, were counselled as appropriate for those wishing to move beyond purgation to the "higher" forms of life in union with God.

This was the inherited theology of penance crystallized by the Church Fathers at the Council of Trent. Penance was now a sacrament (one of seven) which involved contrition for sin, confession (private) of sin in number and species, absolution, and satisfaction. The obligation given to the penitent was called a penance and was seen as remitting the temporal punishment due to sin. Satisfaction was not seen as restitution to one's neighbor or to the victim of the sin, but as satisfaction to God, the one injured by all sin.

A further significant factor is the spread of Jansenism in the seventeenth and eighteenth centuries. Jansenius' view of human nature was that it was thoroughly corrupted by sin. It was solely grace, which was given only to a few, that could overcome sinfulness. Grace, of course, had to be cooperated with; to the one who accomplished this, even more graces were given. It was urgent, then, in this view of humanity, that the individual do everything possible to overcome this fallen human nature. Severe penances were the common practice, the rationale being that harsh disciplines would frequently be chosen by a truly holy person.

Conclusion

IT HAS BEEN our purpose to explore the concept of penance as it has developed up to the present day. Our readers might question, however, what this has to do with Franciscan spirituality, and why such a study appears in this periodical. Contemporary writers have

published volumes on the process of biblical *μετανοια*, using a whole new set of terms. Rather than penance, conversion, and repentance, they write of transformation, integration, and wholeness. The “process” which they describe involves an openness to change, a journey from self-centeredness (sin) to other-centeredness. These works appear in the fields of spirituality, psychology, and sociology.

The Franciscan penitent stands on the scene, the heir to a rich tradition that has often influenced Gospel living throughout the centuries. Our inheritance also includes a love for the world, a more than philosophical love for humanity, and a deep respect for the natural sciences. The present authors feel that modern Franciscans have a role to play in helping others integrate these contemporary ideas with traditional penitential spirituality. We need the language, however, to do this.

John the Baptizer came preaching, “Reform your lives!” Many modern preachers, whether we judge them fatalists or realists, point to the “disintegration” of family, society, and the world. Perhaps the followers of Francis can speak to our world of the wholeness and integration which can be achieved by living unselfishly or selflessly. Again, we need the language to do this.

The Church reminds us that we are responsible for the welfare of our brothers and sisters in Christ. We must reform our lives as well as our life-styles. We need to develop new social orders, new modes of living, and new patterns of behavior. Perhaps the followers of Francis can help preach this Gospel, by word and deed, to those who resist these ideas. Again, we need the language to do this.

We humans are probably more than we care to admit products of our history and our language. If some of us feel less than enthusiastic about embracing the penitential life, this reluctance may well be due to a linguistic and historical framework that is of relatively late construction. This can be understood and dealt with. The greater question is what to do about it in the larger perspective. We are not necessarily bound by any particular language. We are capable of reclaiming the biblical and spiritual roots of penance. Yet we can reclaim them only if we value ongoing conversion enough to initiate the struggle with language, experience, and meaning. We feel it is worth the effort. Ω

DEFINING "PENANCE"

Clare D'Auria OSF

Directions: Read over the following definitions of "penance" and indicate in the space provided at the left of each statement to what extent it resonates with your understanding of the meaning of the word:

- 1) essential to my understanding
- 2) important to my understanding
- 3) irrelevant to my understanding

- _____ 1. An act of self-abasement, mortification, or devotion performed to show sorrow or repentance for sin.
- _____ 2. Turning from sin and dedicating oneself to the amendment of one's life.
- _____ 3. Bringing a person over from one belief to another.
- _____ 4. A sacrament of the Roman Catholic Church.
- _____ 5. Awareness of general moral shortcomings.
- _____ 6. Turning from a sinful life back to God and the change of heart inherent in such an action.
- _____ 7. Total gift of oneself to Kingdom and submission to the Lord's will; rooted in faith in Lordship of Jesus.
- _____ 8. Mode of living the Beatitudes.
- _____ 9. Prayer, fasting, and almsgiving.
- _____ 10. Radical redirection of life, initiated by God's love and centered in the person of Jesus.
- _____ 11. Entering the religious life.
- _____ 12. An act of reparation for sins committed according to impositions of a confessor.
- _____ 13. Ongoing or continuous conversion of heart.
- _____ 14. Participation in the experience of the Paschal Mystery.
- _____ 15. Joyous acceptance of the Reign of God and entrance into the intentions of God toward the world and the earthly community.
- _____ 16. Identification of work of evangelization among non-believers.
- _____ 17. Readiness humbly to suffer the consequences of sin in one's own life.
- _____ 18. A spiritual journey made up of failures and falls and, also made of new beginnings, new discoveries.
- _____ 19. The experience at every moment of the fidelity of a God who calls us back to himself.
- _____ 20. The double movement involving self-acceptance and reaching beyond who one is now.

8

FRANCIS BECOMES A PENITENT

Raffaele Pazzelli TOR

Celano narrated Francis' conversion as follows: "One day, however, when he had begged for the mercy of God most earnestly, it was shown to him by God what he was to do . . . for it was extremely necessary that the gospel calling be fulfilled in him who was to be the minister of the gospel in faith and in truth. When the blessed servant of the Most High was thus disposed and strengthened by the Holy Spirit, now that the opportune time had come, he followed the blessed impulse of his soul, by which he would come to the highest things, trampling worldly things under foot."¹

The decision was actually put into practice on the way home from a business trip to Foligno where "as usual he sold everything he had with him and, successful as a merchant, he left behind even the horse he was riding."² He stopped at San Damiano and told the "poor priest" of his decision. "He offered him money he had with him, telling him what he proposed to do. The priest was astonished and, wondering over a conversion so incredibly sudden, refused to believe what he heard. And because he thought he was being deceived, he refused to keep the money offered him. For he had seen him just the day before, so to say, living in a riotous way among his relatives and acquaintances and showing greater foolishness than the rest. But Francis persisted obstinately and tried to gain credence for what he said, asking earnestly and begging the priest to suffer him to remain with him for the sake of the Lord. In the end, the priest acquiesced to his remaining there. . . ."³

Thus Francis asked and obtained permission to be accepted at San Damiano as a *conversus*, thus becoming an *oblatus* or *donatus* or *conversus*, an official form of *penitent*, as we have clearly seen

in our brief historical glimpse of the penitential movement.⁴

What happened next is further proof that this is the only valid interpretation of the narrative of Celano. Here we find perfect agreement between an incident related in the *Legend of the Three Companions*, which is the only Franciscan source that refers to this detail, and the Assisian statutes of the time. This proof is not to be underestimated because of the historical value of the legend itself. Pietro di Bernardone, exhausting all his efforts to convince his son to return home, turned to the civil authority; and making strong use of his position as *rei publicae benefactor et provisor*—as he will later be called by Marianus of Florence—that is, one who provided for the needs of and also helped in city affairs, requested its involvement in his case and accused his son of rebellion and dissipation. The statutes of the commune of Assisi punished anyone found guilty of such an offense with banishment from the city.⁵

According to the instructions of the same statutes, the judge issued a summons to appear in judgment. A nuncio would have either delivered it to the accused or he would have shouted before his house: “The guilty party is commanded and ordered to appear on the third day before the civil authorities to respond to the accusations presented by his father.” Francis received the summons at San Damiano, as the *Legend of the Three Companions* attests, and “answered that, since by divine grace he had obtained freedom, he was the servant only of God and therefore no longer owed obedience to the civil authorities and was outside their jurisdiction.”⁶ The civil authorities did not want to press the issue and said to Pietro that “as Francis had entered the service of almighty God, he was no longer their subject.”⁷

Their decision to give up the prosecution is quite significant when one recalls that Assisi was in the first years of civil autonomy. City authorities, quite jealous of their power, exercised it firmly, and if they had given up this power, it could only have been because they realized that Francis was no longer under their jurisdiction. It is precisely because he was a *conversus* (*oblatus* or *donatus*) and therefore a true *ecclesiasticus* or *clericus*, exempt from civil jurisdiction.⁸

Jordan of Giano also affirmed Francis’ entrance into the “life of penance.” He began his chronicle in this way: “In the year of the Lord 1207, Francis, who was by profession a merchant, with repentant heart touched by the breath of the Holy Spirit, began a life of penance in the habit of the hermit.”⁹ Ida Magli noted that “Jordan of Giano presents this penance of Francis, not as a common or transitory penance, but as a state, a *modum penitencie*”: (“Anno

1207 *Franciscus . . . in habitu heremitico modum penitencie est aggressus*).¹⁰

Celano repeatedly affirms that Francis wore the habit of penance. In the *Vita Prima* he said expressly: "It was the third year of his conversion when he began to repair the church (of the Porziuncola). At this time he wore a kind of hermit's dress, with a leather girdle about his waist; he carried a staff in his hands and wore shoes on his feet."¹¹

The same fact is repeated by Julian of Speyer¹² and in other *Legendae*.¹³

Francis resolutely bade farewell to all, publicly, before his father Pietro di Bernardone and Guido, the bishop of Assisi. It should be emphasized—something not considered very often—that the bishop, before asking Francis to give back the money to his father, advised him to think about the fact that this is the condition necessary for him to become a *conversus*: "*Si tu vis Deo servire, redde illi pecuniam quam habes.*" "If you really want to consecrate yourself to the Lord, you must give back (to your father) the money that you have." *Deo servire* is the formula phrase that referred to the oblates. Francis replied: "*Quia Deo servire proposui, reddo illi pecuniam . . . et omnia vestimenta.*" "Since I have decided to dedicate myself to the service of the Lord . . . I shall give him back not only the money . . . but also all the clothes."¹⁴

Francis left the scene of the renunciation, officially recognized as a penitent by the bishop of Assisi; as a penitent, he will permanently reside at San Damiano.¹⁵

FRANCIS, "BROTHER OF PENANCE"

The *Legend of the Three Companions* explicitly states that the eremitical penitential life of Francis lasted for two years: "Until the work of restoring the church of San Damiano was completed, blessed Francis still wore the garments of a hermit with a strap to serve as a belt, and he carried a staff and had sandals on his feet. . . . Two years after his conversion several men were drawn to follow his example of penitence, and they left everything in order to join him. . . ."¹⁶

This was the period of Francis' greatest maturation, a period which led him, little by little, to plan his future. Probably no one can tell us just how much his penitential experience affected his spirit and outlook; but one thing is certain—through the penitential movement Francis came to realize the lively desire spreading among Christians for a more evangelical life, and even more,

for the urgent need of spiritual guides to show the people the way to remain faithful to God and the Church. He certainly saw how the Cathari heresy and other anti-ecclesiastical movements were spreading.¹⁷ Perhaps he also realized that in that same "penitential movement" the real gospel meaning of *metànoia* had been forgotten or lost along the centuries. By Francis' time, *metànoia* retained only the external, physical aspect of corporal penance; and that was mostly a cultural or cultic phenomenon.¹⁸

Perhaps these two elements proved very weighty in the soul of Francis and brought him, after two years, to the decision to be not only a solitary-penitent, but also an apostle.

A factor of primary importance in this period of Francis' maturation and planning of future action was his closeness to Bishop Guido, who counseled him on the steps he should take. Another equally important element was his friendship with the Benedictine monks of Mount Subasio who, in their winter home in Assisi, next to the paternal home of Francis,¹⁹ had seen him grow up and, together with Guido, were the only ones to foresee or understand something of the greatness in the singular behavior of the young man from Assisi.

FRANCIS' THEOLOGICAL AND BIBLICAL PREPARATION

Why should we rule out, in this same period of the life of Francis, some sort of preparation or theological and biblical study, both from the priest of San Damiano as well as from Bishop Guido himself, and probably under the guidance, if not the regular instruction, of the Benedictine monks?²⁰

Today, in fact, the idea of Francis as "an ignorant man"²¹ is rapidly dissolving. His writings, now minutely analyzed, demonstrate a certain literary education as well as a theological preparation and a biblical knowledge that cannot be overlooked.

Men of letters now admit that the composition of the *Canticle of the Creatures* reveals a notable literary preparation, among the best that could be obtained in a town of noblemen and rich merchants like Assisi.²² Prof. Pasquale Tuscano recently wrote that "the *Canticle of Brother Sun* is anything but a song flowing from a naive, unformed soul, a text of religious poetry, a burst of romantic emotion. Its simplicity comes from a deep feeling and a cultural background that is difficult to evaluate, from a burning need to share his message of brotherhood, love, and humility with the heart of all of humanity, of his own and of all

time." Still again, "the literary polish (of the *Canticle*) is doubtless. Even structurally the *Canticle* is carefully thought out and composed, and is accented by examples from the Bible and poetry."²³

Branca affirmed that the religious message of Francis in the *Canticle* "is expressed in a poetic language of unsurpassed force, at least until Dante; with an immediate concreteness and a powerful use of allusion, with a miraculous freshness of impressions and sensations and an absolute precision of metaphysical and mystical concepts."²⁴ According to Baldelli, "the *Canticle* becomes almost a biblical and psalmistic reading in an artistic composition of rhyme, sound, and perhaps *cursus*—nothing playful or improvised."²⁵

Concerning more directly the theological and biblical studies of Francis, no less a master of Franciscan criticism than Kajetan Esser has recently noted in his analysis of the text of the *Recensio prior* of the *Letter to all the Faithful* that this written instruction "would suggest the saint had a greater knowledge of Scripture than modern Franciscan research in general is willing to acknowledge."²⁶ Esser speaks as well of the "theological depth" that permeates the well-balanced division of the *Recensio prior*.²⁷

If we admit, as the same critical analysis brings us to do, that the same *Recensio prior* (1Lf) should be included among the earliest writings of St. Francis,²⁸ we must find some human explanation for such "scriptural knowledge" and "theological depth" even in the very beginning of Francis' itinerant preaching.²⁹

The most plausible explanation would seem to lie in the San Damiano period, that is in the period when Francis was the "Brother of Penance."

Sources are in agreement in relating that Francis spent much time in solitary meditation, wandering along the slopes of Mount Subasio and crossing the Valley of Spoleto. These places were dotted with monasteries, mostly of the Cluny tradition. Besides the huge Abbey of Mount Subasio, the Benedictine order had at least ten other monasteries of men in the territory of Assisi at the time of St. Francis.³⁰ In addition to these, the Abbey of S. Croce of Sassovivo (Foligno) was, in the first years of the thirteenth century, in such a state of prosperity that it was considered a separate congregation. A list, compiled in 1216, of the monasteries, churches, and hospitals dependent on S. Croce contains one hundred forty entries. These were situated along an uninterrupted line from Camerino to Rome, passing through Nocera Umbra, Perugia, Assisi, Foligno, Spoleto, and Orte.

As far as the more immediate neighborhood of Assisi is

concerned, the Congregation of Sassovivo possessed two abbeys and four priories in the diocese of Foligno, along with a further sixteen churches with a "monk with the title of prior" in residence,³¹ many in the mountainous area, not far from Subasio. In the diocese of Spoleto the same congregation had three abbeys, twelve priories, and fourteen churches served by the monks. Among these we can note the Abbey of St. Peter of Bovara, whose structure is still visible along the highway between Trevi and Fonti di Clitunno. Between Assisi and Rome there were monasteries within a few hours' traveling time of one another, the maximum distance between any two of them, a single day's walk.

It must also be noted that the congregation of Sassovivo was founded with the specific purpose of giving hospitality to pilgrims. This can already be found explicitly stated in a document dated 1106.³² Furthermore, one of the two institutions existing at Ponte S. Giovanni, near Perugia, was for the purpose of "restoring pilgrims."³³

The Benedictine Abbeys of any importance were equipped with a library and scriptorium where the monks patiently copied the antique codices as well as the recent writings of their illustrious brothers. The only spiritual literature of the time came, in fact, from the monasteries.

From all of this historical information it would seem logical to suppose that Francis refined his theological, scriptural, and spiritual knowledge during his stays in these monasteries.

FRANCIS AND BISHOP GUIDO

We believe that the closeness, guidance, and advice of Guido were essential elements for the success of Francis' work with the penitential movement or "Third Order" which took its name from him, as well as for the Order of Friars Minor and that of the "Poor Ladies."

In the *Legend of the Three Companions*, immediately after Francis' public renunciation before his father, we read that Bishop Guido had "clearly understood that the servant of God had acted on a divine inspiration and realized that a great mystery lay behind what he had witnessed; therefore, from that hour, he became his protector. He helped and comforted Francis, loving him with tender charity."³⁴

Guido's protection, therefore, dates back to the beginning of Francis' penitential life. When Francis began his itinerant preaching, and there were only six companions following him, the

same *Legend* tells us that "only the bishop of Assisi, to whom the man of God often went for advice, received him with kindness."³⁵

On the occasion of Francis' trip to Rome with his first companions to submit their way of life to Pope Innocent III, the *Legend of the Three Companions* tells us that "when they arrived in Rome, they found there the bishop of Assisi who welcomed them most gladly because he honored Francis and the brothers with a special love. He was happy to have men in his diocese whose life and behavior gave him great satisfaction. When he heard the reason for their coming . . . he . . . promised them his advice and help."³⁶

Who was this Guido? Guido II (or di Secondo) was bishop of Assisi from 1204-1228, that is, he was Francis' bishop from the time of his conversion until his death. According to Fortini, "at this time the bishop of the Church of Assisi had reached the height of his power and wealth, so as to appear the strongest and richest feudal lord of the whole region. . . . He was avid for material goods and thirsty for power; he did not hesitate to fight without respite for his territory and wealth, with magistrates of the commune who did not want to submit to his will, with canons who wanted to escape the tribute owed him, and with the monasteries that rose against the bondage of submission." Yet, in spite of all of this, "it is he who, without hesitation, places his mantle over the man who stripped himself in his presence to make 'poverty' his way of life, the salvation of those who are spiritually tormented by their pride and cupidity."³⁷ "A secret presentiment made him realize that something solemn and mysterious was taking place at that moment in his court, touched by a contrast that went beyond the limits of time and place to reach the universal drama of a disturbed humanity."³⁸

From that day forward, Bishop Guido remained close to Francis. He continued his battles with the commune, noblemen, middle classes, canons, and monks. Yet, in regard to Francis and his friars, he became both guide and protector.

The *Legend of the Three Companions* tells us that the "bishop of Assisi was a friend of the bishop of Sabina, Cardinal John of Saint Paul, a man full of divine grace who loved all the servants of God."³⁹ Salvatore Attal described the Cardinal as "a pious, prudent, and discreet man, who, because of his age and the dignity of his life, enjoyed great authority with the pontiff."⁴⁰

This little piece of information given us by the *Three Companions* is of great importance because it helps us to deduce with certainty that Bishop Guido, with such an influential friend, must have

been aware of the official attitude of Pope Innocent III concerning the new religious foundations, "poverty movements," and on the various measures taken in the last decade on all of them. Thus he could well counsel and aid Francis, as he had proposed, on what measures to take and the fundamental bases on which to found his fraternity if he wanted to be successful. Limiting our interest to the "poverty movements," we can summarize the attitude and relative measures of the Church concerning them in the period immediately preceding the time of Francis:

Pope Lucius III, in the Council of Verona (1184), held for the purpose of deciding political and religious questions, took radical measures against heresy and against its supporters and sympathizers. In the famous decree *Ad abolendum* he expressly condemned the Cathari, Patarines, Humiliati, the Poor of Lyons (Waldensians), Passagini,⁴¹ the Josephines⁴² and all those laymen who, under the guise of being religious, claim the right to preach in public without the authorization of the Apostolic See or of the local bishop. The reason for the condemnation was, therefore, the presumption of preaching without authorization.⁴³

This condemnation was repeated by the statutes of the Synod of Toul in 1192.

Meanwhile, in 1186, Urban III, the successor of Lucius III, had promulgated the letter *Religiosam vitam eligentibus*, which is considered to be the first approval of the Humiliati, at least for those who had agreed to an explicitly religious-monastic type of community life at the church of St. Peter of Vico Bolbone, near Milan.⁴⁴

Bishop Guido, a friend of a "prelate of highest authority," that is, Cardinal John of St. Paul, in addition to knowing what had happened from the time of Peter Waldo on, most certainly must have understood the programmatic lines of the new pontiff, Innocent III, which had begun to emerge from the very first years of his pontificate. It would, therefore, have been easy for him to direct Francis from 1206 onward to be successful in what he was planning.

THE POSITION OF INNOCENT III

Thomas of Celano described Innocent III as "burning with zeal for justice in the things that the cause of Christian faith demanded."⁴⁵ Pope Innocent's program can be summarized as a determined defense and expansion of Christianity through peaceful methods, such as preaching and persuasion, when possible and successful; and, when these were unsuccessful,

by resolute and even violent methods.

A man of exceptional intelligence, he came to the throne of Peter in 1198, when he was only thirty-seven years old; it was the same year that Assisi won its independence, presumably with the participation of the sixteen-year-old son of Pietro di Bernardone. Innocent immediately realized that the decrees of condemnation such as those of the Council of Verona would not be enough to stop the heresies of the Cathari and Waldensians. First of all, it would be necessary to do something to recoup the losses wherever possible.

Dal Pino rightly affirms that: "As to the lay religious movements which had previously arisen, Innocent III assumed a totally new position; he attempted to bring back to the faith and to obedience to the Church as many as possible, uniting the various groups under one "propositum" and ceding on certain points proper to them, thus rendering the action more decisive. These points were: collective poverty and adhesion to other evangelical characteristics, the right to hold meetings, and the permission for preaching of a moral nature, in exchange for an explicit profession of orthodox faith and respect for the hierarchy. Such an effort of reconciliation certainly did not preclude the aim of recuperating some of the Church's lost strength by using prestige and power against the remaining more radical anti-hierarchical and heretical elements, which the pope had decided to fight against."⁴⁶

Thus Innocent III was ready to re-admit into the fold of the Church those groups already included in the condemnation who wanted to return. From 1200 to 1202 he promulgated four letters by which he had accepted groups of Humiliati, allowing them diverse forms of life, even contrary to his first desire expressed in these letters, that of establishing a single rule for all of them—(*unum honestum et regular propositum*).⁴⁷

In 1208 Innocent III accepted into reconciliation with the Church the Poor Catholics of Durandus di Uesca⁴⁸ and in 1210 the Poor Lombards, also known as *Pauperes Praedicatores*, of Bernardus Primus.⁴⁹ In regard to the various poverty and penitential movements, it was Innocent's intention to regain as far as possible the various spiritual forces of Christianity.

Besides this, we see delineated in the scope of his program an attitude that, beginning in the first years of his pontificate, seems to make his approval of the fraternity of itinerant preachers of Francis of Assisi in the spring of 1210 a foregone conclusion.

From the beginning of his papacy, Innocent showed that he

clearly understood that the spread of the Cathari and Waldensian heresies was essentially due to two factors: the lack of religious instruction on the part of the Christian people, especially those of the uneducated and illiterate lower classes, due in turn to the lack of preaching on the part of the clergy. Writing to Berengarius, bishop of Narbonne on May 30, 1203, the pope reproached him for his neglect of preaching and clearly attributed the spread of heresy in his territory to this fact: "You do not distribute the bread (of religious instruction) to your children who are asking for it, as it should be done according to your pastoral office. Meanwhile the heretics are taking advantage of this and dare to propose to them, publicly, their perverse doctrine."⁵⁰ At the same time it was quite evident that the crowds were drawn to the heretics more by the "poor way of life of the Cathari and Waldensian preachers than by their preaching."⁵¹

There was, therefore, a dire need to instruct the faithful and preach the word of God to all. Such preaching, however, would have to be conducted by people whose life corresponded to the word that was being preached. Since the signs of the times, both in the Catholic and the heterodox field, called for a return to the simple, poor, apostolic life, it was necessary that these preachers be truly poor, "powerful in their words and deeds," as can be found in more than one of the pope's letters. The importance that he attached to this two-fold element is well expressed in the terminology he used in *Etsi nostra navicula* of May 31, 1204, addressed to the Cistercian preachers in the south of France. "Your teaching should reflect your life in such a way that the people may see in your conduct what you are preaching in your sermons."⁵² This plan of action became ever clearer in the mind and actions of Innocent III and remains basic to an understanding of his untiring activity regarding heresy. Only when peaceful means such as preaching and persuasion reveal themselves to be inadequate, that is, useless, did he resort to more resolute methods, such as the crusade against the Albigensians.

In the fall of 1203 he began to act, designating as apostolic preachers in the south of France the Cistercian Pierre de Castelnau and his confrere, "master" Raoul of the Abbey of Fontfroide; they were later joined by Arnaud, the Abbot of Citeaux. The mission began in the midst of great difficulties, some of which were even caused by the opposition of local bishops and clergy. So that the missionaries' work might be more effective, the pope gave them a wide range of powers, including the ability to substitute pastors and suspend bishops after an investigation. During

the summer of 1206 the group was expanded by the arrival of Diego di Acebes, bishop of Osma (Spain) and Dominic of Caleruega, the future founder of the Dominicans.⁵³ After their first experience, all of them had to admit that their way of life was not yet as poor as that of the Cathari and Waldensians; and perhaps that was the main reason they had achieved such poor results. Diego, the leader of the group, took the initiative to send his entire retinue, servants and horses included, back to Spain, and began going around barefoot. The others imitated him, so that in the summer of 1206 the small group began evangelizing in real poverty. They practically renewed in themselves the ideal and the practice of the itinerant preachers of the previous centuries, a practice that Peter Waldo had tried to imitate some thirty years before. The experiment met with some success.⁵⁴ Innocent III followed this preaching experiment with great interest. On November 17, 1206, he sent his famous letter, *Excursus saeculi*, a letter fundamental for an understanding of Innocent's current and future attitude, to his legate, Raoul de Fontfroide. In it he invited Raoul and his companions to proceed with this new evangelical method. Furthermore, he asked him to look for more preachers, "wearing disdainful clothes, but with a burning spirit, . . . ready to imitate the poverty of the poor Christ, who would have no fear to approach those who are far from the Church, . . . so that, through the example of their life and the strength of their word, they may recall even the heretics from error."⁵⁵

"Strengthened by this pontifical support," writes Thouzellier, "the mission, under the guidance of Diego, continued its fruitful apostolate during the winter of 1206-1207. In all humility, abstinence, and patience, the little group went around barefoot, without a rich entourage, through cities and towns where debates with the heretics could be anticipated.⁵⁶ It did not have further success. From the autumn of 1207 on, there was a strong resistance among the heretics, especially the Cathari or Albigensians. "Tenacious in their errors," wrote Robert D'Auxerre, well-versed in the chronology of the facts, "these unbelieving people do not accept the truth of any sort of document, although the value of the arguments are undeniable. For three months (May-August 1207) the apostolic preachers wandered with much zeal and fatigue through cities and villages, among dangers and difficulties, to gather small fruit: rare conversions and few confirmations in the faith."⁵⁷

Innocent III was well aware of the situation. For that reason,

in November 1207, he decided to have recourse to "worldly help." Writing on November 17 of that year to King Philip Augustus of France, he said that he was thinking of "the deplorable state of Toulouse where all the (spiritual) means tried up to now have been worn down by the inveterate heresy that nothing, neither reason nor threats, can shake."⁵⁸

Therefore, he asked the king's help so that, "moved to repentance through warlike affliction, the heretics may return to the truth."⁵⁹

Despite all of this, Innocent III still saw the value of "itinerant preaching, in strictest poverty," at least in those areas of Christendom where heresy, although a real danger, had not yet prevailed. As a matter of fact, while on the one hand starting the crusade against the Albigensians, a new letter, *Etsi nostra navicula* of March 28, 1208 (not to be confused with the letter of May 31, 1204, beginning with the same words) was sent to Abbot Arnaud of Citeaux. Whereas before he had delegated the Cistercians, he now directed his apostolic plan to "all the zealous orthodox defenders of the faith, powerful, as those of before, in *opere et sermone*, and of an irreproachable life." As he had done in *Excursus saeculi*, he once again invited the legates to procure the help of "such men, taken from any order or congregation, to exercise the office of preaching."⁶⁰

Knowing all of this, Bishop Guido was easily able to guide Francis among the rocks which had destroyed many of his predecessors in the penitential movement. A good part of the success of the young man from Assisi can probably be attributed to the wise advice of the bishop of Assisi. "And this may well be the greatest glory in the varied and turbulent history of the bishops of Assisi," as Fortini has remarked.

When, only two years later, in the spring of 1210, Francis and his companions went to the Lateran, asking the pope for the approval of their "fraternity of itinerant preachers," based on poverty, but also on the two pillars of a "complete adherence to the Church" and "obedience to the hierarchy," Innocent III, assured of their "fidelity" either directly or through Cardinal John of St. Paul, had little or no hesitation to give them permission to "preach penance to all."

Francis of Assisi and his little group represented the realization of the "Lateran dream"—the Lateran would be upheld through the apostolic efforts and good example of this new band which, in just a few years' time would become an "army," fighting the heretics on their own ground, with the same weapons—in

total poverty, but with an "ardent spirit," faithful to God and to the Church.

It seems appropriate to add a final word about the support Francis found among the Benedictines, and in particular from Cardinal John of St. Paul.⁶¹ The *Legend of the Three Companions* affirms that "when he heard from the bishop (of Assisi) of Francis' life and sanctity, he desired to see him and some of the brothers." Having welcomed them into his home for some days, he was edified by their speech and behavior. "He saw that their works corresponded to what he had heard; and he commended himself to their prayers and, as a special favor, requested that they would consider him as one of themselves. Finally, he asked Francis the reason for their coming to Rome; and, on hearing what was on their minds, he offered to plead their cause at the papal court."⁶²

From whom had the cardinal heard about Francis and his movement before inviting them into his home, and ultimately assuming the responsibility of representing them in the curia?

Cardinal John was a Benedictine. Therefore, after Bishop Guido's request for help in favor of Francis' proposed fraternity, it would seem natural for the cardinal to have asked for information from the most important representatives of local monasticism who would have been expected to have had some first-hand knowledge of events in Assisi and its surroundings, that is, the priors and abbots of the Benedictine houses in the region.⁶³ This information must have been of such a nature that it prompted him to act in their behalf.

CHAPTER EIGHT

1. 1 *Cel.* 7, 8; *Omnibus*, pp. 235-236.

2. 1 *Cel.* 8; *Omnibus*, p. 236.

3. 1 *Cel.* 9, *Omnibus*, pp. 236-237.

4. A critical examination of Celano's Latin text, written in the area around Assisi, gives further proof of this meaning. Francis insisted to the priest of San Damiano "ut secum *morari pro Domino* pateretur," that he permit him to live with him in the service of the Lord. "Acquievit tandem Sacerdos de *mora* illius." According to Fortini, this word (*mora*, *morare*, "was the characteristic word used to designate the condition of the *oblato*. We find an example in the statutes of Assisi where, concerning the *oblato* in the hospital of the lepers, one reads: "*Oblatum et oblatam, eiusdem hospitalis moram* continuam habentes." FNV Vol. II, p. 223.

5. "The son who does not obey his mother and father on their request (will) be banished from the city and district; no one may give him anything to drink or eat or help him in any way." Book II, Rule 58 establishes that they must be jailed on the request of two close relatives and be freed only when these (relatives) are satisfied. FNV Vol. I, pp. 287-288.

6. 3 *Comp.* 19; *Omnibus*, pp. 908-909.

7. "Ex quo servitium Dei est aggressus, de potestate nostra exivit." 3 *Comp.* 19. Cf. in the critical edition of Théophile Desbonnets, O.F.M., *Legenda trium Sociorum. Edition critique*, in AFH 57, pp. 38-144. This critical edition has been translated into English under the title *We who were with him* by Salvator Butler, O.F.M., and published in Assisi in 1974.

8. We must note that there are many who admit that Francis became an *ecclesiasticus* or *clericus*, but who do not want to admit (or admit with reserve) that he became a *conversus* or penitent. (Cf. Pastor, pp. 78-79). *Ecclesiasticus* or *clericus* mean "belonging to the clerical class or order"; it is therefore a consequential qualification that presupposes that something happened to cause and indicate his passage from the lay order to the clerical. Francis became an *ecclesiasticus*, with all the rights of that state, precisely because he had become a *conversus* or penitent. Conversely, it is his having become a *conversus* or penitent that makes him an *ecclesiasticus*.

According to Fortini, as a *conversus* Francis was required to consider himself subject to the authority of the bishop *ratione materiae et loci*. In fact, there could no longer be any doubt since he was at the service of the Church and living in a place belonging to the bishop. The imperial decrees and papal bulls which were written one after another for more than two centuries spoke very clearly. We need only refer to the bull of Innocent III to Bishop Guido only nine years earlier: "It is not licit for any authority or minister of any authority to rashly cite clerics of your churches, or any man living on the property of the bishop without the consent of the bishop." The penalty was excommunication. "Hoc enim omnino sub pena anatematis interdicimus."

Thus, eight days passed and no messenger came to San Damiano for the second summons (FNV Vol. I, pp. 289-290). For the sources and notes concerning the complaint brought by Pietro di Bernardone before the civil authorities and the bishop of Assisi, see also FNV Vol. II, pp. 223-237.

Gemma Fortini adds that "the building of San Damiano had gone through a series of change of ownership: built by oriental monks, it was later acquired by a Lombard vassal. . . . It then passed into the hands of a Lombard consortium, who, in turn ceded it to the church of San Rufino, the Bishop of Assisi, and the canons." (Gemma Fortini, "Una nuova ipotesi sulle origini della famiglia di San Francesco" in *Analecta T.O.R.* XIII (1976), p. 836.

9. *Cronaca* of Jordan of Giano, I; *XIIIth Century Chronicles*, translated from the Latin by Placid Hermann O.F.M. (Chicago, 1961).

10. Magli, pp. 66-67 and note 15.

11. "Factum est autem, cum iam dictam ecclesiam reparasset, conversionis eius annus tertius agebatur. Quo in tempore quasi heremiticum ferens habitum, accintus corrigia et baculum manu gestans, calceatis pedibus incedebat" 1 *Cel.* 21.

In the *Treatise of the Miracles*, commonly referred to as "3 Celano," after having recorded the word of the Crucifix of San Damiano and that "from then on was impressed in his heart . . . the memory of the passion of the Lord," the same Celano observes: "Just because he was interiorly conformed to the same Cross, he wore the habit of penance, made in the shape of the Cross"; "Nonne etiam in ipsa se cruce recludens, habitum poenitentiae sumpsit, crucis imaginem ferentem." 3 *Cel.* 2, *Anal. Franc.* X, 273.

12. Julian of Speyer affirms: "Beatus itaque Franciscus, trium, ut dictum est, ecclesiarum opere consumato, habitum adhuc eremiticum tunc temporis habuit, baculumque manu gestans, pedibus calceatis et corrigia cinctus incessit." *Vita S. Francisci* 15, *Anal. Franc.* X, 342.

13. The *Legenda choralis Carnotensis*, for example, contained in the "leggendario" of the cathedral of Chartres and dating back to the thirteenth century states: "tandem eremitico assumpto habitu, baculo scilicet et corrigiis cum calceamentis, tres ecclesias iuxta Assisium . . . reparavit." *Anal. Franc.* X, 538.

14. Cf. 3 *Comp.* 19-20, in the critical edition of Desbonnets. The *Deo servire* has the same meaning as the expression used by the Assisian Consuls in their answer: "Ex quo *servitium Dei est aggressus*." See above, note 7.

15. "Revertensque ad ecclesiam Sancti Damiani, gaudens et fervens, fecit sibi quasi heremiticum habitum." 3 *Comp.* 21.

16. 3 *Comp.* 25, 27; *Omnibus*, pp. 915-916.

The value of the *Legend of the Three Companions*, according to the Franciscan historians, "is in the representation of the primitive Franciscan fraternity, collecting above all the tradition of Assisi." Stanislao da Campagnola, "Francesco visto et interpretato dai biografi." Introduction

to the *Fonti Francescane*, p. 250.

Concerning the historical value of the *Legend of the Three Companions*, we are pleased to point out the judgment of the Franciscan critic, Octavian Schmucki, O.F.M. Cap. "Examining the studies of Sophronius Clasen, O.F.M. and Théophile Desbonnets, O.F.M., I consider it critically certain that chapters 1-16 are the genuine work of the three companions, signers of the letter (of 1246) which, in the manuscripts usually precedes the legend." Octavian Schmucki, O.F.M. Cap., "Il T.O.R. nelle biografie di san Francesco" in *L'Ordine della Penitenza di san Francesco d'Assisi nel secolo XIII*, Rome, 1973, pp. 124-125.

Franceschini was convinced that this *Legenda* was edited between October 1244 and August 1246; he affirmed that it was a "document of highest value for the knowledge of Franciscan spirituality through the simple and candid testimony of those that were the companions of Francis and were near him until his death, the most worthy, therefore, to be faithful and authoritative interpreters of his ideals and religious life." (*La leggenda dei tre Compagni*; Preface and notes by E. Franceschini, ed. O.R. Milan, 1968, p. XVI. Among the modern writers of the same position is Duane V. Lapsanski of St. Bonaventure University, New York. Cf. his volume *Evangelical Perfection*, pp. 119-122. See also Teodosio Lombardi, *Introduzione allo studio del Francescanesimo*, ed. Porziuncola, Assisi, 1975, p. 27.

Our personal point of view is that the *Legend of the Three Companions* has an historical value almost equal to that of the *Vita Prima* of Celano.

17. In retrospect, Celano may have referred to this situation when he wrote: "He could not delay any longer, because a deadly disease had grown up everywhere to such an extent and had so taken hold of all the limbs of many . . ." 1 *Cel. 8, Omnibus*, p. 236.

18. On this point, cf. Ida Magli, p. 63.

19. Cf. FNV Vol. II, pp. 22-90. See also the summary of the study by Fortini in Pietro Chioccioni, T.O.R. "La casa paterna di san Francesco secondo la documentazione del Prof. Arnaldo Fortini," in *Analecta T.O.R.* vol. X (1964-1967), pp. 605-627.

If one accepts the theory of Fortini that the paternal house of St. Francis was situated just behind the Church of St. Nicholas (site of the present post office on the *Piazza del Comune*), it would have been adjacent to the house of the Benedictine monks of Mount Subasio that they then had in the city next to the little church of St. Paul, which still exists. It had been built "by an Abbot of Mount Subasio" around the year 1070. "The monastery (of Mount Subasio) wanted to build its house in the city following the custom of other vassals whom they emulated in power and wealth." FNV Vol. I, p. 113.

20. Fortini had alluded to this possibility: "Perhaps the knowledge of the Gospels that Francis later showed came from his having frequented, in the years of his adolescence, the monks of the Badia. Later events will give a confirmation of this old affectionate relationship." FNV Vol. I, p. 114.

21. This opinion, widely accepted during the centuries, is based in large part on the expression, "an unlettered man and the friend of true simplicity"; "unlettered" is the Latin *idiota* of Celano (1 *Cel.* 120). "In the medieval language, however, this word meant one who knows only his own vulgar language, that is, one who has little experience or fluency in Latin, the official classical literary language of the cultured and members of the courts." (G. Lauriola, "La formazione culturale di Francesco," in *L'Italiana Francescana* 56 (1981), pp. 371-372.

22. The whole question of the cultural formation of Francis has been recently raised by Giovanni Lauriola. He clearly explains the two opinions, for and against, Francis' educational background, and also notes that "both the official and less significant testimonies concerning Francis' little education, or even the total lack of it, prove, at most, that he had a literary incompetence, but not an absence of culture; he had a certain bias against learning, but did not reject culture," p. 372.

This author agrees with Lauriola's conclusions. However, we are in disagreement with the fact that he would like to shorten Francis' period of education, or even end it at 1205, "at the time of his existential crisis." In our opinion, it is in these very years, 1206-1209, that Francis refines his scriptural and theological knowledge.

23. Pasquale Tuscano, "Rassenga di testi e studi francescani (1965-1975)," in *Lettere italiane*, XXVIII (1976), p. 368.

24. V. Branca, "Francesco d'Assisi, Santo" in *Dizionario critico della letteratura italiana*, vol. II, p. 118. Cf. in Tuscano, p. 368.

25. Ignazio Baldelli, "Il cantico di Francesco" in *San Francesco nella ricerca storica degli ultimi ottanta anni*, Todi, Accademia Tudertina, 1971, p. 94.

26. Kajetan Esser, "A Forerunner of the 'Epistola ad Fideles' of St. Francis of Assisi (Codex 225 of the Biblioteca Guarnacci of Volterra)" in *Analecta T.O.R.*, XXIV, fasc. 129 (1978), p. 28.

27. Esser, p. 40.

28. Esser notes that "in such things our letter is similar to the *Epistola ad clericos*, which in its first edition belongs to the oldest *Opuscula* of St. Francis. It also has no address, and only a brief concluding sentence. Hence they both come from a time when Francis had not yet found his later style of letter-writing," p. 34.

29. The fact that some Franciscan critics mock the opinion—as if it were almost heretical—or even the mere suggestion of the hypothesis recently presented by Gemma Fortini concerning the possibility of Jewish origins of the family of St. Francis does not resolve the question; it still remains. See Gemma Fortini, pp. 817-841.

30. These were S. Angelo in Limigiano (1058); S. Crispoldo in Bettona (1058); S. Nicolò in Campolongo (1066); S. Pietro in Assisi (1029); the priory of St. Paul in Assisi (ca. 1071); S. Apollinare of Sambro (1058); Priory of S. Masseo (1091); S. Quirico in Bettona (1185); S. Benedetto in Satriano (1039); S. Maria in Valfabbrica (1101). Cf. Sensi, "Monasteri benedettini in Assisi" in *Aspetti di vita benedettina nella storia di Assisi*. Atti Accademia Properziana del Subasio. Series VI, n. 5.

Assisi 1981, pp. 38-48.

31. This list is reproduced by Placido T. Lugano, O.S.B. in "Le Chiese dipendenti dall'abbazia di Sassovivo" in *Riv. Stor. Benedettina*, 7 (1912), p. 56. It is almost identical to the preceding one of 1188 except for some additions. That would mean that the situation was essentially the same in the years with which we are concerned, namely, 1205-1210. Cf. Lodovico Jacobilli, *Cronica della Chiesa e Monastero di Santa Croce di Sassovivo nel territorio di Foligno*. Foligno, Altieri, 1653, p. 12.

32. Cf. CdS Vol. I, Document 167.

33. Cf. Lugano, p. 51; Jacobilli, p. 14.

34. 3 *Comp.* 20, *Omnibus*, p. 910.

35. 3 *Comp.* 33, *Omnibus*, p. 921.

36. 3 *Comp.* 47, *Omnibus*, p. 933.

37. FNV Vol. I, p. 321.

38. FNV Vol. I, pp. 293-294.

39. 3 *Comp.* 47, *Omnibus*, p. 933.

40. Francesco Salvatore Attal, *San Francesco d'Assisi*, Padua, 1947, p. 142.

Cardinal John of St. Paul was the first Cardinal of the Colonna family, which was just beginning its historical prominence; he is not to be confused, however, with John Colonna of the same name who was created cardinal in 1212 and died in 1245. Because of this confusion, some have denied that John of St. Paul was a Colonna.

As a young man he studied medicine at Salerno, then became a Benedictine monk at the monastery of St. Paul Outside-the-Walls in Rome. This is attested to by a letter of the Benedictine Chapter of Canterbury, written in 1197 to Cardinal Graziano, titular cardinal of the Basilica of Ss. Cosmas and Damian in Rome. "Joanne de S. Paulo, cardinali monacho et fratre nostro" was how he was mentioned.

He was named cardinal-priest with the titular of St. Prisca in 1193. In memory of his monastic life he chose to take the "surname" "of St. Paul." "Of great holiness, esteemed by the curia for his knowledge and integrity, he had already been appreciated by Celestine III, who had given him numerous missions and, when he was seriously ill, desired to pass the tiara to him." (C. Thouzellier, *Catharisme et Valdeisme en Languedoc a la fin du XII et au debut du XIII siecle*. Paris, 1966, p. 156).

In 1200 John of St. Paul was confessor of Innocent III. On July 25, 1208, we find him celebrating the Mass in Cassino (probably in the famous abbey) in the presence of Innocent III and fifteen cardinals. Celano mentions him with the phrase "qui inter alios Romanae Curiae principes et maiores videbatur terrena despicere et amare coelestia" (1 *Cel.* 32, *Omnibus*, p. 255).

His signature doesn't appear on any pontifical documents after April 21, 1214; neither is his name found in the list of prelates making interventions at the IV Lateran Council (November 1215). He had probably died in the interim. (Cf. M. Bihl, O.F.M., "De Iohanne de S. Paulo, Cardinali episcopo Sabinensi, primo S. Francisci in Curia Romana

an. 1209 fautore" in *AFH* 19 (1926), 282-285; C. Thouzellier, p. 156; Paschini, "Il Cardinale Giovanni di S. Paolo" in *Studi di Storia e Diritto in onore di Carlo Calisse*, tome III, Milano, 1940, pp. 110-112.

41. The Passagini were heretics found in the second half of the twelfth century, mostly in Lombardy. Their main characteristic was the re-emphasis of their interpretation of the Old Testament. They understood monotheism in an anti-trinitarian sense; Jesus Christ was only an adopted Son and the first of God's creatures. They held that the Holy Spirit was not divine. They recognized Mosaic law as the only means of salvation, rejecting baptism and performing circumcision. They further rejected the Eucharist and everything that was, in their opinion, of ecclesiastical origin. Cf. Ilarino da Milano, "Passagini" in *EC* IX, 907; bibliography.

42. The identity of the Josephines is not certain. It seems, however, that this name indicates a part of the Cathari, especially if one accepts the derivation of their name from Joseph-Epaphrodite, one of the "ancestors" of southern Catharism, who lived in Armenia in the seventh century. When the Arabs occupied Armenia, he may have gone to Antioch of Pisidia, taking with him the teaching and the first community of Parlicians. Cf. Aman, "Josephists ou Josepins," in *DTC*, VIII, 2, Col. 1547.

43. The Decree carefully distinguished two groups: those who dared to preach without authorization and those who taught a doctrine contrary to the tradition of the Roman Church concerning the sacraments of Eucharist, baptism, penance, and matrimony.

"Contra ipsos haereticos, quibus diversa vocabula diversarum indidit professio falsitatum . . . consurgimus et omnem haeresim condemnamus. In primo ergo Catharos et Patarinos, et eos qui se Humiliatos, vel Pauperes de Lugduno falso nomine mentiuntur, Passaginos, Josepinos, Arnaldistas, perpetuo decernimus anathemati subiacere. Et quoniam nonnulli *sub specie pietatis virtutem eius, juxta quod ait Apostolus, denegantes, auctoritatem sibi vindicant praedicandi, cum idem Apostolus dicat: Quomodo praedicabunt, nisi mittantur? Omnes qui vel prohibiti, vel non missi, praeter auctoritatem ab apostolica sede vel episcopo loci susceptam, publice vel privatim praedicare praesumpserint; et universos qui de sacramento corporis et sanguinis domini nostri Jesu Christi, vel de baptisate, seu peccatorum remissione, aut de matrimonio, vel de reliquis ecclesiasticis sacramentis, aliter sentire aut docere non metuunt, quam sacrosancta Romana ecclesia praedicat et observat.*" (Cf. in P. Fredericq, *Corpus documentorum Inquisitionis haereticae pravitatis Neerlandicae*, Gand, 1889, t. I, p. 53-55).

44. Cf. Dal Pino, p. 547.

45. *1 Cel. 33, Omnibus*, p. 255.

46. Dal Pino, pp. 551-552.

47. Cf. Dal Pino, pp. 559-564. For *unum propositum*, see Dal Pino, pp. 551, 553, 559; Cf. *Incumbit nobis* of June 7, 1201 in Tiraboschi, *Vetera Humiliatorum monumenta*, II, pp. 128-134; G.C. Meersseman, *Dossier*, pp. 276-282. Pope Gregory IX, with his *Propositum vestrum* of June 11, 1227,

referred to and approved a similar "propositum" for the third order (Tiraboschi, p. 164).

48. See above, p. 61.

49. See above, p. 62.

50. "Parvulis petentibus panem, juxta quod ad officium pertinet pastorale, non frangis . . . dum haeretici, absentiae tuae opportunitate captata . . . perversa dogmata publice . . . proponunt" (PL 215, 84 B).

51. "The example of these authentic poor, whose sincere austerity confirmed their claims, is dangerous for the simple souls who, failing to see the dangers of their false orthodoxy, would compare their poverty with the opulence of an 'omnipotent' clergy" (Thouzellier, p. 47).

52. "Doctrina vitam informet, ut hoc in eorum legatur moribus, quod sermonibus explicatur" (PL 215, 359 B).

53. Bishop Diego continued the chapter reforms in his diocese together with the young Dominic, who had become vice-prior of the chapter. In the spring of 1204 Dominic decided to dedicate himself to "apostolic preaching." In the winter of 1205-1206, accompanied by Dominic, Bishop Diego, on his "ad limina" visit, revealed to Innocent III his desire to renounce his diocese and dedicate himself to preaching. The pontiff did not consent. On the return trip, Diego and Dominic met with the three papal legates at Montpellier, and were surprised at their lack of success in preaching to the people, "who always brought up the subject of clerical scandals and the story of an (unworthy) metropolitan who had been pardoned by Innocent III" (Thouzellier, p. 194). They particularly mentioned two cases: the first was that of Raymond of Toulouse who, although removed from office because he was convicted of simony, retained the power of "liturgical functions" and an annuity to avoid "the shame of begging" (Cf. Thouzellier, p. 192). The second case was that of Bishop Berengarius of Narbonne, from whom the pope had accepted "apparent repentance." Most of all, it was the case of Berengarius, a "living example of greed and negligence" which was most embarrassing to the apostolic preachers, who were continually reminded of the situation. Nonetheless, Diego and Dominic joined the pontifical legates.

54. At Servian, 60 kilometers from Montpellier, the heretics William, a former deacon of Nevers, Baldwin, and Bernard of Simorre, Cathari bishop of Carcassonne, were in command. After eight days of debate, Diego's group convinced the inhabitants, who were ready to throw out the heretics. A cheering crowd accompanied the preachers when they left the city (Cf. Thouzellier, p. 195).

55. "Qui paupertatem Christi pauperis imitando, in despectu habitu et ardenti spiritu non pertinescant accedere ad despectos . . . ut, ad eosdem haeticos festinantes, per exemplum operis et documentum sermonis eos, concedente Domino, sic revocent ab errore" (PL 215, 1025 B).

56. Thouzellier, p. 197.

57. "Sic suo pertinaciter inherebant errori, ut nullis veridicis acquiescerent documentis, sed tamquam aspides obsurdescerent ad

voces incantantium sapienter, ne mentes dimersas tenebris penetraret audicio veritatis. Per tres itaque menses urbibus, villis et oppidis multo labore et sollicitudine peragratis, multisque periculis et insidiis appetiti, paucos revocant, paucos fideles repertos de fide cercius instruunt et confirmant." D'Auxerre, 1207. *MGH Script.* XXVI, p. 271, 35. Cf. in Thouzellier, p. 205, note 108.

58. "Ipsi tamen in reprobum sensum dati nec propositas rationes attendunt nec terrentur comminationibus, nec possunt blanditiis deliniri." Innocentius III, *Ep.* IX, 149: *PL* 215, 1247 A.

59. "Auxilium tuum . . . invocandum duximus . . . (ut) haereticae perfidiae sectatores potentiae tuae virtute contriti ad veritatis notitiam saltem inter afflictiones bellicas reducantur." *PL* 215, 1247 B-C.

60. "Viros idoneos, de quoquam ordine vel religione, ad predicationis officium exercendum vobis assumere procuretis." Teulet, p. 319 A-B; cf. in Thouzellier, p. 208, note 118.

61. Cf. Luigi Cipriani in Quacquarelli-Andreotti, *San Francesco d'Assisi —La sua gente poverella e il monachesimo Benedettino*, Rome, 1977, p. 12.

62. *3 Comp.* 47-48, *Omnibus*, p. 933.

63. One of the major personages who might have played an important role in this was Abbot Nicholas of Sassovivo, because of his connection between Rome and Umbria, and his frequent stays within the Roman curia. He became Abbot of Sassovivo, probably right after the general chapter of the independent monasteries of central Italy, which was convoked by Innocent III and held at Perugia on October 2, 1203. Langeli writes in his Preface to Vol. IV of *Le Carte di Sassovivo* that "it really fell to him to carry out the work of religious reform begun in that chapter and to gain the complete trust of Innocent III" (p. xxi). So much so, that in 1208 the pope, continuing his work of reorganization of the same monasteries, entrusted the visitation of them to a committee of three prelates, including Nicholas, Abbot of Sassovivo. The other two were the bishop of Florence and the prior of Camaldoli. The letter of appointment confirms this; see the entire document in *PL* 215, 1490. The documents of Sassovivo relative to these years bear witness to the frequency and intensity of the communication between the pope and the abbot of Sassovivo (see doc. 91) "and the even more frequent, almost regular, stays of Nicholas at Rome, at the papal curia where he personally conducted the most important discussions and had the support of the same curia in all the arguments, great and small." Langeli, p. xxii. Doc. 89 and ff. of Vol. IV of *Le Carte di Sassovivo* show the almost uninterrupted presence of Abbot Nicholas at the papal court from the second half of 1208 to April 1209 and again in July 1210.

It is in this very period that the papal curia was interested in and requested information about the young Francis. The documents of Sassovivo show that Abbot Nicholas also travelled throughout the cities of Umbria.

The following documents of Vol. IV show that Nicholas was in the various cities at these times:

- No. 55 - 1205 - Trevi
- No. 62 - 1206 - Amelia
- No. 81 - 1208 - Todi
- No. 82 - 1208 - Orte
- No. 102 - 1208 - Spello.

It would seem unthinkable that the curia would not turn to such a person for information; he most certainly knew well what was going on in that small Umbrian town (Assisi) and its surrounding area.

CHAPTER NINE

1. 1 *Cel. 36, Omnibus*, pp. 258-259.
2. 1 *Cel. 33, Omnibus*, pp. 255-256.



*Raphael Pazzelli TOR at the 1993 IFC-TOR Assembly in Assisi.
He is here with Kathleen Moffatt OSF (left) and Margaret Carney OSF (right)*

THE ORIGINS OF THE FRANCISCAN PENITENTIAL MOVEMENT

Father Raphael Pazzelli, T.O.R.

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INTRODUCTION

The title of this article clearly indicates two elements for consideration: first, the penitential movement, and, secondly, its qualification as Franciscan.

The penitential movement existed before Saint Francis and it had a well defined structure. There were certain constant elements, developed through the centuries, which remained unchanged even after Saint Francis encountered the movement. Meersseman, the most qualified expert of our times on the penitential movement, has said: "It is an undeniable fact that, in view of their excessive specialization, certain experts of the Middle Ages lose contact with Christian antiquity. We know that throughout the Middle Ages the same guiding ideas and fundamental institutions of early Christianity were alive and operative."¹ The basis of Medieval lay spirituality has two double concepts from the New Testament: penance-conversion and humility-poverty of spirit.² When Francis came into contact with this movement there was a marvelous symbiosis or exchange of influence. Francis received very much from the penitential movement and he gave the movement his particular vision of God, of creatures and of life itself. When people began to follow *his* way of life, the movement became *Franciscan*, and this is what interests us.

I have previously written that the study of the penitential movement, its evolution and spirituality, is not an exclusive interest of the Third Order; it is an interest of Franciscanism in general. There is an increasing conviction among scholars that the first chapter of a true history of Franciscanism has yet to be written. A history that considers the environment, with its many aspects, that played an important role in the formation of Francis of Assisi as well as the external circumstances of that particular moment in the history of the Church, circumstances which fostered the birth and spread of his movement in general.³ I am convinced that a thorough study of the penitential movement can, at least in part, satisfy this need.

Here I want to present briefly, and I hope clearly, first, the origin of the penitential movement and its characteristic elements; and, secondly, the influence of Saint Francis on the movement and how the movement consequently became Franciscan.

THE PENITENTIAL MOVEMENT

The penitential movement (in the official language of the Medieval Church it was referred to as the *Order of Penance*), is the result of an evolution of the penitential discipline of the early Church. It was an evolution of the way to obtain pardon for sins committed after Baptism. From the very beginning of Christianity, particularly after Tertullian and Saint Cyprian (the second half of the III Century), a penitential doctrine emerged which can be synthesized in these terms: a Christian, even after serious sin, is not hopelessly lost neither before God nor before the Church. A Christian can *do penance* and thus obtain pardon. Hence one of the fundamental aspects of *metanoia* consists in changing direction, turning away from sin and redirecting oneself toward God. Prayer, tears, fasting and almsgiving will eventually be added to this *conversion*, which is essentially an internal attitude. The sinner who entered the penitential class or *Order* was not permitted to participate in the Eucharist. The assembly of faithful decided the nature and duration of the expiation. Once this expiation was completed, the sinner was readmitted to the Eucharist.

The *Shepherd of Herma* (written in Rome about the year 155 A.D.), witnesses the origin of a particular aspect related to forgiveness of sins: forgiveness is and must remain something exceptional; it is so exceptional that the author of this work does not hesitate to say it is possible only once: "For the servants of God there is only one penance."⁴ The idea of forgiveness only once after Baptism was slowly established and it guided the development of penance in the early Church of Rome. *Penance* became a *second Baptism* in the strict sense of the word; it cannot be repeated just as Baptism cannot be repeated.

From the IV Century on the concept of penance became increasingly more rigid. There is an abundant documentation for the so-called *interdictions* or things the penitent cannot do during the period of penance. This eventually led to the idea that the interdictions remain even after the period of official penance; they remain for life. For example, the prohibition to serve in the army, to be a merchant or to occupy a public office remained even for the reconciled penitent. A married penitent had to practice perfect continence during the period of penance. Total continence was extended even to the period after reconciliation. A widowed penitent was not permitted to remarry. An unmarried penitent could not marry during the period of penance. It seems that in Gaul marriage was not even permitted after the period of penance.

In virtue of the permanence of these interdictions, the reconciled faithful continued to belong to the penitential class or Order until death.

As a consequence of this severe legislation sinners did not want to enter the penitential class or Order early in their life; they would ask for forgiveness in their old age or on their death bed.

There was another phenomenon during this period: even though they were not sinners and had no obligation, many faithful freely entered the penitential class or Order. Their motivation was a desire for perfection, and they intended to remain in the Order for the rest of their lives as the Statutes of the Penitential Orders prescribed. They were the forerunners of the voluntary penitential movement, or the *Penitents*. Meersseman has found that "beginning with the V Century, the voluntary penitents appear in documents together with the compulsory penitents."⁵

From then on, in various ways, the penitential movement is always present in the Church up to the time of Saint Francis and after. After Saint Francis the vast majority of penitents are *Penitents of Blessed Francis*, following his way of life even if they officially called themselves *Brothers and Sisters of Penance*. It was only toward the end of the XIII Century that the term *Third Order* became popular.

Within the context of this presentation there is not sufficient time to examine all the events of the penitential movement and the development of its spirituality; consequently we will consider only some of its essential characteristics.

First, the term which more commonly accompanied the history of voluntary penitents since the time of Saint Francis is *conversi*. The *conversi* are those who have decided upon a *conversio* (conversion), those who have expressed their intent, often publicly, to break more or less radically with their previous way of life (also referred to as a secular way of life). This does not necessarily mean that they were living in sin; their intention was to live a new type of life, to enter one of the various forms of penitential life existing in the Church. The principle forms were:

- married conversi*: those who, living with their families, lived a life of penance, including total or periodic continence. These were often noble and prominent citizens.
- virgins*: not always liturgically consecrated, who lived with their families.
- oblates (donatus or oblatas)*: those who voluntarily dedicated themselves to God, offering their services to a Church, a diocese or monastery, with a vow of stability.
- hermits*: those who lived in solitude in grottoes or caves. This was an attractive and widespread phenomenon in the X and XI Centuries, both during and after the monastic reform. (Cluny and Citeaux)⁶

- voluntary pilgrims*: those who freely decided to visit the holy places in Palestine or the tombs of the Apostles. The pilgrimage as an ascetical, penitential or devotional practice was very popular.⁷
- crusaders*: those who fought to free the holy places; their penitential character was similar to that of the pilgrims. The decision to be part of a Crusade was sufficient to free one of every other form of imposed penance.⁸

Secondly, those who were responsible for the reform of monasticism had great influence on the penitential movement; they inspired the movement's spirituality. Among these were: Saint Romualdus (+1027), Saint Peter Damian (+1072), Saint John Gualberto (+1073) of the reform of Cluny, and Saint Bernard (1091-1133) of the reform of Citeaux. The more significant elements they developed and presented to the penitential movement were: first, a profound devotion and cult for the humanity of Christ and the mystery of the Incarnation of the Word of God; and secondly, devotion to the divine and human maternity of the Virgin Mary as expressed in conventual forms of spiritual sonship and with endearing phrases. Oriental tradition, present in southern Italy at that time, had a particular influence on Marian devotions.

Finally, some characteristics of the penitents were: to wear a particular habit or penitential garment (often similar to that of the hermits), and sandals, and to carry a walking staff and traveling bag; often they wore the letter *TAU* on their cape or hood.⁹ Meersseman has confirmed that "from the time of Pope Leo the Great requirement for public sinners included the following obligations: to wear a penitential habit; to lead a reserved life; prohibition to take part in public festivities, entertainments or banquets; renunciation of administrative, juridical or military positions; exclusion from commercial activity; total continence, even if the penitent was married; modesty in food and drink, and all this until death."¹⁰ The voluntary penitents spontaneously accepted all these restrictions.

Together with the development of the pilgrimage and crusade, the activities of penitents in charitable works, hospitals, inns for pilgrims, and even leprosariums, greatly increased.¹¹

Another activity of the penitents was to repair churches and gratuitously help in the construction of cathedrals.¹²

The Church did have a semi-judicial classification for penitents. We know that since the VII Century the Fourth Council of Toledo (633) called voluntary penitents: "those religious men who are neither called clerics or monks," and therefore some of them were inclined to be

drifters. The Council (canon 53) ordered the bishops to insert them either into their local clergy or give them a permanent residence in some monastery, unless they were ill or elderly. In some monasteries these affiliated penitents were called *fratres poenitentes* to distinguish them from the cenobitic monks who were simply called *fratres*.¹³ This adjunct of penitents to ecclesiastical classes, even if at times contrasting, became common practice. Towards the year 1150 the famous jurist Graziano gathered all the Church legislation in his *Decretum*. His intention was to support the prohibition for penitents to serve in the army; he summarized the juridical concept in the well known phrase: "because the penitents lived under ecclesiastical authority."¹⁴

The effect of the Gregorian Reform was a fact of primary importance for the growth and development of the penitential movement, even if I consider it collateral. The effect was the spread of a desire for a more simple and evangelical life in the Church. In synthesis, the Gregorian Reform had two objectives: to free the Church from the interference of the secular government (that is, to eliminate investiture), and to re-establish a regular life for monks and diocesan clergy. These objectives were partially realized; however, a good part of the Christian population, those who took their faith more seriously, was not satisfied with the Church. It was felt that the Church (especially bishops and clergy), appeared as a wealthy organization, with the evangelical dimension not sufficiently visible. The Reform ignited and developed the desire for an evangelical life based on simplicity and poverty; this life was considered obligatory for every Christian. The notion of its being obligatory for everyone is the key to understanding the new penitential atmosphere of the XII Century. Up to this time only the monks and regular clerics were considered to be the trustees of the *apostolic life* or the *community life* without individual property. This life is now identified with the Christian life and it became obligatory for all the faithful.¹⁵

Once the objectives of the Gregorian Reform had been achieved, the forces aroused by the Reform continued on their own, preaching and practicing the ideal evangelical life. The phenomenon of the so-called *wandering preachers* was consequent to the fact that there was no official preaching. These preachers (monks, priests and laymen), moved by the Spirit, undertook a life of public poverty and preaching. "Men full of energy and fervor who felt inspired to make up for the lack of official preaching."¹⁶ A common characteristic of these wandering preachers was their effort to make the apostolic life their life and the basis for their preaching. Poverty was the more apparent aspect.¹⁷

An unsatisfied need for the XII Century was the foundation of a religious order whose purpose should have been apostolic preaching to inspire

and assist the faithful to live a perfect evangelical life even outside the monasteries, as well as an evangelical life of poverty for its members. New religious orders were founded in the wake of the wandering preachers; however, they did not maintain contact with the Christians who remained in the world; in other words, there were no official guidelines for the Christians outside the monasteries. The pre-existing Orders (almost all of Benedictine origin), lived their traditional or reformed monastic life and were not involved in preaching. The secular clergy, even if no longer practicing simony and concubinage, were in general quite unprepared and ignorant.¹⁸

During the second half of the XII Century there were numerous examples of heresy and disobedience among the wandering preachers. A classical example is the Waldensians. At this same time the heretical doctrine of the Catharsists began to spread in the western world, particularly in France and Italy. The Council of Verona condemned both of these heresies in 1184; nevertheless, they continued to spread. Religious life was in turmoil and the Catharsists and Waldensians were a serious danger.

What was the position of the penitential movement in these difficult times? Documentation is insufficient to give a clear and complete answer. We can imagine that the faithful penitents were seriously involved without realizing it. They had no sure guidelines, they were uncertain as to what leadership to follow, yet they had a strong desire for the penitential life.

There was a tendency among the simple penitents from the beginning of the XII Century to group together or form fraternities even if they did not intend to live together. Their bond was their *propositum* for the penitential life, and they did accept a certain control by an authority of the group. Admission to the fraternity was by an act of commitment or a promise called a *profession*. The members "distinguished themselves from the society in which they continued to live by wearing a particular type of garment and by the type of life they professed."¹⁹ Anyone could join these groups, even married persons who continued to live their matrimonial life, even if with some limitations. Generally those who entered the fraternity unmarried were considered to be bound by a promise of perpetual continence. Hence the origin of the term *Ordo Continentium*. Some of these groups were the ancient Confraternities, revived and animated by the spirit of penance, or groups of laymen associated with some Order of Knights.²⁰

It is equally difficult to say what exactly was the spiritual atmosphere of the penitential movement during the pre-Franciscan period. We know

that the bishops were instructed by the regional councils to keep this movement alive and that the movement was developing in different parts of Europe, particularly in Belgium, Holland, Germany and northern Italy. Some specific forms of community life developed in Italy, as the rural community of Saint Desideratus founded near Vicenza in 1188 and the *Umiliati*, a sort of wool-workers federation. This federation was predominantly in Lombardy. The life of the Umiliati was semi-monastic, divided into work and prayer. Part of their activity was to construct churches and monasteries as the Monastery of Viboldone near Milan, which was built in 1195.

The movement of the Beghards and Beguines deserves particular consideration, which unfortunately cannot be begun here, but we do know that many of them followed the spirit of the *Third Rule* and directly entered the *Penitents of Blessed Francis*.

We have some information about the meaning of penance and the penitential life of these groups from external studies. There are studies which consider the development of the spirit of Medieval man in an anthropological framework. In particular I refer to the studies of Ida Magli, Professor of Anthropology at the University of Rome.²² In one of her works we read: "Medieval man became aware of the fact that to recognize himself as man meant to recognize God; it meant to know God and place himself in relationship to God. This *being* before God seemed to be sufficient to give a meaning to his entire life; or better still, it seemed that life, all of life, was only this way of being, this way of recognizing himself, of finding himself. The journey of the medieval man . . . is not a journey to reach God . . . The man of penance is stationary, he stands before God, he is a *pilgrim* in an Order of Pilgrims, he is a *penitent* in an Order of Penitents, he is a *flagellant* in a Confraternity of Flagellants. He is in a *state* of life which does not indicate progression, transformation or achievement of something else — unless it be a more certain, convinced and profound progression, transformation and achievement of his *state* of penitence and pilgrimage. In other words, it is a real, true attitude towards life, it is a cultural *modus vivendi* which has profound psychological and religious roots. Nevertheless, it is primarily seen as an overall perspective of his way of being, which he culturally externalizes in complex and detailed, historical and social institutions."²³

If all this is true, and I have no reason to doubt the results of anthropological studies, then we must conclude that the meaning of *metanoia* has been forgotten or lost somewhere in time. Just before the time of Saint Francis all that remained of Christian conversion was the external aspect, the corporal penance, even in its more blatant forms; however, it was only a cultural and cultic phenomenon.

Was this the atmosphere Francis found in the penitential movement when he joined it after the vision of San Damiano? Was this atmosphere one of the elements which led him to be more than just a penitent, to be an apostle, to begin a preaching activity, and to be a guide and teacher even for those who were already in the penitential movement? These are interesting questions which still have to be answered.

In any case, there is one certain fact: when Francis gave life to *his* penitential movement, he impressed new ideals, new aspirations and new characteristics on it; and his movement proved to be the response to the Christian expectation.

THE FRANCISCAN ASPECT OF THE PENITENTIAL MOVEMENT

I take for granted that which I set out to demonstrate in my recent study: *Outline of the History and Spirituality of the Franciscan Penitential Movement*,²⁴ is accepted, namely that:

- Francis became a penitent immediately after the vision he received before the crucifix of San Damiano.²⁵
- Francis remained in the *Penitential Order* for at least two years; this was the period of maturation which gradually outlined his future. Perhaps no one will ever be able to tell us what effect this penitential experience had on his spirit and ideals. One thing is certain: he was well aware of the strong desire of the Christian people for a more evangelical life and of the urgent need for spiritual guidance to indicate the way to remain faithful to God and the Church.²⁶
- When Francis began his wondering-penitential preaching with his first companions, the number of penitents (old and new) suddenly increased. It is an historical fact that “towards 1215 there was a sudden increase in their numbers (penitents), including married people; this is what historians refer to as the penitential movement of the XII Century. People voluntarily embraced the penitential state and all it involved, according to the long standing laws and customs of the Church. These pious laymen committed themselves to observe a rudimentary and archaic form of religious life which the Church recognized. Prior to the year 1221 they formed local fraternities.”²⁸

To interpret this historical fact it is sufficient to hear what Meersseman has to say which, in a certain sense, is everything considering his reluctance to consider some Pontifical documents of the XII Century as *Franciscan*, documents addressed to the *Brother and Sisters of Penance*. “The sudden increase of urban penitents, as we all know,

must be attributed to Saint Francis of Assisi; he had lived as a friar of penance before he founded his Religious Order."²⁹

- Francis took an immediate and realistic interest in his penitents. Modern historiography, consequent to numerous studies of the penitential movements of the XII and XIII Centuries, admits Francis' interest for his Penitents. It is also commonly accepted that the *Letter to All the Faithful* (unanimously recognized as written by Saint Francis), is not directly intended for all the faithful but for those who accepted to follow him, that is, for the Brothers and Sisters of Penance.³⁰

Recently, thanks to the studies of Father Kajetan Esser, OFM, consideration has been given to a document so far ignored which, in my opinion, is of primary importance for the penitential movement. This document is the *Recensio prior* a rough draft of the *Letter to All the Faithful*.

- It is likewise certain that Francis gave a *Norm of Life* or *Rule* to his penitents, even if we have not been able to identify it.³³

We know of the directives, the new ideals and aspirations Francis wanted to give to his penitents from the *Recensio Prior* and from the *Letter to all the Faithful*. The elements which render the penitential movement *Franciscan* are found in these two documents. When we speak of the origins of the Franciscan penitential movement it is not correct to insist only on the historical elements we have so far considered, we must also consider the principal or spiritual aspects which characterize the penitential movement which followed Saint Francis; these, and only these, elements make it Franciscan.

An analysis of these two documents *Recensio Prior* and *Letter to All the Faithful* reveal that:

- For Francis *to do penance* meant first of all to love God. One of Francis' basic concepts is found in the very beginning of the *Recensio Prior*: man can reach the happiness for which he yearns only in this love. "All those who love the Lord with all their heart, with all their soul, with all their mind and with all their strength . . . how happy they are, they do so and persevere in this love so that the Spirit of the Lord will shine upon them and He will make His abode in them." He repeats this same concept in the final draft of the *Letter*. Verse 18 reads: "How happy and blest are those who love the Lord and follow His teaching; love the Lord God with all your heart, with all your mind."³⁴
- Penance* for Francis is not a *state*, it is a *journey* which leads to God. It is not something static but dynamic in the fullest sense of the word.

Man before God recognizes that he is a creature fully dependent upon Him, he recognizes the infinite grandeur of the Divinity and the depths of his littleness; at the same time man will understand that his vocation is a call to greatness which can be reached by a constant journey towards being like God. "You must be perfect as your Heavenly Father is perfect." (Mt 5:48) This greater likeness can be realized through a continuous metanoia or penance in the sense of a constant aspiration and ascent toward God. The state or Order of penance is not therefore a state in which one remains stationary in his initial position when he entered it, it is a means for a constant ascent. This will always be an established and essential aspect of *Franciscan Penitents* of the past and the present.

—For Francis there was only one reality: on the one hand there is God who loves and on the other hand the whole world, including man in a penitential attitude before God's love, an attitude of absolute humility and recognition of the relationship between God, creator, and the creatures of the world. This relationship of love between God and man, between God and all things, is the only light, the only reality for Francis. Only the Gospels, that is, the call to conversion can make this relationship of love possible. For Francis the Gospels are primarily an interior state, a meaning to give to life, an attitude to take in respect to all life.³⁵

—Francis centered a good part of the *Letter* on this basic reality — *God who loves* — repeating the "fragrant words of my Lord" (v 2) and through them revealing the love of God, One and Triune.

The Father, principal and end of the history of salvation is known both through His interventions through the prophets and the Old Testament (v 4-11) and through Jesus Christ in the New Testament. "The Father so desired that His blessed and glorious Son, given and born for us, shed his blood as a sacrifice and victim on the altar of the cross . . . (v 11). The Father wants all men to be saved through His Son and that His Son be received with a pure heart and a chaste body." (v 14)

The Son who descended to our level, taking on our humanity and its fragility, choosing poverty: "His passion was near and He celebrated the Passover with His disciples" (v 6), giving us the Eucharist. Two facts are strongly underlined: the necessity of His salvific intervention and our participation in it (v 11-12, 23) Jesus is the Word of God (v 4), and our Brother (v 56). He is the true Light (v 66), and He is the true wisdom of the Father (v 67). The Holy Spirit who makes us children of God, spouses, brothers and mothers of our Lord (v 50-53). The Holy Spirit will come over them and make His dwelling in them and they will be children of the Heavenly Father whose will they do, and they are spouses, brothers and mothers of our Lord, Jesus Christ. (v 48-50).

—The Penitent will respond with love to this love of God: the Father, Son and Holy Spirit. His response will be radical, complete and practical, realized in a life of prayer which is adoration, praise and invocation (v 19-21, 61-62), accompanied by the spirit of conversion (v 25,37,40,46) and by the Sacraments (v 22-24, 33, 35).

The first concern of the Franciscan Penitent who feels completely pervaded and supported by God's love is *service of God*. The Penitent will also love his neighbor. Brotherly love was extremely difficult in the time of Francis when society was sharply divided by religious and social animosity.

—Another characteristic of the Penitent was complete acceptance of Catholicism and absolute trust in the Church. In the time of Francis this acceptance and trust was contested by the Catharsists and Waldenians. Francis did not mention these groups in his *Letter to All the Faithful* but it is evident that he was concerned about their unorthodox and anti-ecclesiastical preaching. His almost imperceptible struggle against these heretics was simply to insist on Catholic doctrine. He insisted on the physical reality of the person of Christ to oppose the docetic ideas of the Catharsists concerning the Incarnation of the Word. "This Word of the Father is so worthy that the most high Father of heaven declared it in the womb of the holy and glorious virgin Mary through the holy archangel Gabriel. It is from her womb that He received the flesh and fragility of our humanity." He also rejected their docetic teaching about the Passion of Christ. He simply repeated the realistic words of Saint Luke "His sweat became as drops of blood falling to the ground," (v 9), and he insisted that Christ sacrificed His blood on the cross: "He offered Himself through His own blood and sacrifice, a victim on the altar of the cross." (v 11)³⁶

He openly insisted on acceptance of Catholic doctrine on the Sacraments of the Eucharist and Holy Orders which were questioned by the Catharsists and Waldensians.

Francis knew that according to Christ's teachings that the Eucharist is necessary for the spiritual life. He also knew that ordinarily there would be no remission of sins without the Sacrament of Penance. The ministry of the Priesthood is necessary to receive these two Sacraments and no one can be a priest in the full sense of the word without receiving Holy Orders. It is the Sacrament of Orders which confers the power to consecrate the Body and Blood of Christ and to forgive sins. The Catharsists and Waldensians refused to admit these ministerial powers in unworthy priests (or those so considered), as if the power of Orders (to consecrate and forgive) came directly from the evangelical life the priest lived. Francis openly contested this teaching and remained faithful to the Catholic doctrine. The basis for his

position was the Gospels, because the Gospels reveal, not only absolute poverty, but also the Church with her priests. He encouraged his penitents to respect priests, even the unworthy priests, because they have the power to consecrate the Eucharist and to forgive sins (v 22, 34).

These are the fundamental ideas, presented very schematically, which Francis intended to give to his penitents and which render the penitential movement *Franciscan*.

CONCLUSION

I would like to recall the words of Father Esser: “This is the new man, the Franciscan man who forgets himself, who completely renounces himself to serve all men and all creatures in the spirit of the Lord and to do the will of God . . . Rarely has the way of Franciscan life which should unite the Friars Minor, the Poor Women and the Brothers and Sisters of Penance been presented so clearly, so fully and so profoundly as it is in this *Letter*. It is presented with amazing naturalness rather than with a spirit of flesh — a human, egotistical or authoritarian spirit. Francis revealed the spirit of the Lord, that is, thinking, willing, living and working according to the Gospels. This way of life is the *metanoia*, the *doing of penance* of Saint Francis.³⁷

We, Regulars and Secular Tertiaries of both the male and female congregations, should be proud to have these documents written by Saint Francis and intended for us. Naturally they should be part of every Renewal Program and of every Formation Program for the new candidates for our beloved Third Order Regular.

SUPPLEMENT I: FURTHER REFLECTIONS ON THE ORIGINS OF THE FRANCISCAN PENITENTIAL MOVEMENT

There is a certain evolution in every human and divine institution. The understanding of this evolution depends upon the energy given to the study surrounding it. In the field of historical studies we have practically not existed; the few exceptions being: Bordini, DeSillis, Maricotti, and Luconi. Therefore many questions are still to be resolved, and questions which arise can only be answered according to the evidence available. Some conclusions may be deduced from existing evidence, while other questions await further historical research.

A perennial question arising among members of the Third Order Regular may be phrased: when we say we are Franciscans, does this have the same meaning as when the Friars Minor say they are Franciscans? The historical reality admits to the Friars Minor as a group of Francis' followers to whom he gave a Rule and a way of life that is not only spiritual direction but also has a juridical form and an administrative dimension. The Third Order is Franciscan in the sense that his life and his vision were inserted into pre-existing groups or into groups which were founded under his influence. These groups had Francis' spirit but not the juridical form which he gave to the Friars Minor. There is, then, a difference between the Franciscanism of the Penitents and that of the *Ordo Minorum*.

We are not certain whether or not Francis gave norms for the Third Order, at least so far we have not been successful in identifying them. Are the norms the *Recensio Prior*? or something else which is partly contained in the *Pro Memoria* of 1221? In any case the Tertiaries have certainly maintained juridical autonomy (or should it be termed freedom from fixed legislation?) longer than any other Franciscan family, and this is obvious. The Rule, approved by a Bull of Pope Nicholas IV in 1289, bound all Tertiaries — Brothers and Sisters of Penance.

This was true for those who were already religious and for those who had just begun a religious or semi-religious life in small communities. This phenomenon did exist before Saint Francis, and even though the idea was still at its very beginning there were small communities of Penitents. Consequently these preceded Saint Francis and the *Ordo Minorum*. The hermits continued to live as hermits, but they now followed the spirit and directives of Saint Francis. As far as the regular life is concerned, it was a process of time. The spirit of the Third Order Regular was the Rule of Pope Nicholas IV (1289) up to 1559. This Rule was neither specifically for the Regular Tertiaries nor for the Lay Tertiaries;

Pope Nicholas said it was for the *Brothers and Sisters of Penance* instituted by Saint Francis. We continued to live this Rule, together with our Constitutions, and these do have the spirit of Saint Francis. Historically it is certain that we have received directly from Saint Francis our basic characteristic which had always been Penance, understood in the biblical and evangelical sense of conversion, a yearning for God. The Friars Minor say that their basic characteristic is the “*summa paupertas*” and the “*minoritas*”; penance is not a basic characteristic for them, it is complementary. At least this is how Father Koser expressed himself in an official letter three years ago. Penance for us is the essential element, the fundamental characteristic. Therefore there *is* something characteristic in our Franciscanism.

The Friars Minor will admit, if they intend to be objective, that in every life of Saint Francis a *line or page* of the so-called “*Vision of San Damiano*” (1205-06) narrated to his first companions in 1209, has been left out. Just what did Francis do during these two and a half years? In addition, only recently has the *Recensio Prior* been accepted as the first document addressed to the Penitents. The point is: let us not consider the term Third Order as it appears only at the end of the century; the term *Penitents* is the important term, they are the first followers of Saint Francis.

Were there other Penitents present when Saint Francis went to San Damiano? From the inception of his stay until the departure of the first companions, did he live with Penitents? We have no exact answers to these questions. We do know about the spirituality of the penitential movement and of other congregations existing in Spoleto. There was a Congregation at Sassovivo which was a Benedictine community. We know little about this community other than the fact that during this period it had some 120 monasteries in Central Italy. One of the purposes of these monasteries was to give shelter to Penitents and Pilgrims.

Did any of the Penitents become Friars Minor when Saint Francis began the Order? There is no documentation concerning this. We do not know the names of the first Friars Minor who could have belonged to some Order of Penitents.

We do know of Fra Bartholomeo Baro, who was a part of the Friars of Penance. It seems that his conversion was subsequent to Francis’ preaching and he was one of the many who entered the penitential movement. There is, however, no proof that all the Penitents in Francis’ time were already members of the penitential movement. This is why I speak of old and new penitents, that is, those who were already part of the movement and those who entered after the preaching of Saint

Francis. I would say that Baro was a new Penitent; he gave up an adventure in Rome and became a Penitent. This is how Mariano of Florence, a follower of Saint Francis, puts it.

Concerning the dropping of the term of *Penance* (de Poenitentia) from our title, I would say that it was due to the little serious study of our Order until very recently. It was eliminated, rather superficially, in 1966 due to a lack of understanding of its importance. Had the knowledge we have today been available, this term would not have been dropped.

NOTES

¹G.G. Meersseman, *Order Fraternitatis. Confraternite e Pieta dei laice nel Medioevo*. Herder, Roma 1977. p 265.

²Meersseman, o.c. p 266.

³cf Raffaele Pazzelli, TOR. *Lineamenti di storia e spiritualita del movimento penitenziale francescano*. (Le origini del Terz' Ordine), Roma 1979. p 124.

⁴Erma, *Il Pastore*, precetto IV, 1, 8, in *Padri Apostolici*, Antologia Patristica. ed. Paoline 1967, p 392.

⁵Meersseman, o.c. p 266.

⁶Meersseman synthesized the various aspects of the terminology relative to the Penitents of the IV to XIII Centuries as follows: In reference to their reciprocal relationship, they were divided into isolated and associated; in reference to their material goods: proprietors and communal; in reference to their social class: rural and urban; in reference to their local stability: *donati* and free; in reference to their residence: hermitic, domestic, convivial and conventual; in reference to their vow of chastity: continent and married; in reference to the works of mercy practiced by some of them: hospitalers, apostolic workers, teachers, and so forth. The general term *Penitent*, which was applicable to all, had its origin in their state of *conversion* to do voluntary penance which seldom ended in conventual regime. They all wore the long robe, gave up certain worldly pleasures, practiced corporal austerity and recited the indicated Psalms at the established hours or their equivalent in *Pater Nosters*. These obligations were practically the same for all the various categories of Penitents. Meersseman, o.c. pp 312-313.

⁷The spirituality of a pilgrimage was based on the fact that a pilgrim abandoned everything and lived as a poor, defenseless foreigner in search of grace and pardon. The characteristic signs of the pilgrim and hermit were the walking staff, belt, traveling bag and sandals which became part of the penitential dress.

⁸In reference to the spirituality of the Crusade, understood as a penitential pilgrimage, cf H. Jedin, *Manual de la Historia de la Iglesia*, Herder, Barcelona 1973, Vol IV, pp 158-160.

⁹In this regard, cf in propositio la *Regola dei Frati di S. Jacopa d'Altopascio*. Bologna, Commissione per i testi di lingua, 1968, cap. XXXV, pp 34-35 e cap. LI.

¹⁰Meersseman, o.c., p 269.

¹¹At the beginning of the XIII Century there was a hospital for lepers in the city of Assisi where the *Oblates* worked. cf. A. Fortini, *Nova Vita di San Francesco*, Assisi 1959, Vol II, p 223.

¹²cf E. Delaruello, *L'autel roman de Saint-Sernin* (1095). *Cofrères, pelerins et penitents*, en *Melanges R. Crozet*. Ed. Callais, Poitiers 1966, pp 383-389.

¹³Meersseman, o.c. pp 273-274.

¹⁴Decretum Gratiani, Pars II, C XXIII, q. L, c. 11.

¹⁵cf A Pompei, OFM Conv, *Il movimento penitenziale nei sec. XII-XIII*, in *Atti Convegno di Studi Francescani*, Assisi 1972, p 23.

- ¹⁶Ida Magli, *Gli uomini della Penitenza*. Lineamenti antropologici del medioevo italiano. Cappelli 1967, p 57.
- ¹⁷On the basis of the works of Honorius of Autun, who wrote approximately in the year 1125 and whose descriptions are considered to be “perhaps the most objective of that period,” Meersseman states that “the expression ‘apostolic life’ did not simply mean giving up individual goods and accepting community life described in the Acts of the Apostles (as was commonly thought), it also meant real poverty, the evangelical poverty of the Apostles, it meant preaching it *in forma apostolorum*.” Meersseman, o.c. 228, 232.
- ¹⁸cf I. Magli, o.c. pp 27-29, 38, 39.
- ¹⁹A. Pompei, o.c. pp 19-20.
- ²⁰For example, the Order of Knights of Saint James which existed in Spain in 1161; cf. Meersseman, o.c. pp 296-297. In this regard see J. Leclercq, *La vie et la prière des chevaliers de Santiago d’après leur règle primitive*, in *Liturgia*, II, Scripta et document, 10, Monserrat 1958. A special study should be dedicated to this Order of Knights because it is the first known case where mention is made of a *Third Order*, with the exception of an analogous case connected with the Order of Premonstratenses (1119).
- ²¹cf Meersseman, o.c. p 307f.
- ²²cf I. Magli, o.c., passim.
- ²³cf I. Magli, o.c. pp 62-63.
- ²⁴cf Pazzelli, o.c. pp 56f.
- ²⁵cf Pazzelli, o.c. pp 56-61.
- ²⁶cf Pazzelli, o.c. pp 61-75.
- ²⁷cf Pazzelli, o.c. pp 76-82. (this footnote absent in original text.)
- ²⁸Meersseman, *Disciplinati e Penitenti nel Duecento*, 1962, p 46.
- ²⁹Meersseman, ultima o.c. p 46.
- ³⁰K. Esser OFM, *La lettera di San Francesco ai Fedeli*, in *L’Ordine della Penitenza di San Francesco d’Assisi nel sec. XIII*, 1973, p 74.
- ³¹K. Esser OFM, *Un (Documento) precursore della “Epistola ad Fidelis” di San Francesco d’Assisi*. (Il codice 225 della Biblioteca Guarnacci di Volterra), in *Analecta TOR*, 129 (1978) p 38.
- ³²cf Pazzelli, o.c. pp 86-89.
- ³³cf Pazzelli, o.c. pp 89-93.
- ³⁴cf Pazzelli, o.c. p 99.
- ³⁵Pazzelli, o.c. p 116.
- ³⁶K. Esser, *La lettera di San Francesco ai Fedeli*, o.c. p 72.
- ³⁷Ibid. ultima o.c. pp 73-75.

The Spirituality of The Penitential Tradition



Metanoia stands at the very center of the teaching of the Gospels. Its meaning is exhausted neither by the idea of the initial turning to God, nor by the notion of reparation, frequently expressed in the word, “*penance*.” The work of both God and the person - this *metanoia* is primarily an act of God’s love which finds its human response in a radical redirection of life centered in the person of Christ himself. ... Interwoven, as it is, with the concept of *reconciliation*, it sees peace with God as inseparable from peace with one’s neighbor, and serves as a basis for Christian efforts to overcome hostility and separation at every level.

Roland Faley TOR. “*Biblical Considerations on Metanoia.*” Analecta TOR 13, No. 123 (1974) 13-33.

SCRIPTURE: Is 58:5-7; Mt 16:25; Jn 12:24-25

First Century

Confession: An act of praise usually expressed at the gathering of the community. The “Order of Penitents” was entered into for a period of time in order to atone for serious sin.

Second Century

“Penance” was received usually only once in a person’s life because of the difficult and long duration of penances given. This was expressed by prayer vigils, fasting, pilgrimages, tears, the wearing of poor clothing, almsgiving, abstinence from sexual activity for married couples, and works of mercy.

Third Century

Beginnings of “voluntary” penitential movement as a sign of seeking greater perfection “in the world.”

Fourth Century

More rigid direction from the Church: Interdicts!

Result - sinners rarely requested to enter the “Order of Penance” except towards the end of their life. Those “seeking perfection” become *voluntary* penitents.

Page 2.

Fifth Century

New methods of obtaining pardon. Codifying of penitential practices weakens the biblical understanding of *metanoia*, the turning of the HEART to God. Awareness of the **social** dimension of sin and repentance diminished significantly. Emphasis on *personal* reconciliation of a person with God.

Seventh - Tenth Centuries

Reform of Monasticism kept the penitential spirit alive.

Eleventh Century

Development of *hermitical* penitential life; crusades; Gregorian Reform 1073-1085. Elements of the new *hermitical* life which readily seed the future *Franciscan Movement* are: it is solitary as well as communal; a witness to peace and penance; a life-style of contemplation and silence, of work and austere poverty.

Twelfth Century

Intense involvement of the *laity*; Itinerant preachers; Heretical Movements. (For a helpful study on the 11th and 12th century penitents as well as the heretical movements prior to the coming of Francis of Assisi, see Duane Lapsanski's Evangelical Perfection. The Franciscan Institute, St. Bonaventure NY 14778.)

Specific Characteristics of The Penitents

Spirituality: profound devotion to humanity of Christ especially Christ's Birth and Passion; special reverence for the Mother of God; search for renewed gospel life after the example of the Apostles; sincere desire to seek God's Will, change one's heart and "do" penance.

Witness of Life: simple garb (some having the sign of the *TAU* placed on their mantle) - manifesting an "uncluttered and uncomplicated commitment to conversion." Dedicated to Works of Mercy in hospitals, hostels for pilgrims, leprosariums; Accepted prohibition from bearing arms; Obligation of perpetual, or at least periodoc continence.



Francis of Assisi: PENITENT

“The Lord inspired me, Brother Francis, to begin to do penance.”

Witness of Life: Legend of Three Companions #7-10; 14,17,19,20-22; 25-27

“Francis, a professional merchant, moved in his heart by the Holy Spirit, began a life of penance. Wearing the clothing of a hermit, he presented himself as a *penitent*.”

Chronicles of Jordan of Giano #1

Guidance: “Many of the people, both noble and simple, cleric and lay, impelled by divine inspiration, began to come to St. Francis, wanting to carry on the battle (of conversion) constantly under his discipline and leadership. To all Francis gave a *Norm of Life*, and he showed in truth the way of salvation in every walk of life.

I Celano #37

Story of penitents of Greccio: *Scripta Leonis*, 147,149. R. Brooke. See Robert Stewart OFM’s study of SFO Rule, 1991. Page 67. Available from Franciscan Institute, St. Bonaventure NY.

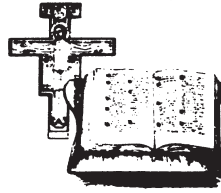


Francis’ Teachings on Conversion

* Francis uses the term *poenitentia* over 24 times in his writings. In this teaching Francis presents penance simply as a response to “a gift and a grace of a generous God who gives the call to this life and makes it possible.”

Cajetan Esser. Love’s Reply, 1963

1. The **Witness** of his own life: followers two years after Francis own conversion “were drawn to follow his example of penitence.” LTC #27
2. The **Volterra Letter: Earlier Version of Letter To the Faithful** 1213-1215. Demonstrates the enthusiastic and imaginative preaching of Francis; Theme is *faith and repentance* through generous response to the action of God’s Spirit in everyday life. **This is now the Prologue of both the SFO 1978 Rule and TOR 1982 Rule.**



3. Letter to the Faithful: 1221

“To everyone in the whole world, I Brother Francis, decided to send you a letter.”

Considered the prototype of Francis’ **Third Order Rule**; details the characteristics of the penitent; focuses on the fundamental stance of the person seeking continuous conversion: *sine proprio*; gives a clear example of the *radical* change which Francis brought to the nature and meaning of the Penitential Movement.

4. The Ancient Rule: 1221-1228

Shows Francis’ great awareness of existing *Propositums* for Penitents of his time; had the special juridical help of Cardinal Hugolino, the future Pope Gregory IX; gives evidence of encouraging a spirit of “continuous conversion” by reflecting on the Sacraments, Prayer and Scripture, Works of Mercy, Simplicity of life and Intimacy with God.


5. The TESTAMENT: 1226

The life of penance is at God’s invitation: “...*And the Lord led me.*” It is above all rooted in *faith*, and continues through the graciousness and mercy of the “Most High Lord.” The *pilgrim stance* in this world is the one accepted by the Penitent.

6. The Rules of 1221 and 1223

Chapter 23 of the Rule of 1221 (RNB) most vividly embodies Francis’ teaching on *poenitentia*. Beginning with a magnificent prayer of *thanksgiving* to the Father, Francis demonstrates that the starting point of a life of penance is above all an over-flowing gratitude to our all-Good and gracious God.

Themes of penance in the Rules of 1221 & 1223

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1. God alone is the Source of all love; the penitent's response is gratitude and adoration;
 2. The witness of a penitential life is the gift of oneself, and most essentially, *the gift of forgiveness and the asking of pardon.*
 3. One must be ready to acknowledge sin and see its seriousness in the light of the holiness and graciousness of God.
 4. Asceticism is an integral part of "doing penance." One must *prove their love by deeds*, not simply feel sorrow for sin. The Rule gives **Jesus'** own criteria for experiencing the Kingdom of God: Mt 25!
 5. The call to conversion is *ecclesial*. It is expressed in fidelity to the sacramental life of the Church.
 6. *Continuous conversion* is for everyone,
"... all peoples, races, tribes, and tongues, all nations and all peoples *everywhere on earth who are and who will be* - that all may persevere in the true faith and in penance."

7. The Admonitions

All those who live a life of conversion are characterized by the practical and practiced meaning of the Beatitudes. They have been called the *essence* of penitential Franciscan spirituality because they proclaim the values in Jesus' own life. In the writings of Francis, it is the **Admonitions** which parallel these Beatitudes. Francis had a healthy and honest view of human nature. Reading the Admonitions deepens one's appreciation for the realism in Franciscan spirituality, and for all that this "spiritual direction" of Francis reveals of the need for continuous conversion. *This* is the nature of penitential spirituality.

* For further reflection on these insights, see "*Francis' Understanding of Penance.*" Mary McCarrick OSF. (Stella Niagara, NY) **The CORD** 26 (March 1978).88-91; "*Penance in The Writings of St.Francis - I and II*" Joyce Brandl OSF(Little Falls, MN) **The CORD** 32(January 1982) 4-11; (February 1982) 38-53; "*Third Order Regular Rule and Franciscan Spirituality,*" Thaddeus Horgan SA. **The CORD** 42:9 (September 1992) 246-250.)"*Of Penance and The Townspeople: the Language of Francis*" Kathleen Moffatt(Aston OSF.) **The CORD** 33:9 (October 1983) 286-290.

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