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Editorial

PROVINCIAL OFM CHAPTER - MALTA

From 1 to 5 May 2023 the Maltese OFM Province will celebrate its intermediate Provincial Chapter under the presidency of the Minister General of the Order of Friars Minor, Brother Massimo Fusarelli. Although the intermediate Chapter is not normally an event that marks a change or a new way forward in a Franciscan entity, this time it will precisely be so because of the presence of the Minister General himself.

In the Franciscan Rule the Minister is called to visit, comfort and correct the brothers. This will be the main scope of Brother Massimo's fraternal visit to the Maltese friars gathered in chapter. At the same time, however, the Minister will come in order to help the Province plan its way forward. This is being done with all the entities of the Order, not just Malta.

The chapter will have to tackle the problem of diminishing numbers of brothers, the ageing of the same brothers, and the future of the Province. It will have to be an occasion in which the Province will open up to collaboration with other entities of the Order. This will be the main theme of the chapter. As Franciscans we must take courage and move forward, even though in the process there might be some difficult decisions to make. Such decisions might be long overdue, but there is still room for hope and trust. This is the only formula for a successful future in our presence and evangelising ministry in Malta.

HISTORICAL ASPECTS OF THE *REGULA BULLATA* AND THE IDENTITY OF OUR LIFE AS FRIARS MINOR

Cesare Vaiani OFM

This is an English translation of the Italian text entitled «Aspetti storici della Regola Bullata e l'identità della nostra vita come Frati Minori». The paper was presented during a Seminar of the Maltese OFM Province on the occasion of the 800 years of the confirmation of the Rule (1223).

The theme that I have been asked to present in this centenary year of the confirmation of the Rule regards the historical aspects of the *Regula bullata* and the identity of our life as Friars Minor.

Premise

I would like to introduce my talk with an observation that seems to me to be opportune in this context, which is not that of a scientific congress, but a meeting of brothers who would like to reflect upon the Rule.

When we, as brothers, speak about the Rule, we do not simply refer to one of the *Writings* of St. Francis; we speak about the Rule we have professed. Obviously, I am not denying that the Rule is a part of the *corpus* of the *Writings* of St. Francis. However, I am observing that, for us, the Rule has a special place, since our link with this text is different from the one we have with the other *Writings*. Stated simply: we have not professed the *Canticle of Brother Sun* or the *Testament*, but the Rule, and therefore the existential relationship of each

and every one of us with this text is different with respect to the other texts.

I think it is important, at this initial stage, to depart from this affirmation, in order to make a correct hermeneutical interpretation of the text, which invites us to be aware of our pre-understanding, whenever we approach any argument. As we know, we cannot eliminate pre-understandings, and that is why we have to be aware of them, in order not to let ourselves be dominated by them or by what the text tells us. I underline this difference between the Rule and the other *Writings*, because I do not think that it is always so evident: often one finds citations and references to the *Regula non bullata* and to the *Regula bullata* as if they were equivalent. Sometimes the Rule is considered simply as one of the other texts of Francis. This is acceptable in certain contexts, but I do not think that it is totally correct among us friars, whenever we reflect upon the significance of the Rule “for us”: for us, I say, who find in the Rule the codex of our form of life and of our fraternity. In a few words: we are aware of the “unique” place of the Rule for us as friars.

After this brief “hermeneutical” premise, I will divide my talk in two parts, which are those indicated in the title: first I will try to speak about the historical aspects of the *Regula bullata* and in the second section about the relationship between the Rule and our life as Friars Minor.

History of the *Regula bullata*

In order to present a summary historical *iter* of the process that led to the *Regula bullata*, it is useful to fix three points of development, which we can call in this way: the *Protoregula*, the *Regula non bullata* and the *Regula bullata*.

The Protoregula

This was the text that Francis took to Rome in 1209 and presented to Pope Innocent III, who gave him an oral approval, or as we would call it today, an approval *ad experimentum*. We do not possess this text, but we know for certain that it was a written text, since Francis himself affirms in his *Testament*:

“And after the Lord gave me some brothers, no one showed me what I had to do, but the Most High Himself revealed to me that I should live according to the pattern of the Holy Gospel. And I had this written down simply and in a few words and the Lord Pope confirmed it for me.” (*Test* 14-15).

We can think that part of that text consisted of the promise of reverence and obedience to the Pope, of the three Gospel texts discovered in the triple opening of the Gospel with the first two companions, and of some other practical norms for the life of the *fraternitas*. This is the text which we call the *Protoregula*.

Regula non bullata

The second text, which we call *Regula non bullata*, is the text that progressed slowly from 1209 to 1221: it covers thirteen years of the life of that *fraternitas* which was becoming an Order in the proper sense of the term. During those years the brothers lived on the streets of this world, first in Italy and then, after 1217, even outside Italy. Once a year they gathered for the

Chapter on Pentecost, where they would do what we may call an evaluation: they examined the experiences they went through during that particular year in the various parts of the world, and they confronted it with the *Protoregula*, which contained the essential norms for their way of life. From this discussion were born the decisions that were inserted in the same text, in the proper place, and which year after year, made the text of the *Protoregula* grow from the “few and simple words” of the beginnings to the 24 chapters which we find in the final draft, that of 1221.

A detailed analysis of the 1221 Rule was made in the 1960’s by David Flood. It has permitted us to discover, in the 24 chapters of the present text, some signs of the progressive evolution and of the additions made by the fraternity to the initial text. The evolution of this text, in fact, did not occur only through elimination or substitution, but rather through a progressive integration and addition of new phrases within the existent text.

It is evident that these changes make the text of the *Regula non bullata* precious, since they analyse the oldest documents relation to the experience of Francis and of the first fraternity.

The work of Flood evidences some texts in which the insertion becomes evident and elaborates some criteria in order to understand the logic behind them. An important criterion is that of the *negative inclusions*: this evidences the fact that some negative statements (prohibitions, phrases introduced, by a *caveant*, etc.) are successive to the positive or affirmative statements, since they are the fruit of the experience of life of the friars.

Let us present an example¹ with the first three verses of chapter 7, entitled *The manner of serving and working*:

“None of the brothers may be treasurers or overseers in any of those places where they are staying to serve or work among

¹ D. FLOOD, *La nascita di un carisma. Una lettura della prima Regola di San Francesco*, Milano 1976, 54.

others. They may not be in charge in the houses in which they serve nor accept any office which would generate scandal or be harmful to their souls. Let them, instead, be the lesser ones and be subject to all in the same house. Let the brothers who know how to work do so and exercise that trade they have learned, provided it is not contrary to the good of their souls and can be performed honestly.”

The first two verses of the chapter are evidently a negative insertion with respect to the third verse: the experience of life had taught that the brothers were sometimes promoted to positions of command or responsibility, and the community reflection had suggested to elaborate the negative norm in order to avoid this possibility. The positive affirmation of the third verse, which asks of the brothers to work by continuing to exercise the trade they already know, constituted the most ancient text and evidently came before the other negative affirmation.

To the criterion of the negative insertions Flood adds that regarding *deepening of meaning and explanations*: some texts (even some chapters) are a re-thinking and additions to earlier texts, fruit of a more profound awareness of the brothers with respect to their identity. According to Flood, for example, chapter 9 returns to deepen the contents of chapter 7, by describing the relationship of the brothers with society in a way which is more aware and evolved. He writes:

“The principal phrase of chapter 9 make explicit what is already present in the indications regarding work, namely, that the brothers should share their life with the poor, the sick and those persons who live by the wayside (9,1-3). In this way chapter 9 explains the behaviour described in chapter 7, and with a powerful language indicates the reasons that justify it.”²

Rule and Life

With the application of this method, Flood evidences three successive sections of the text of the *Regula non bullata*, with a proper internal articulation of insertions and progressive additions. We cannot now enter into the details of this division: we can only say that the three sections identify the material elaborated in successive periods. Without wanting to be irreverent, we can say that the *Regula non bullata* is somewhat like an onion, that is, it is composed of successive strata, which develop progressively.

This fact proves that this Rule is not a writing composed on a desk. We can apply to the Rule the happy phrase that we find in chapter 5 of the SFO Rule, which invites “to pass from the Gospel to life and from life to the Gospel.” The Rule is a text which is born out of this relationship between the Gospel and life, out of a concrete experience, in strict contact with the life of the brothers. We note that this is true for all the Rules of religious Institutes, from the beginning of monasticism to this very day: it is from life that one passes to the Rule, and then the Rule becomes an inspiration for the life of those who follow.

Towards an ulterior elaboration

We now return to history. In the Chapter of 1221 the brothers, just as they did in preceding Chapters, revised the text of the Rule, which became the one we now possess, in 24 chapters. At this point something happened, which we do not know, but which prohibited the brothers from presenting that text to be approved by the Holy See. We can present some hypotheses, for example:

a) The general Chapter did not approve the text, since it did not consider it ready to be approved by the Pope.

b) The Holy See refused to approve the text.

² FLOOD, 66.

c) Before the text was presented to the Holy See, someone (could have been Cardinal Ugolino) examined the text and suggested not to present it to the Pope, but to modify it and reduce it in a shorter and more juridical text. Maybe this last hypothesis is more plausible. In other words, a process of revision, or even better, of a re-writing of text presented itself. Francis himself was entrusted with this task, even though he had resigned from his post of Minister General a year before. In spite of this, even though he had resigned, no one else could have been able to undertake such a task: everyone recognised that the intuition of the form of life had been granted by God to Francis. Francis, therefore, undertook this work and, according to tradition, he worked on a new text of the Rule during a period in which he lived in Fontecolombo. There he was helped by others: the main sources speak about brother Leo, who was a faithful companion and secretary to Francis, and of a certain brother Bonizo da Bologna, regarding whom we do not know much. We certainly know that even Cardinal Ugolino participated in the drafting of the Rule, because he himself affirms this in the beginning of the Bulla *Quo elongati* in 1230, four years after the death of Francis, when he was by now Pope Gregory IX. In this document he deals with some questions regarding the Rule. The Pope justifies his answers by stating: “Furthermore, while we held a lesser rank, we stood by him as he composed the aforesaid Rule and obtained its confirmation from the Apostolic See.”³ We can also ascertain that there were contacts with brother Elias and the Ministers, according the witnesses that speak about Francis’ stay in Fontecolombo, and maybe not only in the form of polemic contrast that is described by the Sources coming from the pen of the Spirituals. In any case, Francis was very much aware that, from the origins the Rule had been an

object of discussion and modifications which occurred within the context of a fraternal debate. Francis was at the centre of diverse collaborations and contributions on the part of various friars and of Cardinal Ugolino. Certainly the major contribution came from the same text of the *Regula non bullata*, which remained as the point of reference of his work. In fact, in the *Regula bullata* we find text which evidently depend upon the *Regula non bullata*.

The *Regula bullata* and our identity

I now pass to the second part of my talk, which is concentrated upon the *Regula bullata* and its importance for our identity as Friars Minor. Let us begin with a material confrontation between the *Regula non bullata* and the *bullata*: the first one has 24 chapters, the second one has 12, that is, half. The first one has roughly 6600 words, the second one circa 1840 words, that is, three and a half times shorter.

The style of language also changes. While the first one has only some insertion of a juridical nature, the second one has a language which is more attentive to canon law: in this we can recognise the influence of Cardinal Ugolino, who was an expert jurist. In the first one we find a greater abundance of citations from the Gospels and the Scriptures, in the second one the explicit citations are much less. The *Regula bullata* contains the enlightening initial declaration: “The Rule and Life of the Lesser Brothers is this: to observe the Holy Gospel of Our Lord Jesus Christ by living in obedience, without anything of one’s own, and in chastity”, which substitutes the text of the *Regula non bullata*, which states: “The Rule and Life of these brothers is this, namely: to live in obedience, in chastity and without anything of their own, and to follow the teaching and footprints of our Lord Jesus Christ, who says...”, followed

³ POPE GREGORY IX, Bulla *Quo elongati* (28 September 1230), in FAED I, 571.

by four citations from the Gospel. I think that the *Regula bullata* makes a more immediate and expressive synthesis; one notes that, in both texts, we find the expression “rule and life”: therefore, not only the Rule, and not only the life.

Some characteristics

We underline the first characteristic note: in the *Regula bullata* we can recognise the voice of Francis in the first person singular for nine times, and in a committed and evocative tone, which seems to be rather strange in a Rule. Four times Francis gives clear and incisive commands, expressed by very precise formulas of obligation (*præcipio firmiter, per obedientiam iniungo*). Five times we find exhortative formulas, which are expressed for four times with the terms “I admonish and exhort” (*moneo et exhortor*). A fifth time the style of Francis is still exhortative, but it is expressed in a more vague manner, with an appeal to the brothers, who Francis twice calls “my most beloved brothers.”⁴

These texts eliminate a recurrent interpretation of the *Regula bullata*, namely, that it marks a kind of defeat on the part of Francis, which he had to accept against his will. The list of texts which we will soon quote shows that Francis was present and he spoke personally, without showing any sentiment of defeat. We all know that the *Regula non bullata* contains

a great richness of spirituality and shows a different “tone” from the *Regula bullata*. However, this does not mean that Francis was present in the first document and absent in the other one. We rather need to face the ability of Francis to “insert” himself with all his might and intuition in documents of different tonalities, as are the two Rules. In this way the singular presence of Francis emerges in Franciscan spirituality, which is a very “personal” presence, a presence that is stronger than in other spiritual traditions: in the Rule this significant presence of Francis emerges in a direct way.

To have the Spirit of the Lord

Another characteristic note that we want to underline is that, in twelve texts of the Rule, we find a more or less explicit reference to the inspiration of the Lord, to the call to act “spiritually” (*spiritualiter*), to the holy manner of working (*sanctam operationem*) of the Spirit, to discernment “according to God,” or “with the blessing of God,” or “in the name of the Lord,” or even according to “necessity,” to *grace* (referred to in the example of work, but always grace “given by the Lord”).⁵

These are expressions which reveal the great space that Francis gives to the action of the Spirit in the Rule. The theme of “having the Spirit of the Lord” is central in the experience of Francis, and can be identified as the moving force from which

⁴ *RegB* 6,4: This is that sublime height of most exalted poverty which has made you, my most beloved brothers, heirs and kings of the Kingdom of Heaven, poor in temporal things but exalted in virtue. Let this be your portion which leads you into the land of the living. Giving yourselves totally to this, beloved brothers, never seek anything else under heaven for the name of our Lord Jesus Christ.

⁵ *Reg B* 2,7: they may dispose of their belongings, **as the Lord inspires them**. 2,10: unless, at times, it seems good to these same ministers, **before God**, to act otherwise. 2,16: Let all the brothers wear poor clothes...**with the blessing of God**. 3,6: May those **be blessed by the Lord** who fast voluntarily. 3,10: I counsel, admonish and exhort my brothers **in the Lord Jesus Christ**. 4,2: provide for the needs of the

sick and the clothing of the others...**as they judge necessary**. 5,1: Those brothers to whom **the Lord has given the grace** of working. 7,2: let them have [penance] imposed by others who are priests of the Order, **as in the sight of God it appears to them more expedient**. 8,4: let the aforesaid brothers to whom the election is committed, be bound to elect another as custodian **in the name of the Lord**. 10,4: Wherever the brothers may be who know and feel they cannot observe the Rule **spiritually**. 10,8: let them pay attention to what they must desire above all else, **to have the Spirit of the Lord and His holy activity**. 12,1: Let those brothers who wish **by divine inspiration**, to go among the Saracens or other non-believers.

everything takes life. We can finally note how the action of the Spirit refers back to discernment: it is a question of trying to understand what is the good that can be done according to God, and this is the field of spiritual direction, that is, of the action that finds life in the Spirit.

Fraternal relations

The theme of fraternal relations recurs in the the entire Rule, every time that it speaks of “friars minor”, or simply as “brothers.”⁶

The synthesis of the behaviour that the brothers are to assume in their fraternal relationships is explained clearly in chapter 6,7-9:

“Wherever the brothers may be and meet one another, let them show that they are **members of the same family**. Let each one confidently make known his need to the other, for if a **mother** loves and cares for her son according to the flesh, how much more diligently must someone love and care for his brother according to the Spirit! When any brother falls **sick**, the other brothers must serve him as they would wish to be served themselves.”

This image is already present in the *Regula non bullata*. The maternal characteristic which is evoked here refers above all to the care that the brothers should take of each other. This characteristic emerges also in other texts dedicated to fraternal relationships: the care of sick brothers (mentioned here and in chapter 4,2), as well as the clothing of the brothers, with the help of “spiritual friends,” and the caring of brothers by sharing with them the proceeds of one’s work.

This fraternal relationship of reciprocal care and love is also the best evangelising witness of the brothers, as we understand from the text in which Francis teaches the brothers “how to go about in the world” (*RegB* 3,10-11):

“I counsel, admonish and exhort my brothers in the Lord Jesus Christ not to quarrel or argue or judge others when they go about in the world, but let them be meek, peaceful, modest, gentle, and humble, speaking courteously to everyone, as is becoming.”

This is a precious indication also for us: our first evangelising ministry is our fraternal life in meekness and humility.

Chapter 10

We conclude our reflection with the meditation of a special text of the Rule, which we find in the second part of chapter 10 (*RegB* 10,7-12), and which develops a fundamental theme for Francis: the Spirit of the Lord. This text shows a simple structure, which is all built upon the contrast between the negative attitudes which the brothers should avoid, and the positive ones, which they should cultivate, with a final Gospel citation, which explains what has been stated regarding the evangelical foundation of this chapter.

“I admonish and exhort the brothers in the Lord Jesus Christ,

(1) **to beware** of all pride, vainglory, envy and greed, of care and solicitude for the things of this world, of detraction and murmuring. Let those who are illiterate not be anxious to learn,

(2) **but let them pay attention** (*attendant*) to what they must desire above all else: to have the Spirit of the Lord and His holy activity, to pray always to Him with a pure heart, to have humility and patience in persecution and infirmity, and to love those who persecute, rebuke and find fault with us,

because the Lord says: *Love your enemies and pray for those who persecute and calumniate you* (Mt 5:44). *Blessed are those who suffer persecution for the sake of justice, for theirs is the kingdom of heaven*

⁶ *Translator’s note:* In the official version of the Sources in English the name chosen is that of “Lesser Brothers” instead of Friars Minor [which we insist should be kept as the official name of the

brotherhood]. In Italian the name is *frati minori*. The author notes that it would be better to use the term *fratelli minori*, since during the Middle Ages the terms *frati/fratelli* were not distinct.

(Mt 5:10). *But whoever perseveres to the end will be saved* (Mt 10:22).

This text, divided into two parts, clearly shows the contrast between what the brothers should beware of (*caveant*) and what the brothers should give attention to (*attendant*, always used by Francis to mean *pay attention to*). This is a simple structure of contrast between negative and positive attitudes which we find elsewhere in the *Writings* of Francis. Let it suffice to mention the structure of *The Letter to the Faithful* in the first draft, which is precisely divided in two chapters, regarding “those who do penance” and “those who do not do penance,” or else, in chapter 17 of the *Regula non bullata* (vv. 11-16) where we find the contrast between the *spirit of the flesh* and the *Spirit of the Lord*, illustrating the different modes of behaviour between the two. Francis shows that he willingly made use of this simple literary genre, which contrasts good and evil, white and black, and he does so with an effective pedagogical tool.

If we try to gather the contents of this exhortation we see that the first part invites us to abandon the spirit of appropriation, which makes us keep for ourselves what does not belong to us, and which manifests itself in a wrong attitude towards others. To this attitude refer, in various ways, “pride, vainglory, envy and greed, of care and solicitude for the things of this world, of detraction and murmuring.” Linked with these attitudes of appropriation, which are the opposite of “living without anything of one’s own” we can link the desire “to learn [the letters]” (which does not mean to dedicate oneself to study, but to learn how to read). As *Admonition 7* teaches, in the endeavour to be learned, one can hide, in a negative way, a great desire of appropriation: “Those people are put to death by the letter who only wish to know the words alone, that they might be esteemed wiser than others and be able to

acquire great riches and give to their relatives and friends.”⁷

In the face of this admonition regarding the spirit of appropriation we find the other part of the text, which invites us “to desire to have the Spirit of the Lord and His holy activity.” In this expression we can individuate a synthesis of the entire spiritual journey of Francis.

We shall limit ourselves to pinpointing on one part the “desire,” a very Franciscan word, which is a sign of a lacking of something (I desire something I miss), but also of an aspiration to fullness and, on the other part, the strict and important link between the Spirit and His “holy activity,” that is, between the spiritual and practical spheres, which do not pertain to two different worlds, but are intimately linked one to the other. Francis knew well that the Spirit acts and is manifested in the life, and that it is in concrete living (action, manner of working) that we find the place of the revelation of the Spirit. We find again the return of the intimate union between life and the Gospel, which we have already noted.

We also note the diverse occasions in which we can see the manifestation of this “having the Spirit of the Lord and His holy activity.” According to the text these occasions are fundamentally three, that is, prayer (*to pray always to him with a pure heart*), *to have humility and patience in persecution and infirmity*, and lastly, to love one’s enemies. We can here recognise the direction towards God (through prayer), towards our own selves (through humility and patience) and towards our neighbour (through love for enemies).

The first ambit regards the relationship with God, through prayer, in which we find two characteristics: first of all, we should pray “always” and then prayer should be characterised by a “pure heart.” The reference to the words of the Gospel which invite us to pray always (cfr. Lk 18:1) returns in other texts of the *Writings*,⁸ as

⁷ *Adm 7,2* (FAED I, 132).

⁸ *EpFid II, 21; RegNB 22,27-29.*

well as the reference to the pure heart, which recurs, for example, in *Admonition* 16 or in the *Regula non bullata* (22,26), always in relation to prayer. It seems, therefore, that the pure heart is a characteristic note of prayer for Francis.

The second characteristic note, namely humility and patience, refers to a truthful and peaceful relationship with oneself and with the events of one's life. Humility is, first and foremost, truth, an awareness of who I truly am, it is the form of life without anything of one's own and oriented to God (to which are contrasted pride and vainglory) and towards neighbour (to which are contrasted detraction and murmuring, as well as anger and anxiety). Deep down all this is a question of truth, of an awareness of my own truth. In this awareness is born "patience in persecution and infirmity": it is here that we are referred to the events of our own life, which can also refer to the actions of others, as in the case of persecution, but which can also be born out of negative situations of existence, like sickness and infirmity. In every case patience is an attitude which permits Francis to conserve and also to find peace: in his *Writings*, Francis often intertwines the verb *to endure* – *to support* (and therefore patience) with the term *peace*: "Blessed are those who endure in peace, for by You, Most High, shall they be crowned."⁹

The final ambit that our text evokes is the love for enemies, identified in "those who persecute, rebuke and find fault in us." Even in this case we are dealing with an attitude that returns elsewhere in the *Writings* of Francis, and which in some way constitutes the apex of his spiritual itinerary.¹⁰

It is to this love for our enemies that the first one of the three Gospel citations that conclude the entire chapter refers: "because the Lord says: *Love your enemies and pray for those who persecute and calumniate you*" (Mt 5:44). The second citation again

dwells upon the theme of persecution, which was already referred to in the first one: *Blessed are those who suffer persecution for the sake of justice, for theirs is the kingdom of heaven* (Mt 5:10). The last citation widens the horizon and can be applied to whatever has been stated before: *But whoever perseveres to the end will be saved* (Mt 10:22).

This invitation to have the Spirit of the Lord and His holy manner of working seems to me to be the best conclusion to my paper. May the Spirit suggest to us those ways in which we can live today, in our world, the commitment that we have professed, namely "to observe the holy Gospel by living in obedience, without anything of our own and in chastity."

I thank Br. Cesare Vaiani for giving me permission to publish a translation of his talk in this Review.

⁹ *CantSol* 11 (FAED I, 114).

¹⁰ *Adm* 9; *EpFid II*, 38; *RegNB* 16,11; 22,1.

SAINT FRANCIS, CARDINAL UGO DI OSTIA AND THE DRAFTING OF THE *REGULA BULLATA* OF 1223

Noel Muscat OFM

The scholar Felice Accrocca presented a study regarding the role of Cardinal Ugo di Ostia in the drafting of the *RegB*, and therefore also in his relation with Saint Francis.¹ He quotes the *De inceptione* [Anonymous of Perugia] 44, where the author, Brother Giovanni da Perugia, writes: “The brothers informed the Lord Cardinal of Ostia about these situations. Once he called blessed Francis to himself, he took him to the Lord Pope Honorius – because the Lord Innocent had already died, had another rule written for him, and had it confirmed and strengthened with the force of the papal seal.”² Accrocca also quotes the *Legend of the Three Companions* 62, which states: “When this had been made known to the Lord Cardinal, he called blessed Francis to him and took him to the Lord Pope Honorius, since the Lord Innocent was now dead. He had another rule – composed by blessed Francis as he was taught by Christ – confirmed by the same Lord Honorius with a seal solemnly

affixed.”³ In this case, as is evident, Francis appears to be the true author of the *RegB*, while in the preceding example it was Ugo who commissioned a new Rule for Francis and the brothers.

Always according to Accrocca, the event presented in *De inceptione* leaves us with many questions, since we cannot confirm the fact of the primary role attributed to the Cardinal in the drafting and confirmation of the *RegB*. This eminent scholar of Franciscan historiography is inclined to defend the personal initiative of Francis in the drafting of the *RegB*, and attributes to Cardinal Ugo the initiative of convincing Francis of the need to revise the text of the Rule of 1221, in such a way as to render it more compatible with the style adopted by canon law, as well as to help Francis to acquire the papal confirmation.⁴

In principle one has to agree with this affirmation, even if one cannot forget the pressure exerted upon Francis by Cardinal Ugo as well as by the ministers and learned

¹ F. ACCROCCA, *Francesco, il Cardinale Ugo di Ostia e la Conferma Papale della Regola*, in *Collectanea Franciscana* 86 (2016) 433-460.

² AP 44 (FAED II, 56).

³ L3C 62 (FAED II, 105).

⁴ F. ACCROCCA, *Francesco, il Cardinale Ugo di Ostia e la Conferma Papale della Regola*, 440-441: “È credibile il racconto del *De inceptione*, che assegna a Ugo di Ostia la totale iniziativa di tutto il *negotium* relativo alla Regola? Credo si possa dubitarne, almeno nel senso che se corrisponde a verità il ruolo attribuito al cardinale nell’iter per ottenere la conferma della Regola, tutto l’agire di

Francesco e le tracce lasciate nei suoi scritti inclinano a ritenere che fu principalmente sua l’iniziativa di fissare il proprio proposito di vita in un testo scritto. Cosa vuol dire allora Giovanni da Perugia quando afferma che il cardinale *fecit scribi aliam Regulam*? Per quanto mi riguarda, ritengo si possa intendere che Ugo di Ostia contribuì autorevolmente a convincere Francesco della necessità che il testo della Regola non venisse sottoposto a revisione, fino ad assumere una forma idonea a quelle che erano le esigenze del diritto canonico.”

brothers of the Order, particularly after the difficulties that the brothers met in various parts of Europe when they presented themselves in front of the bishops to request permission to preach. Francis knew that the catholicity of the friars Minor had to be confirmed not only by the witness of their own life, but also by a legal document that would have presented them as a religious Order approved by the Church, and having a Rule which was confirmed by the Apostolic See. No wonder, therefore, that Francis made recourse to some learned brothers, such as Bonizio da Bologna, as well as to Cardinal Ugo who, after all, was the Cardinal Protector of the Order. The inspiration to the Gospel life that lies at the basis of the *RegB*, which appears as an inclusion between two strong statements regarding the life of the Gospel, placed at the beginning and end of the same *RegB*, is certainly the work of Francis, as are the insistence upon the catholicity and obedience to the Pope, upon manual work, the prohibition to receive money, and the invitation to go out to beg for alms in case of necessity. However, the legal aspects regarding other cases, such as the acceptance of novices, the divine office and fasting, the correction of the brothers, the role of the minister general and of the general chapter, preaching, the prohibition to enter monasteries of nuns and, up to a certain point, the role of the minister to send brothers to the lands of the Saracens and other non-believers, are all the result of a reflection on the part of learned brothers who were guided by expert canonists. In this way we can speak about a certain balance between the original intentions and inspirations of Francis and the concrete needs of the fraternity which developed from a simple *fraternitas* into an *ordo*, and which would have needed the official recognition on the part of the Papal Curia in order to be able to carry out its ministry in an efficient manner.

One of the thorniest problems that Francis had to face was the decision taken by the Fourth Lateran Council in canon 13,

Ne nimia religionum diversitas, which prohibited the composition of new rules and obliged all the new Orders to choose as their way of life one of the approved Rules, namely, the Rule of Saint Augustine, the Rule of Saint Benedict and other monastic Rules in the Latin Church, as well as the Rule of Saint Basil in the case of Oriental Churches. Cardinal Ugo was certainly aware of this difficulty, and would have warned Francis. In the same time, Ugo was an expert jurist, and would have helped Francis more easily to remain steadfast in his decision to receive a papal confirmation for the Rule of his Order. There was, however, another obstacle to overcome, namely that of the *fratres sapientes et in scientia docti*.

It was during the general chapter held at the Portiuncula, which scholars place in 1223, or else, at the earliest, in 1222, that Francis had to face these learned brothers in the presence of Cardinal Ugo. The *Assisi Compilation* 18 recounts the episode and says that the chapter in question was the Chapter of Mats. This detail opens the question regarding the date of the Chapter of Mats, which traditionally is dated 30 May 1221, having been the same chapter which approved the text of the *Regula non bullata*. It is not our intention at this point to enter into this question, but simply to underline that there exists a possibility that the chapter to which the *Compilatio* refers could have been that of 1221, and not that of 1223. Accrocca and others propose 1223, that is, the last chapter before the confirmation of the *RegB*. Whatever the case may be, we know that the reaction of Francis to the suggestions of these learned brothers was determined and strong:

“When blessed Francis was at the general chapter called the Chapter of Mats, held at Saint Mary of the Portiuncula, there were five thousand brothers present. Many wise and learned brothers told the Lord Cardinal who later became Pope Gregory, who was present at the chapter, that he should persuade blessed Francis to follow the advice of those same wise brothers and

allow himself to be guided by them for the time being. They cited the *Rule* of blessed Benedict, of blessed Augustine, and of blessed Bernard, which teach how to live in such order in such a way. Then blessed Francis, on hearing the cardinal's advice about this, took him by the hand and led him to the brothers assembled in chapter, and spoke to the brothers in this way: 'My brothers! My brothers! God has called me by the way of simplicity and showed me the way of simplicity. I do not want you to mention to me any *Rule*, whether of Saint Augustine, or of Saint Bernard, or of Saint Benedict. And the Lord told me what He wanted: He wanted me to be a new fool in the world. God did not wish to lead us by any other way than this knowledge, but God will confound you by your knowledge and wisdom. But I trust in the Lord's police that through them He will punish you, and you will return to your state, to your blame, like it or not.' The cardinal was shocked, and said nothing, and all the brothers were afraid."⁵

Which was the Rule that the wise and learned brothers were opposing? If we were dealing with the chapter of 1223, it could very well have been the final draft of the *RegB* which Francis was preparing with the help of expert brothers and with the approval of Cardinal Ugo. That is why the *Speculum Perfectionis* mentions the tension that ensued when the ministers came together with brother Elias to protest in Fonte Colombo and to tell Francis that the Rule was going to be too harsh to observe. In the *Legenda Maior* Bonaventure says that Elias told Francis that, after he had been entrusted with the safekeeping of the text of the Rule in his role as Vicar, the same text "had been lost through carelessness." Francis had to return to Fonte Colombo where he re-wrote the Rule "just as before, as if he were taking the words from the mouth of God."⁶ If we lay aside

the obvious symbolic connotations of the episode, where Francis is presented as a new Moses who goes up to Mount Sinai to receive the tablets of the law for a second time, it is clear that the final draft of the *RegB* did not take place without a great tension between the brothers. Francis held on firm, convinced as he was that the very identity of the Order was at stake.

The identity of the life of the friars Minor depended solely upon the logical link between the original inspiration of Francis and its concrete application in the decisions of the life of the fraternity. We have already affirmed that, even if in 1223 Francis was not the legitimate superior of his Order any longer, his moral authority on the brothers had not waned. A proof of this is found in the *Testament*, where Francis makes use of expressions like: "I strictly command all the brothers through obedience;" "And let all the brothers be bound to obey their guardians and to recite the Office according to the Rule;" "And let the general minister and all the other ministers and custodians be bound through obedience not to add or take away from these words."⁷

It was the same Gregory IX who sought to assure the brothers regarding the non-obligatory nature of the *Testament* in 1230, when he specifies in the Bulla *Quo elongati*:

"We certainly believe that in the *Testament* the confessor of Christ demonstrated a single-hearted purpose and that you therefore aspire to conform to his just longings and holy desires. Nevertheless, we are aware the danger to your souls and of the difficulties you could incur because of this. And so, wishing to remove all anxiety from your hearts, we declare that you are not bound by the *Testament*. For without the consent of the brothers, and especially of the ministers, Francis could not make obligatory a matter

⁵ AC 18 (FAED II, 132-133).

⁶ LegMj IV, 11 (FAED II, 558).

⁷ *Test*, 25.30.35 (FAED I, 126-127).

that touches everyone. Nor could he in any way whatsoever bind his successor because an equal has no authority over his equal.”⁸

On one hand, therefore, Francis exercised a considerable moral authority over the brothers, and Pope Gregory exhorted them to conform to the just and holy desires of their founder. On the other hand, Francis was not legally the superior of the Order, and therefore the brothers were not obliged in conscience to follow his last wishes expressed in the *Testament*. In the same way one can state that, in their search for the *intentio fundatoris*, which would have marked the identity of the Order, the brothers could terrace such an intention along the long journey of the formation of their legislation, but without remaining anchored in the past and without forgetting that the only interpretation of their charism had to come from the highest authority of the Church, given that it was this supreme authority that had confirmed the *RegB*.

What are we to conclude from these reflections? Can we accept the well-known position of Paul Sabatier, who wrote: “When the priest sees himself vanquished by the prophet he suddenly changes his method. He takes him under his protection, he introduces his harangues into the sacred canon, he throws over his shoulders the priestly chasuble?”⁹ In other words, can we conclude that Cardinal Ugo manipulated Francis when he convinced him, under the pressure of the wise and learned brothers, to compose a new Rule, and thus present a document which was legally valid in front of the Roman Curia in order to obtain the confirmation of Pope Honorius III? Is it conceivable that Ugo was a diligent and capable canonist who imposed silence upon the prophetic intuition of Francis and upon

his vision of the identity of the friars Minor?

An answer to these questions is again given by Felice Accrocca when he affirms that Cardinal Ugo devised a unique plan in which he made use of a *fictio iuris* in order to see to it that the *RegB* would be confirmed by Pope Honorius, given that he had, in some way, to circumvent the obstacle posed by canon 13 of the Fourth Lateran Council. Here we only refer to one aspect underlined by Accrocca, namely that the Bulla *Solet annuere* with which Honorius III confirmed the *RegB* explicitly states: “We confirm with Our Apostolic Authority, and by these words ratify, the Rule of your Order, *herein outlined and approved by Our predecessor, Pope Innocent* of happy memory.”¹⁰

All these shows that the Apostolic See considered the *RegB* as the final product of a long series of legislative texts which went back to the approval of the *Propositum* on the part of Innocent III in 1209. In other words, Ugo succeeded in convincing the Papal Curia that there was nothing radically new which was added to the Franciscan Rule after the Fourth Lateran Council, and that this text simply expressed the assent of the Church to this form of life, even if it had received only an oral approval without any legal document, before the publication of canon 13 of the Fourth Lateran Council.

In this way the identity of the Order of friars Minor as a prototype of the *apostolica vivendi forma* was saved. In fact, by accepting to confirm the *RegB*, Pope Honorius III was not only confirming a form of life which was, certainly, new in the Church and which, up till that moment, had not been ratified by any juridical document. *Solet annuere* not only confirmed the Rule of the friars Minor, but in the most true

⁸ GREGORY IX, Bulla *Quo elongati* (FAED I, 571).

⁹ PAUL SABATIER, *Life of Saint Francis of Assisi*. Translated by Louise Seymour Houghton, Hodder and Stoughton, London 1908, xv.

¹⁰ HONORIUS III, Bulla *Solet annuere*: Prologue to the *RegB* (FAED I, 99. Latin text in: in FRANCESCO D’ASSISI, *Scritti*. Ed. C. PAOLAZZI, 322: Eapropter,

dilecti in Domino filii, vestris piis precibus inclinati, ordinis vestri regulam, a bone memorie *Innocentio* papa predecessore nostro *approbatam*, annotatam presentibus, auctoritate nobis apostolica *confirmamus* et presentis scripti patrocinio communimus.

sense of the word, it also confirmed a form of life that all the Mendicant Orders embraced during the 13th century, and which was a novelty in the canonical legislation that regarded religious life, after the eremitic, monastic and canonical forms of life that had been the norm during the preceding centuries.

Maybe Francis of Assisi was not superior of the Order, but at the end he won. He succeeded in convincing Ugo that the form of life that Christ had showed him was not open to discussion, even in front of a prohibition given by a general Council. On the other hand he did not surrender to the pressure of the learned and wise brothers, even if he humbly asked for their help and counsel, together with that of the other canonists, in order to draft the text of the *RegB*. Lastly, the same Rule was nothing else but a document which manifested itself as an inclusion between two fundamental phrases placed at the beginning and end: “The Rule and Life of the friars Minor is this: *to observe the Holy Gospel of Our Lord Jesus Christ* by living in obedience, without anything of one’s own, and in chastity” [...] “so that, being always submissive and subject at the feet of the same Holy Church and steadfast in the Catholic Faith, *we may observe poverty, humility, and the Holy Gospel of our Lord Jesus Christ* as we have firmly promised.”¹¹

For Francis only one thing was important, namely, the observance of the Gospel as it had been revealed to him by Christ. It was that same observance of the Gospel that lay at the basis of the *Propositum* of 1209, of the *Regula non bullata* of 1221, and of the *Regula bullata* of 1223.

¹¹ *RegB* 1 (FAED I, 100). *RegB* 12 (FAED I, 106). Latin text: *RegB*, I,1 and XII,4, in FRANCESCO D’ASSISI, *Scritti*. 322 and 332: *Regula et vita Minorum Fratrum hec est, scilicet Domini nostri Jesu Christi sanctum Evangelium observare [...] ut*

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semper subditi et subiecti pedibus eiusdem sancte Ecclesie, stabiles in fide catholica, paupertatem et humilitatem et *sanctum Evangelium Domini nostri Jesu Christi, quod firmiter promissimus, observemus.*

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THE SHRINE OF SAINT ANTHONY OF PADUA ON CAPO MILAZZO (SICILY)

Noel Muscat OFM

The enchanting beauty of the island of Sicily reveals sites against natural backdrops of rare and savage beauty. Besides the ancient sites of classical antiquity and the exquisite Arab and Norman palaces, together with later monuments of the Renaissance and Baroque periods, the island of Sicily also boasts the presence of countless centres of eremitic and monastic origin, which go back even before the Arab conquest, onto the Byzantine period. No wonder that Sicily can be called *Sicilia sacra*, the sacred Sicily, a bulwark of Christianity right at the heart of the Mediterranean basin, on the fringes of Europe and overlooking north Africa. In this land of contrasts and geomorphological tension where the African and Eurasian plates collide in a frenzy of tectonic movements that can result in deadly earthquakes and in the infernal fires of Mount Etna, the Christian faith was planted from the first century, with the arrival of the Apostle Paul in Syracuse and with the witness of the great martyrs of the persecutions of the 3rd and 4th centuries, like Agatha and Lucia. Sicily is a land of contrasts. It is Europe and Africa combined, with lush and green mountains and forests in the northern ridges of the Madonie and Nebrodi and the arid Hyblaen Mountains (Monti Iblei) and plateaus of the south. It is Byzantine and Latin, Christian and Saracen. It is a melting pot of cultures and civilisations, a welcoming land for so many victims of the cruel savagery of the relentless waves. Among these unfortunate shipwrecked Sicily has welcomed one who

is a great saint, Anthony of Lisbon, better known as Anthony of Padua.

The peninsula of Milazzo, on the northern coast of Sicily, close to Messina and facing Lipari and the Eolie Islands, is linked with the memory of Saint Anthony. On its western edge a cliff-face troglodytic chapel marks the place where Anthony was shipwrecked in 1221, on his way back to Portugal from Morocco. According to tradition, the storm that Anthony's ship encountered on the return voyage from Morocco blew it off course towards the east, and it ended up on the coast of Sicily. This cave-chapel is placed in a panoramic setting over the cliffs of the Milazzo promontory, and it looks towards the west, that is, in the direction of the gale that would have brought the ship from the western Mediterranean to the coast of Sicily. Before describing this little-known Franciscan shrine, we shall first take a look at what the sources for the life of Saint Anthony of Padua say regarding this period of the life of the Evangelical Doctor.

The Sources for the life of St. Anthony

The main source and the most ancient regarding the life of Anthony of Padua is the so-called *Vita prima*, or *Assidua*, which was composed in 1232, just after the canonisation of Saint Anthony, when Pope Gregory IX proclaimed him saint in the cathedral of Spoleto on 30 May 1232. The life was composed by a friar Minor who was a companion of Anthony. The author narrates the events related to the vocation of

Fernando of Lisbon, who was a canon regular of St. Augustine in Coimbra, and who decided to join the friars Minor who had established themselves at Olivais, close to the monastery of the canons. Changing his name to Anthony, he decided to go to Morocco to die a martyr's death, after having beheld the relics of the first Franciscan martyrs, Saints Berard and Companions, who died in Marrakesh on 16 January 1220. After a brief period in Morocco, Anthony got ill with malaria and had to return to Portugal. "While he was journeying by ship and was close to reaching land in Spain, the force of the winds blew him off course and he ended up shipwrecked on the coasts of Sicily."¹

The *Assidua* continues by stating that Anthony went to Messina, where he met the friars and got to know about the general chapter of 1221 in Assisi: "Around that time, it was decided to celebrate the general chapter in Assisi. As soon as the man of God, Anthony, got to know this through the brothers of the city of Messina, he became ever more resolved and eventually arrived in the place of the chapter."²

The same episode is narrated in various other sources which we shall also quote. None of them mentions the exact place where Anthony was shipwrecked in Sicily. The only detail we have as a clue is that Anthony met the friars in Messina, which would be the city closest to the traditional place of the shipwreck on Capo Milazzo.

The *Vita secunda S. Antoni* by Julian of Speyer (1235) also mentions Sicily as the island where Anthony was shipwrecked, without any further specifications.³

The *Legenda Raymundina*, attributed to Br. Raymond of Saint-Romain (after 1293) states that Anthony, "boarding a ship for this aim [to go to Spain], with the order of Him to whom the wind and the seas obey

(Mk 4:41), after having been driven away from the Iberian Peninsula, was transported to Sicily by a contrary wind."⁴

The *Legenda Rigaldina*, written towards the end of the 13th or the beginning of the 14th centuries by Jean Rigaud, says: "Not having therefore reached his aim and having decided to go back to Spain, it happened that a contrary wind blew him off course and he landed in Sicily."⁵

As one can see from these texts, there is not much in the sources that can indicate the exact spot where Anthony was shipwrecked on the Sicilian coast. However, the geographical location of Capo Milazzo is very probable for various reasons. First of all, it is a narrow peninsula jutting out northwards into the Tyrrhenian Sea, and might constitute a shipping hazard for vessels coming from the west in stormy weather. The cliff face which commemorates the arrival of Anthony also faces south-west, namely the direction from which he would have come. Then, Capo Milazzo is geographically close to the city and harbour of Messina where, according to the *Assidua*, there was a *domus* of the friars Minor. Anthony would certainly have looked for a fraternity on the island of Sicily, and in Messina he would have found the nearest place where he could stay with the brothers. It was in Messina that he got the news of the celebration of the general chapter of 1221, which is sometimes called the "chapter of mats." That is why he decided to journey north by crossing the Straits of Messina and going up the toe of Italy in Calabria to *Terra del Lavoro* (province of Naples), Lazio and on to Umbria. Local tradition in Sicily has always indicated the shrine on Capo Milazzo as the place where Anthony set foot on Sicily, and from where he would begin his journey to Assisi.

¹ *Vita prima* or *Assidua* 6. English translation from *Vita prima* o "Assidua", in *Fonti agiografiche dell'Ordine Franciscano*, a cura di M.T. DOLSO, Editrici Francescane, Padova 2014, marginal number 609.

² *Assidua*, 6, in *Fonti agiografiche*, 609.

³ JULIAN OF SPEYER, *Vita secunda S. Antoni*, 2, in *Fonti agiografiche*, 794.

⁴ *Legenda Raymundina*, 5, in *Fonti agiografiche*, 972.

⁵ JEAN RIGAUD, *Legenda Rigaldina*, 4, in *Fonti agiografiche*, 1068.

The Shrine of Saint Anthony on Capo Milazzo

The Shrine of Saint Anthony on Capo Milazzo is a troglodyte church. Originally it was a cave in the cliff face where fishermen could find refuge during storms. It lies high on the cliff. Like many other troglodyte buildings in the southern Mediterranean it shows the characteristics of a cave with a facade built with masonry. Sicily is an island with various shrines like this one. The most famous among them is the cave-church of Santa Rosalia on Monte Pellegrino, overlooking Palermo. Another important cave-church is the shrine of San Corrado of Noto, which lies some kilometres out of the baroque town of Noto in southern Sicily, where this Franciscan Tertiary is venerated. In the case of Capo Milazzo the cave began to be associated with Saint Anthony according to an ancient tradition which goes back to 1232, the year of the canonisation of the Saint, but it was only in 1575 that a church was built in this cave by the nobleman A. Guerrera. However, ever since 1500 the cave was hallowed as a holy place where hermits would live and pray. The same church was rebuilt in 1737 by the Archbishop of Messina Tommaso De Vidal. The present embellishments of the church go back to 1783. Inside the shrine there is a wooden statue of Saint Anthony, which was made in the 18th century by the Palermitan sculptor Noé Marullo. Before it there was an older 16th century statue, which was destroyed by fire. The decorations made in 1738 include marble medallions which reproduce scenes from the miracles of Saint Anthony. The main altar of the shrine is made of exquisite inlaid coloured marble. On the side of the cave is a small niche where, according to pious tradition, Saint Anthony would have celebrated Mass during the few days he spent as a hermit in the cave before proceeding to Messina. There is another altar with a painting of the “Madonna della Provvidenza” and four angels who carry wheat, fish and fruit, while people pray at

the feet of the Madonna who protects them with her mantle. The small church has only one nave and a small and simple belfry, with a portal that was made in 1699.

Local tradition has it that Anthony found shelter in this cave together with his companion Filippino of Castille, after they were saved from drowning by fishermen. They found refuge here for some days, and lived a holy life as hermits in the cave, before getting news about the presence of the friars Minor in the nearby city of Messina.

It was in Messina that Anthony was informed about the general chapter that was to take place in Assisi on 30 May 1221. Supposing that Anthony arrived at Capo Milazzo in the winter months, he then travelled the long distance from Messina to Assisi during spring. The journey that Anthony took is not marked on any map, but many places along the way boast of having welcomed Anthony during his journey to come to know the friars of his Order gathered in chapter. From Assisi Anthony was sent to the hermitage of Monte Paolo in Romagna, accompanied by the Minister of Romagna, Brother Graziano. We do not know whether Anthony met Francis personally, but this could very well have been the case, since he was present for the chapter of 1221, when Francis presented the brothers with the *Regula non bullata*.

This small cave-church close to Monte Trino, the highest point of Capo Milazzo, is a little-known Franciscan shrine, but it is deeply rooted in local tradition. The panoramic beauty of the cliff face upon which it stands and the simplicity of this holy place evoke the holiness of Anthony of Lisbon, or of Padova, whose humility is well-known, having lived also as a priest hermit in the hermitage of Monte Paolo before revealing, out of obedience, his deep knowledge and wisdom of Holy Scripture and becoming the first lector of theology of the Franciscan Order in Bologna, and one of the great doctors of the Church.

THE LETTER OF SAINT FRANCIS TO BROTHER ANTHONY AND THE *STUDIUM* OF BOLOGNA

Noel Muscat OFM

The year 1223 does not only mark the moment when Pope Honorius III confirmed the *Regula bullata* of the friars Minor, or when Francis celebrated Christmas in Greccio. It is also the year in which Francis wrote a short note to Brother Anthony of Lisbon, who had just entered the Order of friars Minor in 1219, after having been a canon regular of Saint Augustine in the royal monastery of Coimbra in Portugal. This brother was an expert scholar in Holy Scripture and in the writings of the Church Fathers, particularly Augustine, Jerome, Gregory and Ambrose. His wisdom remained hidden during the first years of his life as a Franciscan friar, after his journey to Morocco and his arrival in Italy in 1221, and particularly during the months he spent in the hermitage of Monte Paolo. But after his famous sermon in Forlì in 1222, Anthony became known for his deep knowledge of theology, and therefore he was much in demand in order to lecture sacred theology to the brothers. Up till that moment there were no *lectors* of theology in the Order, and it is not clear how studies were done. Anthony was to become the first official *lector* of the theological sciences in the university city of Bologna. In 1223 Francis came to know about this asset for the ministry of preaching in the Order, and he fondly addresses a short note to Anthony, who might have been waiting for the go-ahead of the Founder in order to

dedicate his energies to lecturing theology to the brothers.

The fact that Francis was aware of the need to have well-prepared brothers for lecturing theology should not surprise us. Although Francis called himself *simplex et idiota* in some of his Writings,¹ he nevertheless appreciated the gift of learning and of theology as a means for holiness, contemplation and the preaching ministry. In his *Testament* Francis states: “And we must honour all theologians and those who minister the most holy divine words and respect them as those who minister to us *spirit and life* (Jn 6:63).”²

It is not our aim to present an analysis of the *Letter to Brother Anthony* written by Francis in 1223, but rather to briefly describe the background of its composition and the circumstances that might have prompted Anthony to make recourse to Francis in order to be able to lecture theology to the brothers. For a thorough presentation of the contents and structural analysis of this short letter one can refer to experts in the field.³

Brother Anthony in the *studium* of Bologna

The presence of the friars Minor in the great university cities of Europe goes back to the later years of the development of the Order during the life of Saint Francis. The first and oldest experience of the friars’

¹ *EpOrd* 39 (FAED I, 119).

² *Test* 13 (FAED I, 125).

³ FRANCESCO D’ASSISI, *Scritti*. Edizione critica a cura di C. Paolazzi, Grottaferrata 2009, 168-171. P.

MARANESI, *La lettera a frate Antonio. Tra scelta di minorità e impegno intellettuale: una necessaria “ambi-valenza”*, in *Italia Franciscana* 95 (2020) 283-303.

insertion in the world of studies is that of the theology house of the brothers in Bologna.

The *Actus Beati Francisci et Sociorum eius* describe how brother Bernardo da Quintavalle was sent by Francis to Bologna. When he preached the Cross of Christ in the streets, the children mocked him and pulled him to and fro from his habit. Bernardo endured all this patiently, until a judge noticed his inner peace and drew him aside asking him who he was. Bernardo showed him the *Rule*, namely the *Forma vitae* that had been orally approved by Innocent III in 1209, and this judge was so impressed by the holiness of its contents that he offered Bernardo a dwelling in Bologna, where Francis then sent other brothers.⁴ This was the beginning of the Franciscan *locus* in Bologna.

The judge who donated the first house to the friars in Bologna was Nicolò Pepoli. The year was 1213. The house was called Santa Maria delle Pugliole, where the friars remained until 1236, when Pope Gregory IX gave them permission to start building the monumental conventual complex of San Francesco close to what is nowadays Piazza Malpighi. In other words, Anthony would have resided there when he was lecturing theology to the brothers in Bologna in 1223. A year before Francis himself had been to Bologna on 15 August 1222, according to the witness of the archdeacon Thomas of Split, who was residing in the *studium* of Bologna.⁵

It was also in Bologna that Francis once was angry at the brothers, because they were building a brand new house which he considered to be an insult to Lady Poverty. In *The Remembrance of the Desire of a Soul*, Thomas of Celano writes:

“At another time, when he was returning from Verona and wished to pass through Bologna, [Francis] heard that a new house

of the brothers had been built there. And just because he heard the words ‘house of the brothers,’ he changed course and went by another route, avoiding Bologna. Furthermore, he commanded the brothers to leave the house quickly. For this reason the house was abandoned; and even the sick could not stay, but were thrown out with the rest of them. And they did not get permission to return there until Lord Hugo, who was then Bishop of Ostia and Legate in Lombardy, declared while preaching in public that this house was his.”⁶

The event probably occurred in 1219-1221, when Ugo di Segni was Papal Legate in north Italy. At that time Anthony was still out of Italy, or at most was staying in Monte Paolo. We do not know what kind of house this was, whether it was the same house acquired in 1213 or another one.

The *Legenda «Benignitas»* regarding Anthony as *lector* in Bologna

The *Legenda «Benignitas»*, attributed to John Peckham (c. 1280), presents a detailed description of Anthony’s ministry as *lector* of theology in the *studium* of the brothers in Bologna.

The *Benignitas* states that during the time in which the Order was not very respected because of its inexperience (lack of expert scholars): “Effectively, [Anthony] in his Order was the first teacher to give lectures, and this happened in Bologna, in the faculty of theology [*in facultate theologica*], since there was in that place a *Studium* of very high renown in all the liberal arts of our contemporaries on this part of the Alps, and for this reason it seemed good to the brothers, namely those who were most distinguished, to send Anthony to teach there.”⁷

This description of Anthony’s teaching ministry in Bologna is interesting. First of

⁴ ABF 4 (FAED III, 444-446).

⁵ THOMAS OF SPLIT, *Chronicle* (FAED II, 807-808).

⁶ 2C 58 (FAED II, 286).

⁷ JOHN PECKHAM, *Legenda «Benignitas»*, 13, in *Fonti agiografiche dell’Ordine Franciscano*,

Editrici Francescane, Padova 2014, marginal number 892. English translation from the Italian version.

all it is a confirmation that Anthony was the first *lector* of theology in the Order. Then, Anthony was lecturing theology in the *studium*, namely in the context of the University. In the mediæval concept the *Universitas* was not conceived of as a *campus* in the modern sense of the term, but rather the entire city would be considered to be the University. When the mendicant Orders began to have their own *studia*, particularly in Paris and Oxford, these soon became part and parcel of the University cities, giving degrees and having qualified lecturers and *magistri regentes* in their own faculties and university chairs. Probably the Franciscan *studium* in Bologna at the time of Anthony was still in its infancy, but the fact that there were brothers who stayed there for reasons of study speaks volumes regarding the presence of Anthony in this city. The fact that Francis calls Anthony *episcopo meo* (my bishop), a sign of great respect towards a qualified brother who, as a theologian, had received the permission of the *ministerium prædicationis* which was reserved for bishops, demonstrates the attitude of the Poverello towards learning, perceived not as an accumulation of knowledge for personal gain, but as an incentive to further the spirit of prayer and contemplation, just as manual work does according to the *Regula bullata*, chapter 5. That is why Francis states:

“Brother Francis sends greetings to Brother Anthony, my Bishop. I am pleased that you teach sacred theology to the brothers providing that, as is contained in the Rule, you ‘do not extinguish the Spirit of prayer and devotion’ doing study of this kind.”⁸

One last note of interest is that the *Benignitas* places the decision to send Anthony as a lecturer of theology to Bologna on the shoulders of the brothers who were most distinguished, namely the learned and wise brothers. This detail might place us in front of a difficulty of

interpretation. Could these brothers decide the fate of Anthony? Had they any authority to do so? They certainly did not. The authority for destining the brothers to obedience rested solely upon the shoulders of the ministers and custodes, and therefore it was the minister of Romagna who would have had the authority to send Anthony to the *studium* of Bologna.

Having said this, however, one should not forget that the occasion in which Anthony’s great wisdom was revealed was during a sermon that he preached in Forlì in 1222. There it was the brothers who heard Anthony preach who were impressed by his great wisdom and would have certainly spoken publicly about it. In fact the *Legenda Assidua*, which is the oldest source on the life of Saint Anthony, states:

“Since, according to the word of the Lord, *a city placed upon a mountain cannot remain hidden* (Mt 5:14), a short time later, after having transmitted to the minister a report of what had happened, Anthony was obliged to go out in public, interrupting the silence of solitude. After having entrusted him with the office of preacher, the lover of the hermitage had to go out, and those lips, that had been closed for a long time, now opened up to proclaim the glory of God.”⁹

Was Anthony the reason for a “change of heart” in Saint Francis’ attitude to study?

During the initial phase of the Order’s history it does not seem that study was an issue to be discussed. In his *Testament* Francis states: “And we were simple and subject to all.”¹⁰ He dictated these words just before speaking about manual work. In other words, the primitive fraternity was made up mainly of laymen, who did not go to higher studies in the universities, and who worked with their hands, exercising the trade they knew with simplicity and honesty. The gradual entry of clerics into

⁸ *EpAnt* (FAED I, 107).

⁹ *Legenda «Assidua»* 9, in *Fonti agiografiche*, 620.

¹⁰ *Test* 19 (FAED I, 125).

the Order might have brought with it a change of attitude. Clerics tended to be more intellectually prepared. In the analysis of many events of the sources we often meet with the *fratres sapientes et in scientia docti*, the wise and learned brothers. We know that they were the ones to create trouble for Francis when he was composing the *Regula bullata* in 1223, since among them many were ministers who went with brother Elias complaining that the Rule would be too harsh to observe. They were also the ones who convinced Cardinal Ugo di Segni to ask Francis to accept one of the approved Rules and not write a new Rule for his Order. In other words, the tension that began to increase in the Order, roughly from 1220, when Francis even relinquished the leadership of the fraternity, was a serious matter to be reckoned with when dealing with the issue of studies.

As long as the brothers remained in the hermitages of the central Italian Apennines it was still possible to preserve the original spirit of simplicity in their life-style. This kind of life did not wane in the Order, and indeed it outlived Saint Francis and continued to exist in the many reforms that were born during the long history of the Franciscan movement. However, the entry of the brothers into towns and cities, which were centres of learning, brought with it a change of attitude. One can also refer to the entry into the Order of many brothers from regions beyond the Alps, where the style of life of the brothers was quite different from that of the first groups of brothers coming from Umbria and its surroundings. The times described by the *Legend of Three Companions*, which is sometimes called the *Legenda Assisana* because of its attention to the “local” Franciscan vision of the first companions, would soon be over.

Francis was still alive when the brothers arrived in the University cities of Bologna, Paris, Oxford and other centres of learning. The first brothers who arrived in England in 1224, according to Thomas of Eccleston, soon settled in the University towns and went for lectures. What happened in

Bologna some years earlier was now occurring in all the other countries. Francis could not ignore this fact.

Maybe he found in Anthony the splendid occasion to deal with the issue of studies in the Order. The fact that Anthony became a *lector* of theology was not premeditated, but was a result of contingency. That is why Francis might have seen in it the will of God for the Order. Francis realised that the brothers could make a good and holy use of study in order to grow in holiness and in their specific style of preaching ministry. He conceived study as another kind of work of the brothers. It is true that, this time, it was not a question of manual work (*labor*), but of spiritual work (*operatio*). But the two activities were not mutually exclusive. That is why Francis uses the same terminology to describe manual and intellectual work in the *Regula bullata* and the *Letter to brother Anthony*.

Francis must have had a change of heart in his attitude towards study. This does not mean that he had rejected study outright as a constitutive element of the Gospel charism he and the brothers were called to live. It rather means that Francis succeeded in integrating the issue of study in his concept of the Gospel life, in his *intentio*. Although the ideal would remain that explained in the Rule, namely, “to have the Spirit of the Lord and His holy manner of working” (*habere Spiritum Domini et sanctam eius operationem*), and the illiterate brothers were not to pursue learning in order to be able to be true friars Minor, the duty of those who were gifted with intellectual ability was that of studying for the sake of growing in the spirit of prayer and devotion and for administering the fragrant words of the Lord to others, with humility and submission to their ministers, who alone could examine them and approve their ministry.

The arrival of brother Anthony in the Order was a providential act for its future growth and development. Although some might still discuss the question of whether Anthony included Franciscan spirituality in

his *Sermones*, since these are considered to have been composed in the years in which Anthony was canon regular Fernando in the monastery of Coimbra, it is evident that, as Anthony became acquainted with the life of the friars Minor, he increasingly became aware of the Franciscan input that he needed for his preaching ministry.

On his part Francis showed deep respect for theologians like Anthony. Thomas of Celano states this when he writes:

“He wanted ministers of the word of God to be intent on spiritual study and not hindered by other duties. He said that these men were heralds chosen by a great king to deliver to the people the decrees received from his mouth. For he used to say: ‘The preacher must first secretly draw in by prayer what he later pours out in sacred preaching; he must first of all grow warm on the inside, or he will speak frozen words on the outside.’ He said that this office was worthy of reverence and that those who exercised it should be revered by all. As he said, ‘They are the life of the body, the opponents of demons, *the lamp of the world*.’ (Mt 5:14). He considered doctors of sacred theology to be worthy of even greater honour. Indeed he once had it written as a general rule that ‘we should honour and revere all theologians and those who minister to us the words of God, as those who minister to us *spirit and life* (Jn 6:64).’ And once, when writing to blessed Anthony, he had this written at the beginning of the letter: ‘To brother Anthony, my bishop.’¹¹

This short note, written 800 years ago, is a proof that Francis was humble enough to open his eyes to God’s providence in providing brothers like brother Anthony.

Latin Abbreviations

Writings of St. Francis

Adm	Admonitiones
CantAudPlov	Canticum Audite Poverelle
CantSol	Canticum fratris Solis
LaudDei	Laudes Dei Altissimi
BenLeo	Benedictio fratri Leoni data
EpAnt	Epistola ad S. Antonium
EpClerI	Epistola ad Clericos
EpCust	Epistola ad Custodes
EpFid	Epistola ad Fideles
EpLeo	Epistola ad fratrem Leonem
EpMin	Epistola ad Ministrum
EpOrd	Epistola toti Ordini missa
EpRect	Epistola ad rectores
ExhLD	Exhortatio ad Laudem Dei
ExpPat	Expositio in Pater noster
FormViv	Forma vivendi S. Clare
Fragm	Fragmenta alterius Regulæ
LaudHor	Laudes ad omnes horas
OffPass	Officium Passionis Domini
OrCruc	Oratio ante Crucifixum
RegB	Regula bullata
RegNB	Regula non bullata
RegEr	Regula pro eremotoriis
SalBVM	Salutatio Beatæ Mariæ Virg
SalVirt	Salutatio Virtutum
Test	Testamentum
UltVol	Ultima voluntas S. Clare

Sources for the Life of St. Francis

FAED I	Francis of Assisi. Early Documents. Saint
FAED II	Francis of Assisi. Early Documents. Founder
FAED III	Francis of Assisi. Early Documents. Prophet
1C	Celano, <i>Vita beati Francisci</i>
LCh	Celano, <i>Legenda ad usum chori</i>
VB	Celano, <i>Vita brevior S. Francisci</i>
2C	Celano, <i>Memoriale in desiderio anima</i>
3C	Celano, <i>Tractatus miraculorum</i>
LJS	Julian of Speyer, <i>Vita S. Francisci</i>
OR	<i>Officium Rhythmicum</i>
AP	<i>Anonymus Perusinus (De Inceptione)</i>
L3C	<i>Legenda trium sociorum</i>
CA	<i>Compilatio Assisiensis</i>
LMj	S. Bonaventura, <i>Legenda Maior</i>
LMn	S. Bonaventura, <i>Legenda Minor</i>
SPMaj	<i>Speculum Perfectionis</i> (Sabatier)
SPMin	<i>Speculum Perfectionis</i> (Lemmens)
ABF	<i>Actus beati Francisci et sociorum eius</i>
Fior	<i>Fioretti di San Francesco</i>



Cover page: Jusepe de Ribera, *Saint Francis of Assisi* (1643). Galleria Palatina, Palazzo Pitti - Flore

¹¹ 2C 163 (FAED II, 352).

