

Good and bad friars: polemical patterns and strategies between Franciscans in the early fourteenth century

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This study examines the use of polemical strategies in the internal Franciscan debates during the first half of the fourteenth century, focusing on the exchanges between Ubertino of Casale and his opponents during the Spiritual crisis, and between Michael of Cesena and Gerald Odonis in the aftermath of the so-called theoretical poverty controversy. By comparing the use of polemical tropes and patterns across the two conflicts, it is possible to isolate some of the strategies used by the participants in the debates, as well as highlighting the shifting boundaries of inclusion and exclusion in the definition of what constituted a »true« Franciscan. While outsiders contributed to the debates, this article focuses particularly on the ways in which members of the Franciscan order responded to challenges posed to the authors' understanding of the Franciscan vocation by other members of the order.

All sides in these debates agreed on poverty and obedience as central values of the Franciscan life, but they did not accept that their opponents might share their regard for the order's rule and vocation. The debates therefore produced overlapping and competing visions of the Franciscan life which personalised and polarised the underlying larger issues, as well as establishing and defending the boundaries between »true« and »false« Franciscans, and thereby creating and reinforcing a sense of identity against those members of the order which fell outside the vision.

Keywords: Ubertino of Casale; Raymond de Fronsac; Michael of Cesena; Gerald Odonis; Franciscan poverty; polemics; rhetoric; papal authority; poverty controversy

The fourteenth century saw a developing discourse over what it meant to be a Franciscan. The debate about the Franciscan vow of poverty had produced a state of affairs where two of the order's fundamental virtues, poverty and obedience, came to be placed in direct conflict. The catalyst for the crisis was the question of whether, and to what extent, the vow of poverty demanded not just the renunciation of property rights, but also restrictions in the use of material goods. When the order's leadership rejected the idea that such restrictions were an integral part of the vow, adherents of this view found themselves having to decide between their vow of poverty and that of obedience. Obedience was another fundamental value for the order, both as a virtue in its own right and in its more instrumental form of

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ensuring internal conformity and discipline. The discussion had recourse to older debates in earlier stages of Franciscan history, but there was a new urgency in the fourteenth century and the debate developed in new directions. There are a number of developments that fed into this: the escalation of the Spiritual crisis after 1300, the interventions of the papacy, and especially Pope John XXII (1316-1334), the fall-out from the Michaelist split with the papacy, and the literary activities of the dissident Franciscans in Munich in the 1330s and beyond.¹ The debate about the essence of Franciscan identity consisted of a number of overlapping and competing discussions about the nature of Franciscanism, framed especially in terms of the theory and practice of the order's poverty ideal. This was not confined to the fourteenth century and did not end with the Michaelists at the imperial court; one of the issues of scholarship on the fourteenth-century Franciscan order is that many of the developments are discussed in isolation from each other, and the strands are rarely integrated, as Sylvain Piron has pointed out in his discussion of the relationship between the Spirituals and the early Observant movement.²

A great deal was at stake in these debates: the Franciscan vocation and the salvation of all individual friars. The discussion drew on the ideas of Peter John Olivi and his critics, as well as the general summary of the Franciscan ideal in Pope Nicholas III's bull *Exiit qui seminat* (1279). This bull was crucial to the later development of the Spiritual crisis, and it was both an attempt to clarify the Franciscan rule regarding its content and the legal obligations it entailed for the order, as well as a defence of the Franciscan ideal against its outside critics.³ *Exiit* was based on a predominantly legal definition of poverty as the renunciation of property rights; it was a legal definition that did not include questions of use or consumption, and its evangelical poverty was primarily defined by a lack of possessions.⁴ The focus was on the renunciation of property rights, and while Nicholas III recommended moderation in the use of material goods, this was not central or essential to his definition. This concentration on the rejection of property was not enough for some Franciscans, whose most influential spokesman became the Provençal friar Petrus Johannis Olivi. Olivi had argued in his *Quaestio de usu paupere* (c. 1279) that moderation in the use of material goods was an integral part of the Franciscan vow because Franciscan poverty should involve material consequences in the daily life of the friars.⁵ The reaction of the order's leadership was overwhelmingly negative, and Olivi's theory engendered fierce opposition and caused a major crisis in the order that lasted for decades. The discussion was intense and often acrimonious, in a range of different fora, including both formal and informal debates at the curia.⁶ A large part of this multi-centred discussion was done in writing, however, either as part of the official papal enquiries into the state of the order, or as part of an ongoing internal argument over the Franciscan ideal.

1 The literature that has been generated by the debates in the Franciscan order is vast, but for a summary of the origins and development of the Spiritual crisis, see Burr, *Spiritual Franciscans*; on the poverty ideal, Lambert, *Franciscan Poverty*; and on the poverty controversy, Nold, *Pope John XXII and his Franciscan Cardinal*, as well as, most recently, Miethke, *Theoretischer Armutsstreit*. On the role of obedience in the order, see Binoy, *La povertà e l'obbedienza*.

2 Piron, *Mouvement clandestin*, 2.

3 See Lambert, *Franciscan Poverty*, 149-150.

4 See Condren, *Rhetoric, Historiography and Political Theory*, 17.

5 For a fuller discussion of Olivi, see Schlageter, *Heil der Armen*, and Burr, *Spiritual Franciscans*, especially 50-65.

6 For a summary of the curial debates, see Burr, *Spiritual Franciscans*, 111-158 and Lambert, *Franciscan Poverty*, 197-214.

The polemical nature of many of these texts has generally been taken for granted, partly because of the use of rhetorical devices such as repetition and hyperbole, as well as personal attacks on opponents.⁷ More recent work on polemics in pre-modern contexts has stressed additional aspects of polemical discourse, however, including the link between polemics and intellectual violence, and the role of polemics in the establishment of an identity defined against the polemicist's opponents.⁸ Particularly important here is the focus on rhetorical and intellectual violence as part of polemical discourse, something which could lead to actual violence. This is also true for the Franciscan case: in the early fourteenth century, the convents of Narbonne and Béziers were held by Franciscans against other Franciscans by force of arms,⁹ and in 1318 four Spiritual Franciscans were burnt at the stake for heresy.¹⁰ However, the texts are not just polemical because they led to acts of violence in the real world; despite the rhetorical construction of a dialogue, they also display no willingness to accept that an opposing position might be tenable.¹¹ While the treatises responded to points made by their opponents, a process characterised by Chiappini in his edition of the treatise *Religiosi viri* as a response *et quoad rem et quoad verba*,¹² each side took the righteousness of their own claim for granted. At least in the initial stages of the conflict, however, there was a broad spectrum of views on what constituted the essence of Franciscan identity; the division between the opposing factions was neither clear-cut nor obvious, and both the viewpoints and chains of argument only became clear in the course of the debate. The rhetoric both suggested and created binary divisions which did not necessarily exist at the beginning of the conflict, and the polemical definition of positions helped to define and sharpen existing fault lines in the order by polarising the debate.¹³

All sides were engaged in the construction of what it meant to be a »true« Franciscan, often through a negative portrayal of their opponents in the order. This contribution focuses on some of the texts produced as part of the internal debate which use polemical means to respond to challenges posed to the authors' understanding of the Franciscan vocation by other members of the order. The treatises produced during the debates about Franciscan poverty had religious, political, ecclesiological and personal dimensions and implications, and the following analysis of some of their strategies is neither exhaustive nor intended to convey a comprehensive analysis of the issues raised by the Spiritual crisis and later debates about the fundamental basis of the Franciscan poverty ideal. It is, instead, intended to examine a number of the strategies used by the Franciscans engaged in these debates, especially when challenged by members of their own order rather than outsiders. This discussion revolved around the correct interpretation of the rule, often (but not exclusively) in light of St. Francis's Testament or perceived intention.¹⁴ The rule was central to Franciscan life, and carried an

7 See, for instance, Burr, *Spiritual Franciscans*, 113.

8 Southcombe *et al.*, Introduction, especially 4-7. On the role of polemics in the developing discourse about heresy in a slightly earlier time period, see the collection of essays in Zerner, *Inventer l'hérésie*.

9 Lambert, *Franciscan Poverty*, 216-218. See also Nikolaus Glassberger, *Chronica fratris Nicolai Glassberger*, 124, for a general account of Franciscan splinter groups trying to secede from the order after 1310.

10 Lambert, *Franciscan Poverty*, 228.

11 Southcombe *et al.*, Introduction, 6-7.

12 Chiappini, *Communitatis responsio*, 656.

13 See Piron, *Mouvement clandestin*, 4.

14 For the significance of this in early Franciscan history, see Maranesi, *Intuizione e l'istituzione*, and Pásztor, *Intentio beati Francisci*.

enormous emotional resonance for the friars, to the extent that a long tradition in the order equated the rule with the gospels. It is not surprising, therefore, that Ubertino of Casale, one of the Spiritual spokesmen, accused his opponents of blasphemy against the rule and against St. Francis when summarising their argument that a restriction in the use of material goods did not fall under the Franciscan vow of poverty.¹⁵ Despite often disagreeing very vigorously, these texts were nevertheless engaged in the same enterprise: attempting to safeguard the Franciscan life and the intention of St. Francis as they understood it. The participants in the controversy therefore dealt with the fundamental question of what it meant to be a member of the Franciscan order, often by discussing how others misunderstood or misinterpreted the rule, or failed to live up to the vow in their daily lives. Their competing claims to authority made compromise difficult, and the stakes were high: explicitly or implicitly, everyone involved was engaged with the construction of Franciscan identity, and the texts therefore reveal changing definitions of what made a »good« and therefore »true« Franciscan.

Ubertino of Casale and his opponents

In 1309, Pope Clement V (1305-1314) set up a commission to enquire into the question of Franciscan poverty, after a series of clashes between supporters of Petrus Johannis Olivi and the opponents of Olivi's ideas.¹⁶ Representatives of the Spirituals as well as spokesmen for the Community were invited to the papal residence outside Avignon, a meeting which resulted in Clement's bull *Dudum ad apostolatus* in April 1310.¹⁷ Exempting the Spiritual spokesmen from the authority of their superiors, this decretal warned the order not to take any further action against them. Earlier acrimonious discussions had already led to violence, and Clement's exemption, while curbing physical violence, led to an »outburst of polemical literature« on the question of the *usus pauper* where, at least initially, the violence was intellectual.¹⁸ The bull was followed quickly by a new round of recriminations and pamphlets, and by the time of the Council of Vienne (1311-1312), the problem of the Franciscan order was still of such an explosive nature that it became one of the major issues of discussion at the council.¹⁹ There was a sense of danger to the order and its mission, to which the outcome of the papal inquiry and the debates at the council of Vienne were crucial. The texts engaging in this particular debate therefore show a heightened sense of urgency, as well as heavy emotional investment in the order's direction and the outcome of the discussion.

15 Ubertino of Casale, *Super tribus sceleribus*, in: Heysse, Ubertini de Casali opusculum, 159: *Quod postea concludis, quod »usus pauper vel artus non cadit sub voto«, cum oppositum eius in Regula concedatur, in Regulam et sanctum partum Franciscum probaris blasphemus: nam oppositum usus pauperis est usus opulentus vel dives, et arti superfluous et relaxatus; set hos usus Regula et Christi Evangelium plenarie interdicunt.* On the significance of the rule, see also Lambert, *Franciscan Poverty*, 150-151, Schlageter, *Armutsauffassung*, 98, and Kinsella, *Poverty of Christ*, 492-493.

16 For a summary of the early development of what is generally referred to as the »Spiritual crisis«, see Burr, *Spiritual Franciscans*, 43-110. On the papal investigation of the Franciscan order, see particularly Lambert, *Franciscan Poverty*, 197-208, and Cusato, Whence »the Community«, 56-64. See also, most recently, Saccenti, *Decree Exivi de paradiso*, 32-44.

17 Cusato, Whence »the Community«, 60-62. An edition of *Dudum ad apostolatus* can be found on pp. 85-89 of Cusato's article.

18 Burr, *Franciscan Spirituals*, 113.

19 For the discussion of the Franciscan question at the Council of Vienne, see Müller, *Konzil von Vienne*, 236-386 and Lambert, *Franciscan Poverty*, 211-214.

The papal enquiry wanted responses from both sides in this conflict, asking for views on a range of issues, including the observance of the rule in the order and the persecution of the Spirituals in southern France.²⁰ The opposing sides coalesced around Ubertino of Casale for the Spirituals and Raymond de Fronsac for the order's Community,²¹ and the first part of this article explores the construction of a »good« Franciscan friar through these opponents' polemical discourses. The textual history of the responses to the pope's questions and the subsequent replies and counter-replies is complex and often confused;²² as part of the debates at and around the papal curia in the period 1309-1312, Ubertino wrote an initial response to the questions of the papal commission, followed by a number of texts that defended that initial answer against counter-responses by the Community. Additionally, many of the texts generated by the curial debates in the 1310s were collected into what is generally known, after Franz Ehrle, as the »Aktensammlung« of Raymond de Fronsac, probably in the early years of the pontificate of John XXII.²³ The selection and arrangement of the documents for inclusion in Raymond's collection already constituted a vital part of the polemical process, and the collection was in itself an intervention in the ongoing discussion about the Franciscan ideal.²⁴ The introduction suggested that, while the Spirituals had been vanquished for the time being, remnants remained, and Raymond had therefore collected relevant documents to be available as weapons should the need arise again.²⁵ Very specifically intended as a weapon against the Spirituals, it constituted both a chronicle of recent events and an intervention in an ongoing debate. The military imagery is striking, as is the very Franciscan link made between the order's rule and true faith. Not only the content of the documents in the collection, but also the collection as a whole, are part of the polemical project of the Franciscan Community, quite literally and self-consciously.²⁶

In the course of his own responses, Ubertino painted a vivid picture of a friar who did not agree with his own position that the Franciscan vow of poverty included mandatory restrictions in the use of material goods. Such a friar would have many habits and cloaks of scarlet and silk, lined with fur, many horses and golden and silver vessels, beds and other items. He would use these things like a prince, thinking all the while that he was living a true Franciscan life because everything he used belonged to the pope. According to Ubertino, this

20 Burr, *Spiritual Franciscans*, 113; other issues were Olivi's orthodoxy and the links between the Spirituals and the heresy of the Free Spirit.

21 For the terminology used by and for the factions in the order, and the significance of naming more generally, see Tognetti, Fraticelli, especially 97-101, and Ruiz, *Communauté de l'ordre*, 119-129.

22 On a brief survey of some of the issues, see Cusato, *Whence »the Community«*, 63-64. For the sake of convenience, I will cite Ubertino's texts in the edition by Franz Ehrle where possible, as well as drawing on his editions of the Community's response to Ubertino in Ehrle, *Zur Vorgeschichte*.

23 More research into the purpose of the collection and its use and reception is very desirable. For a discussion of the aims of the collection, see Ehrle, *Zur Vorgeschichte*, 2-5.

24 On the act of compilation as an assertion of orthodoxy, see also Grieco, *Pastoral Care, Inquisition and Mendicancy*, 154.

25 Raymond de Fronsac, *Sol ortus*, in: Ehrle, *Zur Vorgeschichte*, 7-8: *Et ideo ut Christi milites ac huius sancte religionis legitimi filii contra filios alienos in sua militia inveteratos arma habeant, quibus defendere valeant invincibilem atque incorruptibilem fidei et regulae veritatem.*

26 In a similar way, the so-called chronicle of Nicolaus Minorita is part of the ongoing debate between the order's dissident leadership and Pope John XXII: see Nold, *Pope John XXII and his Franciscan Cardinal*, 1-24 and, most recently, Mierau, *Sog. »chronica n. minorita«*, 429-444.

was obvious nonsense to anyone who was not insane.²⁷ Assertion rather than argument is one of the hallmarks of polemical discourse, and Ubertino clearly saw himself as representing a self-evidently just cause, creating for himself and his supporters an identity which was defined against the lax friars of the Community.²⁸ Ubertino's response also elided the many differences of opinion among the groups of people we normally classify as »Spiritual«, partly because they could all agree on this caricature of a worldly friar and their disdain for the lax standards of the rest of the order.

In many ways, Ubertino constructed a fairly typical portrait of a friar who did not subscribe to the idea of the *usus pauper* when he exaggerated the negative qualities that both gave rise to a rejection of the legal need for restraint in the use of material goods and that then necessarily led to disdain for the observance of poverty in the friar's daily life. Not only did this hypothetical friar disagree with Ubertino and the Spirituals on the definition of the Franciscan vow of poverty, but this disagreement also meant the friar would therefore amass personal luxuries, eat to excess, and disdain poverty.²⁹ It is a common trope in Spiritual texts that rejection of the legal requirement of a restriction in the use of material goods would necessarily lead to the relaxation of standards in the order. Ubertino's lax friar was therefore not a true Franciscan; rather, he was someone who saw the vow of poverty in purely legalistic terms, and therefore did not think that his membership in the order should lead to material consequences in his daily life. Ubertino's implied image of an ideal friar is the exact opposite: someone who might not care particularly about the legal details of the Franciscan property arrangements, but who was very concerned about material consequences in daily life and the concrete manifestation of lived poverty.

It is not a coincidence that dress became one of the focal points of the debate, both as an identifier of allegiance and an outward sign of adherence to the »true« Franciscan vocation. Clothing made restraint in use (or lack thereof) very visible and obvious.³⁰ By the time of the papal enquiry, a short and patched tunic had become the trademark and badge of the Spirituals, turning the Franciscan habit into a challenge to discipline and conformity in the order. The focus on dress was true for all sides: Spiritual rhetoric emphasised the rule's insistence on »vile clothing«, and claimed that this requirement was ignored by the majority of friars.³¹

27 Ubertino of Casale, *Sanctitas vestra*, in: Ehrle, *Zur Vorgeschichte*, 64-65: *Nam si ex voto paupertatis regule non excluditur a nobis nisi dominium, non usus opulentus rerum, tunc quilibet frater potest habere multas tunicas et capas de scarleto et serico et foderaturas de vario, multos palafredos et vasa aurea et argentea et lectos et apparatus preciosos et cibaria iugiter exquisita et multa ad modum principum, dummodo dominium et proprietatem sit pape; et cum tali vita erit verus pauper ewangelicus et frater minor, regule paupertatem observans; quod quanti sit deliramenti, patet omnibus non insanis.*

28 See Southcombe *et al.*, Introduction, 6 for the characteristics of polemics.

29 For similar instances, see Ubertino of Casale, *Rotulus*, in: Ehrle, *Zur Vorgeschichte*, 98 and 100, as well as his *Declaratio*, in: Ehrle, *Zur Vorgeschichte*, 187 (on the excessive consumption of meat).

30 For the significance of clothing in the debates, see Burr, *Franciscan Spirituals*, 119-120. See also Ubertino's texts: *Rotulus*, in: Ehrle, *Zur Vorgeschichte*, 98 and 100-102; *Sanctitas vestra*, in: Ehrle, *Zur Vorgeschichte*, 65-66; *Declaratio*, in: Ehrle, *Zur Vorgeschichte*, 176-178; and the Community response in *Religiosi viri*, in: Chiappini, *Communitatis responsio*, 668-669 and 672-674.

31 See Ubertino of Casale, *Rotulus*, in: Ehrle, *Zur Vorgeschichte*, 98: *nam pluries in ipso introitu sic induuntur pretiosis et multiplicibus vestibus et informantur statim ad regule laxationem et conceduntur eis multe tunice pretiose et mutatoria tunicarum et calçones et alventa.* See also Ubertino of Casale, *Declaratio*, in: Ehrle, *Zur Vorgeschichte*, 176, and his *Sanctitas vestra*, in: Ehrle, *Zur Vorgeschichte*, 65-66.

On the other hand, the Community called for uniformity in observance and castigated the Spirituals for setting themselves apart through their short and patched habits. This is not only true for the polemical discourse at the curia, but can also be found in the legal documents produced during the conflict, such as the process against the Spirituals of Aquitaine in 1315 which contrasts the habits worn by »true Friars Minor« with those wilfully chosen by the Spirituals – the latter being a sign of disobedience that set their wearers apart from the order.³² This is linked to the perennial issue of the relationship between inner values and external practice in religious and especially monastic life, where regulations attempted to legislate observance in order to encourage inner disposition.³³ Raymond de Fronsac shows this clearly when he argued that the objection against the Spirituals' habits was not to their clothing per se, but rather to the fact that this dress was an outward sign of a lack of obedience and of a focus on external practice rather than internal values. He argued that in the case of the Spirituals, austerity in dress masked gluttony and boasting, and he accused his opponents of chasing after visions, spending too much time in the company of women, and defending erroneous and dangerous opinions,³⁴ drawing on a range of anti-heretical tropes and stereotypes.

Among these are the many references to hypocrisy found in the discussion; the well-established link between hypocrisy, the pretence of sanctity and heresy also fits the debate into an eschatological framework which, although more pronounced in Spiritual writings than Community responses, was present in both.³⁵ Raymond de Fronsac's *Sol ortus* in particular placed his opponents explicitly into a heretical tradition going back to the Arians and Manicheans.³⁶ There is also a remarkable continuity in the arguments used by the Community against Olivi and later against Ubertino at Vienne which placed the debate into a wider context and drew on established discourses inside and outside the order.³⁷ Spirituals constructed a lax, worldly friar interested only in material goods and his own well-being, while

32 Oligier, Fr. Bertrandi de la Turre, 342: *Et insuper reiecto habitu dicte religionis, quem veri fratres Minores sancte vite et conversationis honeste defferre consueverunt [...] et temeritate propria, absque licencia et iudicio suorum superiorum, quondam habitum difformem et disparum ab habitu fratrem communitatis sepedicti ordinis assumpserunt.* On obedience as a key Franciscan virtue, see Binoy, *Povertà e l'obbedienza*, and Conrad, *Gehorsam und Widerstand*.

33 Brunner, *Johannes XXII. als Reformator*, 137-145.

34 In the response of the order's community, Raymond de Fronsac, *Sol ortus*, in: Ehrle, *Zur Vorgeschichte*, 102: *Ad illud, quod dicit, quod vocantur superstitiosi, qui portant viles vestes; respondetur pro parte ordinis, quod non ex hoc vocantur superstitiosi, sed si ex hiis VI aliquid secum habere cum veste peregrina per opera agnoscantur, scilicet si sint superbi et contumaces circa obedientiam licitam et honestam; si exterius ostendant nimiam austeritatem in habitu et opera inveniantur laxi, scilicet gulosi, verbosi, iactativi, indevoti et similia prosequentes; si sint sompniorum vel fictarum visionum sectatores; si nimis frequentant colloquia mulierum potissime Beghinarum sub specie sanctitatis; si ceterorum meliorum se condempnatores; si perversorum dogmatum et errorum vel novarum et periculosarum opinionum defensores. Hec VI sunt, que in eis sub ostentationis habitu odivit anima mea.*

35 See, for instance, Raymond de Fronsac's *Sol ortus*, which placed his opponents into a long line of heretics, including Arians, Manicheans, and the followers of Fra Dolcino (Ehrle, *Zur Vorgeschichte*, 10-11). Ubertino of Casale suggested that anyone who did not agree with the spiritual position that the *usus pauper* was part of the Franciscan vow of poverty derided Christ (*Rotulus*, in: Ehrle, *Zur Vorgeschichte*, 85). But see also Cusato on a more positive view of history and the future in the Franciscan Community: Cusato, *Whence »the Community«*, 73-76.

36 Raymond de Fronsac, *Sol ortus*, in: Ehrle, *Zur Vorgeschichte*, 10: *qui sub specie sanctitatis et artioris vite ceteros contempnerant.* For a more general discussion of the Spiritual Franciscans in the context of the history of heresy, see Lambert, *Medieval Heresy*, 208-235.

37 Burr, *Spiritual Franciscans*, 137.

Raymond de Fronsac's counter-image shows a contumacious and hypocritical friar, obsessed with external signifiers over internal worth, consorting with women and undesirable people – again, drawing on well-established anti-heretical tropes.³⁸ Drawing a picture of a bad friar implied an image of a good one which, in the case of the Community, was characterised by obedience to the order's leadership and a focus on inner virtue rather than external practice.³⁹ Despite this, both sides used external observance as a sign of internal adherence to »true Franciscan-ness«, but had very different visions of what adhering to the rule entailed.

This argumentation did not leave any room for nuance and relied heavily on *reductio ad absurdum*, as well as personal attacks, such as Raymond de Fronsac's comment that if Ubertino stopped living at the papal court and returned to his fellow friars, he would realise that the brothers' food was austere rather than lavish.⁴⁰ The interesting point here is not the question of how lavish the dinners were in Franciscan convents – Raymond's response disqualified Ubertino from intervening in the debate because of his hypocrisy, and attempted to discredit the Spiritual spokesman before the pope. While there was a broad spectrum of views within the order on the question of the vow and its implications for the daily life of the friars, as well as a wide range of observance and practice of the Franciscan life within the order, responses such as this both personalised and polarised the issue. Although the back-and-forth of the responses can give the impression of a genuine argument, there was no real willingness to engage with the substance of the opposing side's point of view; rather, the debate consisted of claims and counter-claims. This was partly due to the fact that, while the treatises addressed each other, they were primarily aimed at the pope – the treatises and counter-treatises were meant to influence the papal decision-making process at the Council of Vienne and beyond, rather than being an attempt to convince opponents of the truth.

These brief examples highlight some of the ways in which the exchange of polemical treatises could produce competing visions of the Franciscan life. These visions are often, but not exclusively, focused on the practical details of the observance of the rule; the ideal friars constructed in the texts shared a regard for the rule of St. Francis, but they did not agree on its implementation. The polemicists also denied that anyone from the opposing side might share their regard. While the details of the argumentation shifted, the positions became more polarised as the debate went on, and neither side ever relinquished their claim to the truth.

38 Response of the Community, in: Ehrle, *Zur Vorgeschichte*, 102; see also Burr, *Spiritual Franciscans*, 120.

39 There can also be a more explicit discussion of what makes a good friar in the Community's responses: see, for instance, the treatise *Religiosi viri*, in: Chiappini, *Communitatis responsio*, 668-669: *Falsum est etiam quod dicit, quod novitii non docentur vivere austere; nam novitiis semper datur magister, qui doceat eos pure confiteri, frequenter orare et spiritualia exercitia; immo et continue occupantur, nunc in addiscendo officium, nunc in orando, nunc in officiis infra domum; et si invenirentur novitiis in hiis deficere, non reciperentur professionem*. This is not an image that seems very specifically Franciscan, however. The idea that poverty was a matter of will rather than (or at least in addition to) material circumstances had a long tradition in mendicant and anti-mendicant discourse: see Horst, *Evangelische Armut und päpstliches Lehramt*, 40, and Jones, *Concept of Poverty*, 427 and 432.

40 See the response of the Community, in: Ehrle, *Zur Vorgeschichte*, 103. See also Burr, *Franciscan Spirituals*, 120. It is important to note here, however, that these observations only hold true for the polemical discussion of Franciscan observance; while there is an equal unwillingness to engage in an open-ended debate, the discussion of the legal implications of the *usus pauper* is often detailed, complex and nuanced.

The exchanges between Michael of Cesena and Gerald Odonis

A similar trajectory can be seen in the later exchanges between the deposed Franciscan Minister General Michael of Cesena and his successor Gerald Odonis, although both the conflict and the arguments played out differently. While the Spiritual crisis had, to a large extent, been about the interpretation of the Franciscan poverty ideal, the following decade saw the underlying doctrine called into question when Pope John XXII triggered a curial debate on the theological and legal basis of the Franciscan ideal of absolute poverty in 1322. After about a year and a half of debate at the curia, the pope condemned the doctrine of the absolute poverty of Christ and the apostles in November 1323 in the bull *Cum inter nonnullos*.⁴¹ During this debate, both the opponents and the supporters of John XXII used a wide array of scriptural, theological, legal and ecclesiological arguments in order to support their views on the poverty of Christ and the status of the Franciscan order within the church. The pope's decision to declare the concept of the absolute poverty of Christ heretical in 1323 undermined the Franciscan way of life as well as the order's claim to occupy a unique position in the church, and it caused a dangerous rift between the Franciscan leadership and the papacy. Together with a number of prominent friars, including Bonagratia of Bergamo, William of Ockham and Francesco d'Ascoli, the Franciscan Minister General Michael of Cesena broke with John XXII and sought refuge in Munich with Emperor Louis the Bavarian. It seems clear that considerable uncertainty about the order's direction remained in the wake of the flight, even after the deposition of Michael and the election of Gerald Odonis as the new minister general in 1329.⁴² The pope's final intervention in the controversy on Franciscan poverty occurred in 1329 as well, with the publication of the bull *Quia vir reprobus*, but the debate continued between the dissident Franciscans in Munich and the new leadership of the order which remained loyal to the pope; they all became embroiled in a prolific and acrimonious exchange of treatises, pamphlets, accusations and counter-accusations that lasted for decades.

While this new iteration of the debate about Franciscan poverty covered old ground, the discussion also moved to new topics, especially the question of papal authority and the ecclesiological implications of the papal decision.⁴³ During the Spiritual crisis, polemical exchanges had helped to construct different models of what it meant to be a Franciscan, but to a certain extent, the Michaelist debates after 1328 had a narrower focus on authority – both that of the pope and of the order's leadership although this had already been a subtext of the earlier conflict. In terms of polemical strategies, the Michaelist debates did not construct the image of a good Franciscan by painting an image of a bad friar in quite the same way as had happened during the Spiritual crisis. In the earlier debates, the Community had placed a lot of emphasis on obedience, both as a spiritual value and as a marker of membership in the order.⁴⁴ This strategy was continued by Gerald Odonis against the dissidents in Munich.

41 General studies of the theoretical poverty controversy include Horst, *Evangelische Armut und päpstliches Lehramt*, especially 25-65 and 77-107, and Tabarroni, *Paupertas Christi et apostolorum*, as well as Lambert, *Franciscan Crisis*; Turley, *John XXII and the Franciscans*; and Oakley, *John XXII and Franciscan Innocence*.

42 On the break with the papacy and the dissidents in Munich, see Miethke, *Ockhams Weg zur Sozialphilosophie*, 414-427. For a brief summary of Gerald's life and works, see the introduction to a special volume of *Vivarium* focusing on the theologian: Duba and Schabel, Introduction.

43 See, for instance, Tierney, *Origins of Papal Infallibility*, 171-237.

44 A point taken up by Pope John XXII in his condemnation of those who pretended to be Franciscan without obeying the order's leadership: see the bull *Sancta Romana* (1317), in *Extravaagantes*, ed. Tarrant, 200-201.

The crucial difference to the earlier discussion was that members of the Community, such as Michael of Cesena and Bonagratia of Bergamo, now moved their focus from obedience to the order's leadership as a marker of Franciscan allegiance to the observance of, and obedience to, the rule. This echoed the earlier distinction made by supporters of Olivi who had placed observance of the rule over obedience to the order's leadership. Familiar arguments were re-used in different contexts, and the lines of argumentation were shifting, despite the continuing focus on the central Franciscan values of poverty and obedience.

Obedience to the order's leadership had been a central tenet of the Community during the Spiritual crisis, but this became problematic now that the leadership was contested. Michael of Cesena still regarded himself as the rightful minister general to whom allegiance was owed, but after his deposition, the discussion was caught up in the broader contemporary debate about papal power. In his response to Michael, Gerald Odonis claimed that his predecessor's act of withholding obedience from a rightful pope went against one of the most fundamental parts of the rule, and compared the former minister general to an ox bucking against the yoke.⁴⁵ Gerald Odonis linked obedience to the pope with true obedience to, and proper observance of, the rule, suggesting that a rejection of papal authority amounted to a rejection of the rule and intention of St. Francis. However, until the quote from the Franciscan rule made it clear that this was about obedience to the pope, the same sentences could have been written by Michael of Cesena. Other than the question of whether John XXII was the rightful pope, there was often very little difference in the positions expressed by Michael and Gerald, and the Michaelist debates did not produce starkly competing visions of what it meant to be a Franciscan in the way the Spiritual crisis had done.

This does not mean, however, that the later discussion did not potentially have implications for the friars' identity and mission more generally: according to Michael of Cesena, »Those brothers who hold to the truth of the gospels and their profession and *Exiit* are the true Friars Minor and sons of St. Francis [...] and everything that pertains to the order, such as hearing confession and preaching, which have been conferred through the privileges of the church, pertains to them«. ⁴⁶ Michael of Cesena's image of a true Franciscan here is characterised by adherence to the vow and to those papal declarations on the rule which preceded John XXII, but also by his mission: a true Franciscan did the work of a preaching friar and had access to the order's privileges which allowed him to carry out his mission. This, too, was linked to a construction of Franciscan identity which emphasised very different traits from those in earlier debates: one which focused on the work of the friars and their role in Christian society.

45 *Responsio Gerdaldi*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, 971: *Sicut ergo nec fidei ita nec religionis nec regulae zelum habuisse probaris, quomodo ergo zelasti pro regula enormiter veniens contra primaria regulae fundamenta? Tu namque iugum oboedientiae sicut bos indomitus impudentissime reiecisti, cum tamen sanctissimus institutor nostri Ordinis, beatus Franciscus, dicat in principio regulae: »Frater Franciscus promittit oboedientiam et reverentiam domino papae Honorio ac successoribus eius canonice intrantibus et Ecclesiae Romanae.«*

46 *Littera Michaelis*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, 916: *Liquet igitur quod illi soli fratres qui dictam veritatem evangelii et professionem dictae regulae quam voverunt et determinationem Ecclesiae catholicae in decretali Exiit traditam firmiter et fideliter tenent confidenter et servant et usque in finem servare volunt, sunt veri Fratres Minores et filii beati Francisci et in statu et via salutis, et coronam vitae suscipient, Domino concedente, sicut de ipsis dictus sanctus Franciscus, ut praedictum est, prophetavit, et quod ad ipsos spectat et pertinet officium audiendi confessiones et praedicandi et cetera alia faciendi, quae per privilegia sanctae catholicae Ecclesiae fratribus beati Francisci regulae sunt concessae.*

Michael's positive focus on privileges obliquely echoed some of the concerns raised during the Spiritual controversy about the relationship between papal privileges and the Franciscan vocation; it was also a construction of the Franciscan vocation that came straight out of the very specific context of a polemical debate between two rival ministers general.

Observance of the rule remained central to the construction of Franciscan identity, however; this can also be seen in the number of personal attacks in this exchange. In his response to Michael of Cesena's letter, Gerald Odonis accused his predecessor of keeping money in his room at Munich. In doing so, he accused Michael of a straightforward violation of the Franciscan rule and his vow of poverty, adding gleefully that Francesco d'Ascoli had been robbed of similarly illicit possessions during his flight from Italy to Munich. God's judgement had therefore forced Francesco to accept the poverty he had not wanted to observe of his own will.⁴⁷ Nobody could or did argue that keeping money was acceptable, and this accusation was therefore designed to undermine Michael of Cesena and the leaders of the Franciscan dissidents by portraying them as hypocrites who did not follow even the most basic precepts of the rule. The personalisation of larger issues and accusations of hypocrisy, of not living up to the obligations of the vow, are similar to the way in which the debate was conducted during the Spiritual controversy, but to some extent, the focus in this later exchange was on accusation and counter-accusation in a much more straightforward manner. The lines between the factions started to shift during and after John XXII's interventions, when a number of prominent spokesmen for the Community found themselves on the receiving end of very similar polemical discourses to those they had themselves produced earlier.

Michael of Cesena's response to the accusation of owning money was, predictably, a flat denial and the counter-accusation that it was Gerald Odonis who wanted to remove the prohibition on handling money from the rule.⁴⁸ According to Michael, the general chapter at Perpignan in 1331 had considered abolishing the order's prohibition on handling money; the proposed changes were to make it possible for the order to receive money through intermediaries relying quite heavily on the discretion of the order's leadership.⁴⁹ What exactly happened in the summer of 1331 remains unclear, although to some extent the more important question is the way in which the episode was discussed and used by Michaelist polemicists.⁵⁰ Accusing Gerald of a direct attack on the Franciscan rule made the debate into a conflict about Francis' legacy that went beyond the question of the correct interpretation of the rule. No true Franciscan would change the rule and thus betray the order's founder. This tied the

47 *Responsio Geraldii*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, 972: *contra votum paupertatis, proprietarius fuisti et alios proprietarios plurimosque fecisti [...] quod tu pecuniam ad Monachum in camera tua tenes [...] Unde Franciscus de Aesculo, tuae iniquitatis complex, pergens de Cumis versus Monachum, inventus est super se immediate portare octoginta florenos. Sed quia nequaquam de bono iure fuerunt, praedones eos, divino iudicio, rapuerunt, ut expropriationem quam non servabat voluntaries, servaret invitus.*

48 *Replicatio Michaelis*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, 976: *tu in tua convocatio, facta Perpiniani, totis viribus et nefariis ausibus, per falsos colores et nullos, conatus es et molitus oppositum et contrarium ac omnino repugnantem sensum et intellectum dare regulae, allegando et inducendo mendaciter et diaboli quod praedictum punctum regulae de nullo modo recipiendo pecuniam per se nec per interpositam personam non intelligatur de fratribus infirmis seu de necessitatibus infirmorum, nec etiam de necessitatibus pro fratribus indigentibus.*

49 On the chapter of Perpignan, see particularly Desbonnets, *Constitutions générales de Perpignan*, 69-99. See also Nold, *John XXII's Annotations*, 311-323 and Heysse, *Duo documenta de polemica*, 154-155 and 180.

50 For another version of the story, see the *Chronica XXIV generalium*, 504-506. The *Replicatio Michaelis*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, refers to it a second time on p. 1004.

controversy back to the earlier debate and to the use made of Francis' intention in constructing Franciscan identity more broadly, but it also raised the stakes: the image painted of Gerald Odonis was not only that of someone unfit to lead the order, but as an enemy of the Franciscan vocation.

Despite this, and although the rhetoric is often very similar to the debates surrounding the Spiritual crisis and the Observant movement, Michael of Cesena and Gerald Odonis did not construct rival images of the ideal Franciscan; underneath the personal attacks and insults, they agreed on many key ideas. Moreover, the overlapping and competing images of the good friar produced in these exchanges were not wholly incompatible or mutually exclusive. This might be one of the reasons why the definition of a »good« Franciscan often went hand-in-hand with the claim that those outside that definition were, not »bad« Franciscans, but rather not really Franciscans at all. There is an explicit denial that those who refused proper obedience could be part of the order: Michael of Cesena accused the followers of Gerald Odonis of leading not a Franciscan life, but one based on the ideas of John XXII. They were therefore pseudo-brothers, not real ones, and members of a schismatic group.⁵¹ Everyone obeying Gerald fell outside the »true« obedience of the rule and therefore the religion instituted by St. Francis.⁵² This trend cuts across the distinction between those advocating opposing Franciscan ideals and those focusing on obedience. The categorisation of members of the order by and through obedience not only made transgressors into bad Franciscans, but placed them outside the order altogether; every friar was potentially someone else's pseudo-friar.

It is in many ways less than clear what Michaelist rhetoric was trying to achieve. Many of the later Michaelist texts are long, repetitive and tedious, and it is unclear who was expected to read them, outside the very narrow circle of people in which they were produced.⁵³ Making it clear that an opponent's views were untenable was as much an affirmation of the Michaelists' own position as an attempt to change the mind of their opponents. Invective was part of this process, although the effect of these rhetorical attacks and insults is not always very clear, beyond validating the positions held to those people who were already convinced. The Michaelist texts might also have provided some comfort to an isolated group of people stuck in the middle of nowhere with no realistic prospect of change. Polemics could work in this context as a form of identity discourse where the implied audience was different from the people to whom the texts are ostensibly addressed. Despite this, the authors of these texts engaged very directly with their opponents. These opponents were often named, and

51 *Littera Michaelis*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, 915: *Et ad demonstrandum manifeste per confessionem pseudo fratrum, sequendum dictum Iacobum haereticum, quod dicta professio et status dicti Ordinis sunt haereticales.*

52 *Littera Michaelis*, in: Nicolaus Minorita, *Chronica*, ed. Gál and Flood, 914: *et quod omnes illi qui sibi aut aliquibus, institutis <in> officiis aliquibus per ipsum oboediunt sunt extra oboedientiam regulae et religionis institutae per sanctum Franciscum.*

53 In the context of the chronicle of Nicolaus Minorita, see on this point particularly Mierau, Sog. »chronica n. minorita«, 429-430. Also important in this context is the manuscript tradition which places interest in the collection in Avignon rather than Michaelist circles (see Mierau, Sog. »chronica n. minorita«, 429-439). A similarly detailed study of the materials compiled by Raymond de Fronsac and its transmission remains a desideratum.

the discussion was personal, but they also stood in for larger sections of the order and wider concerns. The polemics were embedded in a layer of more complex arguments about papal power, ecclesiology and rights, and in many ways the debate became self-perpetuating, assuming a life of its own and becoming increasingly ritualised.⁵⁴

Conclusion

The Franciscan debates of the early fourteenth century saw an increasingly complex exchange of ideas on what constituted the essence of the Franciscan vocation. The proponents of all sides in these debates saw themselves as the true successors of St. Francis, constituting the true order, both in spirit and in practice. The Spirituals largely based their definition of the Franciscan vocation on the proper observation of poverty, including the *usus pauper*, and excluded anyone from this definition who supported the current leadership.⁵⁵ The Community, in the debates about practice, and all sides in the Michaelist debates, based their definition of who belonged to the order not so much on the question of how to define or enact the Franciscan vocation, but rather on the willingness to accept the authority of church and order to make binding decisions in these matters. The shifting boundaries of inclusion and exclusion were partly bound up with the question of who had the authority to decide, and language and imagery often shifted towards violence. The discussion shows continuities with earlier polemical projects; it uses similar strategies, especially anti-heretical stereotypes and a focus on hypocrisy among opponents. Shifting boundaries can be seen in the unstable terminology employed to describe opponents, especially the various ways in which the Community referred to the Spiritual Franciscans and later the Michaelists.

It is therefore significant that both »Spirituals« and »Community« as labels for factions in the order were first used during the curial debates in the 1310s. Ubertino of Casale first referred to his own side as »Spirituals« when he discussed the wearing of shoes rather than sandals, which according to him was a practice observed by almost all friars, »apart from those which are called Spirituals«.⁵⁶ Ubertino treated this as a commonly known term, but, crucially, did not say who exactly called those shoeless friars »Spirituals«. In the proceedings against them in 1316, a group in Aquitaine was accused of insisting on being called »spiritual brothers«, although they denied this charge.⁵⁷ In a similar way, the term *communitas* arose in the course of the same debate and only in contradistinction to the Spirituals.⁵⁸ The term is self-referential and was only used once the papacy had removed the Spirituals from the order's jurisdiction; it therefore represents the attempt to establish once and for all that

54 See Flasch, *Einführung in die Philosophie des Mittelalters*, 120. For a discussion of some of these issues with respect to the theoretical poverty controversy, see Conrad, »Theoretischer Armutsstreit«, 171-190.

55 It is important not to over-simplify the range of positions held by Spirituals on different issues, however, including, but not limited to, poverty. Even Ubertino, in a slightly disingenuous passage, warned of binary oppositions, when he argued that not everyone in the order who did not support the Spirituals ought to be condemned – although they were, at best, misguided: Ubertino of Casale, *Sanctitas vestra*, in: Ehrle, *Zur Vorgeschichte*, 85.

56 On this point, see Şenocak, *Poor and the Perfect*, 13; Ubertino of Casale, *Rotulus*, in: Ehrle, *Zur Vorgeschichte*, 101: *preter paucos, qui spirituales dicuntur*. On the polemical construction of a Spiritual identity in a slightly different context, see also Burr, *History as Prophecy*, 119-138.

57 Oliger, Fr. Bertrandi de la Turre, 339: *qui se faciunt fratres spirituales*.

58 Cusato, Whence »the Community«, 64; see also *Religiosi viri*, in: Chiappini, *Communitatis responsio*, 659-662 and *Communitatis abbreviatura*, in: Heysse, Fr. Richardi de Conington tractatus, 66.

the Community was the order.⁵⁹ And, while initially used by only a few people, especially Raymond de Fronsac and Bonagrata of Bergamo, it increasingly became the way in which the Franciscan leadership distinguished the order from those whose continued disobedience placed them outside it.⁶⁰ The process of categorisation was part of the formation of distinct Franciscan identities, and this process defined the Community of the order just as much as it defined its dissidents. Inasmuch as there ever was a consensus of what it meant to be a Franciscan, it only developed in the course of the debates, at the end of which certain interpretations of Franciscanism came to be defined as illegitimate.

Important for the more general questions of patterns of argumentation is the context in which these texts were produced. For the Spiritual crisis, the large majority of material was produced in response to the papal enquiry of 1309 and the debates in the run-up to and at the Council of Vienne. This means that while the arguments were addressed to the opponents in the debate, they were also and particularly aimed at the pope, who needed to be convinced to lend his support. Despite the fact that Raymond de Fronsac's collection contains responses and counter-responses, as well as point-by-point refutations of opponents' views, the debate was not open, either in the sense that there was any real possibility of changing an opponent's mind, or of any willingness to accept the »wrong« papal decision. The texts generated by the conflicts therefore served several purposes: they appealed to the pope, they drew and re-drew the boundaries between »true« and »false« Franciscans, and they reinforced a sense of identity that was only created in the process of the debate. The various genres and texts produced during these debates responded to specific situations, and they addressed specific audiences; their polemical content is an important part of these works, but it is not the only thing about them. It is important to recognise the specific contexts and starting-points of the debates, as ideas and concepts were only articulated during the course of the debate, even as the positions hardened and became more intransigent. The exchanges were therefore a process of differentiation between groups with comparable profiles,⁶¹ and contributed to a sense of institutional separation between the order and those defined outside it.⁶² The polemical context of the exchanges had a direct effect on this articulation, as it was only in the course of the debate that the competing visions of Franciscan identity developed. The boundaries between acceptable and unacceptable behaviour and opinions shifted during this series of arguments and conflicting claims over the correct interpretation of the Franciscan ideal, which often focused on the friars' relationship with material goods, but also on obedience and the role of legitimate authority. In the case of the conflict between Michael of Cesena and Gerald Odonis, polemics hardened to a near interchangeable exchange of stereotypical images of disobedience, demonstrating the re-use of earlier material in new alignments and to achieve new ends. While the construction of dissenting voices as fraudulent and hypocritical was a constant theme, the categories used to determine who and what counted as »truly« Franciscan changed and developed over time. The use of polemics allowed all participants in the debates to construct themselves as the true heirs of St. Francis, and in this process, the exclusionary nature of the polemical construction of Franciscan identity shaped both its boundaries and limits.

59 Cusato, Whence »the Community«, 65; this can also be found in Raymond de Fronsac's *Sol ortus*, in: Ehrle, *Zur Vorgeschichte*, 11: the indecent clothes worn by the Spirituals *dampnabant ceteros de communitate ordinis*.

60 Cusato, Whence »the Community«, 66.

61 See Piron, *Mouvement clandestin*, 3 on the relationship between Spirituals and early Observant movement.

62 A point made in Tognetti, Fraticelli, 83, but which is more widely applicable.

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