

PETER OLIVI: ON POVERTY AND REVENUE.
THE SIXTEENTH QUESTION ON EVANGELICAL PERFECTION

Translated from:

David Burr and David Flood (1980). 'Peter Olivi: On Poverty and Revenue'.
Franciscan Studies 40, 18–58. Text on pages 34–58.¹

It is asked whether the profession of apostolic and evangelical poverty can be reduced licitly to such a mode of living that, henceforth: one may live sufficiently from the possessions and revenues entrusted by the pope or certain mundane princes to certain procurators, who, in place of and by the authority of the pope or princes, hold them in such a way that: neither *dominium*, nor right₁ of using, nor the *usus* of those very possessions pertains to evangelical professors, excepting only the simple use of it that² they thereby receive from the fact [of use] for the sake of day-to-day nourishment.

[ARGUMENTS FOR THE PROPOSITION]

And it seems that this is licit:

1. Because, since it was posited that professors of this kind have utterly no right₁ or *dominium* in the aforesaid things, the abdication of all temporal *dominium* or right₁ is in no way violated by this. The moderation of poor use is not even violated by this since it is posited that they do not receive anything thence except only day-to-day nourishment or the necessities of life. (↪ Ad 1)

2. Because we see that, for the brothers, money and its use is utterly prohibited in the Rule; and yet it is licit that that very money be preserved for the use and advantage of the brothers, through procurators of the pope or kings. Therefore, by the same reason, it is legitimate for suitable (*competentes*) possessions and revenues to be preserved in an exactly similar manner by procurators of the pope for the use of the brothers. (↪ Ad 2)

3. Because this does not take away the truth and state of mendicancy,

1. I have tried to produce a readable, but literal translation. Of note, perhaps, is that I have marked *ius* and *lex* throughout. I use right₁ or law₂ for *ius*, and law₁ for *lex*. Everything else should be fairly obvious.
2. Reading *quem* (MS. B) for *quod* (MSS. A,RC,D,C).

because whatever the brothers continually receive from procurators of this kind, they receive as beggars, both through the method of daily alms and equally well in this way as in other alms, since they hold just as little right₁ in the former as in the latter. (↪ Ad 3)

4. Because receiving necessities from the procurator of some lord (at his command) is the same as receiving something from that very same lord. But for the aforesaid brothers, it is licit to receive their necessities always from lords. Therefore, regarding the things that are to be given and preserved, it is also licit to receive always those things from the procurator of the lord, who has been assigned by the lord himself. (↪ Ad 4)

5. Because it is exactly the same to receive on one loaf and one bottle of wine any given day from one hundred different men, as to receive one hundred loaves and a hundred bottles of wine from one rich man. But the first is licit for the aforesaid professors; /35/ therefore, the second is also. But in the argument of the previous question,³ nothing else was posited, except this second [example] or its equivalent. Therefore, etc. (↪ Ad 5)

6. Because, we grant that which all men of the city in which the brothers live, or their kings, put themselves and their heirs under the obligation to give, in perpetuity, necessities for the brothers (existing either there or elsewhere), or to give always those [necessities] that they were already freely giving from the start. It is agreed that an obligation of this kind prejudices the poverty of the brothers in no way. Nor is it the case, on this account, that it is illicit for them to accept the accustomed alms from them. Therefore, the obligation of the procurators—introduced for them by lords entrusting them their things for the sole advantage of the brothers—prejudices them much less. Hence it is additionally argued that if it is licit for brothers to receive in this way, it is therefore also licit to procure [things] for them in this way because obligations of this kind or obligatory arrangements are made in the aforesaid way. (↪ Ad 6)

7. Because, de facto, it seems to be agreed that it is licit to receive clothes or food bequeathed to them in testaments and to turn the price of the possessions bequeathed to them to their own uses. However, by what reason it is licit for them to receive bequests absolutely or immediately (*ad statim*), by that same reason it is licit for them to receive bequests not given to them immediately but after a certain amount of years or months; and, by what reason it is licit to procure bequests absolutely, by the same

3. That is, *QPE* 15.

reason it is licit to procure bequests paid after a fixed term. And, again, by what reason it is licit to return to the executors of bequests or testaments of this kind, by that same reason it will be licit to return to the aforesaid procurators of lords. (↪ Ad 7)

8. Because, de facto, certain convents of brothers are sustained and have thus far been sustained by receiving from certain princes the whole amount of their material support. But what is licit for one convent is licit for the whole, and what is licit on one day, is licit on any day, because there is not a greater reason on one day than on another. Therefore, this is licit for the whole order of brothers, for all time. (↪ Ad 8)

9. Because the evangelical state ought to be understood thus: that it in no way prejudice the procuring of the salvation of souls and the church of God, either for the profitable multiplication of professors of the gospel, or for a zeal for truth in them and extending through them. And it ought to be regulated and interpreted insofar as it is more expedient for removing dangers and strengthening spiritual support. But the method mentioned before, introducing less distraction and concern for income, is without a violation of poverty, and introduces less burden to the people, from whom they now seek necessities. It is even /36/ better suited for bringing about a multiplication of brothers and a more liberal freedom for study and preaching by them. They are also more stably sustained through this and coordinated in the obedience to and in the advantage of the church of God and the cult of the divine. They also become freer and more constant for the reproaching the faults of the people through this, in both public sermons and secret confessions or admonitions. It even removes the many wanderers and those made to wander about outside for the acquisition of necessary things and their many [associated] dangers. Through this mode, also, both brothers prelate and their assistants will be able to be more peacefully at leisure for claustral silence, peace, regular discipline and correction, and tireless prayer. This method is also more fruitful for princes or rich men, for whom it is at once expedient and easy to give in this way. Through this, also, ecclesiastical affairs are arranged more profitably for the uses of the holy poor, and the superfluous use of the ministers of the church, which use many abuse even today, is removed. For it is holier for those things—which clerics superfluously squander or collect for the evangelical poor through the pope for the health of preachers and edification of souls—to be stably arranged, without violation of their poverty, than to relinquish altogether those things

for the wicked dispensation of those people. (↪ Ad 9)

10. Because, given that should the necessity of provision and sustenance threaten, it will at least be licit in this case. But this can happen when the common devotion of the people cools, or when they are not fully able to give sufficiently for the nourishment of the brothers. Therefore, when this situation occurs, or is probably imminent, this aforesaid method may be introduced legitimately. (↪ Ad 10)

11. Because the aforesaid professors are helpers of the leaders (*rectors*) of the church in procuring the well-being of the people; and [because] they are legitimately able to become their guides—especially when useful and honest ministers are lacking. Therefore, just as it was licit for the apostles and their co-ministers to not only take up, but even demand necessary expenses, so also it can be licit for those (with papal authority assisting them) to not only take up, but even powerfully demand expenses from tithes or prebends of the church, or even from those very people whom they spiritually minister. But if they can do this, they can therefore even more so [act in] the first way mentioned in the earlier question.⁴ (↪ Ad 11) /37/

12. That, according to all laws, it is agreed that, for the highest pope, it is lawful—actually, it is rather his duty!—to order the worship and ecclesiastical states just as he sees (*viderit*) to be more usefully and more suitably expedient (according to the times). And inferiors should not shrink back from ordinations such as were decreed by him, or that their opposite should be declared; rather, it should simply be adhered to—especially when he determined this with a general council or with (hitherto the custom in the church) due consultation. Therefore, if some pope decided that this ought to become the case for a time, as it is more expedient for such a professor, and the whole Church of God, and he established this preceptively (*praeceptorie*) from an ecclesiastical resolution, then it would seem that it would not only be licit, but even an obligation for the aforesaid professors to observe the aforesaid mode. (↪ Ad 12)

[RESPONSE]

I respond that the aforesaid mode is full of all deceit and fraud, and unless I myself am mistaken, the holy father, Francis himself, spoke about to his

4. Presumably, *QPE* 15.

companions in a prophetic revelation.⁵ And, under wonderful cunning, for the sake of introducing this mode to the world, for a long time now *an inimical man sowed a crop of weeds* among the good seed while the servants of the evangelical state were sleeping on it (*in idipsum*). *cf. Mt. 13:25*

For that mode, under astonishing deceit, weakens all **roots** (↖6) and **fruits** (↖10) of evangelical poverty; it **abuses riches in the greatest deceit and exalts the state of the rich** (↖11); it **leads the counsels of Christ to destruction** (↖12); and, in an amazing fraud, it **changes the conditions** (*tempora*) and **laws** (↖15) of the evangelical state.

And this is, I believe, a precursor of the last Antichrist coming into existence and is the mystical Antichrist himself. On which account, the number and name of the beast deservedly coincides, so that, namely, he truly be named the CROSS OF DECEIT (*doli crux*), but falsely and hypocritically LIGHT-SPEAKER (*dicor lux*). For in both of the aforesaid names the letter-numerals signify DCLXVI.⁶ And beyond this, in each case it remains that there is a syllable of two letters, namely OR—or two letters, namely O and R. For the aforesaid mode is called, perhaps hypocritically, the RESURRECTION OF ALL (*omnium resurrectio*) or the RESTORATION OF ALL (*omnium reparatio*). But, truly, it will be the RUIN OF ALL (*omnium ruina*) or the RETROGRESSION OF ALL (*omnium retrogradatio*), or the INSANITY OF ALL (*omnium rabies*). For what else is that mode except a deceitful cross, and yet it arrogantly says that it is the light of the world. And that very syllable, which remains in addition to the letter-numerals, namely the OR, best signifies gold for many,⁷ which Peter, the foundation of the church, confessed he did not have when he said: ‘Silver and gold /**38**/ I do not have’. And Christ very much desired this very thing when he said: ‘Do not possess gold’. *Acts 3:6*
Mt. 10:9

5. See ‘SPNF Intentio Regulae’ in *Documenta antiqua franciscana*, I (Quaracchi, 1901), 89. Unchecked. However, this text has been incorporated into *The Assisi Compilation* 101–106, translated in FA:ED, 2.204–13.

6. That is, the number 666.

7. Olivi was born and for the most part lived in what is now southern France. *Or* is French for gold.

[A] It enervates the roots of evangelical poverty. There are, in fact, three roots or principal parts of it, namely, the [alienation of all right₁](#) (↖6), the [moderation of poor use](#) (↖9), and [disposition \(*affectus*\) or consent habituated toward both](#) (↖10).

[1] First, namely the abdication of all right₁ is here [openly mocked](#) (↖6), [reduced to a monstrous absurdity](#) (↖7), and [horribly corrupted from its interior virtue](#) (↖7).

[a] Indeed, the abdication of right₁ is mocked by this [i.e., the proposed mode]. For the obligation of procurators and their successors for the sake of unfailingly (*immobiliter*) buying things for the use of such poor people, or the inflexible (*immobilis*) ordinance to the use of such people holds in itself a certain correlation to those to whom things of this kind are unalterably ordained. And therefore, when possessions or rights₁ of things are unalterably ordained according to the aforesaid way, a certain fraudulent correlation of poverty to those possessions and rights₁ is introduced, and to the obligations of the procurators in such a way that, on the exterior surface, there *seems* to be the habit of poor people towards things not their own, but—under an hidden deceit—there is, as it were, the habit of lords towards their own things. The experience of the past and present confers a lot to a clearer endorsement of this point. For we have seen certain people made under similar methods almost like lords, either of those things which they usually hold, or of things which were held by others for them. Nor does what was touched upon above in the [objection \(*in obiciendo*\) concerning money](#) (↖1) oppose this reasoning, as will become clear in the solution of the objections, and especially in the solution of the [second objection](#) (↖18).

But perhaps it will be said that the lords of the aforesaid possessions or rights₁ can always change the aforesaid ordination according to their pleasure, and for that reason (*pro tanto*) it is not unalterably regulated to the use of the aforesaid poor. But here, on the contrary, [i] it ought to be avoided because that which is established publicly by the pope or prince, and sanctified through the mode of an unalterable decree, is not accustomed to be changed easily without an excellent reason and without solemn and mature council. For they are oppressed by fear of their own confounding, lest they also become known for being fickle (*notam levitatis incurrant*) and incur the ill-will of those for whom the aforesaid rights₁ are unalterably ordained, and, /39/ in a certain way, had given to them as much as there is from their own share. Even their successors are not accustomed, nor do they presume or dare to change the gifts and statutes of their predecessors

without an excellent reason—just as with ecclesiastical things dedicated to particular churches or monasteries. [ii] Moreover, according to God and human laws₂ a king's successor, heir, or procurator is unable to change what he legitimately gave, or ordained to the use of the poor by means of an unalterable will.

Also, if the aforesaid way is licit for professors of the gospel, then by the same reason it will be licit to be unalterably ordained by lords that procurators make sales and exchanges for them and exercise litigation; and it will be licit to be unalterably ordained that they be incited, trained, and helped in many ways to this end by the aforesaid professors. In which case, the deceit of the [abovesaid correlation](#) ($\hookrightarrow 6$) is clearly apparent.

[b] Again the aforesaid abdication is reduced to a monstrous absurdity. [i] For what is more ridiculous or monstrous than to altogether alienate oneself from all individual (*proprium*) and common right₁ and, then, to connect all right₁ to oneself through intermediate procurators, or make it unalterably connected? But it would have been still more ridiculous for Christ to have intended these sorts of deceits or methods in his evangelical counsel and status; or for Francis to have established the highest poverty with such ardor in his *Rule* and to have wished it confirmed by the pope—or rather by the Holy Spirit—under a licence of the aforesaid method or deceit. [ii] Moreover, is it not monstrous to found one state in the beginning in the highest purity, and, in the end, end it in such deceits? [iii] Moreover, if this mode were rational, how was it not introduced in the times of monks or canons, when the rule of having common rights₁ (or in common) was imperfect, or when the multitude was scarcely able to endure the height of apostolic destitution (*infirmetas multitudinis ad tolerandum altitudinem inopiae apostolicae*). For it is agreed that, they were provided for equally well against that destitution by that means, just as through the jurisdiction that they had. [iv] Likewise, an almost (*quasi*) common conception of men holds that it is exactly the same, for immovables at least, to preserve them through procurators and directors as to unalterably preserve them for their advantage through other people. And for this [mode] it seems ridiculous inasmuch as it makes the power (*vim*) of perfection [exist] between strangers and themselves.

[c] Further, through this [mode, evangelical poverty] is horribly corrupted (*mortificatur*) from its virtue. [i] For virtue, and, so to speak, the spirit of poverty, is to establish its professors in the highest exile, peregrination, and mendicancy, and to exterminate from the foundation the roots of cupidity

and its cunning tricks and stratagems, and /40/ to establish them in the sole hope of divine providence regarding future and not yet imminent necessities. But how all these things are horribly extinguished in the aforesaid mode is clear even to the blind and bleary-eyed.

[ii] Moreover, let it be granted that some state abdicates by vow that mode. It is agreed that such a state is more strongly removed from all right₁ of temporal things than the state for which the aforesaid mode is licit. For it is agreed that this sort of licence can be abdicated by a vow. For one can licitly vow that it is not licit for him to consent to such a mode, or to accept or procure it. It is also agreed that such a vow is of great purity and very much withdraws and removes from the deceits of cupidity [those] who are willingly (*de facili*) included, or can be included, in that mode. But whatever is of the purity and perfection of the vow of poverty is undoubtedly contained in the counsels of Christ and in the vow of apostolic poverty. Therefore, the abdication of the aforesaid way is contained in the counsel and vow of apostolic poverty; otherwise, another state higher than it could be introduced.

[iii] Moreover, if this were licit, it is probable that this was taught by word and example in some manner by Christ and the apostles and by Francis and his companions; yet, not only is this unable to be found in their writings and deeds, but the contrary [is found]. For instance, when Christ says, *Go, Mt. 19:21 sell . . . and give to the poor*, according to this one could say, ‘. . . and give to the procurators who preserve those things for you by their authority or mine’. In this way, too, Isaac, about whom Gregory spoke in his *Book of Dialogues*,⁸ would have been consistently (*stabilter*) able to provide possessions and revenues (given to the procurators of the donors) to his monastery while strongly preserving his poverty. Also, when Peter was the *cf. Acts. 4:35* pope and the procurator of the poor together with the apostles, according to this [mode] he would have been able to hold estates and treasure for others. And then it is said in vain by the saints that the one mindful of the divine *Mt. 10:9 Do not possess gold*, said to the poor man, *Gold and Acts. 3:6 silver is not mine*. According to this [mode], also, anything of the continual need of the apostles that recommends (*in commendationem*) evangelical destitution is hitherto alleged to be of small value; or, if they are believed to be important (*valere*), it is necessary that the mode which they are read to have preserved be of the intention (*mente*) and vow of apostolic poverty.

8. PL 77.245.

Likewise, according to this [mode], the great zeal and severity [of poverty] was assumed in vain by the holy fathers of our order against annual income (*census*) and pittances bequeathed to their use by testators, and given to their heirs, or the executors of their wills, as to their /41/ procurators. For I myself see that our fathers completely renounced [such things] as illicit for themselves and in no way wished to offer the consent of an approver (*consensum acceptatorium*). For that reason they even established in certain general statutes, under the precept of obedience, that such things ought not be received nor procured by us.⁹

[2] Second, the moderation of poor use is here similarly made a mockery and squandered. For its most fundamental part, or law₂ and property (*proprietas*)—according to Christ’s command saying, *Do not* think of tomorrow—*cf. Mt. 6:34* is to hold no relationship to future and, at the present, non-imminent necessities. But in the aforesaid way, what is sought but to provide cleverly [and] perpetually for future necessities and conveniences (*commoditatibus*)?

Moreover, in relation to the management of poor use, one aims to exclude occasions of superfluous opulence, which that way cleverly introduces, for

9. Burr and Flood noted that Olivi does not seem to be referring to the General Constitutions of Narbonne, but perhaps to *Expositio quatuor magistrorum* c. 6, ll. 93–112 (157–58). The relevant text reads: ‘It is asked here, what is the poverty to which the brothers are held, namely, whether it prohibits them from being able to have anything fixed for their sustainment, just like some people wish to ordain perpetual revenues whereby the brothers would be sustained in some place, [but] in such a way that no ownership would reside with them.’

Likewise, it is asked whether that poverty to which the brothers are held prohibits them from having territories whence they could procure all things necessary to their sustainment through their own industry and working of the land, [but] in such a way that the ownership resides in the power of another, and so that, just as they have gardens for vegetables and fruits, so they would have vines and fields.

To this it seems it ought to be said that since there is a twofold necessity of evangelical poverty, as the saints say: imperfect poverty, which does not retain a superfluous temporal thing with poverty of the spirit, but only retains what is needed; another, /158/ however, is perfect poverty, which, with poverty of the spirit, neither a superfluous thing nor something necessary for life as one’s own, but depends on the provision of God: which is called the poverty of mendicancy. This seems to be the poverty of the brothers minor, which is being determined here. Hence it is noticed in two things. One is that they not receive anything fixed, such as revenues; and this is because they ought to follow “the Lord as strangers and guests in poverty” (cf. RegB 6.2). The other is that they ought to have poverty as it relates to use, so that they be so poor that they are as poor as beggars. Hence it is added, “let them go forth confidently for alms” (RegB 6.2).’

procurators of this sort will be able to be multiplied in diverse ways and be elevated to the piles of today's monastic riches; and thus the incentives of wealth (*opulentiarum*) will be able to be offered copiously to both the [friars] themselves and to the aforesaid procurators. Moreover, were we to consider the interpretative effect (*interpretativam efficaciam*) of this mode, it clearly enough has the sense of an interpretative effect of usufruct. For with the *ownership* preserved for the procurators or primary givers, the fruits are ordained to the use of such poor men by an irrevocable obligation, which the procurators are not allowed to violate in any way.

[3] And third, namely the habitual consent and disposition, both for the abdication of all right₁ and for the moderation of poor use, is corrupted in many ways by the aforesaid mode; and, with the restraint of most high poverty worn away, the reins are relaxed for the consent of cupidity. [a] First, this indeed happens directly because to procure or accept the mode of the aforesaid provision with full consent includes maximal laxity with respect to the consent or dissent of the one abdicating and detesting this mode for himself with all his strength. And it is agreed that the dissent abdicating and detesting that way exterminates incomparably more strongly and highly the roots and occasions for cupidity, and more highly by far ascends to the purity and perfection of evangelical poverty.

[b] Second, this happens dispositively. For those who fall into that mode from the previous and pure observance of poverty, by that very fact it is easy that they fall into a disposition of jurisdiction (*affectum iurisdictionis*) and pertinacious rebellion against anyone /42/ desiring to alienate things assigned for their advantage from their advantage, just as we saw and we see some people have fallen into the desire for bequests and pertinacious legal squabbles (*repetition*). Since that way also easily induces and fosters laziness in this sort of poverty, whereby desires for opulence and a passion for luxuries and carnal things are set alight, there is no doubt but that the aforesaid mode enervates the measure of poor use. From the aforesaid, therefore, it is clear how the aforesaid mode enervates the roots of highest poverty.

[B] After this, then, it must be shown how it annuls its fruits. For if you will have carefully observed the fifteen fruits of the highest poverty (discussed at sufficient length in the first question on poverty),¹⁰ namely how and from

10. That is, *QPE* 8 (85–124).

what causes it is good for: the highest humility; the most rigid sobriety and austerity of nourishment; the most undiminished chastity and purity; most legal fidelity, truth, and simplicity; the most perfect liberality and piety; the common and pacific society; perfect mildness and gentleness; the most constant fortitude and fearlessness or magnanimity; the fervid and strong credulity of faith; the singular confidence and security of divine hope; the most ardent charity, the sublimity of contemplation, the purest and highest beginning and propagation of the regular state or religion; the conversion and spiritual steering of souls; and the full flight and security from all danger of temptations and sins. If, I say, you will have examined this by inducing each point, you will find that the aforesaid mode negates (*evacuat*) the aforesaid fruits and their causes as much as having ecclesiastic and monastic revenues and possessions in common does. And this happens the more it is done under a deceitful intention of relaxing the evangelical vow and state.

From the aforesaid points, many arguments are able to be collected; from all of them, one general one may be formed: everything through which so many, so excellent, and such great fruits are cut away from a vow or evangelical profession is enormously opposed to that vow or profession. But the aforesaid way is of this kind, as is clear to the one applying all those things in particular to the proposition.¹¹ Therefore, etc.

Likewise, if you diligently examine those things that are demonstrated in that same question,¹² about the height of evangelical poverty after /43/ the aforesaid fruits, you will see clearly that it [i.e., the highest poverty] is enormously reduced (*deprimitur*) by that way; nor is it proper unless those things, just as they are explained there, apply to the proposition.

[C] After this, then, consider briefly how it abuses riches and exalts the state of riches under how great a deceit. [1] First, indeed, [it does this] by submerging that state, which was singularly introduced and instituted for the sake of removing the abuse of riches in temporal things and for the sake of introducing a ‘super-excessive’ contempt of mundane riches. For what remains, at that point, except that riches were given to each state, and that all worship the statue of Babylon, and because Mardochaeus, having put on the sack of poverty, bent the knees for Amam Agagite?

cf. Apo. 20:4?

cf. Est. 3:2

11. Olivi’s point remains unclear: ‘Sed modus praedictus est huiusmodi sicut patet omnia illa in speciali ad propositum.’

12. QPE 8 (125–128).

[2] Second: since, if he who wishes to follow Christ for temporal nourishment and for the purpose of obtaining glory, is so accused of fraud by Christ *Mt. 8:20* that he hear from Him, *Foxes have dens and birds have nests, but the son of man does not have a place where he may rest his head*, then what can be said for those who already are professors and long-time followers of the state of Christ, if, through this tortuous circumlocution, they seek the dens of foxish cupidity, and, as it were, the nests of celestial revenues by their flight?

[3] Third: since, if, according to Bernard,¹³ the disposition of men easily inheres in everyone it frequents and especially if they had the adhesive birdlime of enticing things, just as they certainly had revenues and possessions (to which a reliable opportunity of approach is had as if obligatorily established in perpetuity). Also, if men attend more to those things which are externally evident, and, consequently, they consider them to be like rich men to whom they see the possessions and revenues somehow unalterably assigned, I do not see how the abuse and exaltation (interior and exterior) of riches does not grow larger in such poor men through the suggested mode.

[4] Fourth: since by what reason the aforesaid revenues will be able to be assigned under the aforesaid mode for the common use of this kind of poverty, by the same reason they will be able to be assigned to the individual use of any one person, just as we see is the case concerning money. From this, under a marvellous deceit, a disposition and proprietary (*proprietaryus*) use of riches is set aflame and encouraged.

[D] After this, then, attend to how it leads Christ's counsels to destruction.

[1] First, expositively: because according to this it will be licit to explain and distort all of Christ's counsels towards the flesh by means of deceitful comments, or to reduce them to great imperfections and dangers. For why, then, would it not similarly be licit for that state that we marry beautiful girls and live with them while our firm vow /44/ of never sleeping with them endures? Indeed, as it seems, this will be able to occur concerning this [mode] than the other by how much it has anticipated the example of Joseph and the mother of Christ.¹⁴

13. The editors were unable to find this reference, but it appears to be in the Ps.-Bernardian *Exordium magnum ordinis cisterciensis* dist. 5, c. 10 (PL 185.1140D).

14. Olivi's point is difficult to understand here. The text reads: 'Immo ut videtur tanto plus hoc poterit fieri quanto de hoc potius quam de illo in Joseph et Christi matre

And, as I firmly believe, the spirit of Francis had a presentiment of this, saying at the end of his life, ‘let it not be said that [the Rule] ought to be understood so or so’, and that they should not seek relaxing, or rather destructive, writings of the rule from the apostolic See,¹⁵ as the one who was dying sang the Psalm, amongst others, singing there lamentably: *On this road where I was walking men have hidden a snare for me.* For what is this snare if not a deceit and fraudulent comment to be devised against his poverty and already devised by the devil? Indeed, he spoke of that snare to the brothers of that time: and because, he said, a future temptation approaches, happy are those who will persevere in that which they began,¹⁶ as if he had openly said: ‘That temptation will tear up many brothers from the mode of living in which they begun.’ From which I heard what would follow:¹⁷ *I was looking to the right*—that is, toward those who I presumed to be more preferable for my side—and *there was not one who recognized me*—that is, there was not even one who might help. But, consider what he said crying out against this oppression: *I said you are my hope, my portion in the land of the living,* as if he were to say: ‘I placed no hope in the providence of the revenues or returns (*reditualium*) of procurators, but in the providence of God.’ Why did the height of his highest poverty make me and my brothers such kings?—so that this alone is our *portion in the land of the living.*

Moreover, when explaining the counsels and precepts of Christ, the examples, or deeds and sayings of the earlier saints, and especially those of Christ and the apostles, ought to be observed and emulated greatly. Hence Augustine says in his book *On Falsehood*:¹⁸ ‘The divine scriptures, therefore, contain not only the precepts of God, but the life and customs of the just as well, so that, if what is instructed is, by chance, obscure as to how it ought to be understood, it may be understood /45/ in the deeds of the just.’ And below: ‘And so, we who are often unable to understand in the words, gather in the deeds of the saints how it ought to be received what might easily be led in another direction were it not recalled by an example.’ It is agreed, however, that the aforesaid suggestion (*commentum*) cannot be found in any deed of Christ and the apostles or other saints, nor in the

praecucurrit exemplum.’

15. *Test.* 25 and 38–39 (312–13, 315–16).

16. Cf. *Legenda maior s. Francisci* 14.5 (*BOO* 5.546b).

17. The *Legenda maior* continues with a quotation from Ps. 141:2 (Vulgate numbering).

18. See Augustine, *De mendacio* (PL 40.506–08).

deeds of Francis, who was sent specifically to renew the life of Christ.

Moreover, right reason and the pure perfection of the counsels of Christ ought to be the light and rule of their exposition. He, therefore, who twists those very words against the example of Christ and the saints and against the pure perfection of the counsels, according to their proper purpose (*affectionem*), to the concerns of the flesh, it is clear that he sets death on

cf. 2 Kgs. 4:40

[2] Secondly, it retrogressively (*retrocessive*) leads those [counsels] to destruction. For it is agreed that the counsels of Christ ought to lead to a higher state and finally consummate the state of their profession in the supreme apex. But if those who begin without the mode of the aforesaid provision from the difficulty of the highest poverty should return in the end to the aforesaid mode, won't that verse of Christ be verified in them

Lk. 9:62 which says, *No one putting their hand to the plow and looking back is fit for the kingdom of God?* The wife of Lot, who looked back upon the figure

Gen. 19:26 of such things, *was turned into a pillar of salt* so that it not be thought a trivial thing. So also were those, who wished to return to Egypt and who

cf. Num. 11:5-33

were recalling the memory the jars of meat, onions, melons, and garlic that they had left behind in Egypt, struck down in the desert. So also, when the servant asks from the holy father Abraham, now *I ought to lead your son back to the place from where you came*; he said, *Abraham: Beware that you not take my son there at any time*. On account of the this, the Apostle strove for the opposite, saying to the Philippians: I reach for what is before

Gen. 24:5-6

Phil. 3:13 me, *forgetting what are behind*.

God forbid! *God forbid!* that the evangelical state sent into the world in the last hour should receive its end in such deceit due to any such temptation

Lk. 13:32 or annoyance. Rather, why shouldn't he say to that fox: *Behold! I effect healing today and tomorrow, and on the third day I am consumed*. For it is fitting that he effect the healing of the spirit first among the Latins and

Rev. 21:10

then among the Greeks and the gentiles, and so finally be taken up in the full health of Israel, as a heavenly Jerusalem—like the one *descending from God out of heaven*—unto the third heaven through radiant and fiery furnace of contemplation, and to enter into paradise. /46/

[E] After this, then, consider how it changes the times and the laws under a amazing fraud. And for this reason the image of the eleventh king written of in Daniel, a man, the inventor of this deceit, *will wear down the saints of the most high and will think that he can change the times and the laws.* Dan. 7:24–25 But the image of the seventh king written of in Daniel’s seventh vision will be *impudent in appearance, and understanding of propositions*; and *although not by his own strength*, nonetheless, *he will, more than can be believed, lay waste to everything, deceit will be directed by his hand, and he will kill many in the abundance of all things.* cf. Dan. 8:23–25 But if you visibly and, as it were, palpably wish to reflect on this with yourself, consider (*accipe*) first the whole evangelical state as it was observed from Francis until now (although under gradations of greater and lesser purity); and, then, consider that whole state as suddenly changed in the prescribed way; and, after this, compare the one with the other and I am certain that if you have sound eyes of the heart, you will see the stupendous and horrendous change of the evangelical or regular times and laws.

Now after this, consider further how it will again choose a change for the worst after it will have perceived that it is well-fortified in that mode of the revenues of procurators. For, if it accepted—for the briefest of moments—so great a change from the highest, through the middle, to the lowest, while the purity of the *Rule* still remains, what do you think it will allow when it is *driven upon the miry depths*, and submerged in the depth of the sea and thrown about by the waves of its storm? Consider also whether, by those revenues and their manifold distribution (both amongst themselves and with strangers), contentions will be able to take root and whether the destructive seeds of rivalry, ambition, and dissent will come into being. Ps. 68:3

And therefore however much the image of Saul, who was sent for the sake of expelling everything that was at Amalech and not for the sake of desiring or retaining anything of his, says that he¹⁹ has fulfilled the word of the Lord, with all the best ones of the crowd deceitfully retained for the worship of God, he will nonetheless hear from Samuel: *Does the Lord desire holocausts and victims, and not rather that the voice of the Lord should be obeyed? For obedience is better than sacrifices . . . since it is like the sin of prophesying to resist, and like the crime of idolatry to refuse to obey.* 1 Sm. 15:22–23! And because this one is, I think, about to divide the cloak of Samuel, namely so that a schism occur in the lands, he will therefore hear from Samuel:

19. Reading *se* as referring to Saul (rather than his image).

¹ *Sm. 15:28–29!* /47/ *The Lord has torn the kingdom of Israel from you today. And on this crime, Christ, the triumpher will not spare in Israel, and will not weep in repentance.*

From the aforesaid things, however, you can judge that this mode and its inventor is the precursor of the Antichrist and is the mystical Antichrist. For just as I have shown in some way in the first question on poverty,²⁰ nothing so prepares the way for the final (*novissimo*) Antichrist as the destruction of the highest poverty. For he who knows the order of temptations, just as they take place in the sanctuary of God, it is agreed that they first begin under deceit, under an appearance of good, and under *the business walking in shadows*, and then in his time he can become exposed, assaulted, and attacked by the noonday devil. And therefore the deceitful destruction of poverty made under the appearance of piety and necessity leads the way to the open destruction of it; and similarly its error attached to the first destruction leads the way to its error connected to the second destruction.²¹

Ps. 91:6 And note carefully how congruently the number of the beast is adapted to both temptations, for regarding the last point, as brother Bonaventure best explained (with me listening), there are three numbers entitled from a sextet, which is a ‘circular number’.²² For the first number is 6×100 , the second 6×10 , the third 6×1 . But the number six is called circular because if—by bending it back upon itself ‘reflectendo’—you say 6×6 , the number arising thence ends in a six, namely 36. And again, if you say 6×36 , the number then arising ends in six, and so on to infinity. In the aforesaid number, therefore, there are three circuitous numbers—first, namely, the hundreds through which one age or one generation of men is designated so that, through this circuit, the eternal recirculation of the world may be signified; there is also the circuit of the Decalogue designating the fatal cycle of customs; and, third, there is the circuit of unity prefiguring the circuit of the unity of the intellect in all men, according to the error of Averroës—such that the eternity of the world, fatal necessity, and the unity of the intellect (or non-existence [*nullitas*] of mankind’s next life) is established.

20. A reference to *QPE* 8 (152–54).

21. Possibly a reference again to the same pages of *QPE* 8, which is introduced with the words, ‘Second, the temptation of the Antichrist and the destruction of it [i.e., the highest poverty] must be considered’.

22. See the *Collationes de septem donis Spiritus Sancti* 8.16–19 (*BOO* 5:497b–98b).

Thus, this number be congruently assigned to the first temptation. For in this doctrine, first, the falsely written circuit of eternal revenues takes place. Second, the circuit of the customs of obedience /48/ is thus subjected to the necessity of human presumption of the wandering stars so that one may fraudulently say that one ought to obey man more than God and that one ought to deviate from the purity of the gospel and evangelical rule on account of the precept of the majority, and that it must remain by a cunning interpretation of it. And, third, there is there the circuit of the one carnal intellect, not only in the *Rule*, but even in the whole Scripture such that the spiritual intellect be rejected, which, through ecstatic modes, crosses into the future and thus does not cease to form various spiritual senses in the mind of individuals so that the verse be fulfilled for the second time: *Woe to you legal experts who took away the key of knowledge; you yourselves have not entered, and you have prohibited those who were entering.* Lk. 11:52

[SOLUTION OF THE OBJECTIONS]

And so, with these things touched on more than explained, the foundational reasons of the aforesaid error ought to be refuted.

Ad 1. Therefore, it ought to be said that the first proposition is false because as it was shown above, the full and pure abdication of all right₁ and temporal dominium is greatly injured by this [mode]. For consenting to such a collation of temporal rights₁ and revenues, and having recourse to revenues so irrevocably bound to their advantage, and wishing to claim (*licere*) those things for themselves, and not completely abdicating licence of this kind from themselves—[all this] very notably lessens the full and pure abdication of all temporal right₁.

The second proposition is likewise false because, as it was shown above, poor useis much injured by this [mode]. For although according to the before mentioned mode, the [brothers] do not receive [anything] in exterior possession or a corporal and manual contract except the necessary use or nourishment, nevertheless, in internal consent and intentional recourse (*intentionali recursu*), they receive the security of total future use radically and efficaciously consisting in that obligation of rights₁ or possessions and revenues. And through the reception of the aforesaid consent and recourse, they receive in some way the whole obligation and dedication of those revenues effectually assigned to their advantage.

Also, although they do not receive [anything] at the start except neces-

sities, nonetheless a great occasion is given [to the brothers] of receiving superfluous things in the future and claiming all those things as their own. But to give to themselves and to their whole possession so great an occasion is to hurl themselves into a perilous crisis and will do an enormous injury (*in enormem laesuram*) to evangelical poverty.

Ad 2. To the second objection, it ought to be said that in the aforesaid money conserved for the advantage of the brothers, three things ought to be attended to. [1] First, namely for what kind of need and time it is conserved. For it ought not be so conserved except for present necessity or presently imminent necessity; and, by this, for the near future and not for the remote future, just as the whole /49/ declaration of lord Nicholas and the preceding declaration of Gregory teaches everywhere, and the chapters of the *Rule* does concerning the necessities of the infirm and the clothing of the brothers.²³

[2] Secondly, it ought to be noted what sort of mode is consented to in its conservation or procuration by the brothers, and with what sort of intention and mode is there recourse to the thing so conserved. For the brothers ought not consent to its conservation or procuration as if it were bound to their advantage, but only to the simple use of the thing bought or acquired then; that is, only to that mode on which they agree in the use of alms already acquired from that very money. Hence, they ought to wish that that money was freely in the power of the lord in such a way [that it was] as if he had never applied it to their advantage. Also, they ought to not return to it [the money] as if to a thing unalterably tied to their advantage, but rather as if to a thing drawn forth from that money with no obligation attached or intended beforehand. And in this way, the intention or disposition of the brothers is not directed towards the money (except only by accident), but only to the thing or use of the thing for what [mode of] having the money was ordained by the donor. But the contrary of these [ideals] is established in the aforesaid mode, since there it is directly consented to in an immobile obligation for future outcomes; and this [happens] forever and, consequently, even for commodities and necessities of the future not yet presently imminent. Recourse is even posited to take place as to things unalterably obligated to the benefit of the brothers.

[3] Thirdly, it ought be noticed that, although the use of money be most strongly forbidden in the *Rule* because it is very enticing, and since sin can

23. See *Exiit*, cols. 1115–1118; *Quo elongati*; and *RegB* cc. 4 and 6 (230–32).

be easily and secretly occur there, as much so by individuals singly as by the whole college collectively, nevertheless the rights₁ of revenues, estates (*censuum*), and possessions more radically, directly, and universally—by far—oppose the highest poverty. And therefore, by however much committing so great a fraud on this issue (*circa hoc*) was established in the aforementioned way, it more greatly and enormously—by far—injures the purity of the evangelical state than does the use of money, or at least more than does procuring money to be conserved even under an obligation: because the preservers ought wholly to turn that money into things useful to the brothers. If, nevertheless, it were granted [a] that a hoard of money be conferred upon certain preservers forever under an immobile obligation that they expend the money for the use of the brothers, and [b] that the brothers were to procure or accept a action of this kind, and [c] that they have recourse to that money so obligated, and [d] they intend forever to return [to it], /50/ then it would be similar in some way. (Although it would not measure up (*deeset*) by how much the possessions and revenues have a stronger immobility and infallible than such treasures.) For these ones can, by deception and in many other ways, easily steal from the benefits of the brothers.

Ad 3. To the third objection, it should be said rather that it effectively takes away the truth and state of mendicancy too much, because to revert to revenues and possessions as so publicly and permanently bound scarcely seems like a more external kind of income than that [mode] by which clerics or monks live from revenues and ecclesiastical possessions. And certainly this is not what brother Bonaventure in the twelfth chapter of his *Apology* showed to be evangelical, saying that the observers of this poverty ‘are cleansed by their penury from guilt, by their blushing, they are humbled in their heart, by their frugality [parsimonia], they are corrected in the flesh’, etc.²⁴ And below, in the same chapter, he says that although ‘receiving, compared to giving is a less perfect sort of work, nevertheless, from a superadded circumstance it can be more perfect, as when someone receives out of the love of extreme poverty according to the six conditions expressed above.’²⁵ Likewise, the whole perfection of it [poverty] consists in these conjoined conditions [...] as when someone begs and receives so that he is purged of a penurious acceptance, humbled by modesty, restrained and corrected by destitution (*attenuate*), be united by grace to one’s neighbour, be molded by

24. *Apologia* 12.27 (325b); quoted also in *Tract.* 249–253 (97).

25. That is, *Apologia* 12.26–27 (324b–25b); only five conditions are given.

condescension toward Christ, and by lofty faith borne on high unto God.’²⁶

The aforesaid mode, also, differs greatly from that mode of mendicancy that established man in continual uncertainty of future nourishment—at least of that nourishment whose necessity is not presently imminent and which relies upon no temporal obligation. This mendicancy, indeed, Francis established in his *Rule* when he said: ‘But going forth confidently for alms as if pilgrims and strangers remaining in this age’.²⁷ Now, by ‘confidently’, this does not mean that temporal trust by which one trusts in the certain and immobile obligation of revenues and possessions, but rather that trust by which one, against the faintheartedness and distrust of human incertitude, trusts in the sole providence of God.²⁸

Concerning this, Ambrose says on Luke that a preacher of the kingdom of God ought to be one not requiring the support of secular help, and the whole of the faith /51/ thinks that where one requires those things less one is more able to be self-sufficient.²⁹ On this point, brother Bonaventure also says in the twelfth chapter of his *Apologia*: ‘The unbelief coming from faintheartedness [...] can stand with imperfect, not perfect, charity; [...] and solicitude coming forth from that imperfect charity is prevented by evangelical³⁰ and perfect men. And the confidence opposed to that same [unbelief] is enjoined by the Teacher of perfection insofar as preachers of truth flee from the coldness of faintheartedness overly concerned with food and steadfastly take up the ardor of charity trusting in God with a readiness to prefer the inconveniences of poverty.’³¹ The aforesaid Bonaventure [said] this; note when he says that evangelical men were prohibited from this unbelief and when he says that this confidence was enjoined on them. And in the ninth chapter, he says ‘that the hardship’ of evangelical poverty ‘is not poverty by reason of contempt of things in the mind, but by reason of temporal penury which we sustain in the body’;³² to this he alleges the word of Bernard, saying that the poverty of those following the Lord has two [components], namely affliction (*afflictionem*) and baseness (*vilitatem*).³³

26. *Apologia* 12.33 (327b); quoted also in *Tract.* 256–265 (97).

27. *RegB* 6.1 (231).

28. See 20n31, below.

29. The editors refer to the notes of PL 15.1685, but it is not clear why.

30. Reading *evangelicis* for *evengelicis*.

31. Cf. *Apologia* 12.23 (324a); also *Tract.* 266–275 (97–98), with the same omissions.

32. *Apologia* 9.17 (299b); also *Tract.* 231–234 (96).

33. *Apologia* 9.19 (300b); also *Tract.* 240–241 (96–97).

And having alleged the words of Chrysostom in seventh chapter—namely, that ‘Paul did not possess money’ but was always so hungry and thirsty and in want (*nuditate*) that often ‘he did not have the necessary food’—he adds below: ‘From all this, it is clearly inferred that the ordered pattern of Paul,³⁴ in which nothing is possessed and it is lived in the highest penury of things was ordered to the apostles and preserved by them.’³⁵ And he says many other things of no less weight in that chapter.

Ad 4. To the fourth objection it ought to be said that the first proposition is true when, in things received by the procurator or lord, there was an equal exclusion of an obligation for the things themselves for the use of the brothers, and equal simplicity, purity, and humility in the recourse of the brothers to them; the contrary of this was generally found in the aforementioned mode. Again, the second proposition is not true in every case, as³⁶ when they receive their necessities from lords who unalterably obligate themselves to giving always necessities to them such that the brothers consented to an obligation of this kind being made and accepted, and [therefore] having, and intending to have, recourse to things as so obligated. For then they do not receive—interpretatively and by some secret correlation—necessaries from lords as lords, /52/ but rather as from debtors and servants, and, because of such [a mode] (*pro tanto*), they do not receive the things as not their own but as if as it were theirs.

Ad 5. To the fifth objection it ought to be said that the first proposition can be somewhat verified when there is on both sides, among the donors, equal liberty toward giving and not giving, and, among the recipients, an equal shamefacedness and an equal example of simple mendicancy; and when it returns in both cases equally as to things not tied to the use of the brothers. Otherwise it is clear that that proposition is false. The minor proposition, however, can have a two-fold sense according the aforesaid modes: and in one mode it is false because in that one mode, more is posited, by far, in the previous (*praemissa*) position than in the first proposition of that argument.

Ad 6. To the sixth objection it ought to be said that although an obligation, when introduced by and from itself by the lords, does not prejudice the poverty of the brothers, nonetheless [for] the brothers to ensure (*procurare*) that the obligation so occur, or to consent to it as so made, and to

34. The *Apologia* has *paupertatis*.

35. *Apologia* 7.12 (276a); cf. *Tract.* 173–180 (94).

36. Reading *utpote* for *utopote*.

take recourse to it under this intention, [these three things] greatly prejudice the poverty and the profession of the brothers. However, if they simply and humbly seek and receive present, or presently imminent, necessities from lords of this kind or their procurators by simply holding themselves in their simple and primary need and mendicancy with a perfect refusal (*dissensu*) of all such obligation by means of words and deeds sufficiently expressed outwardly, then this is done purely. In these cases, because the deceit of cupidity and the aforesaid intention easily arises, for this reason, a greater caution, attention, and concern for preserving purity must be exhibited in these very same cases. And certainly when this happens regularly without a full renunciation of all apparent right₁ or obligation (*debiti*), through a certain correlation, applied or applying to the brothers, and without a strong and express protestation that they in no way return to the things as somehow due or obligated to their use, it could not happen without a great impurity and without a wicked example and notable scandal for the world. For then, to sense-driven (*sensualibus*) and even to prudent men, they [the brothers] would—sensibly, as it were—seem to take recourse to things of this kind as if they were owed to them and as though they were their own things.

Ad 7. To the seventh objection it ought to be said that, regarding bequests to the brothers of licitly usable things, /53/ it ought to be thought entirely in a similar way as to what was said [a little before](#) (↪ 21) about things obligatorily given. And for that reason, he who intends to procure obligations and secret correlations of debt or right₁ brings about an impurity in the *Rule*; and, they who take recourse to bequests of this kind as if to obligated things act similarly. Nonetheless, [1] because a certain particular impurity is incomparably smaller than a universal impurity (considering the whole state and whole future time of the order with respect to everything necessary for them for all time); and, [2] because those who are procuring particular bequests of this kind do not intend simply to make provision for necessities for all time, and do not intend, consequently, to exclude evangelical mendicancy simply and, as it were, universally (as is certainly the case in the aforesaid mode); and, [3] because in particular bequests of this kind, there is no obligation of so great a firmness or infallibility; [then] how great an obligation would be solemnly made in a universal gathering of possessions and revenues for the whole order according to the aforesaid mode? Therefore, the impurities of particular bequests do not so easily, nor so openly, have the force of mortal sin, in the way the impurity of the

aforesaid mode has. And perhaps especially [this is the case] since simple brothers, go about with a pure and simple intent, not actually aiming for the obligation of a bequest, but only a simple procurement of simple alms; although, perhaps in an exterior way, and, consequently, even in the example or judgement of the people, it was ever a mark of some impurity when this was procured by the brothers especially for non-present, or not yet presently imminent, needs (unless they were to do what was clearly expressed by the donor): that no obligation would be imposed on the thing with respect to the brothers.

Regarding bequests of money or of things not usable by us, it is to be thought in the same way as it was said regarding the collecting and conservation of money in the response of the [second article](#) (↪ 18).

If, however, someone wishes to argue the universal impurity of the aforesaid mode from the particular impurities sometimes happening in bequests of this kind, it is similar to one who infers the greatest illness from a minor illness, and to one who infers that those very criminal sins ought to be tolerated from the tolerability of a nursery for sins (*seminarii vitiorum*). On this very point, he is going against the example and instruction of Christ speaking of the seed of the wheat and the tares, *Allow both to grow just up to harvest time*. He did not wish the tares be eradicated before their time in favour of the wheat even though the faithful servants /54/ were read to have had strong zeal in this matter. So it was in this case, and similarly was it de facto approved in our fathers. *Mt. 13:30*

Now, that there are many impurities in the procuring and enforcement of bequests of this kind is proved not only from the multiple cases and lawsuits that have arisen to the scandal of very many, but even because the mode of inducing testators to the making of these sorts of bequests (both by the people and by the clerics) is considered greedy and cunning, and practically disinheriting of the relatives of the testator. Hence, it is believed among many that, by this, both the collection and acquisition of simple alms is diminished, and the peoples' devotion for the giving of simple alms reduced.

Again, given that particular bequests may contain no impurity, it does not follow on this account that a perpetual and universal provision made for present and future necessities and conveniences may not contain impurity, even a greatly enormous one. For although a modicum of wine is not an obstacle to the person drinking, it does not follow on this account that a lot of wine cannot not only be a nuisance, but it can even kill. And we see this abundantly enough in many things, that an excess of quantity in moral

matters (*moralibus*) not only aggravates sin, but even often turns it from venial to mortal. Hence a moderate strike on the head is often venial, which, increased, produces the the crime of homicide.

Ad 8. To the eighth it ought to be said that I do not believe that some convents of brothers were sustained by means of a perpetual and unalterable founding grant (*originatio*) [of revenues]—at least [not] by the common consent of the whole order; nor even in such a way that the convents³⁷ had recourse to the provision of those princes as to things obligated to their use; nor in such a way that they everywhere and always excluded, or wished to exclude the highest mendicancy (which was described above). And, [even] given that this had happened, it is agreed that the approval of a universal error ought not be inferred from a particular error of some people. Nor is it amazing that reason, or sound and truthful authority, cannot be obtained from a universal error any group of people, no matter how large (*quorumcumque et quantorumcumque*).

Moreover, what is added in the minor is false—namely, that that which is licit for one convent is licit for the entire community, and that what is licit on one day is licit on any day—because sufficient provision /55/ for one day and for every day is entirely (*longe*) of two different reasons. It is entirely of one reason and of one excess to establish one whole state and a whole corporate body (*universitatem*) in the security of a perpetual provision of revenues—and it is also, through this, to cast down universally, and for all time, that very state of need and mendicancy from the height of evangelical poverty. It is of another [reason to establish] one part of it, which part would remain in the state of evangelical mendicancy by how much it is subject to the ordination of its whole [corporate body], and by how much it can be transferred by means of its superiors to other parts subject to mendicancy.

Ad 9. To the ninth it ought to be said that the minor is not only false, but even clearly heretical, because although everything alleged in the minor proposition can be given more strongly and fully in monastic revenues and possessions than in the aforesaid way, it would follow from this that the purest observance of apostolic poverty and evangelical mendicancy would be less peaceful and less useful for the preaching, edification, and correction of souls than monastic or ecclesiastical riches would be. Again, from this it would follow that Christ and Francis would have done better

³⁷. Reading *illi* (*conventūs*) for *ille* (*conventus*).

if they had, sufficiently and perpetually,³⁸ made provision for their state from ecclesiastical or perpetual revenues, according to the aforesaid mode, or according to the monastic mode. But the falsity of everything discussed in the aforesaid minor is sufficiently shown and rejected in the preceding questions on poverty, both, especially, in the first two, and in the question on the mode of procuring nourishment through the way of mendicancy.³⁹ On this account, let it suffice for now to reproach the falsity of those [propositions] succinctly.

That which is said [1] in the first place is false—namely, that the aforementioned mode introduces less concern and distraction regarding income—for, the more someone is withdrawn and removed from the love and desire of temporal things, and the more he trusts in God alone, the less his disposition concerning having and keeping temporal things is concerned, anxious, or distracted (speaking about evil or imperfect solicitude and about mental distraction).

That which is added [2] in the second place about the burden of the people is also false. [a] First, because in that very way in which the brothers less take possession of (*occupant*) goods of temporal revenues, /56/ in the same way (however much it is from themselves) they impede less the giving of those things to poor people. [b] Second, because no one is compelled to give the to the brothers except from a pure and sole devotion, which does not burden the donors, but rather helps them in many ways.

That which is added [3] in the third place about the freedom of rebuke is also false. For, just as it was shown in the questions discussed before, love, the observance of the highest poverty, and need renders man in the highest degree steadfast, fearless, free from the passions, burning with divine zeal, and meek and pious to boot. Once one has assumed these qualities, one is certainly rendered altogether more capable and ready (*efficatior simul et moderatior*) for all correction.

That which is added [4] in the fourth place concerning the discursive and dangerous wasting (*evagatione*) of income is also false. For, apostolic poverty, as the consummate contemptor of temporal things, content with few things, and always sublimely and fervently intent on heaven, does not suffer such great wastings and spiritual (*cordales*) distractions (not even according to the body) because they are dangerous. But who will be able

38. Reading *perpetuum* for *perpertuum*.

39. *QQPE* 8–10.

to explain how great the temporal concerns, otiose wanderings, troublesome and turbulent thoughts, and affections, the ambition for temporal things introduces to their possessors and lovers?

That which is added [5] in the fifth place concerning the peace of the monastery (*claustrali quiete*) is also false. For, although temporal rest and a kind of corporeal and ceremonial discipline can be greater for a time in a cloister surrounded with temporal revenues than in a poor cloister fortified by holy and voluntary need, nevertheless, let this be far from speaking about internal and spiritual rest, or about that rest by which the mind rests super-ecstatically in God and⁴⁰ in his super-intellectual riches.

That which is added [6] in the sixth place concerning the more copious fruit of riches is also false. [a] First, because nothing is so freeing from riches as living⁴¹ in holy poverty and with the complete contempt of riches and of the whole world. For this especially entices rich men themselves to the contempt of the world and to the embrace of the holy poor and to the embrace of their whole spiritual doctrine. [b] Second, because through this the rich themselves are led to the continual and more devout practice of alms.

That which is added [7] in the seventh place concerning the more beneficial ordination of ecclesiastical things is also false. For, that ordination is undoubtedly worse through which spiritual men and their spiritual light, which shines upon the whole world is either altogether extinguished, eclipsed, obscured and diminished, or is placed under the very greatest dangers of extinction and disappearance. That ordination of things is also wicked or imperfect, through which the manifold and grand occasion of ambition, cupidity, carnality, idleness, and tepidity is introduced even to holy men, because /57/ the security and sufficiency of temporal revenues and possessions certainly easily produces and is accustomed to produce [such an occasion]. On account of which, according to the word of Christ, no one lights the *oil lamp* and puts it *under a measuring bowl*—that is, under the narrow and dark measure of temporal things—*but above the candelabrum*—of, namely, evangelical perfection—*so that it might shine for all*, etc. But it is even more holy if some cleric, [who] is in filth, should become more dirty, than if an evangelical professor cleansed from the filth of terrestrial things should be involved in the filth of those very things: especially if such

40. Reading *et* for *ed*.

41. Reading *vivere* for *videre*.

hypocritical holiness should be joined to filth of this kind, in such a way that holiness among this sort of hypocritical sediment should be called, solemnly defined, and preached as greater than holiness in the purest observance of the mendicancy of Christ.

Ad 10. To the tenth it ought to be said that, for the one trusting in the infallible promises and words of Christ, and in his unerring counsels, and in the highest and universality of his providence, the aforesaid necessity cannot arrive (except only for the time and for the approval and virtuous practice of evangelical men); but rather, if the forge of poverty and fiery furnace of charity were in them,⁴² they will even inflame the inwardly cool and icy, not only for giving their things, but even inflame their very selves. Moreover, how is it, or by what reason and cause is it necessary to make provision for necessities not yet presently imminent from permanent revenues for the whole future? For let however great present or presently imminent necessity be granted: surely it suffices to satisfy that necessity (*illi*) according to the counsel of Christ speaking against the concern for tomorrow: *the day's own malice suffices*. Moreover, in such a case, shouldn't they make provision more swiftly according to their rule concerning necessities through manual labour and through their own individual labour, than directly cast themselves and their whole state in so great and such a crisis? *cf. Is. 48:10*

Ad 11. To the eleventh it ought to be said that, with them having been received as simple professors of evangelical poverty and without prelation, the demanding of necessary expenses does not apply (*spectat*); nor is it expedient for their perfection, but would very much hinder it and darken their exemplary light before the people. But demanding is suitable for some of them as prelates of churches—if it be done according to the pure apostolic pattern of the apostles, which pattern certainly collects perfect and arduous circumstances in itself (otherwise it would not be possible to be perfect or consonant with apostolic perfection). But what those circumstances are has to be given elsewhere.⁴³ *Mt. 6:34*

Ad 12. To the last, or twelfth, it ought to be said that no sane person doubts /58/ that it is licit for the highest pontiff to ordain that which according to truth would be better and more expedient for the time, and that obedience would be most humbly due to ordinations of decrees of this kind. But when he, God forbid, audaciously and pertinaciously wishes to

42. See also the sermon in *BOO* 9.579a–b.

43. *QPE* 9.2009–2120 (63–66).

attempt something and introduce so profane a novelty against the counsels and example of Christ and the apostles, and against the testimonies most worthy of belief, the regular statutes, doctrines, and examples of the angelic man, Francis, sealed with Christ's sacred stigmata, and in subversion of the whole evangelical state, because he does not act as the vicar of Christ in this case, but as the noonday devil, he must not be obeyed at all, but rather resisted as Lucifer and the noonday devil with all [one's] power: for, by word and deed—or rather solemn decree and precept—, this would be to destroy the gospel of Christ and introduce a new and terrible heresy to the whole world; and, like Leviathan, *with the sinews of his testicles* entwined, propagate a new and destructive sect.

Job 40:12

Now, given that it would not be entirely [and] undeniably apparent that this is heretical to some simple person ignorant of divine teachings, it ought to be irrefutably agreed at least by every man of pure and correct conscience, and by every lover and devotee of evangelical purity, without an ounce of ambiguity, that the observance of poverty and evangelical mendicancy, most purely preserving themselves from the aforesaid mode, is of greater, more illustrious, and more undoubted purity and perfection than is the aforesaid mode. Furthermore, such a person ought to agree without a doubt that the aforesaid mode contains in it a very doubtful, manifold, and manifest danger of bringing about impurities in the evangelical rule and even of certain transgressions of it and of a casting down (*praecipitationis*) of the whole evangelical state. And certainly a man of sane mind ought to be undoubtedly certain that in such a case and in so great and so manifest a danger he is bound to obey to no man necessarily, so that, namely, he expose himself to so great a danger on account of the other man's (*eius*) edict. Nay rather he ought to regard every such precept and every such excommunication as good for nothing (*pro nihilo*), as truly null, and of no weight or strength with God.

ABBREVIATIONS

- Apologia* *Apologia pauperum contra calumniatorem*, ed. in *BOO* 8.233–330.
- BOO* Bonaventure, *Opera omnia*, 10 vols.
- Exiit* *Exiit qui seminat* (= VI 5.12.3); a bull of Nicholas III, ed. in Friedberg 1879–81, cols. 1109–1121.
- FA:ED *Francis of Assisi: Early Documents*, ed. in Armstrong, Hellmann, and Short 1999–2002, 4 vols.
- PL *Patrologiae cursus completus . . . series latina*, ed. in Migne 1857–66, 221 vols.
- Quo elong.* Gregory IX, *Quo elongati*, ed. in Grundmann 1961.
- QPE* Peter Olivi, *Quaestiones de perfectione evangelica*
QPE 8, ed. in Schlageter 1989; cited by page.
QPE 9, ed. in Burr 1992; cited by line number (and page).
QPE 10, ed. in Flood 1994; cited by page.
- RegB* Francis of Assisi, *Regula bullata*, ed. in Esser 1978, 225–38.
- Test.* Francis of Assisi, *Testamentum*, ed. in Esser 1978, 305–17.
- Tract.* Peter Olivi, *Tractatus de usu paupere*, ed. in Burr 1992; cited by line number (and page).

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