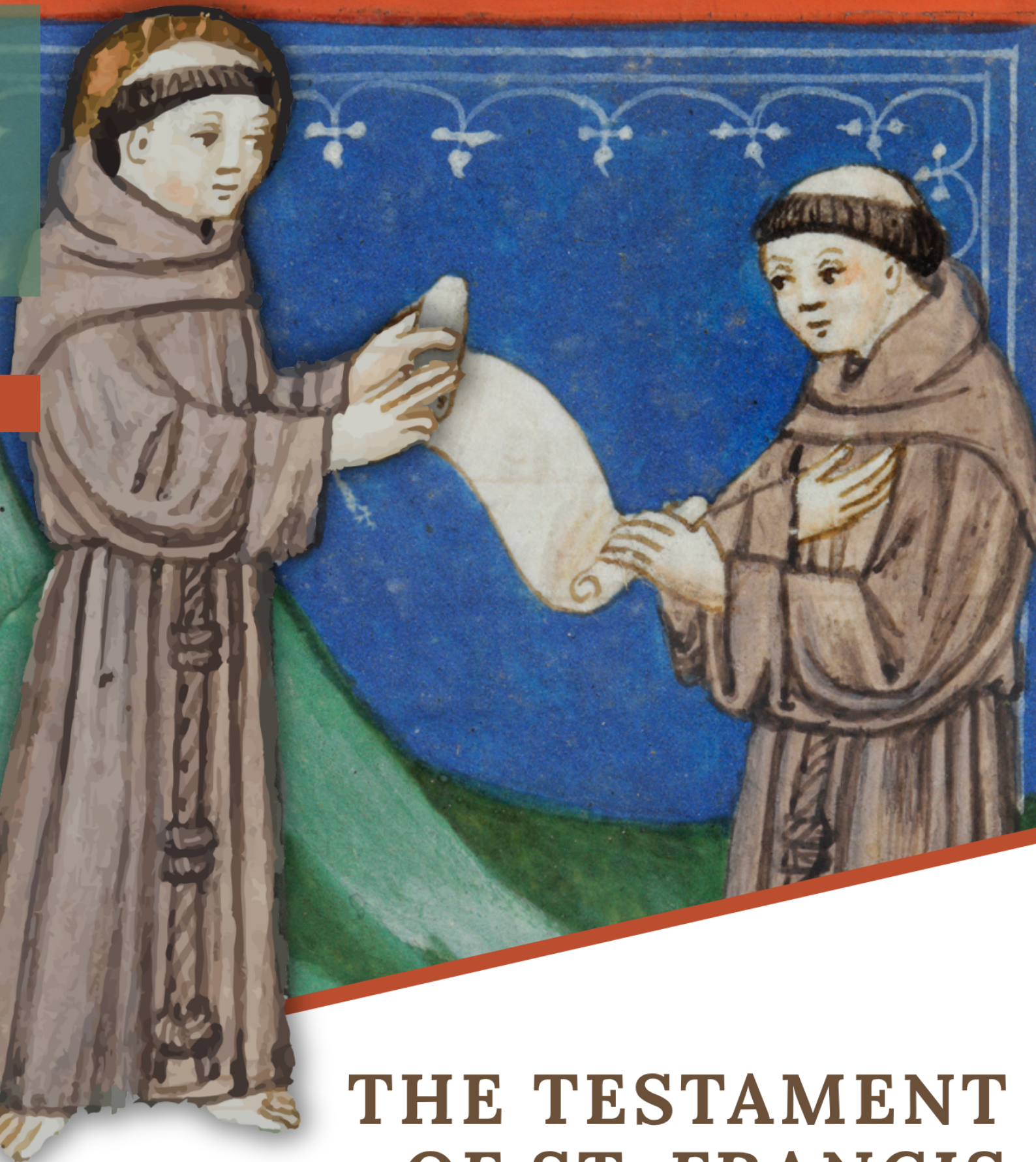
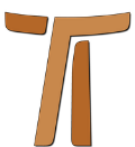




THE TESTAMENT OF ST. FRANCIS

signum distinctivum of the Capuchin Reform in
the First Century of Its Existence



On the cover:

©Illuminated manuscript, Major Legend, 66.1, Rome, Franciscan Museum (Historical Institute of the Capuchins), 1457.

The complete illuminated manuscript of St. Bonaventure's Major Legend is housed in the Franciscan Museum of the Capuchins in Rome. With its 183 splendidly framed illustrations and two illuminated initials depicting the life of St. Francis, it is the most extensive of the hand-painted biographies of the Saint currently available.

The manuscript is believed to have been completed on March 30, 1457.

Rome, 12 April 2026

Prot. N. 00212/26

To the Minister and Custodes
And to All the Friars

**The Testament of St. Francis - *signum distinctivum*
of the Capuchin Reform**

Dear Brothers,

As we continue on our journey toward the anniversary of our Order's founding, we are pleased to share this new and simple contribution with you.

In this special year, we, the sons and brothers of St. Francis, are focusing on the celebration of his transitus: 800 years ago, he concluded his earthly pilgrimage and passed into the eternal dwelling with the Lord. It was a decisive moment for the entire Order of Friars Minor. With the death of St. Francis, in fact, the fraternity lost a living point of reference. Br. Elias, General Minister of the Order, in his Circular Letter on the Death of St. Francis, expresses it in these words: "We have been left without him while darkness envelops us and the shadow of death covers us (...); we have been left fatherless, deprived of the one who was the light of our eyes." In fact, although the Order already possessed a Rule of Life approved in 1223, in the person of St. Francis it had, until that moment, a living example of its observance. With his departure from this earth, that example loses its direct impact.

What remains is our faith in his constant intercession and in his spiritual guidance of the brotherhood he founded, "for he has not died," continues Br. Elias, "but has gone to the great market of heaven, taking his bag of money with him, and he will return home at the full moon." His spiritual experience also remains, imprinted in the memory of witnesses and later expressed in biographies, but above all handed down in the writings of St. Francis himself: in the *Testament*.

This is his only autobiographical work, and it serves as a primary source for understanding his character and life. It is all the more important because, by providing a deeper and more accurate understanding of his character and life, it allows for a better comprehension of the Rule he wrote. No one, in fact, could have observed it better than he himself, its author. Attempting to understand and observe the Rule by separating it from the life of St. Francis carries the risk of a superficial and legalistic interpretation. One of the original characteristics of the Capuchin Reform, which began 500 years ago, was this new hermeneutics of the Rule of St. Francis, which consisted in understanding it through his person. The Capuchins did not focus solely on the words he had included in the Rule, but also carefully observed his actions and his life as described in the Testament. This writing became so important to them that they adopted it as a norm of life, just like the Rule. Although over time it has lost its normative character, it has nevertheless exerted a significant influence on the concrete choices and daily life of the Capuchins. This distinguishes us within the entire Franciscan family. Therefore, the Testament of St. Francis constitutes a sort of *signum distinctivum* of the Capuchin Reform.

I therefore encourage all my brothers to study this text more deeply, both personally and as a community, especially in this year marking the anniversary of its composition, since St. Francis wrote it just as he was nearing death. May the attached material assist you in reading the Testament itself, so that we may make it our own in our understanding and in our desire to put it into practice in a more authentically Franciscan way.



Br. Roberto Genuin
General Minister OFMCap

The Testament of St. Francis – *Signum Distinctivum* of the Capuchin Reform in the First Century of Its Existence

When Gregory IX, in the bull *Quo elongati* of 1230, wrote to the Friars Minor in response to their doubts about the Testament of St. Francis, stating that they were not bound to respect it [1], the matter seemed to have been settled once and for all. The friars were to live according to the Rule and leave all commentary and interpretation to the Holy See, to which Francis himself had shown himself to be a faithful and docile servant and to which, therefore, this right belonged. The following years showed, however, that the words of the Saint contained in the Testament continued to stir the hearts of the friars with their ardor, firmness, and simplicity. Voices continued to be raised within the Order, especially among the spirituals, complaining about the lack of strict observance of the Rule and the departure from the intentions of the Founder, clearly expressed in his Testament. For this reason, this writing, together with the Rule, has had an enormous influence on the history of the Order of Friars Minor.

It found a special place in the tradition of the Capuchin Friars Minor, who emerged at the beginning of the 16th century as a new reform of the Order. Kajetan Esser, in his excellent study on the Testament of St. Francis in Capuchin legislation, stated that “respect for the Testament was the *signum distinctivum* of the Capuchins with respect to the entire Franciscan family.” [2] His text is certainly a point of reference for anyone wishing to address this topic, but it does not exhaust it. Esser analyzes Francis’ Testament in the Capuchin tradition from a legal point of view. It would be interesting, however, to examine the question from the point of view of spirituality and practical life, seeking to answer the following questions: Why did the Capuchins attach so much importance to the Testament? How did they interpret

this text? How did it influence their development and history? How did the Testament concretely influence the lives of individual friars? Some answers to these questions can be found in the literature on the subject that has appeared during the time since Esser’s death, but it is difficult to find a comprehensive study on this topic. The present text will contribute to this subject. However, given the amount of material, it will be limited to the first hundred years of the Capuchin Reform.

First, Kajetan Esser’s conclusions and observations drawn from his study will be presented. The main reference text will be the first Constitutions of the Order of Friars Minor Capuchin of 1536. Next, the role of the Testament in Capuchin spirituality will be explained. The main reference material will be the Commentaries on the Rule written by individual friars. It is in these texts that the Testament and the reasons for observing it in the context of the Capuchin Reform are discussed most frequently and extensively. Finally, the influence of the Testament on the form of life of the Capuchin friars and on their concrete, daily choices will be indicated. To this end, the chronicles of the Order, testimonies from outside the Order on this subject, and examples from some Capuchin saints will be used.

The Testament in Capuchin Legislation

The first legal document in the context of the nascent Capuchin Reform was the Ordinances of Albacina, drawn up during the first general chapter in 1529. However, it was not these that gave shape to the charism of the Capuchin community. Written without a clear and thoughtful internal structure, they were rather a random collection of controversial rules against the Observant Order, in an attempt to highlight the differences of the new Reform. The first legislative document that positively defines the originality of the Capuchin Reform is the Constitutions drawn up in 1536 in the Roman friary of Sant’Eufemia. It

1 “Well, although we believe that the aforementioned confessor of Christ [Francis] had a praiseworthy intention in dictating that command, and that you too have at heart to faithfully adhere to his just commands and holy desires, nevertheless we, concerned about the dangers to souls and the difficulties you might encounter because of these things, removing doubt from your hearts, we affirm that you are not bound to observe this command, for two reasons: he could not, without the consent of the friars and mainly of the ministers, because it concerned everyone, oblige them; nor did he certainly oblige his successor in any way, since there is no power of one over another among those who have equal authority.” Gregory IX, *Quo elongati*, in: *Fonti Francescane*, 3rd Edition, Padua 2011, p. 2731.

2 K. Esser, *The Testament of St. Francis of Assisi*, Milan 1978, p.213

will therefore suffice to discuss this document as a starting point, leaving aside the Ordinances of Albacina. [3] The other legal texts of the Capuchins in which the place of St. Francis' Testament will be presented are the subsequent versions of these Constitutions during the first hundred years of the Order's existence, namely the Constitutions of 1552, 1575, 1608, 1638, and 1643.

Article 6 of the Constitutions of Santa Eufemia is of decisive importance for the matter under consideration and is worth quoting in full:

And so that, as true and legitimate children of Christ, our Father and Lord, born again by him in St. Francis, we may share in his inheritance, it is ordained that all observe the Testament of our father St. Francis, ordained by him when, near death and marked with the sacred stigmata, filled with fervor and the Holy Spirit, he ardently desired our salvation. And we accept this as a spiritual gloss and exposition of our Rule, as he wrote for this purpose, so that the promised Rule might be better and more catholically observed. Indeed, because we are children of our seraphic father insofar as we imitate his life and teaching, our Savior said to the Jews: "If you are children of Abraham, do the works of Abraham"; so, if we are children of St. Francis, let us do the works of St. Francis. Therefore, it is ordered that everyone strive to imitate this father of ours, given to us as a rule, norm, and example, indeed our Lord Jesus Christ in him, not only in the Rule and Testament, but in all his fiery words and loving works: therefore, let them often read his life and that of his companions [4].

The text clearly shows the obligatory nature of the provision regarding the observance of St. Francis' Testament by the Capuchins. The command is repeated twice: "that all observe the Testament of our father St. Francis" and "that everyone strive to imitate this father of ours (...) not only in the Rule and Testament, but also in all his ardent

words and works of love." Therefore, not only must Francis' Rule be the norm to be observed by the friars, but also his Testament and even other writings. The Testament is even placed on the same level as the Rule: both documents seem to have the same normative value for the Capuchins.

When comparing this article of the Constitutions with the previous article 5, which speaks of observing the Rule in simplicity, literally and without gloss, while accepting the judgments of the popes on the matter, [5] – as Esser observes – a clear contradiction emerges. On the one hand, the Constitutions accept the decisions of the popes on the Rule, and therefore also the bull of Gregory IX *Quo elongati*, cited in the introduction, in which the pope states that the Testament is not binding on the friars in the same way as the Rule; on the other hand, the Constitutions themselves order that Francis' Testament be observed in the same way as the Rule. This contradiction must have been noticed by more than one friar, since already in the next version of the Constitutions of 1552, the first fundamental command is replaced by *we exhort*. [6] The next version of the Constitutions of 1575, however, restores the initial mandatory command, although the second command this time replaces the expression *the friars are exhorted*. [7] Subsequent editions no longer modify the text of the legal norm relating to the Testament of St. Francis, with the exception of a brief explanatory note contained in the 1638 text. [8] After only a few years, however, in 1643, it was removed from the Constitutions, which returned to their 1575 formulation.

All these changes to Capuchin legislation, which took place during the first hundred years of the Reform, demonstrate the important role that St. Francis' Testament played in the Capuchin Or-

3 Kajetan Esser analyzes all the legal documents of the Capuchin Order of a general nature, starting with the Ordinances of Albacina.

4 Critical text in: *Constitutiones Ordinis Fratrum Minorum Capuccinorum*, Vol. I, Rome 1980, pp. 38-39; and also in: *The Capuchin Friars. Documents and testimonies from the first century*, Vol. I, edited by C. Cargnogni, Rome 1988, pp. 262-264 (hereinafter: FC).

5 "And because it was not only the will of our father St. Francis, but also of Christ our Redeemer, that the Rule be observed simply, literally, without gloss, as our first seraphic fathers observed it; however, since our Rule is very clear, in order that it may be observed more purely, devoutly, and spiritually, we renounce all glosses and carnal, useless, harmful, and relative explanations, which extirpate the Rule from the pious, just, and holy mind of Christ our Lord, who spoke in St. Francis. And as a singular, living commentary on our Rule, we accept the declarations of the supreme pontiffs and the most holy life, doctrine, and examples of our father St. Francis." FC I, p. 260-262.

6 *Constitutiones* p. 82.

7 *Constitutiones* p. 154.

8 "It is ordered that everyone observe the Testament of the Most Blessed Father as ordained by him (...); and although we do not intend by this to impose any new burden on the friars beyond that which has been declared by the supreme pontiffs, we nevertheless accept this Testament as a gloss and exposition of our Rule", *Constitutiones*, p. 320.

der. They show the friars' relentless quest to reconcile, on the one hand, the logical consistency of a legal document such as the Constitutions and, on the other, to preserve the originality of the Reform, which consisted in emphasizing the role of the Testament of the *Poverello* of Assisi.

After examining this fundamental article of the Capuchin Constitutions, which obliges the friars to observe the Testament, Kajetan Esser then moves on in his research to analyze the individual legal norms relating to this document. He identifies seven such norms in the Constitutions of 1536, which are clearly inspired by the text of Francis' Testament.

The first concerns the Order's renunciation of all privileges that relax the Rule. Article 11 of the Constitutions states:

And because our father St. Francis, in his Testament, in order to avoid such privileges, commands his brothers not to ask the Roman court for any letter for the persecution of their bodies: therefore, all privileges that relax the Rule are renounced by the general chapter and, broadening the way of the spirit, they conform with sense. [9]

This decision slightly restricts Francis' parallel command in the Testament, which lists more specific reasons for appealing to the Holy See to obtain privileges. [10] The Constitutions mention only one: "because of persecution of the body." However, this does not change the fundamental decision to renounce the privileges that the Order of Friars Minor has received from the Holy See over the years.

Another provision referring to the Testament, in No. 22 of the Constitutions, takes the form of an encouragement to the friars to own only one habit. In case of necessity, they may have two, according to the Rule, and must remember that "a friar who wears three habits is a clear sign of an extinct spirit." [11]

Paragraph 30 speaks of the Office and the Mass. It refers to Francis' prohibition in his Testament against making any changes to the liturgy. The friars, therefore, "united in spirit under the same banner and called to the same end, shall serve in divine praise, as far as possible, the same rites as regards the missal, breviary, and calendar, which are used by the Holy Roman Church." [12]

Article 47 refers to the greeting mentioned by Francis in his Testament, which was revealed to him by God: "The Lord revealed to me that we should say this greeting: 'May the Lord give you peace!'" [13]

Therefore, the Constitutions establish "that the friars always use this evangelical greeting." [14]

The subsequent legal provision in the Constitutions of 1536, which refers to the Testament of St. Francis, obliges the friars to perform manual labor. Number 65 of these Constitutions states:

(...) to observe the admonition to work, given in the Rule by our father Saint Francis, and to conform ourselves in this to his will, expressed in his Testament, if it is determined that, when the brothers are not engaged in spiritual exercises, they should work manually in some honest occupation. [15]

Another reference to Francis' Testament is contained in Article 73 of the Constitutions of 1536. It exhorts the friars "to remember the words of the seraphic father in his Testament, where he forbids them to receive in any way the churches and dwellings that will be built for them, unless they are in accordance with the form of the highest poverty." [16]

The last two references to the Testament are contained in number 119 of the Constitutions of 1536. The first concerns submission and respect for the prelates of the Roman Church, that is, priests,

9 FC I, p. 268; cf. *Testament of St. Francis*, No. 25-26 (hereinafter: T).

10 "Neither for a church nor for any other place, neither for the sake of preaching nor for the persecution of their bodies", T, No. 25.

11 FC I, p. 285; cf. T, No. 16.

12 FC I, p. 298; cf. T, No. 31-32.

13 T, No. 23.

14 FC I, p. 318.

15 FC I, p. 338; T, No. 20.

16 FC I, p. 347.

bishops, cardinals, and the pope; the second speaks of veneration and gratitude towards the preachers who “minister to us the most holy words of God.” [17]

In general, all the above-mentioned rules relating to Francis’s Testament remained unchanged in subsequent versions of the Capuchin Constitutions. The only obvious and noteworthy change concerns poor dwellings. The original version of the Constitutions of 1536, in number 73, states that the friars “must live in small houses, hovels, and shelters.” [18] The subsequent revision of this article, in 1552, uses more generic terms to describe the friars’ dwellings: “we must live in humble and poor places,” [19] while the one from 1575 contains another formulation: “we must live in humble places and poor houses.” [20] Here we can clearly see the evolution of the legal norm, which initially allowed only small huts, shacks, and hovels as dwellings and then, after forty years, already allowed for the existence of poor houses. Esser rightly observes that this evolution took place because of the growing number of friars and that it was therefore not possible to maintain the strict restrictions of 1536. Despite these legal changes, the reference to Francis’ Testament remained unchanged. In all the drafts of the Constitutions, this writing of the Founder was considered the source and reason for the legal provisions. Based on the analysis conducted, it can be stated that:

1. The Testament of St. Francis occupies an important place in the legislation of the Capuchins, who undertake to respect it, as well as the Rule.
2. This commitment is somewhat at odds with other statements contained in the Constitutions, which accept the decisions of the popes on the Rule. [21]
3. The legal norms referring to the Testament remained essentially unchanged during the first century of the Reformation, demonstrating the consolidated position of this document in the Constitutions of the Order. Considering that it does not play such a significant role in the general documents of other branch-

es of the Order of Friars Minor, it can be said that the Testament of St. Francis truly constitutes the *signum distinctivum* of the Capuchin Reform, at least in the first century of its existence.

While Kajetan Esser, in making this statement, delves deeper into the legal aspect in his study and, in his research on the significance of the Testament for the Capuchins, reaches up to the present day, here we attempt to grasp two other aspects—the spirituality and form of life of the friars—in order to try to answer the questions: “Why did Francis’ Testament occupy such an important place in the Capuchin tradition?” and “How did it influence the lives of individual friars?” Further reflections will therefore explore the question of the Testament in the Capuchin tradition, limiting ourselves, however, to the first hundred years of the Reform.

The Testament of St. Francis in Capuchin Spirituality

The writings that reflect Capuchin spirituality and at the same time refer relatively often to the Testament of St. Francis are mainly the Commentaries on the Rule by Capuchin authors. These are short ascetic writings that seek to bring the friars closer to the true meaning of the Rule, which together with the Gospel constitutes the fundamental norm of their life. They are part of a vast series of attempts to comment on Francis’ Rule, undertaken by various authors over the centuries.

The first commentary on the Rule within the Capuchin Reform was Giovanni da Fano’s *Dialogo de la salute*. Written between 1535 and 1536, it largely formed the basis of the Constitutions of Santa Eufemia. The author includes a characteristic statement:

St. Francis says in his Testament that he wants his Rule to be understood simply, without commentary, and observed accordingly. He says that the Lord revealed this to him. And although the pope said with good intentions that we

17 FC I, p. 419.

18 FC I, p. 347.

19 *Constitutiones*, p. 106-107.

20 *Constitutiones*, p. 173.

21 The rulings establishing that the Testament is not binding on the brothers in the same way as the Rule.

are not bound to observe the said Testament, we must nevertheless have great reverence for it and observe it in the things we can, as Alvaro says, because our father shows his intention in it. And it is to be believed that he made the Testament and the Rule with the same spirit of God, and at the end of his life, when he was perfect in virtue. Haec Alvaro. And those who do not esteem the said Testament, nor care to observe it in the things they can, show little love for their father and little esteem for their paternal inheritance and blessing. Hence, the Capuchins in their general chapter have ordered that the Testament be observed. [22]

This text was written after the Chapter of 1536, in which the Constitutions were approved, and indicates the reasons for the introduction of a legal norm obliging the friars to observe the Testament: “because our father shows his intention in it.” Giovanni da Fano is aware that, according to the papal sentence of 1230, the friars are not required to observe this writing of Francis, but are obliged, from a legal point of view, to live only according to the Rule; however, he emphasizes the value of also accepting the Testament as a rule of life, because in this way it is possible to better understand the Founder’s intention regarding the Rule. This desire to understand Francis’ true intention regarding observance of the Rule—to know how the Saint himself wanted it to be lived—was the main goal of many Friars Minor. Both the conventual friars and the observants, and later also the Capuchins, believed they had understood the true intent of the Founder and were observing the Rule in accordance with it. This issue was a point of contention within the entire Order. [23] The Capuchins, as can be seen from the texts cited above, affirmed that it was not possible to know Francis’ true intentions regarding the Rule without accepting his Testament, without placing it on the same level as the Rule. In their comments on the Testament, expressions such as “Fran-

cis recommended in the Testament (...) and this was his true intention” are very often found. [24]

By stating that it is thanks to the Testament that one can arrive at Francis’ true thinking, the Capuchins are in some way referring to the tradition of the spirituals. It was in this context that the famous prophecy of Giovanni da Parma, general of the Friars Minor from 1247 to 1257, circulated, who is said to have uttered the following words:

In the spirit of the Founder, the Reform of the Order will be carried out under the pure and simple observance of the Rule and Testament. For this reason, it is necessary to make a distinction between those who wish to live according to the Rule and Testament, and those who wish to live with privileges and declarations that they have obtained for themselves. [25]

Here we see a clear contrast between the papal decisions on the Rule and Francis’s last writing, his Testament, which is the only authentic commentary on it. It is in this document that the Saint expressed his true intentions, while all other decisions on the Rule would have distorted them. [26] The Capuchins approach this position of the spirituals, but do not fully share it. In seeking to understand Francis’ intentions regarding compliance with the Rule, they do not contrast his Testament with the pronouncements of the popes. In their commentaries on the Rule, they distinguish between dispensations that relax the Rule and statements that clarify it. They reject the former and accept the latter with respect. Girolamo da Polizzi, General of the Order from 1587 to 1593, sums it up well:

Living according to the purity of the Rule means living according to the declarations of the popes and approved doctors who adhere to the teaching of the popes. And by papal declarations we do not mean here a papal dispensation, which is a relaxation of the binding law, but a

22 FC I, p. 600-601.

23 Cf. M. Conti, *Testament of Saint Francis*, in *The Franciscan dictionary*, Padua 1983, p. 1805-1826.

24 P.es. *Exposition of the Rule of the Friars Minor* by Giovanni da Tusa (1570-1580), FC I, p. 839-840; *An exposition with doubts resolved on the Rule of St. Francis* by Girolamo da Polizzi (1606), FC I, p. 1052-1053; *Exposition on the Rule of the Seraphic Father St. Francis* by Santi Tesauro of Rome (1614), FC I, p. 1145-1146.

25 A. Clareno, *Liber Chronicarum, sive tribulationum Ordinis Minorum*, Portiuncula 1998, 4, 250-252. The prophecy is also reported by Bernardino da Colpetrazzo in his *History of the Order of Friars Minor Capuchin*, Bk. I, edited by M. Pobladora, Assisi 1939, p. 42.

26 Close to this position was one of the highest authorities at the dawn of the Capuchin Reform, Francesco Tittelmanns. It seems that he was referring precisely to this prophecy when he said: “It was impossible to observe the Rule perfectly without embracing the Testament of our Seraphic Father as a guide and norm.” The Testament was a commentary by the Holy Spirit on our Rule, the clearest and most beautiful that can be found, made by the same spirit as the Rule, in: B. Colpetrazzo, *History of the Order of Friars Minor Capuchin*, Bk. III, edited by M. a Pobladora, Rome 1941, p. 5.

simple exposition, that is, a clear explanation and specification of meanings that are not obvious (...). With these words from his Testament "without gloss," St. Francis intended to prohibit only extorted glosses and unreasonable statements contrary to the purity and simplicity of the Rule, not those that show and clarify its pure meaning.[27]

In this context, accepting the Testament as an explanation of the Rule enriches previous official papal decisions on the matter and places them in their proper hierarchy: the Testament, as the first commentary written by Francis himself, constitutes the fundamental explanation of his intentions, while subsequent papal declarations clarify ambiguities that arose as a result of changing living conditions. The contradiction may occur here on a legal level, but not on a spiritual one. In fact, both the Testament and the subsequent papal documents ultimately help us to understand Francis' intentions and to live according to the purity of the Rule.

This spiritual perspective of the Testament helps us understand the even deeper reason why the Capuchins emphasize it. Returning to the words of John of Fano, it is interesting to note that his argument, which justifies the obligation of the friars to observe this writing of St. Francis, does not follow a legal line, but a line of love, veneration, and respect for the person of the Founder. According to the bull *Quo elongati*, the Friars Minor are not obliged to observe the Testament, but it is nevertheless a writing in which Francis reveals more of his inner self, showing his intentions, his desires, and his fears. It is his only autobiographical writing. Therefore, to reject the Testament would be tantamount to disrespecting the Father:

Those who do not value this Testament, nor care to observe it in the ways they can, show little love for their father and little regard for their paternal inheritance and blessing.[28]

Accepting this writing therefore expresses love and respect for Francis, allowing us to know not only his intentions, but also his person, his whole life. This link between the person of Francis and

his life on the one hand and the Rule on the other seems to have been rediscovered by the Capuchins. Thanks to their emphasis on the role of the Testament, the person of Francis is brought to the fore rather than the legal document that is the Rule. From this perspective, the renewal of the life of the Friars Minor does not consist solely in a return to strict observance of the Rule – as called for by every reformist movement within the Order – but above all in knowledge of the life of Francis and a new vision of the Rule through this lens. It is no longer just a matter of observing the legal document as faithfully as possible, but of knowing and loving the person of the Founder. In this way, the legal controversies in the history of the Franciscan Order over which provisions of the Rule should be interpreted, which papal statements can be accepted and which rejected, fade into the background. The fundamental objective becomes that of knowing the person of Francis and observing the Rule in the light of his life. For this reason, in the Constitutions of 1536, in number 5, a surprising statement appears: "for singular, living commentary on our Rule, we accept the declarations of the supreme pontiffs and the most holy life, doctrine, and examples of our father Francis." [29] Consequently, *it is ordered (and encouraged in subsequent versions of the Constitutions) to imitate him "not only in the Rule and Testament, but in all his fervent words and loving deeds."* [30] Reading Francis' writings and biographies is strongly encouraged, which ultimately leads to the emergence of a new hermeneutic of the Rule. The Capuchins seek to understand it through the figure of Francis. They do not dwell solely on the words he enclosed in the Rule but also look at his actions and his life as described in his Testament.

This principle is perfectly expressed in a small ascetic treatise from the early 16th century, which circulated among the first Capuchins, *Evangelical Love Above the Rule of St. Francis*:

St. Francis' intention is that we should look not only to Christ's words, but also to his deeds, in or-

27 Girolamo da Polizzi, *An exposition with doubts resolved on the Rule of St. Francis*, FC I, p. 1008. 1011.

28 Giovanni da Fano, *Dialogo de la salute (Health Dialogue)*, FC I, p. 601.

29 FC I, p. 262.

30 FC I, p. 264.

der to fulfill our profession. For Christ gave us a greater example through his deeds than through his words.[31]

The text refers to Christ here, but the interpretative principle is clear: actions are more important than words. The Capuchins applied this principle to Francis as well: not only must Francis' words contained in the Rule be observed, but his actions and his life as described in his Testament must also be imitated. In this way, the legal plane is abandoned in favor of the spiritual plane, based on love. In fact, it is not possible to imitate the life of a person whom one does not know and admire. Such imitation occurs only in the spirit of love. Just as it is impossible to live according to the Gospel without loving Christ, so it is impossible to observe the Rule without loving Francis. This love is possible only through submission to the Holy Spirit. To that Spirit of which Francis was filled; to that Spirit who gives understanding and inspires love. Only in the Holy Spirit can the Rule be understood and observed. This is what spiritual observance consists of. Giovanni da Fano writes in *Dialogo de la salute*:

Just as the Gospel law is a law of love and grace and a manifestation of the Son of God, who became human and died for sinners, so this Rule is a Rule of love, and the Spirit of Christ carries within itself its grace, and therefore whoever wishes to understand it must have within himself the Spirit of Christ, which is nothing other than an ardent desire to know him, love him, imitate him, embrace him, and carry him in one's heart. And just as the Gospel, being the law of love, does not enter the heart except through love, so our Rule, being a Rule of love, does not enter the heart through true understanding except through love (...). I conclude, therefore, with regard to this first doubt, that St. Francis forbade commentaries on the Rule because he wanted the life of Christ and his own to be commented on, when he said: "See Christ and me, and do as we do."[32]

Contemplating the lives of Christ and Francis through the Holy Spirit therefore guarantees a correct, i.e., spiritual, understanding and observance of the Rule. Of course, the Observants and

Conventuals also spoke of having to live the Rule spiritually. However, they understood this more as the opposite of a literal understanding, which the papal statements were intended to prevent. According to them, it is precisely these declarations that adapt the Rule to changing circumstances and constitute its spiritual explanation. The return to Francis' detailed instructions and attitudes, the attempt to faithfully imitate his life – as seen in the case of the Capuchins – were perceived as a pharisaical concern for outward attitudes. [33] However, this concern on the part of the Capuchins, it seems, was more an expression of their admiration for the Founder, their zeal in following him, a sort of "madness of love," to which the Holy Spirit impelled them and enabled them.

Therefore, the Capuchins' acceptance of the Testament as a legal norm was linked, at least in intent, to openness to the Holy Spirit and submission to His action. Inflamed by His love, every Capuchin brother had to know the person of Francis, and through him Christ Himself, and live zealously according to the Gospel, observing the Rule. He had to imitate Francis, just as Francis imitated Christ, assimilating himself completely to Him. From this perspective, the decisions of the popes do not constitute any obstacle to compliance with the Rule, but neither are they necessary for that purpose. What determines an authentic life, according to the Rule, is the love inspired by the Holy Spirit.

For this reason, comments on the Rule repeatedly state that the decisions of the popes must be respected from a legal point of view, but Francis' Testament must be observed on the basis of love and respect for him. This love and respect, in fact, are not in conflict with the law, but go beyond what the law indicates.

Santi Tesauro of Rome expresses this well. In his Exposition on the Rule of the Seraphic Father St. Francis, published in 1614, he asks whether the friars are still required to observe Francis' Testament and replies that, according to the

31 FC I, p. 548.

32 FC I, p. 602.

33 Cf. Giovanni da Fano, *Dialogo Anticappuccino* (1527), 5: "They are reckless [Capuchins], ignorant of the Rule and its profession, vagabonds, arrogant, ambitious, who wish to be called reformers of the Order; and they place perfection in the external man, caring little for the internal.", FC II, p. 61.

decisions of Popes Gregory IX and then Nicholas III, they are not obliged to do so. "It is very true that good sons who wish to conform to the will and intention of their good father must hold [the Testament] in high esteem, especially since it can serve as a declaration of the Rule in many places, having manifested his last will in it (...). However, we must bear the burden, which is none other than observance of the Rule and living in accordance with his life and example." [34]

The Influence of the Testament on the Capuchin Way of Life

The Testament of St. Francis, so strongly present in the Constitutions of the Capuchins and in their spirituality, could not fail to influence their form of life in some way. Since it was often referred to in both official documents and ascetic literature, it could not fail to have repercussions on the daily life of individual friars. It is therefore necessary to show the influence of the Testament on the practical life of the Capuchins. This can be done on the basis of the Order's official chronicles, written during the first hundred years of its existence by the friars Mario Fabiano da Mercato Saraceno and Bernardino Crolego da Colpetrazzo. The first, with his chronicles written between 1565 and 1580, covered the initial period of the formation of the Capuchin Reform, while the second, writing a little later between 1580 and 1587, provided a broader description of the entire first generation of Capuchins. Since this is a description "by their own, of their own," and therefore can sometimes be less than objective (which does not mean, however, that it is untrue), it must be supplemented with testimonies from people outside the Order, as well as with examples taken from the lives of some Capuchin saints, recounted in the form of testimonies in the canonization processes.

One of the most characteristic aspects of the influence of the Testament on the Capuchin way of life was the widespread desire within the Order to get

to know Francis as a person. The Testament, as an autobiographical work by the saint, encouraged people to get to know him first and foremost, to study his other writings and to read his biographies. Bartolomeo da Pisa's work *De conformitate*, which contained a series of quotations from Francis' writings and biographies, was highly regarded among the Capuchins. All available sources of Franciscan literature, including manuscripts, were used. Among the best known and most studied biographies of Francis were St. Bonaventure's *Major Legend* and the *Legend of the Three Companions*. It was common practice in the Order to read these stories in the refectory during meals, after reading a passage from Sacred Scripture.

In the refectory, after the reading of the Holy Scriptures, little else was read except the writings of St. Francis and matters of religion. From these they drew the form and manner of life and how our Father St. Francis wanted the habits, places, and other things that must necessarily be used by his friars to be. [35]

From the enormous number of quotations taken from Franciscan literature in the works of Capuchin authors and preachers, it can be deduced that in many cases they knew almost everything that was then available about Francis and Franciscanism. [36]

Another clear proof of the influence of the Testament on the Capuchins' form of life was their renunciation of all the privileges granted to the Friars Minor by the Holy See. These were mainly the privilege of exemption and that of the mayors. The former made them independent of diocesan bishops, while the latter allowed them to receive material assistance from friends of the Order. Both were eventually accepted by the Capuchins, [37] but, together with other indications of the Testament contained in the Constitutions, they left an indelible mark on their form of life, shaping in many of them an attitude of humility and poverty.

The particular character of the *minoritas* in the case of the Capuchins was evident in their enor-

34 FC I, p. 1138.

35 B. Colpetrazzo, *History of the Order of Friars Minor Capuchin*, Bk. III, 4-5.

36 Cf. Por. J. Kaźmierczak, *Saint Francis in the Constitutions of the Capuchin Friars Minor*, p. 86; C. Cargnoni, *The image of St. Francis in the formation of the Capuchin Order*, in: *International Society of Franciscan Studies, The image of Francis in historiography from humanism to the nineteenth century. Proceedings of the IX International Conference* (1981), Assisi 1983, p. 115-117.

37 Cf. J. Kaźmierczak, *Saint Francis in the Constitutions of the Capuchin Friars Minor*, p. 134-136; p. 153-157.

mous commitment to serving plague victims, in response to the numerous requests made by the Church hierarchy. Since this service often involved the risk of death, there were not many volunteers among the clergy willing to undertake it. The Capuchins' commitment in this field testifies to their sensitivity to the requests of the pastors of the Church, their willingness to go where others did not go, to occupy the lowest place in the Church, to enter those areas where the needs of the Church were urgent, and it is precisely in this that the attitude of *minoritas* is expressed, among other things. It is linked to Francis' exhortation to submission and respect towards the clergy, contained in his Testament, as well as to his personal example of service to lepers described in the first verses of this writing. An example of this *minoritas* of the Capuchins, expressed in their service to lepers, can be found in the correspondence between St. Charles Borromeo, Archbishop of Milan, and Father Giacomo Giussani, Provincial Vicar of the Province of Milan. When St. Charles requested that friars be sent to assist those affected by the plague that raged in Milan in the years 1575-1577, Father Giacomo replied:

Since the request of Your Most Illustrious Lordship for the service of our friars to the plague victims is very dear to my heart, it has pleased our Lord Christ to grant this holy desire of yours, because here in Lodi I have found a Father, Brother Paulo, brother of Father Mathia, who was in the army; he and another of our priests are willing and eager to perform this holy office of charity, without further consideration. [38]

After Brother Paul, many other Capuchins followed his example and went to serve the plague victims in Milan, many of whom lost their lives. The same thing happened in other European cities affected by the plague. This attitude, full of willingness to undertake such a difficult and dangerous ministry, became characteristic of the entire Capuchin Reform in the first century of its existence and largely determined its success. It seems that the Testament of St. Francis had a significant influence on it. [39]

The spirit of *minoritas* of the Capuchins, expressed in their closeness to the sick and suffering, abandoned because of the plague, also embraced a wide circle of faithful who lived in small villages and towns, often located in places that were difficult to access. While most religious orders concentrated their pastoral efforts around the cities, the Capuchins turned their particular attention to these simple people who lived on the margins of society and who, for this reason, were deprived of the care they deserved from the clergy. Their commitment to this social stratum became so characteristic that they began to be called *brothers of the people*. In practice, this was expressed mainly in preaching and in the field of ascetic creativity. Capuchin preachers often undertook popular missions among these people and also addressed their works to them, often writing them in the vernacular rather than in Latin. [40] An example of the first case is St. Joseph of Leonessa, known for his zeal in proclaiming the Word of God in forgotten mountain villages, where few people went. His confessor, Father Roger of Cascia, testified in the canonization process:

He traveled widely, spreading the word of God, and was so zealous in the honor of God and the salvation of souls redeemed by the blood of our Lord Jesus Christ that, when he was assigned to preach somewhere during Lent, he was not content with a single audience, but traveled to all the nearby castles and villages, even those many miles away. In these places, I heard many times from several of his companions and from many others, both friars and lay people, that he gave four, six, and perhaps more than ten sermons a day, until evening, without ever eating during the day, and the fervor of charity eased the harshness and rigor of the rainy, cloudy, and snowy weather. [41]

Due to St. Joseph's austere lifestyle during his popular missions, attempts were made to assign him companions who could withstand such difficult conditions. However, evidence shows that it was not easy to find such people. Those who decided to do so later jokingly called him "scortica compagno" (the companion flayer). [42] This nickname confirms St. Joseph's extraordinary endurance and

38 E. Pontiggia, *St. Charles Borromeo and Br. Paolo Bellintani. Unpublished letters, in Brixia sacra* 11 (1976), p. 41.

39 Cf. C. Cargnoni, *Some aspects of the success of the Capuchin Reform in its first fifty years (1525-1574)*, in: *The Origins of the Capuchin Reform. Proceedings of the Historical Studies Conference* (Camerino 1978), Ancona 1979, p. 240-241; also: FC III/2, p. 3643-3650.

40 Cf. C. Cargnoni, *Some aspects of the success of the Capuchin Reform in its first fifty years (1525-1574)*, 220-224.

41 FC III/2, p. 4874.

his enormous zeal in proclaiming the Good News in the difficult conditions in which simple people often lived. As for works aimed at simple people, one example is Mattia Bellintani da Salò's *Pratica dell'orazione mentale* (Practice of Mental Prayer). [43] Written in Italian, it was mainly intended for lay people who sought to practice mental prayer in the evening in their homes. The popularity of this work, not only among the Italian population but throughout Europe, is evidenced by its numerous editions and translations: over fifty editions during the 16th century, translated into Latin, French, German, and Spanish. In this way, even through ascetic literature, the Capuchins sought to remain close to the people and serve them in the spirit of *minoritas*, as lesser brothers.

The attitude toward poverty was most clearly linked to the Capuchin architectural style. It referred to Francis' prohibition in his Testament against accepting churches and dwellings that did not conform to holy poverty. There are numerous accounts in the chronicles confirming the poor nature of Capuchin buildings. There is mention of poor huts and isolated places where the first Capuchins lived, and of the great hardship that prevailed in those places. The Capuchins' tendency to adapt existing buildings as dwellings or temples, rather than to build completely new ones, is highlighted. Over time, as already noted above when discussing Capuchin legislation, there was a certain evolution in this field, which led to the development of building within the Order. It was mainly dictated by the rapid increase in the number of friars and their settlement in new conditions, not provided for in the original legislation. This often led to abuses, which are echoed in the *Esposizione de la Regula di Frati Minori* (Exposition of the Rule of the Friars Minor) by Giovanni da Tusa, general of the Order from 1578 to 1581:

I cannot help but exclaim, I cannot refrain from shouting, considering the general transgression that is found today in this poverty. Did you not see that you did not end up as pilgrims, but as citizens of the world? (...). The buildings are so

large that thousands upon thousands of ducats are spent on them, and those places built by zealous and ancient fathers are left and ruined, and if any remain, they seem like hovels compared to the modern ones. As for the vestments and churches, we are now equating them to cathedral churches, and we collect silk and gold inside them. Eh, brothers, remember the words of the seraphic father who says in the Testament: "The friars should be careful not to accept churches, poor dwellings, and anything else built for them, unless they are in keeping with the holy poverty we have promised in the Rule, always welcoming you as strangers and pilgrims." [44]

This lively and personal writing by Father Giovanni da Tusa points out, on the one hand, the abuses in the development of building within the Order, but on the other hand, it presents the author's zealous concern for poverty in construction and his desire to follow the words of St. Francis in his Testament in this regard. A similar situation can be found in the case of St. Lawrence of Brindisi, General of the Order from 1602 to 1605. Fra Gaspare Gasparotti da Cassano d'Adda, his companion on numerous journeys during his term as General and witness to the canonization process, testifies that Father Lawrence was a particularly fierce opponent of any violation of poverty in construction. When he was still provincial, for example, he forbade the whitewashing of the walls of the cells and those above them, in the attic of the friary, because this was done in the houses of the rich. The fact that he forbade it shows that such cases occurred, but at the same time it shows Lorenzo's zealous dedication. [45]

These examples, which show the concern of superiors for poverty in Capuchin buildings, indicate a tendency still alive in the Order to preserve the characteristic style of simple and poor architecture and suggest that, despite abuses, it has been preserved in the practice of Capuchin life.

This is confirmed, among other things, by the testimony of Father Ivo Magistri, an observer who visited the houses of his Order between 1569 and 1573, observing the lifestyle of other religious

42 FC III/2, p. 4850.

43 Cf. C. Cargnoni, *Sources, trends, and developments in early Capuchin spiritual literature*, in: *Collectanea Franciscana* 48 (1978), p. 379-380.

44 FC I, p. 854.

45 FC III/2, p. 5051.

communities. He reported his observations in a small pamphlet entitled *Ocularia et manipulus fratrum minorum*, published in 1582. In it, he wrote:

In Siena, I visited their first religious house: it was very poor and humble, without any pomp; not like ours, which sometimes have four floors, one above the other, and look more like the palaces of great princes than the dwellings of the poor! All the friars were observing the Lenten fast of St. Michael, introduced by our seraphic father before receiving the stigmata of Christ. They had no granaries or cellars. They asked for and begged for food and drink every day, going from door to door, and this was usually done in all eighteen or twenty provinces of the Capuchins. They do not stockpile wheat or wine but, as truly evangelical men, they place all their concerns in God, who nourishes them abundantly, in their desire not to stray from the limits of holy poverty, which they have embraced wholeheartedly and unanimously, as true and legitimate sons of such a great father. When I saw their friary in Rome, I was very struck because, although their houses elsewhere are rather small, it seemed strange to me that they had built and chosen such a modest dwelling in Rome. A hundred religious live there, but it does not look like a friary; it looks more like a cave, like those of the ancient holy fathers who lived in the deserts of Syria or Thebaid, leading a very poor life. Finding myself at dinner with other guests, there was almost nothing to eat, no meat, no eggs, no fish. [46]

Another characteristic element of the Capuchin tradition, influenced by the Testament of St. Francis, was manual labor, which was recommended to all friars. Bernardino da Colpetrazzo writes in his chronicle:

Although we can live on alms that are offered to us, or indeed on begged alms, and everything is according to the Rule, nevertheless the most perfect way of living according to the purity of the Rule would be to live by our own labor. We see this in the ancient fathers, who all state in their Rules that one must work, as we also see in our seraphic father St. Francis, who says in his Testament: "I worked with my hands and I want to work, and I want my brothers to work diligently." For this reason, many Capuchins who knew how to do certain honest tasks, such as weaving, sewing clothes and shoes, making bags, baskets, and similar things, worked;

and in many places they set up looms, as I saw with my own eyes in Rome in St. Nicholas, where there were four or five looms; and they earned so much that it was almost enough to feed all the friars. The same was true in Genoa, where they wove cloth of great value and also distilled herbs. So much so that in many places they almost lived off their own labor. [47]

These simple activities, described by Bernardino da Colpetrazzo, were not the sole prerogative of the lay brothers. Even the priests and superiors of the communities did not hesitate to carry out daily household chores and work with their own hands. One figure who particularly reflects this characteristic of the Capuchin form of life is Blessed Benedetto da Urbino. Coming from a princely family, a doctor of law, and several times superior of the Order, he was able to go out regularly to beg for alms, houseclean, open the doors of the church in the morning and, as his biographer writes, "he lent a hand to everything, as if he were a simple layman." [48] The same biographer also recounts that, having been a guardian in the novitiate house, Blessed Benedict once hosted the General Minister of the Order. After the meal, as was his custom, he went with the novices to the kitchen to wash the dishes. The general pointed out to him that this was not his responsibility and that he could leave this task to the novices. Benedict replied: "They learn a better example by seeing that even the guardian washes the dishes." [49]

These attitudes of the Capuchins are confirmed by the testimony outside the Order of the aforementioned Father Ivo Magistri:

It should also be noted that the Capuchins and the Discalced do not allow seculars to cultivate their gardens but do so themselves; they prepare their own meals, cook, and do not allow other seculars to participate. When washing dishes and bowls, they observe the following order: whoever celebrated the conventual Mass that day is responsible for washing up, and the other monks help either manually or vocally by reciting the psalms "Miserere mei Deus secundum magnam misericordiam tuam" and "De profundis" with three prayers, namely "Deus qui inter apos-

46 FC II, p. 118-120.

47 FC II, p. 1148-1149.

48 FC III/2, p. 5205.

49 FC III/2, 5204-5205.

tolicos,” “Deus veniae largitor,” and “Fidelium.” After these prayers, everyone must recite a “Pater noster” and “Ave Maria” for the person who prepared the meal. [50]

The attitudes of the Capuchins described—the desire to know the figure of St. Francis, the *minoritas* expressed mainly in service to plague victims and closeness to simple people, poverty visible above all in buildings and manual labor—are often found in chronicles and testimonies describing the Capuchins form of life. They were therefore a characteristic of the Reform, which was greatly influenced by the concrete instructions of St. Francis contained in his Testament. It would certainly be an exaggeration to say that these words were unknown and not practiced by other branches of the Friars Minor. However, in the case of the Capuchins, they had a rather universal and therefore distinctive character, which does not mean, of course, that all the friars followed them to the letter. As always in life, there were some instances of negligence and transgression. Furthermore, it should also be noted that not all of Francis’ recommendations, which he left in his Testament, found such widespread and clear echoes in the life of the Capuchins. For example, it is difficult to find in the chronicles and other testimonies about the Capuchins any trace of the implementation of the command to use the greeting “May the Lord give you peace.” Similarly, the prohibition against accepting privileges from the Holy See has been relaxed over time, as mentioned above. However, it seems that, despite all the imperfections in the lives of individual friars and the gradual development of the Capuchin Reform in a direction similar to that of the other branches of the Order of Friars Minor, it retained its characteristics in the first century of its existence, emphasizing the Testament of St. Francis both legislatively and spiritually and in the lifestyle of its members.

Conclusion

In the legislation of the Capuchin Order, there was a long-standing contradiction between the provisions that, on the one hand, sought to maintain an attitude of submission to the Church,

which exempted the Order from treating the Rule and Testament of Francis, and on the other hand aimed to follow the example of the Founder as faithfully as possible, through the adoption of his Testament as a binding norm for all friars. Attempts to find adequate legal concepts to eliminate this ambiguity were in vain. However, they were an expression of the profound insight of the creators of the Capuchin Reform, according to whom Francis’ Testament was a text as important and necessary for living his ideal as the Rule itself; a text without which it is not possible to fully understand either the Rule or the form of life it contains. It was in fact Francis himself, the author of the Rule, who showed by his life how it should be observed. For this reason, the Capuchins considered it necessary to know his life in order to fully understand the Rule. The Testament, as an autobiographical work in which Francis describes the most important moments of his life, became for them a privileged source for knowing his person and his life. Therefore, according to the founders of the Capuchin Reform, anyone who wished to observe the Rule perfectly had to also accept his Testament as a rule of life.

Such a strong emphasis on the legal role of the Testament has therefore led to a new vision of the Rule and its interpretation in the spiritual sphere. It has allowed us to look at it through the lens of the person of Francis and his life. It has shifted the emphasis from the legal document, which was the Rule, to the person of its author, Francis himself. Consequently, we can speak of a new Capuchin hermeneutics of the Rule, which introduces *love for Francis* as a new category and thus moves away from the level of legal investigations into it. [51] Until now, in fact, his interpretation placed the *literal* and *spiritual* understanding of the Rule at two opposite poles, where the *spiritual* meant “open to the decisions of the popes,” who in this way sought to adapt it to changing conditions of life, while the *literal* was seen as “external observance of the Rule” with an exaggerated emphasis on Francis’ commands and their strict and careful observance. However, in this new Capuchin perspective, based on love for the Founder, attention

51 Cf. C. Cargnoni, FC I, p. 529-533.

50 FC II, 116-117.

to detail was dictated by a desire for *faithful*, rather than *literal*, observance of the Rule; a desire that arose precisely from love for the person of Francis and had its source in the Holy Spirit. In this perspective, *faithful* observance of the Rule is not opposed to its spiritual understanding, but at the same time it is not reduced to its *literal* understanding. *Spiritual* in this case means “by the initiative of the Holy Spirit,” “under his guidance,” and this leads to concrete forms of expression, to faithful respect for the instructions contained in it.

Just as love itself seeks concrete forms of expression, freely imposing certain obligations on itself, so too will the true lover of Francis seek to follow the Rule as faithfully as possible. Hence, in the spirit of this love, the Capuchins have accepted the Testament as a binding norm. This juridical commitment is reflected in their spirituality and lifestyle. In spirituality, it manifested itself in the aforementioned new hermeneutics of Francis’ Rule, through the lens of his life described in the Testament; in lifestyle, on the other hand, it emphasized poverty, minority, and simplicity in particular.

Examining the current Constitutions of the three Franciscan Orders—Conventual Friars, Friars Minor, and Capuchin Friars—it is difficult to notice differences in the interpretation of Francis’ Rule, as was the case a few centuries ago. All speak of the need to understand it spiritually and to observe it in the light of the life and person of the Founder. All encourage reading the writings of the Saint and getting to know him.

However, in the case of the Capuchins, that *signum distinctivum* in reference to the Testament still remains. Our Constitutions emphasize this writing “as the primary spiritual exposition of the Rule and an outstanding source of inspiration for our life.” [52] This provision no longer has a legal and binding character, but only a spiritual and encouraging one. However, compared to the Constitutions of the other branches of the Franciscan Order—in which there is no such clear and direct reference to Francis’ Testament—it distinguishes Capuchin legislation. It is difficult to say to

what extent this provision influences the differences in lifestyle between the Capuchins and other Friars Minor, but it shows that the Testament is a distinctive feature of Capuchin spirituality.