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The Establishment of Franciscan Observant Custodians and Relations with the Provincial Administrations and the General of the Order until 1517

The history of the Franciscan Observance in the late Middle Ages is a story of renewal, conflict, and eventual institutional recognition. From the late fourteenth century onwards, reform-minded friars began to organize communities that sought a stricter adherence to the Rule of St Francis, especially regarding poverty and communal life. These reform groups, which gradually became known as the Observants, developed distinctive organizational structures within the broader framework of the Franciscan Order. Central to their growth was the establishment of *Custodiae*—juridical units grouping together Observant convents—whose relationship with the provincial ministers and the minister general remained contested until the definitive settlement of 1517.

Keywords: Franciscan Observants, Franciscan Reform, Custodies, Vicars, Minister General Conventuals, Late Medieval Church

The Origins of the Observant Reform

The fourteenth century was an eventful one in the history of the Franciscan Order, as the facts thus far recorded clearly demonstrate. By the year 1400, the Order of Friars Minor had grown to remarkable proportions: it comprised 34 provinces, 7 vicariates, 226 custodies, 1,499 convents,[1] and approximately 40 000 members.[2] It had accomplished great good through its missionary activity both at home and abroad; its superiors were frequently elevated to episcopal and cardinalities;[3] its friars often lived lives that earned the highest praise from the popes; and individual members were continually being added to the canon of saints.

Yet one cannot be blind to the defects and shortcomings that afflicted the Order as a whole. The events of the preceding century clearly reveal that there was much unrest: the Order was passing through a painful and critical stage of

[1] AM IX 1933. p. 160–180, 324–334.
[2] Exact figures concerning the number of friars is lacking. See: HOLZAPFEL 2010. p. 170.
[3] See: Eubel 1913. p. 123–189; BF IV 1949. p. 135–144.

its existence. At times, it groaned beneath its burdens; in fact, at one moment it seemed to have reached a fatal crisis that threatened its very survival. Such a state of affairs had its sufficient causes, which can be easily understood. One of the principal reasons for the decline of discipline within the Order was precisely the same issue that aimed at its idealistic reform. The flagrant violations of the queen of all virtues—charity/poverty—in private and public disputes and writings; the false accusations and scandalous detractions exchanged among brethren of the same community during the conflicts with the recalcitrant *Spirituals*; the baneful influence of the controversies with the *Fraticelli*—which affected the Church, the state, and the Order alike, and which under Pope John XXII almost led to the suppression of the Friars Minor— all these factors cannot be overestimated. It can hardly be expected that, while the General of the Order himself is in open conflict with the pope, his own subjects will retain much respect for authority. Religious obedience and discipline will inevitably suffer under such circumstances.

Then came the disastrous epidemic known as the *Black Plague* or *Black Death* (1347–1350), which decimated cities and depopulated convents. According to the *Chronicle of the Twenty-Four Generals*, the Order lost two–thirds of its members.[4] To this calamity must be added the general decline of discipline and morals in the Church at large, a condition that continued into the fifteenth century and gave rise, at the Councils of Constance and Basel–Ferrara–Florence, to the demand for a *Reformatio in capite et in membris / Reform in head and in members*.[5] During the period of the Great Western Schism (1378–1417), the members of the Order were compelled to adhere to different popes, generals, and provincials. Their allegiance often shifted according to geographical location, political pressures, promises, or material advantages. In order to counteract this confusion, superiors themselves made various concessions—measures which, though well—intentioned, naturally had a most harmful effect on common discipline. No wonder, then, that Pope Gregory XI, a great friend of the Order, complained of the many *dissensiones et scandala* in his letter to the friars assembled in the general chapter at Toulouse in 1373.[6]

Yet despite these problems, it would be wrong to conclude that at the end of the fourteenth century the Order had sunk into such a deep declivity of laxism as to form the sole or even the predominant cause of the reform of Fr. Paulo a Trinci. The main source of discord lay not so much in the lack of religious discipline—which, under papal and internal vigilance, soon revived after harmful effects had ceased—as rather in the old, and yet ever new, question of the interpretation of the vow of poverty and the ideas of St Francis concerning it. The Order had just emerged from the almost tragic theoretical disputations with John XXII (1316–1334) and the political—disciplinary conflicts with the Fraticelli. The excessive stand taken by one general of the

[4] See: Chron. XXIV Gen., p. 181–196.
[5] See: Mon. Ord. Min. 1506. p. 123.
[6] See: PALOMÈS 1901. p. 273; DUNCAN 1978. p. 162.

Order, Michael of Cesena, had its reaction in the broader and laxer interpretation given by one of his successors, Eudes (1329–1342). John of Valle, in 1334, influenced by Angelo of Clareno, tried to oppose the papal interpretations of the vow of poverty through his own poor and austere life at Brugliano. Pope Clement VI (1342–1352), however, fearing a recurrence of the Spiritualist strife, caused this effort to fail. Gentilis of Spoleto, a companion of John of Valle, renewed the latter's idealistic intentions in 1350. However, he imprudently admitted men whom the institutional Church branded as apostates and heretics into his community, which compelled the chapter of Assisi in 1354 and Pope Innocent VI (1352–1362) in 1355 to intervene. Once again, the effort came to nothing.[7] A third attempt to observe *ad litteram* the *Rule of St Francis* concerning poverty was undertaken by Fr. Paolo a Trinci, who sought to realize the ideal of poverty lived by the Seraphic Founder, yet under the legitimate direction of the ministers general and provincial. In doing so, he stood in deliberate contrast to the excessive doctrinal positions of the *Spirituals* and the *Fraticelli*, whose rigorism had only fostered discord and schism. This time, however, the effort proved successful.

That the general discipline of the Order at the time when Fr. Paolo a Trinci began his reform was still in a healthy and commendable state is confirmed by the testimony of the popes themselves, who were fully acquainted with the internal condition of the Friars Minor, as their letters clearly attest. Pope Gregory XI (1370–1378), writing to the friars assembled for the general chapter at Toulouse in 1373, precisely at the time when Fr. Paolo embraced the reformed observance, praised the Order for its regularity and fidelity to its constitutions.[8] Likewise, Pope Urban V (1362–1370), in a letter addressed to the Order in 1367, just a year before Fr. Paolo began his reform, commended the friars for the good spirit and discipline then prevailing among them.[9] In similar terms, Pope Clement VI, writing to the friars gathered at Venice for the general chapter of 1346, had already expressed his satisfaction with their observance of the rule and their unity of purpose.[10] In the fifteenth century, after the reform had begun to take firm root, Pope Martin V (1417–1431), on November 11, 1423, in a letter appointing Anthony of Massa as apostolic vicar of the Order, wrote that the Franciscans had produced and was still producing wonderful fruits in the life of the Church.[11] Taken together, these papal testimonies clearly indicate that, despite the internal tensions inherited from the previous century, the Franciscan Order in the mid-fourteenth century still maintained a generally sound discipline and religious vigour—the very foundation upon which Fr. Paolo a Trinci could build his genuine reform.

From these papal commendations it becomes evident that the true cause of the reform was not a general question of discipline, but rather the

[7] AM VII. 1932. p. 24; AM VIII. 1932. p. 25; BF IV. 1949. p. 245–246; BF V. 1958. 128.
[8] BF VI. 1962. p. 503, 537.
[9] AM VIII. 1932. p. 567.
[10] AM VIII. 1932. p. 330; DUNCAN 1978. p. 164.
[11] AM X. 1933. p. 130.

interpretation of the vow of poverty. It was precisely this issue that, for years, came to distinguish the Observants from the Conventuals. By adopting an even stricter understanding of the vow of poverty, the Observants, compelled by necessity, appealed to the papal interpretations previously granted to the Order by Pope Nicholas IV (1288–1292). Yet they soon came to realize what the Conventuals had already experienced: that an Order, as a living and functioning organism, founded entirely upon the principle of absolute poverty as ideally conceived by St Francis, proved in practice to be unsustainable and humanly unworkable. This inner tension between the ideal and the possible—between the spiritual aspiration of evangelical poverty and the practical demands of institutional life—remained a defining element of the Franciscan identity throughout the centuries.

The Establishment of first Reform / Observant Custodians

Fr. Paolo a Trinci had learned from the failures of earlier reform movements two essential lessons: namely, the need for absolute fidelity to the Church in all theoretical opinions concerning the nature of Franciscan poverty, and humble submission to and loyal cooperation with the superiors of the Order, who—striving to promote the ideals of St Francis as far as the conditions of the time allowed—were ready to welcome every genuine movement within the Order that aimed at the correction of abuses and the elevation of religious discipline. For that reason, in 1374, Minister General Leonardo de Rossi (1373–1378), after visiting Umbria and being deeply edified by the humble and austere life of Fr. Paolo and his followers, permitted them to extend their reform beyond Umbria into the neighbouring provinces.[12] They carried out valuable work in Perugia, where a number of *Fraticelli* were still active. As a reward, the community granted the organizers of the new reform the convent of St Francis outside Perugia (*Perugia al Monte*). The minister general, who held them in high esteem,[13] went even further and granted Fr. Paolo and the guardians of the reform, permission to send their friars wherever they deemed it useful. Thus, the reform movement gradually spread and grew in strength.[14]

The reform, moreover, enjoyed the benevolent support not only of the superiors of the Order[15] but also that of the popes. Pope Gregory XI, for example, is said to have addressed a personal letter to Fr. Paolo on 28 July 1373.[16] In 1380, the provincial of Umbria appointed Fr. Paolo Commissary Provincial over the twelve reformed convents that had by then been established.[17] In 1383, he granted him permission to receive novices and to found new houses without having to seek authorization on each occasion. The tenor of these letters clearly shows the goodwill and confidence which the

[12] AM VIII. 1932. p. 298.
[13] AM VIII. 1932. p. 300.
[14] AM VIII. 1932. p.
[15] See: AM VIII. 1932. p. 326; AM IX. 1933. p. 59–60, 267, 383.
[16] BF VI. 1962. p. 533.
[17] AM IX. 1933. p. 42.

provincial entertained toward Fr. Paolo and his reform.[18] The general of the Order, Henry Alfieri (1378–1405), went a step further by appointing Fr. Paolo as his commissary general. Through him, he directed the brethren of the reform, honouring Fr. Paolo as much as possible and granting him the authority to subdelegate commissaries and to send his brethren to all parts of Italy, Bosnia, and Corsica.[19]

Fr. Paolo died on 17 September 1390,[20] and was succeeded in the administration of the reform houses within the Order by John of Stronconio (d. 1418), a renowned preacher and zealous promoter of religious discipline.[21] The three provincials of the provinces of Assisi, Ancona, and the March of Ancona appointed him as their vicar over the houses of the newly organized congregation. He reformed several convents, founded others, and through his preaching gained many followers.[22] The general and the provincials continued to favour the new reform and did all they could to promote its growth. Up to the year 1405, the administration of the reform remained in the hands of the Conventuals, who at that time represented the main body of the community. The guardians of the reformed hermitages were elected in the provincial chapters of the provinces of Umbria, the March of Ancona, and Tuscany, to which they were subject, while the vicar was appointed by the general.[23] Around that year, however, the general and the provincials of these provinces, of their own accord, granted the reform brethren permission to hold their own chapters, enact their own statutes, establish hermitages, admit new members, and send them wherever they deemed proper. They were even allowed to elect their own vicar, subject, however, to the approval of the general. The general and the provincials, nevertheless, always reserved the right to conduct canonical visitations of the houses belonging to the Reform brethren.[24]

The reform continued to grow from day to day. John of Stronconio wished to establish houses also in the Roman province, but since his jurisdiction as vicar of the general extended only over the provinces of Umbria, the March of Ancona, and Tuscany, he applied directly to Pope Boniface IX (1389–1404), asking permission to found two new hermitages there, with their own churches and cemeteries.[25] There were, indeed, other reform houses in the Roman province before this time, but all of them were under the immediate jurisdiction of the provincial of Rome. From Umbria, John of Stronconio also introduced the reform into the Abruzzi, where he opened a hermitage at L'Aquila.[26] By the time of the Council of Constance (1414), the reform brethren occupied thirty-four such hermitages, including Le Carceri, which had been

[18] AM IX. 1933. p. 61.
[19] AM IX. 1933. p. 78, 91.
[20] AM IX. 1933. p. 91.
[21] AM IX. 1933. p. 90; DUNCAN 1978. p. 166–167.
[22] See: AM IX. 1933. p. 383.
[23] AM IX. 1933. p. 383.
[24] BF VII. 1972. p. 164; HOLZAPFEL 2010. p. 94.
[25] BF VII. 1972. p. 164.
[26] AM IX. 1933. p. 383.

granted in 1350 by Clement VI to Gentilis of Spoleto, and San Damiano, which had been conceded to Fr. Paolo by the conventuals of the Umbrian province in 1380. La Verna was transferred to them in 1419. After 1432, the Porziuncola was also entrusted to them by the conventuals of the same province, on the condition, however, that all offerings made by the faithful should be remitted to the Sacro Convento.[27] In addition to the hermitages and convents just mentioned, the newly emergent family of Paolo of Trinci received from the conventuals twelve further convents in central Italy between 1368 and 1415.[28]

The adherents of the reform numbered about two hundred at the time of the Council of Constance.[29] There were very few priests among them, the majority of the friars being lay brothers. They devoted themselves to pious exercises and lived far from the cities and the distractions of the world. They cared little for learning or study, believing that such pursuits were contrary to the spirit of St Francis.[30] They spent their time in meditation, prayer, and physical labour. Their focus was directed more toward their own personal salvation than toward the spiritual care of others.

The new reform movement, called the observance, spread from Italy to France in 1388. Three friars from the Province of Tours, taking advantage of the irregular disciplinary and canonical conditions caused by the Great Western Schism, obtained from the counter—general Angelo of Spoleto (of the Avignon obedience, 1379–1391) a solitary place at Mirabeau in the Diocese of Poitiers, with the intention of living according to a literal interpretation of the rule.[31] Within a short time, and favoured by the popes of the Avignon obedience, Clement VII and Benedict XIII, as well as by several wealthy supporters in Béziers—where Peter John Olivi had been a novice–and in Narbonne, where he had died, these reform friars and their followers obtained eleven houses, among them Laval and Bressuire,[32] in the provinces of France, Burgundy, and Tours. The former inhabitants of these convents were required to make room for the reform brethren.[33]

After the death of John Philip, the provincial of Tours, who had supported the reform, the observants were expelled from their houses. By order of the general, however—under pressure from the pope of the Avignon obedience, Benedict XIII—they were permitted to return. The general also assigned them a commissary of their own, Thomas of Curte.[34] In 1402, Peter of Villanova requested and received permission from Boniface IX to found a house, or to receive one from General Alfieri, in order to introduce the reform into the Province of Aquitaine.[35] In 1407, through the influence of Benedict XIII and the

[27] AM IX. 1933. p. 383.
[28] AM IX. 1933. p. 42; DUNCAN 1978. p. 166.
[29] AM XII. 1935. p. 411.
[30] AM IX. 1933. p. 382.
[31] See: AM IX. 1933. p. 80; PACAUT 2010. p. 298–299.
[32] BF VII. 1972. p. 311, 329, 343.
[33] AM IX. 1933. p. 81; DUNCAN 1978. p. 171.
[34] AM IX. 1933. p. 81.
[35] BF VII. 1972. p. 142; AM IX. 1933. p. 256.

counter—general Bardolini, the reform brethren of the three aforementioned provinces—France, Burgundy, and Tours—obtained exemption from the legitimate superiors of the Order and from the provincials. The French Observants were even granted permission to choose a superior of their own.[36]

Alexander V (1409–1410), the Pisan pope, at the request of general Anthony of Pireto (Alfieri's successor, 1405–1408), who, although favouring the reform, feared a new schism in the Order,[37] issued the bull *Ordinem Fratrum Minorum* on 23 September 1409, against the reform brethren.[38] In it he accused them of violating their vows; of changing the form of the habit; of receiving novices without the permission of the lawful general and provincials; and even of allowing, contrary to the intention of the Rule, such novices to make profession. He further charged them with obtaining exemptions through the influence of secular princes and with undermining obedience, unity, and charity within the Order. In consequence, he annulled all the privileges and exemptions previously granted by Benedict XIII and the counter–general Bardolini; he required the followers of the reform to return to the obedience of their lawful superiors and ordered them to lay aside the habit they had assumed. He also restricted the reception and clothing of novices to the minister general and the provincials.[39] The publication of the bull caused considerable agitation among the reform brethren. Many of them, unwilling to abandon their way of life, appealed to various ecclesiastical and secular authorities for protection. Others, however, submitted at once, fearing that continued resistance might provoke further divisions within the Order. The severity of Alexander V's measures soon produced unforeseen consequences. In several provinces, the reform communities enjoyed strong support from both the faithful and local rulers, who regarded the movement as a genuine return to the ideals of St Francis. As a result, attempts to enforce the bull met with resistance, and in some places the reform continued to flourish despite the prohibitions. After the death of Alexander V in 1410, the attitude of the Curia gradually softened.[40] His successor, John XXIII of the Pisan obedience, while not immediately reversing the legislation, allowed certain mitigations in practice.[41] The reform brethren, encouraged by sympathetic bishops and noble patrons, continued to preserve their stricter observance wherever circumstances permitted. Meanwhile, the influence of the Council of Constance (1414–1418) created a new ecclesiastical climate. The need for moral and disciplinary renewal in the Church at large brought greater appreciation for movements that embodied evangelical simplicity. Consequently, the position of the Observants steadily improved. By the end of the Council, they had

[36] See: BF VII. 1972. p. 316, 417; AM IX. 1933. p. 371; DUNCAN 1978. p. 171–172.
[37] AM IX. 1933. p. 371.
[38] BF VII. 1972. p. 350.
[39] BF VII. 1972. p. 417; AM IX. 1933. p. 506.
[40] BF VII. 1972. p. 483; AM IX. 1933. p. 371.
[41] AM IX. 1933. p. 371.

regained a degree of stability and recognition, laying the foundation for the remarkable expansion of the observant reform in the fifteenth century.

The Council of Constance proved to be decisive for the development of the Franciscan Observant reform. Although the Council's principal aim was to end the Western Schism and restore unity to the Church, it also highlighted the urgent need for moral and disciplinary renewal within religious life. In this atmosphere, the Observant Franciscans recognised an opportunity to present their form of strict observance to the universal Church and to request clearer institutional recognition within the Order. Delegates of the Observants arrived at Constance from Italy, France, and especially from the Iberian Peninsula under the influence of Blessed Peter Cresci. Their purpose was to secure formal approval for their constitutions and their literal observance of the Rule, and to obtain permission to be governed by their own vicars rather than by Conventual provincials.[42] Some French Observants went further than other reform groups, seeking a complete break from the Conventual branch and even proposing the establishment of an entirely new Order of reformed Franciscans with its own governance and identity. The Council of Constance firmly rejected this proposal, insisting that any reform must remain within the unity of the existing Franciscan Order.[43] The Council, encouraged by the French Observants and by bishops supportive of monastic reform, accepted the principle that Observant communities might have superiors of their own who would answer directly to the minister general.[44] Although this decision did not immediately gain juridical force, it was soon confirmed and implemented by Pope Martin V in the bull *In Apostolicae Sedis Specula* of 14 August 1425.[45] By this document, the pope authorised the reform houses to elect their own vicars, to shape their common life according to stricter observance, to receive and profess novices, and to form within the provinces distinct groupings that anticipated the later structure of Observant custodies. On the Iberian Peninsula, however, some Observants—together with a small number of French sympathisers—initially claimed that the decision of Constance had been obtained under false pretences and therefore hesitated to recognise its binding authority.[46] Despite these objections, the conclusions of the Council, strengthened by the papal bull, marked a genuine turning point in the history of the movement. For the first time, the Observants received universal ecclesiastical recognition of their distinct identity and internal autonomy, which paved the way for the rapid expansion and consolidation of the reform throughout the fifteenth century. Beginning with the Council of Constance, reform-minded Franciscans increasingly came to be officially designated as Observants (*Observantes*) in ecclesiastical documents, a title that highlighted their strict and literal observance of the Rule of St Francis. From

[42] See: AM IX. 1933. p. 371–372; AF II. 1897. p. 258–260; PALOMÈS 1901. p. 437.
[43] AF II. 1897. p. 258–260.
[44] AM IX. 1933. p. 388; BF VII. 1972. p. 507; HOLZAPFEL 2010. p. 156.
[45] AM X. 1933. p. 390; PACAUT 2010. p. 299.
[46] BF VII. 1972. p. 660; AM XIII. 1935. p. 168; PALOMÈS 1901. p. 295.

this point onward, the distinction between Conventual and Observant Franciscans became steadily formalised within the Order.

The Expansion of the Observant Reform and its Ecclesiastical Context: A Broader European Perspective

The Observant reform, which began in the small hermitages of Umbria, grew during the late fourteenth and early fifteenth centuries into a broad European movement. Aspirations toward a stricter and more literal observance of the Franciscan Rule appeared across the Iberian Peninsula, the German lands, and Central Europe—from Bohemia and Hungary to Poland. These were not isolated local initiatives but part of a wider pattern of renewal supported by reformed communities, itinerant preachers, and sympathetic bishops and civic authorities.

The wider ecclesiastical context further encouraged this expansion. The prolonged crisis of the Western Schism exposed deep weaknesses in the Church's moral and administrative life, sharpening calls for authentic reform. Within this climate, the Council of Constance became decisive, not only in restoring unity but also in expressing a broad desire for moral and disciplinary renewal. In the years after the council, especially under Pope Martin V, the Observants gained clearer legal recognition and greater structural autonomy, laying the groundwork for their rapid fifteenth-century growth.

Thus, the spread of the Observant reform beyond Italy marks a new phase in its history—one in which local initiatives evolve into a Europe–wide movement closely connected to the wider reform currents sparked at Constance.

A few years after Fr. Paolo had begun his reform in Italy, an even stricter congregation was formed on the Iberian Peninsula. At the beginning of the fifteenth century, on the Iberian Peninsula had three provinces—Portugal (also called Santiago), Castile, and Aragon. During the time of the Great Western Schism, the northern Province of Santiago (Portugal) became divided: some of the friars adhered to Boniface IX, while others followed Benedict XIII. In 1392, three friars of this Province—Didacus Arias, Gundisalvus Mareni, and Peter Diaz–applied to Boniface IX for permission to live in a hermitage apart from the rest of the brethren.[47] The pope readily granted their request, but only on the condition that they remain in all things subject to the legitimate superiors of the Order.[48] Gundisalvus subsequently founded seven such hermitages in the northern part of the province and gained followers. These followers, however–Gundisalvus excepted–soon withdrew from obedience to Boniface IX and attached themselves to Benedict XIII. In 1407, they petitioned the latter to recognize their houses as canonically established, and Benedict XIII granted their request in a bull dated 14 September 1407.[49]

[47] AM IX. 1933. p. 107.
[48] BF VII. 1972. p. 29.
[49] BF VII. 1972. p. 355.

From a bull of Martin V dated September 10, 1427, we learn that a house of St Anthony was founded near Lisbon by brethren who called themselves *de Observantia*;[50] likewise, a convent in Oviedo[51] and the hermitage of *Sancta Maria de Radicibus*.[52] They did not, however, form a separate congregation with jurisdiction of their own, but remained entirely subject to the obedience of the Conventual provincials and the general of the Order.

The beginnings of the reform in the province of Aragon can be traced to 1389, when three friars received permission from Peter de Luna, legate of the pope of the Avignon obedience, Clement VII, to live a solitary life outside the obedience of the regular superiors of the Order.[53] Martin V, in a bull dated 26 July 1418, refers to the reform houses on the Iberian Peninsula as having been founded "a few years previously,"[54] and another bull of the same pope, *In Apostolicae Sedis Specula* (14 August 1425),[55] records the names of the four such houses then in existence. By 1424 these communities had developed sufficiently to receive from Martin V the right to elect their own custos. This privilege was granted on the condition that the new custody remain part of the regular province of Aragon and that both the custody and the custos remain subject to the obedience and oversight of the provincial.[56] At the same time, the reform houses were exempted from the regular provincial tax, and were authorised to elect their own guardians for a period of three years, as well as to receive novices and admit them to profession. A year later, in 1425, Martin V expanded these concessions. Acting through the aforementioned bull, he permitted the four houses to be governed by their own vicars, in accordance with the decree of the Council of Constance made at the request of the French Observants.[57] This measure marked a significant step toward the institutional consolidation of the reform within the province of Aragon.

In the province of Castile the reform appears to have taken firmer and more stable root. Even before 1413, at a chapter held in the city of Cuenca, a decree was issued requiring that in every custody of the province one house be designated in which the friars might live to the traditions of St Francis, observing the Rule strictly and "according to the letter."[58] For the custody of Palencia, the house chosen for this purpose was Sahagún (St Facundus), staffed by fifteen brethren under the direction of Blessed Peter Cresci. The guardian—and in his absence the vicar—was authorised to receive brethren, while the community itself could elect its own guardian, whom the provincial of Castile was obliged to confirm. Although allowed a certain internal freedom, these friars remained subject both to canonical visitation and to the full jurisdiction

[50] BF VII. 1972. p. 685.
[51] BF VII. 1972. p. 388
[52] BF VII. 1972. p. 379.
[53] AM IX. 1933. p. 81.
[54] BF VII. 1972. p. 616.
[55] AM X. 1933. p. 390.
[56] AM X. 1933. p. 83.
[57] See: AM X. 1933. p. 390; BF VII. 1972. p. 623.
[58] BF VII. 1972. p. 384.

of the provincial and the general.[59] Similar permissions and privileges were granted to reform-minded houses in other parts of the Province of Castile.[60]

One of the figures to whom the success of the reform on the Iberian Peninsula—especially in Castile—is most deeply indebted is Blessed Peter Cresci. A doctor of theology, he was appointed by Benedict XIII as head of the reformed house of Sahagún in the custody of Palencia.[61] In 1417 the convent of St Dominic of Silos, in the diocese of Burgos, sought to incorporate the hermitage of Aguilera, founded around 1404 by Peter Cresci.[62] He seems, however, to have opposed the plan; at any rate, the incorporation was made conditional upon his consent and, should he refuse, was not to take effect until after his death.[63] Peter obtained for Sahagún the same privileges that had been granted to other Observant convents and hermitages by the chapter of Cuenca. His influence extended far beyond this single house: contemporary sources often refer to the *Recollectio Villacreciana*, suggesting that he served as a spiritual and organisational point of reference for various reform communities. He also sent a delegation of friars to the Council of Constance to secure approval of their constitutions and the appointment of a vicar over the reformed houses.[64] At the same time, he petitioned that his friars should be allowed to remain under the immediate jurisdiction of the minister general of the Order. Blessed Peter Cresci was the key figure of the early Castilian reform. As the head of the reformed house at Sahagún, appointed by Benedict XIII, he secured for it the same privileges as other Observant communities and became the spiritual and organisational centre of the movement (*Recollectio Villacreciana*). He protected the reform houses, sent a delegation to the Council of Constance to obtain approval of their constitutions, and requested that the reformed friars remain under the direct jurisdiction of the minister general.

In the Portuguese province of St James, the reform was carried out during the 1440s by López de Salazar and Peter de Sontoyo,[65] following the model established on the Iberian Peninsula. However, under the strong influence of the French Observants, they advocated for a complete separation of the Observants from the Conventuals and the creation of a distinct structure.[66] On the Canary Islands, a separate custody for the Observants had already been established in 1423, and St Didacus of Alcalá was appointed as its vicar general.[67] Unlike the French Observants, this branch of the reform did not seek separation from the Conventuals but aimed to implement the reform within the unity of the Order.

[59] BF VII. 1972. p. 384.
[60] See: BF VII. 1972. p. 332, 378, 404, 711.
[61] BF VII. 1972. p. 305, 384.
[62] AM IX. 1933. p. 265.
[63] See: BF VII. 1972. p. 402.
[64] AM XII. 1935. p. 445.
[65] See: AM XIII. 1935. p. 86; AM X. 1933. p. 122; Palomès 1901. p. 295.
[66] Palomès 1901. p. 306.
[67] See: BF VII. 1972. p. 391–399; AM XIII. 1935. p. 281–283.

From what has been outlined above, it is evident that the reform first arose in Italy, then took root in France, and at roughly the same time spread on the Iberian Peninsula. The French Observants, together with a smaller group of the brethren from the Iberian Peninsual, sought complete separation from the Conventuals and the establishment of a distinct order. By contrast, the majority of the Italian and the Iberian Observants wished to remain under the immediate obedience of the minister general and the provincials. It can hardly be said that they formed a separate congregation. The reformed houses did have the right to elect their own guardians, but in most cases these superiors, before receiving full authority, had to be confirmed by the general or the provincial through formal ordinances. The reform communities also remained under their supervision through canonical visitations, conducted either personally or by a visitator appointed for that purpose. A decisive impulse toward greater internal organisation came in the late fifteenth and early sixteenth centuries through the influence of Cardinal Francisco Ximenes de Cisneros. As both a Franciscan reformer and a powerful churchman, Ximenes played a central role in encouraging the creation of autonomous Observant custodies on the Iberian Peninsula, ensuring that the reform could develop with its own internal structures while remaining formally within the unity of the Order.[68] His support extended beyond the Iberian Peninsula: through his diplomatic and ecclesiastical influence he contributed to the establishment of Observant custodies in Flanders as well, thereby consolidating the position of the Observants as a disciplined and recognisable branch of the Franciscan family.[69]

The Expansion and Consolidation of the Observant Reform in the Fifteenth Century

The Observant Franciscan reform in the fifteenth century assumed its classical form through the activity of St Bernardine of Siena, St James of Marchia, and St John of Capestrano. Together with Blessed Albert of Sarteano, these friars are often described as the "four pillars of the reform," for it was through them that the Observance gained organisational stability and spread from Italy to the rest of Europe. Bernardine, who entered the Order in 1402, became the principal preacher and organiser of the Italian Observance;[70] in 1438, Pope Eugene IV (1431–1447) appointed him the first general vicar of the Italian (Cismontane) Observants,[71] a position later held by John of Capestrano.[72] His powerful preaching, strict personal asceticism, and strong emphasis on poverty and unity made Bernardine the visible symbol of the movement.

St James of Marchia, who entered the Order in 1416, soon became a close collaborator of Bernardine of Siena and John of Capestrano. He worked as a

[68] See: AM XV. 1935. p. 101–107, 126 –128; PALOMÈS 1901. p. 356–359.
[69] See: AM XV. 1935. p. 152–154, 176.
[70] AM IX. 1933. p. 31; AF II. 1897. p. 300
[71] AM XI. 1933. p. 32; AF II. 1897. p. 301.
[72] AM XII. 1935. p. 288–289, 437–438; AF II. 1897. p. 352; PALOMÈS 1901. p. 332.

preacher and reformer throughout central Italy and along the eastern Adriatic, while also helping to shape the legal and spiritual framework of the reform.[73] John of Capestrano, who joined the Order in 1414, continued the same programme but with an exceptionally wide international reach. After Bernardine's death in 1444, Capestrano emerged as the central promoter of Observant reform in Central and Eastern Europe—especially in Germany, Hungary, and Poland—where he founded new houses and strengthened existing Observant communities. His preaching activity, including his role in rallying resistance against the Ottomans, was closely linked with the establishment and consolidation of Observant custodies in these regions.[74]

In the German—speaking land, the reform advanced significantly in the second half of the century, largely thanks to Capestrano's influence and the support of Cardinal Nicholas of Cusa. Numerous Observant monasteries were founded, and *cismontane* Observance became firmly rooted in German provinces. In Hungary and the neighbouring territories (including present-day Croatia), the Observants gradually assumed a leading pastoral role, integrating themselves into existing Franciscan structures. In Poland, the reform spread through contacts with Italian and German Observant houses and eventually took shape in the form of distinct Observant vicarates.[75] In England, the Observants became part of the so-called *ultramontane* Observance: they entered the pre-existing Franciscan province, where communities following the stricter observance emerged under their own superiors, though still formally within the unified Order.[76]

A major turning point came with the general chapter of Assisi in 1430, convoked by Pope Martin V, "in order to fulfil our desire for the general reform of the Order."[77] Both Conventuals and Observants participated, and William of Casale (Guglielmo da Casale) was elected minister general (1430–1442). The true intellectual and reforming force of the chapter, however, was John of Capestrano, who played a central role in drafting a new set of statutes known as the *Constitutiones Martinianae*, named after Pope Martin V.[78] These constitutions sought to reform the entire Order by reinforcing existing norms, abolishing separate Observant vicarates, reducing financial abuses, and limiting the use of money and intermediaries in the name of poverty.[79]

The period of William of Casale proved to be complex. Although he initially attempted to implement the Martinian Constitutions as a unifying reform, he soon requested and obtained papal permission to relax the norms on poverty in favour of the Conventuals. This caused distrust among the Observants and revealed the limits of attempts to reform both branches together. In the following decades the system of general vicars for the Observants, combined

[73] AF II. 1897. p. 330; AM XII. 1935. p. 269
[74] See: Kovács 2003. p. 93–99.
[75] See: Kovács 2003. p. 94.
[76] See: Little 1923. p. 468.
[77] AM X. 1933. p. 160.
[78] AM X. 1933. p. 165.
[79] See: AM X. 1933. p. 167–177.

with the growing division between the *cismontane* and *ultramontane* Observance (especially after the chapter of Padua in 1443),[80] effectively created a dual structure within the Order: the Conventuals retained a more flexible observance, while the Observants, relying on their network of custodies and vicars, continued to follow a more rigorous interpretation of the Franciscan ideal.

Within this context, the activity of Bernardine of Siena, James of Marchia, and John of Capestrano appears as a crucial spiritual and organisational force. They sought to avoid a formal schism or the creation of "a new Order within the Order," yet at the same time they strengthened the identity of the Observants as a coherent and recognisable reform movement which, from the mid-fifteenth century onward, increasingly assumed the leading role in Franciscan life across many parts of Europe.

By the end of the fifteenth century, the Observant movement, which had begun in Italy at the close of the fourteenth century, had grown from a handful of eremitical communities into a well-organised and internationally widespread network of custodies that functioned almost as parallel provinces within the Franciscan Order. According to *Annales Minorum*, the number of Observant houses in Europe rose from fewer than twenty around the year 1400 to more than 250 by 1500, with Italy, Iberian Peninsula, Hungary, and the German lands becoming particularly strong centres of the reform.[81]

In Italy, the cradle of the Observance, an extensive network of houses developed in Umbria, the Marches, Tuscany, and the Veneto. By mid-century, these communities were already governed by their own Observant vicars confirmed by the minister general. The provincial ministers retained only nominal authority, while real governance rested with the Observants, who in many Italian regions were already more numerous than the Conventuals. France, however, presented a different picture: there the Observants, from the end of the fourteenth century onward, demanded complete separation and the establishment of a new Order. Yet the Council of Constance rejected these demands, allowing them only internal autonomy within the single order. Nevertheless, French Observant custodies gradually stabilised, especially later under the influence of Cardinal Ximenes.[82]

The kingdoms on the Iberian Peninsula soon became one of the strongest strongholds of the Observance. In Castile, Aragon, and Portugal, numerous custodies emerged with their own vicars and statutes; more than seventy Observant houses existed in Spain by the end of the century.[83] The reform centres of Sahagún and Aguilera in Castile, the Aragonese Observants with their papal confirmations from the 1420s, and the Portuguese reform modelled on Castile in the 1440s formed the most compact Observant network

[80] AM XI. 1933. p. 175; AF II. 1897. p. 308.
[81] See: AM XV. 1935. p. 253–255, 265–266, 454–458.
[82] See: PALOMÈS 1901. p. 384–385.
[83] AM XV. 1935. p. 152–155.

in Europe.[84] Cardinal Ximenes de Cisneros played a decisive role here: during the final decade of the fifteenth century, he created autonomous Observant custodies in both the Iberian Peninsula and Flanders, strengthening their identity and administrative independence. His reforms were confirmed by papal charters.[85]

In the German lands, the Observance expanded explosively through the influence of John of Capestrano and Cardinal Nicholas of Cusa. Around 1440 there were only a handful of reformed houses, but by 1500 their number had exceeded thirty.[86] German Observant custodies distinguished themselves by strict discipline, especially concerning the admission of novices and the absolute prohibition of property. In the Kingdom of Hungary—including present-day Croatia—the Observants founded more than twenty-five houses by 1500 and became a major pastoral force, combining strict observance of the Rule with preaching and popular devotion, particularly in the face of Ottoman pressure. Poland likewise developed a stable network of Observant houses—more than twenty—connected with Italian and German reformers and organised into distinct vicariates within the province.[87]

In Flanders, thanks to the influence of Ximenes, a highly organised Observant custody was established, while in England, the Observance entered the existing province under an ultramontane model, in which small communities of reformed friars lived alongside the Conventuals under their own vicars. By the end of the century, England had ten to twelve Observant houses firmly integrated with the continental Observance.[88]

In the mid-fifteenth century, both Callixtus III (14551–1458)[89] and Pius II (1458–1464) relied heavily on the Franciscan Observants as instruments of ecclesiastical and social renewal. Callixtus III made extensive use of Observant preachers such as John of Capestrano in the preaching of crusade and moral reform, while Pius II continued to support Observant communities and their leaders, confirming their privileges and employing them as trusted agents of pastoral and disciplinary renewal. Pope Pius II granted the Observants full autonomy by confirming their independent structure, their own superiors, and their freedom to govern without dependence on the Conventuals.[90]

This expansion was accompanied by the steady formation of an Observant identity increasingly distinct from that of the Conventuals. By the end of the century, strong international networks—the Cismontane and Ultramontane Observance—ensured coordinated governance of Observant custodies from Portugal to Poland. By the end of the fifteenth century, Observant custodies in

[84] See: AM XV. 1935. p. 176.
[85] BF XIII. 1906. p. 223.
[86] AF II. 1897. p. 519.
[87] See: AM XV. 1935. p. 313–316.
[88] Little 1923. p. 470.
[89] AM XIII. 1935. p. 65.
[90] See: AM XIII. 1935. p. 191–193, 348–349; AF II. 1897. p. 399–406; Holzapfel 2010, p. 132–134; Pacaut 2010. p. 299.

many regions had surpassed the Conventual structures both numerically and organisationally. On the Iberina Peninsula and Hungary, more than two-thirds of the friars belonged to the Observance; in Italy, the Observants had more houses than the Conventuals; in Germany, Poland, and Flanders, the reformed houses became important regional centres; and in France and Portugal they became almost the default instrument of religious renewal. The custodial system—operating as a "province within a province"—had become fully established: Observant vicars held real governing power, custodies held their own chapters and adopted their own statutes, they received and trained novices, and they maintained regular communication with the Observant general vicars on an international level.

All of this made the Observance, by the end of the fifteenth century, a stable, numerous, and clearly organised body which, although still formally within the single Franciscan Order, operated in practice as a distinct branch thus laying the institutional foundations for the full juridical separation of the Observants from the Conventuals in 1517.

Conclusion

The development of the Franciscan Observant reform from the late fourteenth to the early sixteenth century demonstrates how a small eremitical movement grew into a broad, interconnected, and internationally organised network that gradually secured stable institutional structures within the Order. The fundamental impulses of the reform—a return to literal evangelical simplicity, stricter poverty, and renewed discipline—took shape through the establishment of Observant custodies and vicars, who, although formally subject to provincials and the minister general, in practice exercised a high degree of internal autonomy. Key figures such as Paolo a Trinci, Bernardine of Siena, James of Marchia, and John Capestrano, together with papal support, especially after the Council of Constance, enabled the spread of the reform throughout Italy, France, on the Iberian Peninsula, Germany, Hungary, and Poland. During the fifteenth century, the Observants became the principal agents of Franciscan renewal, forming a distinct spiritual and administrative tradition that often surpassed the Conventual structures. By the end of the century, Observant custodies functioned effectively as "provinces within provinces," and their numerical strength, disciplinary coherence, and international networks made the Observance a de facto separate branch within the Order. This evolution created the institutional foundations that would make possible the formal juridical separation of the Observants and Conventuals in 1517.

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